

**PLANNING APPLICATIONS COMMITTEE**  
**10<sup>th</sup> February 2022**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	21/P1780	30/04/2021
<b>Address/Site</b>	Rufus Business Centre, Ravensbury Terrace, Wimbledon Park, London, SW18 4RL	
<b>Ward</b>	Wimbledon Park	
<b>Proposal:</b>	Demolition of existing buildings and erection of 3-8 storey buildings comprising 96 residential units and commercial floorspace (880 sqm), with associated landscaping, access, servicing and parking	
<b>Drawing Nos</b>	332.PA.001, 101, 102 Rev C, 103 Rev A, 104, 105, 106, 107, 108 Rev A, 109, 110, 111, 112 Rev A, 113 Rev B, 114 Rev B, 115 Rev A, 116 Rev A, 117, 118, 201 Rev A, 202 Rev A, 203 Rev A, 204 Rev A, 205 Rev A, 206 Rev A, 207 Rev A, 208 Rev A, 209 Rev A, 210 Rev A, 211 Rev A, 212 Rev A, 213 Rev A, 214 Rev B, 215 Rev B, 216 Rev A and 217 Rev A	
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)	

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**RECOMMENDATION**

**Grant Planning Permission subject to conditions and completion of a S.106 legal agreement.**

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**CHECKLIST INFORMATION.**

Heads of agreement: Permit Free, Zero Carbon contribution (£149,817), Car Club Membership, Travel Plan, Affordable Housing (8 units and early and late stage viability review required), Security fencing and permissive access & Playspace contribution (£15,000), Wandle Trail “missing link” project contribution (£ TBC).

Is a screening opinion required: No

Is an Environmental Statement required: No

Has an Environmental Impact Assessment been submitted – No

Press notice – Yes

Site notice – Yes

Design Review Panel consulted – No

Number of neighbours consulted – 410

External consultations – Environment Agency, Network Rail, Transport for London (TFL), Natural England London office, Thames Water, Crossrail, Historic England (GLAAS) & LB Wandsworth

PTAL score – 4

Controlled Parking Zone (CPZ) – P3

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## 1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration as it falls outside of the Scheme of Delegation due to officer recommendation of grant permission subject to conditions and S106 agreement and the number and nature of objections received.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises an existing industrial estate know as Rufus Business Centre in Wimbledon Park. The site is approximately 0.317-hectare in size and contains three blocks of three-storey buildings. The three building blocks, split into 16 different units, are used as office and storage/distribution accommodation. The total Gross Internal Area (GIA) of the existing buildings at the site is circa 2,662sqm with an average of 100 employees.
- 2.2 The application site is accessed via an existing vehicular access from Ravensbury Terrace to the north of the site. This adjoining site, formerly known as Haslemere Industrial Estate is in the latter stages of implementing planning approval (Ref: 16/P2672) for 129 dwellings and 1,176.6sqm of commercial (office) floorspace.
- 2.3 Directly to the east of the site is a railway line, with the tracks on the top of a steep embankment approximately nine metres above the

lowest point of the application site. On the other side of the tracks is the “Garratt Mills” site where construction is underway for a development of co-living apartments, within nine storey buildings (*London Borough of Wandsworth Ref: 2019/1083*).

- 2.4 To the south of the site is the Durnsford Recreation Ground, a suburban park which contains features including a playing field, climbing boulders and children’s play equipment. Also to the south is the “Wellington Works” site, comprising of single-storey industrial workshop buildings.
- 2.5 To the west of the site are residential properties in Dawlish Avenue, the closest of which are No.40(a) &40(b) Dawlish Avenue, a modern standalone three-storey building comprising two dwellings. Further beyond these dwellings are the majority of properties that comprise Dawlish Avenue, which are at higher ground level than Rufus Business Centre.
- 2.6 Beyond the former Haslemere Industrial Estate to the north is the Thornsett Road Offices (Banham Group) which consist of a five-storey commercial building.
- 2.7 Also to the north of the Haslemere site, with construction underway, is 12A Ravensbury Terrace, which obtained planning permission February 2018 (Merton ref: 16/P3551) for a six-storey building comprising 24 dwellings and 318sqm of office accommodation.
- 2.8 The site currently has a Public Transport Accessibility Level of 4 on a scale of 0-6b where 6b is the highest. The closest section of the Transport for London Road Network (TLRN) is the A214 Trinity Road located over 1km east of the site. The closest section of the Strategic Road Network (SRN) is the A214 Garratt Lane located approximately 450m to the east of the site. Earlsfield Rail Station is located approximately 550m north east of the site. Bus stops are located on Garratt Lane, Earlsfield Road and Merton Road providing access to four routes (270, 44, 77 and 156
- 2.9 The site is in Flood Zones 2 and 3. It is not within a town centre or Conservation Area, nor does it contain any heritage assets; however, the site does contain various land contaminants, including radioactive materials.

### 3. **PROPOSAL**

- 3.1 Planning permission is sought for the demolition of the existing buildings and erection of 3-8 storey buildings comprising 96 residential units and commercial floorspace (880 sqm), with associated landscaping, access, servicing and parking.

### Land Use & Amount

- 3.2 The application proposes a mixed-use development which would comprise of circa 880sqm of commercial floorspace to be occupied as co-working/flexible office workspace across the ground floor, with residential accommodation provided on the upper floors.
- 3.3 The residential accommodation would consist of 96 flats to be provided within two buildings, divided into four distinct cores. The accommodation mix is proposed to include 55 x 1-bed; 37 x 2-bed; and 4 x 3-bed flats.
- 3.4 A total of eight affordable housing units are proposed, with a tenure split consisting of 6 x London Affordable Rent and 2 x Shared Ownership. These units would be located within the same Block (Block D). Ten wheelchair accessible dwellings are also proposed.

### Proposed Design

- 3.5 The development consists of two distinct buildings, including a three-eight storey building, containing Blocks A, B and C, which would run along the boundary with the railway line, and a three-storey building opposite containing Block D.
- 3.6 The proposed siting of the two buildings represents a continuation of the linear layout of the adjacent Earlsfield Place (former Haslemere Industrial Estate). Access to the site would be via an extension of the existing road running through Earlsfield Place, which connects to Ravensbury Terrace. Alterations to the level of this existing road through Earlsfield Place, where it is proposed to connect into the proposed Rufus Business Centre redevelopment, will be required in order to ensure safe and level access in the event of flooding.
- 3.7 At ground floor, a central open space is proposed which would provide a landscaped public realm, promoting connectivity through the adjacent site onto The Wandle "Way" Trail and safeguard opportunities for future connectivity into Durnsford Recreation Ground to the south.
- 3.7 The larger of the two buildings ranges from six to eight storeys where it is adjacent to the six storey Earlsfield Place development. Along the boundary of the site adjacent to Durnsford Recreation Ground, this building steps down in scale, reducing from eight to three storeys.
- 3.8 Block A consists of a six to seven storey element containing 34 flats above the ground floor commercial floorspace. Block B is a seven-eight

storey element with 14 flats and Block C ranges from three-eight storeys and contains 40 flats as well as commercial floorspace.

- 3.9 The smaller building proposed consists entirely of Core D which is a three-storey element containing ground floor commercial floorspace providing a total of eight flats above. These flats would be solely affordable housing units.
- 3.10 Across the roof areas of Blocks A and C, a variety of roof terraces and play areas are also provided. A total of 203sqm of play spaces for ages 0-4 is proposed.
- 3.11 Contemporary palette of materials is proposed, including two varieties of London Stock facing brick of contrasting light and dark elements. Other materials include black powder coated balustrading, solid stone effect panels and black framed aluminium double glazing (triple glazing in Core D).

Access & Parking

- 3.12 The application site will benefit from vehicular access through the adjacent Earlsfield Place development. An in/out turning layby to accommodate delivery and refuse vehicles will be provided. Servicing and deliveries will be made via the access road. Refuse storage areas will be within 20 metres of the access road. A refuse vehicle will be able to enter the site, turn and leave in a forward gear.
- 3.13 The development is proposed to be car-free except for the provision of three disabled parking spaces, one visitor space and a car club space. The three permanent spaces would be provided with electric vehicle charging points. A total of 184 cycle stands, including visitor spaces, will be provided within the development.

Refuse

Residential

Core A:	6 x 1100L Eurobin (3 General Waste 3 Recycling) & 2 x 240L Wheelie Bin (Organic waste)
Core B:	4 x 1100L Eurobin (2 General Waste 2 Recycling) & 1 x 240L Wheelie Bin (Organic waste)
Core C:	8 x 1100L Eurobin (4 General Waste 4 Recycling) & 2 x 240L Wheelie Bin (Organic waste)
Core D:	2 x 1100L Eurobin (1 General Waste 1 Recycling) & 1 x 240L Wheelie Bin (Organic waste)

#### 4. **PLANNING HISTORY**

- 4.1 01/P2626 - Display of two internally illuminated signs at first floor level on the building – Grant - 01/02/2002.
- 4.2 00/P0423 - Erection of an industrial building to provide 2 no. (B1) business units (560 sq.m.) with ancillary parking and servicing – Grant - 22/11/2000
- 4.3 89/P0547 - Erection of a part two/part three storey building (Block A) comprising 6456 sq.ft.of business premises (class b1) and 7779 sq.ft.of warehousing premises (class b8) with ancillary offices and a separate two storey building (block b) comprising of 5680 sq.ft.of business premises (Class B1) with ancillary offices – Grant - 21/09/1989
- 4.4 WIM7923 - The filling in of the stream between the eastern boundary of this site and adjacent railway embankment and use of the area as a car park – Grant - 02/03/1965

#### 5. **CONSULTATION**

- 5.1 The application has been advertised by major site notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.1.1 In response to the consultation, 27 letters of objection received (plus a 350+ petition) and one letter of support/comment.

The letters of objection raise the following points:

##### Highways

- Increase in traffic and road safety risk.
- Application site should provide a vehicle access to adjacent Wellington Work development that is currently unsafe. A new access road to the existing Wellington Works via Dawlish Avenue could be similar in width (to existing) but superior in safety to the current access route via Dawlish Avenue.
- How the existing vehicle access via Dawlish Avenue can be improved does not actually address the narrowest points of the lane. There is no way of improving the narrowest, most problematic points of the lane due to the physical constraints of the site therefore the proposal is fundamentally flawed and misrepresentative.
- The developer wished to build on part of the Durnsford Recreation Ground to widen access to private land for the commercial gain of the developer. This is completely unacceptable. As a community

we should be looking to preserve valuable green spaces in London for the benefit and amenity of local residents.

- If vehicle access to Wellington Works is not provided through the Rufus Estate then the developer of Wellington Works has proposed that all construction traffic will access the Wellington Works site via Wellington Road. This will require a high volume of heavy goods vehicles to travel down narrow streets boarding Wimbledon Park Primary School and the Durnsford Recreation Ground.
- Parking is already short on the street.
- Occupiers will want parking spaces
- Proposed access via Dawlish Lane is dangerous
- The thoroughfare proposed to facilitate access to the Wandle Trail, this is clearly not achievable given the existence of a South West Trains Depot, a multi-track railway and Durnsford Road Bridge
- The proposal seeks to access the building via Dawlish Avenue which has already been rejected by applications at Wellington Works.
- Development must be permit free
- Development does not enable any vehicle access to Wellington Works via Rufus Estate

#### Durnsford Recreation Ground

- Loss of trees and amenity. Tree report states that the trees are of limited value. However no doubt, but to the birds, insects, fungi and biodiversity that exists there.
- Opening up access to the rec will increase antisocial behavior and crime
- Public thoroughfare into Durnsford Rec has been repeatedly rejected by the Greenspace Department
- The green spaces in the park were part of a wilding project built by the local community and again, this was grant funded and is now an essential part of Durnsford Rec.
- Opening up the Rec to more pedestrianized traffic would jeopardize these essential school based activities and potentially cause health and safety issues.
- 8 storey block is completely unacceptable as it will tower over Durnsford Road Recreation Ground, spoiling the skyline and taking away any privacy for residents and children enjoying the Rec.
- This section of the Rec provides a wild part where children can explore and have adventures. The remainder of the Rec is formally planted and landscaped, quite pretty, but not exciting.
- The idea that Durnsford Recreation Ground is available to developers to build on is arrogant and naïve, as well as untrue. It is there for the benefit of the local community, owned by Merton Council who have previously defended it against exploitation by

speculative developers.

- The biodiversity of the Recreational ground will be affected by the building works. Merton Council is supposed to uphold and support making the borough greener so this is in opposition to this. It is a mature area of trees with many birds nesting there.
- Wimbledon Park Primary School currently uses the Rec for their sports activities so this will be impinged upon by the reduced space and also the number of extra people passing through the Rec, making it less safe for children.
- Request the LBM give environmentally protected status to Durnsford Recreational Ground.
- Height would inevitably takeaway light from the park
- Several mature Ash trees form part of the densely wooded area of Durnsford Road Recreation Ground which would be damaged.
- It is in the applicant's interest to promote a direct link of both sites into the Rec - as their new flats and offices will achieve higher values with a direct link into the Rec, rather than without it

### Design

- Excessive height, not in keeping with local area. Maximum height should not be higher than other buildings.
- Development needs proper bins
- Eight storey development would look too much of an eyesore overlooking the park and the green space
- Do people want to live in a block of flats meters away from the railway line with the intermittent noise of trains shunting through the night?
- Will dominate the 2 storey houses in the neighbouring streets.
- The design does not take into account the current architecture in the vicinity.
- Will look out of place, unattractive, visually intrusive and dominate views
- The approved project of Earlsfield Place, which is located literally next to this application, should serve as the guideline for the maximum height of the buildings.
- Over half the flats are 1 bedroom flats of only 50 sqm, which is the very minimum allowed?
- Will ruin the views from the local Durnsford Recreation ground
- Mix of units seems uneven
- Too many flats
- Lack of three bedroom flats
- Poor quality flats
- Earlsfield Place is oppressive and should not be used to justify doing the same development.



- There is no development co-ordination. There are at least four active development plans in close proximity totaling over 110 new dwellings. What is the Planning Policy Team doing about this?
- Proposal fails Merton's Councils Tall building guide which states all development needs to respect, reinforce and enhance the local area.

### Uses

- Loss of much used light industrial site
- The existing site has 17 small and medium sized industrial units supporting a mix of light industry with a total size of over 1700 sqm. Every unit is fully occupied. There are over 160 jobs on the existing site. Loss of existing business and jobs is contrary to Policy CS12 of Merton's Core Planning Strategy and Merton's Article 4 directions.
- The site next door (Haslemere Industrial Estate) had a very similar issue in that it replaced a very large commercial bakery employing over 200 people, a gym and two other businesses. The development has just submitted a revised planning proposal 21/P1165 to reduce that commercial space allocated by half. If approved, this makes a mockery of the original proposal stating the need to provide local employment spaces.

### Neighbour Amenity

- Lack of any assessment of visual impact beyond a sun-shadow assessment
- Loss of light and overshadowing
- Disruption during construction
- Loss of light to communal roof terrace in Block E of Earlsfield Place
- Loss of privacy and overlooking (from windows, roof terraces and balconies)
- Oversight of plans as private alleyway land has been included to the rear of Dawlish Avenue which is private land. This should be removed from the present plans. This is unacceptable, the applicant has no right of accessing this land and any such provision of access will compromise privacy and security

### Other

- Will the flats be affordable? Low number of affordable flats (6%).
- Why were Wellington Road residents not included in the consultation?
- Increased pressure on schools and GP surgeries that are already over subscribed
- Not of the highest BREEAM energy assessment

- Building on a flood plain. Increased flooding in area
- Change to air flow dynamics
- Impact on local sewer network
- Impact on foundations and gardens of existing homes
- Residents haven't been properly consulted by the developer

The 350+ petition requests that:

- All access to Wellington Works is provided through Earsfield Place and the Rufus Business Centre
- The planning applications for Wellington Works and The Rufus Business Centre are considered together, and the development plans coordinated, for the safety of the local community.

We call upon the London Borough of Merton Council to:

1 - In light of the recent sale of the site known as Rufus Business Centre (for re-development purposes) and the ongoing redevelopment of the Earlsfield Terrace site (formerly known as the Haslemere Industrial Estate), exercise its powers to ensure that all access to the redevelopment sites at Rufus Business Centre and 1-3 Wellington Works is provided exclusively through the Earlsfield Terrace (Haslemere Industrial Estate) and that no access associated with the re-development of these sites (for the purposes of creating access to the Wandle Trail and / or demolition, construction or operation, vehicular or pedestrian, primary or supplementary) shall be permitted through Dawlish Avenue and / or Wellington Road and / or Durnsford Road Recreation Ground, in order to preserve local amenity and prevent nuisance being caused to residents.

2 – Prevent the creation of any new access route into Durnsford Road Recreation Ground from Dawlish Avenue and / or the above applications site. Ensure that any new development does not result in facilitating access, authorised or otherwise, to the Wellington Works industrial estate by young persons using the recreation ground.

5.1.2 The letter of support/comment, raises the following points:

- Supportive of application (the adjacent build (same developer/construction firm) has been completed to a good stand and fits in well with the surroundings. I would suggest fixing the development to six stories rather than eight to ensure that is not overbearing.

- 5.13 Swift Conservation - The development presents a golden opportunity to help local swifts through including artificial nest sites into the new construction.
- 5.2 Councils Tree Officer – No objection subject to condition
- 5.3 Councils Flood Officer - No objection subject to condition
- 5.4 Council's Waste Officer – The proposed waste management arrangement is one that can be considered acceptable.
- 5.5 Councils Highway Officer – No objection subject to conditions and that construction traffic are not to use Mount Road or Haslemere Avenue and not to be in peak hours
- 5.6 Councils Transport Planner

#### Access

Ravensbury Terrace is connected to the site access road at a priority junction. The site access is a private road which currently provides access to a new housing development, Earlsfield Place (The former Haslemere Industrial Estate), and the Rufus Business Centre.

The development will provide a pedestrian access from the apartment blocks to the existing footway layout which has recently been constructed as part of the Earlsfield residential development next door.

#### CPZ

The local roads in the area provide on-street parking within Controlled Parking Zones (CPZ). The site falls within the Merton's CPZ (Zone P3) which restricts on-street parking to residential permit holders only from Monday to Friday, 9.30am to 4.30pm.

#### PTAL

The site is located in an area with a PTAL of 4 which is very good being well located to all the services and facilities.

#### Car Parking

The development will be car free, apart from providing 3 disabled spaces on-site at the onset, together with 1 visitor space for use by both the residential and non-residential users. The planning drawings also show how further disabled parking spaces can be provided at some point in the

future should the demand for disabled spaces grow, in accordance with the current London Plan Policies.

The car parking as shown is acceptable.

Permit free option would be acceptable subject to the applicant enters into a Unilateral undertaking which would restrict future occupiers of all units of the development from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.

### Car Club

The development will also provide a parking bay within the development off the access road for use by a car club.

The applicant to provide free car club membership for all new residents and this should be secured for three years.

All disabled bays, car club bay and one visitor bay within the site to provide Electric vehicle charging points.

### Cycle Parking

In compliance with The London Plan minimum cycle parking standard, the development will provide 184 secure long term cycle parking spaces including 5 visitor stands.

The applicant to clarify the cycle stores located near to the commercial unit have level access. The access route appears to be ramps/ steps, which would not be suitable.

The operating space looks particularly tight in some places (generally the operational space for 2 tier racks should be at least 2m, similar to the length of the rack itself).

The applicant to demonstrate that there is adequate operational space according to the manufacturer's guidance.

### Access and Servicing

The proposed vehicular access to the development will be the continuation of the access road recently constructed as part of the Earlsfield residential development and will provide an in and out layby capable of accommodating deliveries and a refuse vehicle.

Swept Path analysis has been carried out to demonstrate all vehicle are able to turn within the site and approach the adopted highway in forward manner.

### Refuse

The maximum distances that operatives should be required to wheel containers, measured from the furthest point within the storage/collection area to the loading position at the back of the vehicle, should not exceed 20 metres

### 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.

### Recommendation

The proposed development is unlikely to have a detrimental severe impact on the surrounding highway network in terms of capacity or highway safety.

Raise no objection subject to:

- All car spaces as shown maintained
- The applicant enters into a Unilateral undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- Disabled bays, car club bay and visitor space to provide with EVCP and maintained as shown on plan.
- Cycle parking: The applicant to submit detail drawings:
  - To clarify the cycle stores located near to the commercial unit have level access.
  - The operating space for 2 tier racks in accordance with the manufacturer's guidance.
- Condition requiring Refuse collection.
- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.
- 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.

- Provide free car club membership for all new residents and this should be secured for three years.

5.6 Councils Urban Design Officer –

The site has been subject to Pre-Application discussions. The design appears similar with few design changes. My main concern at the time was maintaining a clear and visible route through the site for pedestrians and cyclists at a minimum, towards Wellington Works, irrespective of whether this is a street, road or has vehicular access or not. Concerns remain with the undercroft route.

The form and massing do not relate well to the adjacent new development to the north, the mass is not broken up in a satisfactory manner and the overall feel is of over development. This is largely due to the massing of the site, though the architecture does not help, having a strong horizontal emphasis giving it a slab like form and not breaking up the mass. The interface with the site to the north is not managed very well.

Some internal labelling dimensions inaccurate. Positioning of dining tables fails clearances required around kitchen units. It is therefore likely that building regulations and space standards may not be being met.

No objection to amended plans.

5.7 Council Climate Officer - No objection subject to conditions and S106

5.8 Councils Policy Officer - No objection subject to conditions

5.9 Councils Environmental Health Officer – No objection subject to conditions

5.10 Councils Contamination Officer – No objection subject to conditions

5.11 Councils Air Quality Officer - No objection subject to conditions

5.12 Councils Greenspaces Team

The Greenspaces Team unequivocally rejects any possibility of access being granted into or through the recreation ground. The neighbouring industrial site is privately owned and therefore it is assumed that no formal access can be had there either. Furthermore we don't appreciate the misinformation presented in the documents; using the recreation ground to beautify the application, implying its integral to the scheme.

The height of the development is overpowering, the only people that will be able to enjoy the view of the parks are the select few that purchase the properties overlooking the park. Meanwhile the hundreds of visitors to our

parks day in day out have to look at this monstrosity.

We also have concerns in regards to construction traffic and the severe physical restrictions around the surrounding roads. We have concerns about the ability for our service delivery partners, idverde to be able to carry out routine and reactive works/maintenance with the increase in construction traffic.

#### 5.13 Council's Future Merton S106 Manager

Future Merton would like to request that a contribution be sought from this development (figure to be confirmed) towards the Wandle Trail including the "Missing Link" project and works in the vicinity of the site to improve the access to and along the Wandle Trail for residents of the development.

This is to address a demand the development places on the area to provide better access to the Wandle Trail opening up walking and cycling opportunities for active recreation and sustainable travel.

The first priority for the funding is to contribute towards an extension to the Wandle Trail called the "Missing Link" project, to create a path along the River Wandle from Trewint Street in the South to Penwith Road via Ravensbury Terrace in the North. Financial contributions have been paid towards the project together with in-kind works being carried out at two developments that have been secured under S106 agreements for the two sites as follows:

- Haslemere Industrial Estate (LB Merton refs 16/P2672 and 21/P1165) also known as Garrett Apartments and Wandle Terrace - £35.7k received to investigate the feasibility of the link and improvements to walking and cycling for the Wandle Trail in order to ensure it is available for public use. S106 also included provision for public access across the land linking Ravensbury Terrace to the extended trail to the south via the Haslemere Pocket Park being provided onsite.
- Garratt Mills (LB Wandsworth) - £150k towards securing the missing link, construction of riverside walkway through the site, construction of a footbridge linking the aforementioned riverside walkway on the west bank of the river to Trewint Street to the south on the east bank of the river.

Both developments are substantially implemented and nearing completion this year. After a scoping meeting held with the Environment Agency and other key stakeholders in 2020 the Council is progressing with project development/feasibility alongside LB Wandsworth through 2022/23. The main focus will be on achieving a means to extend the path underneath the railway bridge so that it joins with the public pocket park within the

Haslemere site allowing access to Ravensbury Terrace and residents of the new development at the Rufus Business Centre site ref 21/P1780.

If it isn't possible to secure this contribution then I would request that parameters for spending the play area contribution be expanded to allow for expenditure on the Missing Link should it be decided by the Council that it is a priority over improvements to play area provision in Durnsford Recreation Ground.

Delivery of the Missing Link project would open up a short walking/cycle link to Garratt Park to the south in LB Wandsworth. Garratt Park has existing play provision for older children including a cycling circuit and a hard surfaced area with provision for football and basketball. There is also a contribution from the Wimbledon Stadium development that has been paid to LB Wandsworth for enhancements to support older children play provision at Garratt Park.

- 5.13 Transport For London – The application site relates to land outside of the limits subject to consultation. No comments are therefore required.
- 5.14 Metropolitan Police - No objection subject to conditions
- 5.15 Environment Agency – No objection subject to conditions.
- 5.16 Historic England – No archeological requirements.
- 5.17 London Borough of Wandsworth – No objection
- 5.18 Network Rail

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland and Wales. As statutory undertaker, NR is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Due to the close proximity of the proposed works to Network Rail's infrastructure and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via [ssetProtectionWessex@networkrail.co.uk](mailto:ssetProtectionWessex@networkrail.co.uk) prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.



The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/assetprotection-and-optimisation/>.

The applicant / developer must also follow the attached Asset Protection informatives which are issued to all proposals within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).

5.19 Thames Water - No objection subject to conditions and informative.

5.20 Wimbledon Society –

The Wimbledon Society would like to object to the above application.

The Society feels that at 8 storeys high the proposed building is too tall for the surrounding area and would unduly dominate the two storey houses in the near vicinity. The Council's Sites and Policies plan DM D2 states that all development will be expected to meet the following criteria:

- i. *Relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area;*

Other new developments next to it are only seven storeys high and if those developments are economically viable at that height there should be no reason why this new development should not be.

The proposed loss of part of the public open space is not acceptable (21P1780\_Design & Access Statement Part 03.pdf) and should not be agreed. This land belongs to the residents of Merton.

The proposed buildings are too close to the boundary of the open space, would limit light and affect the planting, and should be set back further.

The access road at the end of Dawlish Avenue (which is actually a cul-de-sac) is about 5 metres wide and is between two houses that are built right up to their boundary lines. Surely this cannot be seen as being adequately wide enough for delivery vehicles. The access road has no adequate turning facility for large vehicles and this needs to be an integral part of any design and not be tagged onto a quiet residential

road.

The approach to energy is not regarded as acceptable: the BREEAM assessment is only the (so-called) “very good” level rather than the “excellent” level which should be seen as the minimum acceptable. Also, the flats are only designed to comply with the 2013 Building Regs level, very outdated and now being substantially revised. The scheme is also required to provide “offset” payments to compensate for these lower standards. Gas boilers are being proposed when it is clear that this is not the approach being currently advocated by central government. Given the importance of the Climate Emergency, the whole approach to energy is seen as inadequate, and needs to be re-thought along the lines being promoted by LETI for example.

The central space is only some 13m wide, and the outlook from the northern block towards the 8 storey flats is considered very poor: (see Section BB, future 1.4): as a comparison, using the normal Borough daylighting standard, if the buildings were just 3 storeys high they would be expected to be around 20m apart.

The height of 8 storeys should not be accepted, being appreciable higher than the building heights in the general area - the adjoining Earlsfield project has a maximum height of 6 storeys and this should be the maximum here, with lower heights used more generally:

The comments of the police (on prevention of crime etc) are very relevant, (concern at the proposed linkage to the open space, night-time safety, loitering in the landscape etc) and should be incorporated in a future design.

The Society is concerned that this part of Merton, situated right next to the Wandle Valley Regional Park, identified in the Mayor’s London Plan, is starting to resemble the area around Vauxhall station where the growing number of high rise flats are irrevocably changing the character of the area. Merton Council should be championing the Wandle Valley Regional Park and all the health and environmental benefits it will bring.

## 6. **POLICY CONTEXT**

### 6.1 **Merton Sites and Policies Plan – 2014 (SPP)**

DM C1 Community facilities  
DM C2 Education for children and young people  
DM E1 Employment areas in Merton  
DM E3 Protection of scattered employment sites  
DM E4 Local employment opportunities

DM H2 Housing mix  
DM H3 Support for affordable housing  
DM O2 Nature Conservation, trees, hedges and landscape features  
DM D1 Urban design and the public realm  
DM D2 Design considerations in all developments  
DM D4 Managing Heritage Assets  
DM EP2 Reducing and mitigating noise  
DM EP3 Allowable solutions  
DM EP4 Pollutants  
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure  
DM T1 Support for sustainable transport and active travel  
DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DM T5 Access to the road network

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

CS 5 Wandle Valley  
CS8 Housing Choice  
CS9 Housing Provision  
CS11 Infrastructure  
CS12 Economic Development  
CS13 Open Space, Nature Conservation, Leisure and Culture  
CS14 Design  
CS15 Climate Change  
CS16 Flood Risk Management  
CS17 Waste Management  
CS18 Active Transport  
CS19 Public Transport  
CS20 Parking, Servicing and Delivery

6.3 London Plan (2021)

SD10 Strategic and local regeneration  
D1 London's form, character and capacity for growth  
D2 Infrastructure requirements for sustainable densities  
D3 Optimising site capacity through the design-led approach  
D4 Delivering good design  
D5 Inclusive design  
D6 Housing quality and standards  
D7 Accessible housing  
D8 Public realm  
D11 Safety, security and resilience to emergency  
D12 Fire safety

D14 Noise  
H1 Increasing housing supply  
H3 Meanwhile use as housing  
H4 Delivering affordable housing  
H5 Threshold approach to applications  
H6 Affordable housing tenure  
H7 Monitoring of affordable housing  
H9 Ensuring the best use of stock  
H10 Housing size mix  
S1 Developing London's social infrastructure  
S4 Play and informal recreation  
E11 Skills and opportunities for all  
G1 Green infrastructure  
G4 Open space  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
SI 1 Improving air quality  
SI 2 Minimising greenhouse gas emissions  
SI 3 Energy infrastructure  
SI 4 Managing heat risk  
SI 7 Reducing waste and supporting the circular economy  
SI 8 Waste capacity and net waste self-sufficiency  
SI 12 Flood risk management  
SI 13 Sustainable drainage  
T1 Strategic approach to transport  
T2 Healthy Streets  
T3 Transport capacity, connectivity and safeguarding  
T4 Assessing and mitigating transport impacts  
T5 Cycling  
T6 Car parking  
T6.1 Residential parking  
T6.5 Non-residential disabled persons parking  
T7 Deliveries, servicing and construction  
T9 Funding transport infrastructure through planning

#### 6.4 The NPPF 2021

Chapter 2 – Achieving sustainable development  
Chapter 5 – Delivering a sufficient supply of homes  
Chapter 6 – Building a strong, competitive economy  
Chapter 8 – Promoting healthy and safe communities  
Chapter 9 – Promoting sustainable transport  
Chapter 11 – Making effective use of land  
Chapter 12 – Achieving well designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 – Conserving and enhancing the natural environment

## 6.5 Other guidance

Mayor of London Housing Supplementary Planning Guidance (March 2016)  
Merton Council Small Sites Toolkit SPD 2021  
Department for Communities and Local Government 'Technical housing standards – nationally described space standard'  
The Councils Tall Building Background Paper (2010)

## 6.6 Emerging planning policy

Merton's Draft Local Plan 2021 (not adopted, draft stage 3 only)

## 7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations relate to the principle of development (site allocation, employment & residential), standard of residential accommodation, housing mix, density, affordable housing, design, impact upon neighbouring amenity, trees, flooding and transport, ecology, contamination, sustainability and air quality considerations.

### 7.2 **Amended Plans**

7.2.1 Following discussions with officers, the plans were amended during the assessment period of the application as follows:

- Alterations to the sixth floor to provide a set-back within Core B (number of units remained unchanged but a sixth floor 2B3P flat becomes a 1B2P flat), as well as provision of coloured elevations, clarification in respect of materials, and provision of floor area details on the larger scale floor plans;
- Confirmation provided on drawings for the provision/installation of temporary fencing/gating to be installed until such time that any future access route through the development towards Durnsford Rec were to come forward in the future;
- Clarification of ground floor access and provision of fob-access controlled gate at the rear of Core D;
- Relocated cycle store, moved back to the boundary with Dawlish Avenue as requested by MET Police;
- First floor plans updated as flat numbering was incorrect on the original issue;
- Parking spaces clarified on latest version of ground floor plan.

### 7.3 **Durnsford Recreational Ground (access)**

- 7.3.1 There has been some confusion during the application process that the development includes a new access gate into Durnsford Recreational Ground and removal of land within the park to make the Dawlish Avenue access wider. These points have been subject of strong objection from some local residents and the Councils own Greenspaces Team (responsible for maintenance of Durnsford Recreational Ground). These aspirations were only indicated in a section of the applicant's Design and Access Statement as an option. These options do not form part of the planning drawings that form the basis of the application to be considered by the Council.
- 7.3.2 For the sake of clarification, the proposal before members of the planning committee does not include any new access gate into Durnsford Recreational Ground or removal of land within the park to make the Dawlish Avenue access wider.
- 7.3.3 The proposed development before members of the planning committee does however include a fence/gate on the boundary of the application site (adjacent to Dawlish Avenue) which could allow new pedestrian and cycling links in the future (super proof) if circumstances change. The fundamental principle of creating new links into the Durnsford Recreational Ground does not require member consideration at this stage as any such link may never be delivered (this would require agreement with the Councils Greenspaces Team, third party land ownership and adjacent sites coming forward for redevelopment). Further details of how the scheme does super proof any potential link can be found in paragraphs 7.5.15 and 7.5.16 of this committee report.

### 7.4 **Principle of development**

- 7.4.1 National Planning Policy Framework (NPPF) 2021 - Paragraph 122 explains planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed, attractive and healthy places.
- 7.4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise.

7.4.3 The Development Plan comprises the following planning policy documents:

- Merton Local Development Framework Core Strategy 2011
- Merton Sites and Policies Plan 2014
- The London Plan 2021
- Merton's new Draft Local Plan 2021 (not adopted, draft stage 3 only)

#### Site Allocation

7.4.4 The application site is an allocated site within Merton's Draft New Local Plan known as (Wi7). The allocation (Wi7) is as follows:

Site allocation: Allocated as a mixed-use development consisting of both employment (business/light industrial) and residential uses.

Deliverability: 0-5 years

Indicative site capacity (new homes): 90-106 new homes

Design and accessibility guidance: Development of the site must be co-ordinated with the adjacent planning permission on the Haslemere estate (reference 16/P2672); construction of Haslemere will be complete prior to planning permission on this site Wi7. Development proposals will need to have regard to the Crossrail2 safeguarding on the eastern side of the site. Development proposals will need to incorporate suitable mitigation measures to address the issues associated with the functional floodplain to minimise flood risk for future occupiers and the potential for water pollution from this site. This includes incorporating the recommendations for this site in Merton's Strategic Flood Risk Assessment Level 2. To ensure safe and secure access for pedestrians, vehicles and emergency vehicles in perpetuity, access must be co-ordinated in perpetuity with the adjoining site at Haslemere estate (ref 16/P2672). Due to the heavily restricted access particularly for emergency vehicles, development proposals involving residential will need to be brought forward and closely co-ordinated with the redevelopment of Haslemere estate. This would also address access and egress issues associated with the functional floodplain covering much of the site. Mitigating potential access, parking, traffic and safety impacts on neighbouring streets and local amenity, particularly the adjacent residential development. The site's restricted access and location beside railway lines and within a residential area will require a detailed Construction and Environmental Management Plan and

construction methods that minimise noise, disturbance and traffic movements to be used. The site may be contaminated due to its previous industrial uses; however, risk will have been reduced as the site has already been redeveloped for business space.

Infrastructure Requirements: Development proposals for this site must have regard to Merton's Infrastructure Delivery Plan. This site is in an area identified as being deficient in access to public open space. The Council will require proposals to improve access to publicly accessible open space, either through design and public realm improvements, or by providing new publicly accessible open space on site, in accordance with the Green Infrastructure policies. The developer should contact SGN to discuss requirements for any improvements to the gas infrastructure network. The site is adjacent to rail tracks used by the District line and land safeguarded for Crossrail2.

- 7.4.5 It is noted that Merton's New Local Plan is still not adopted. However, the New Local Plan has been subject of consultations since 2018 and has now been submitted to the Secretary of State on 2 December 2021 for examination (with examination in public expected later in 2022). The proposed mixed use development is in accordance with the proposed site allocation (including the range of residential units expected to be delivered) and is therefore supported in principle by officers.

#### Employment

- 7.4.6 The application site is located within an existing industrial area not designated within the Council's Sites and Policies Plan (2014). The site is therefore designated as a scattered employment site. Planning policy DM E3 (Protection of scattered employment sites) is therefore relevant to the current proposal. The policy aim is to ensure that there is a diverse mix of size, type, tenure and location of employment facilities which can support a range of employment opportunities towards creating balanced mixed use neighbourhoods in Merton. Part b of Planning policy DM E3 (Protection of scattered employment sites) permits loss of employment if redevelopment is for a mixed use scheme. The proposal is for a mixed use scheme comprising office and residential uses, therefore the principle is considered to be acceptable.
- 7.4.7 The existing uses on the site are Class B1 and B8 (office and storage & distribution respectively). The buildings are split into a variety of different units (16 in total) and not all are occupied. Those that are occupied are under short term leases. The total Gross Internal Area (GIA) of the existing buildings at the site is circa 2,662sqm with an average of 100



employees. The low number of employees is indicative of the amount of storage space and the type of businesses.

- 7.4.8 The proposal seeks to provide a mixed use development with five ground floor office units and residential accommodation on the floors above. Part of the existing uses on the site already comprises office accommodation which would be replaced by 888sqm of new improved office space that could accommodate approximately 110 jobs. It is acknowledged that the proposal would result in the loss of existing storage and distribution facilities, however there is no policy requirement to re-provide storage and distribution as part of a mixed use redevelopment. In summary, the mixed-use development will provide a high-quality, co-working/flexible office workspace which will meet the demands of an emerging sector. Whilst there would be a quantitative reduction in floor space, there would likely be an increase in the actual number of jobs that would be provided on the site. The proposed employment offer is therefore considered to comply with Planning Policy E3 (Protection of scattered employment sites) and Policy CS 12 Economic Development.

#### Residential

- 7.4.9 The National Planning Policy Framework 2021 and London Plan 2021 policies promote sustainable development that encourages the construction of additional dwellings at locations with good public transport accessibility. 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.
- 7.4.10 Planning Policy H1 (Increasing housing supply) of the adopted London Plan 2021 has significantly increased Merton's housing target over a 10 year period (2019/20 -2028/29) to 9,180 new homes. This equates to 918 homes annually, an increase of 507 compared to the former target (411) set out in Merton's current Sites and Policies Plan. The new target therefore seeks to deliver more than double the former annual target. This sets Merton a challenging target to deliver the expected number of new homes that London needs to meet demand.
- 7.4.11 Merton's Core Planning Strategy states that that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including development in 'sustainable brownfield locations' and "ensuring that it is used efficiently" (supporting text to Policy CS9). The application site is on brownfield land and is in a sustainable location adjacent to other existing residential properties.
- 7.4.12 In light of the above, considerable planning weight must therefore be given

to the delivery of new homes as part of the planning application process. The application site is located on a brownfield site within a location of good public transport infrastructure. The site is therefore considered to be in a good location for residential use that would promote sustainable development. The redevelopment of the site would bring forward 96 new residential units which will make a good contribution to meeting housing targets and would provide a good mix of unit sizes that will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policies.

## 7.5 **Design**

- 7.5.1 The National Planning Policy Framework (NPPF) Paragraph 123 states that it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. The NPPF 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.
- 7.5.2 The regional planning policy advice in relation to design is found in the Chapter 3 of the London Plan (2021). These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.5.3 Planning policy DM D2 (Design considerations in all developments) seeks to achieve high quality design and protection of amenity within the Borough. Proposals for all development will be expected to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

### Greater London Authority (GLA)

- 7.5.4 As a matter of background, for member's information, the applicant entered into discussions with GLA officers at pre-application stage for a larger development than that before members of the planning committee. The proposal presented to the GLA included 106 dwellings with buildings heights that included two tower elements (9 and 11 stories in height). The overall heights of the buildings across the site ranged from 4 to 11 storeys. The current proposal before members of the planning committee has

reduced the maximum building height from 11 to 8 stories and the lowest section from 4 to 3 compared than the scheme presented to GLA officers. The overall design and layout of the scheme presented to GLA officers is similar to that before members of the planning committee, but as sited above, the height of the buildings have now been reduced.

- 7.5.5 It is important to note that any views or opinions expressed by the GLA were without prejudice to the Mayor's formal consideration of an application. However GLA officers considered that:

“...the scheme did not appear to present any of the hallmarks of overdevelopment, such as poor-quality interior or compromised amenity space. On the basis of the submitted information the proposals would not appear to have a harmful impact on the local townscape, albeit that the tallest element would represent an uplift in scale compared to the prevailing built form of the area. However, given that the site is not within a designated town centre or an area other designated as appropriate for tall buildings, appropriate justification would need to be provided for a tall building in this location such as local precedent for similarly scaled buildings or delivery of planning benefits, for example. Additionally, any future application should demonstrate how the proposal will mitigate the step change between the taller elements in the scheme and the low-rise suburban homes”.

- 7.5.6 The current scheme before members of the planning committee would no longer be referable to the GLA as the height of the buildings have been lowered below the 30m height criteria for GLA referable applications. The views expressed by GLA officers, whilst not binding, give some high level indication that the site was being developed in a positive manner without being harmful. As discussed below, officers are content that the height, massing and layout of the scheme is suitable and provide a good transition between the taller elements in the scheme and the low-rise suburban homes.

#### Demolition

- 7.5.7 The existing buildings on the site have little architectural merit. The demolition of existing buildings is therefore supported.

#### Height

- 7.5.8 The Councils Tall Building Background Paper (2010) recommends locations in the borough where tall buildings may be appropriate, sensitive and inappropriate, and determines preferred building forms within each of the appropriate locations. The Tall Building Background Paper

does not identify the site as a preferred location for tall buildings, therefore any application for a tall building must be assessed on its own merits and justification provided. The paper states that tall buildings may be suitable in areas of the borough where regeneration or change is envisaged, good public transport accessibility and existing higher building precedent.

7.5.9 Officers acknowledge that the height and massing of the proposal would be an uplift when compared to the existing buildings on the site. This is especially true for the tallest elements of the proposal, however, the application site is considered to form part of both low-rise suburban homes to the north and west and larger mixed used buildings adjacent to the railway embankment and the River Wandle. The proposed development responds in a positive manner to this context with the site layout directing taller elements adjacent to the railway embankment and lower elements adjacent to suburban homes and park land. The detached Block D and cascade design approach of Block C are considered to play an important role in helping achieve space and a transition between the taller and lower elements of the proposal. The proposed development is therefore considered to be in keeping with the context of its surroundings and would provide a good transition between the taller elements in the scheme and the low-rise suburban homes.

7.5.10 In response to the taller elements of the proposals, which could be considered as Tall Buildings, should be considered against the criteria set out Councils Tall Building Background Paper (2010). These taller elements are considered to positively respond to the established taller developments both in Merton and Wandsworth that sit along the railway embankment and River Wandle. These sites could now be considered as opportunity sites which have evolved partly due to pressure on delivery of housing in London and must be maximised in accordance with planning policy/guidance. These sites offer scope to deliver denser (and often taller) forms of development given their location and characteristics. These include being located close to good levels of public transport, away from existing residential areas (so limiting impact on existing amenity) and being located within context of landscaping features such as the Railway Embankment and River Wandle. The application site is considered to follow this trend with the proposal not considered to be excessively taller or more bulky than existing neighbouring sites that form part of the established character of the area. The application site therefore represents an opportunity for taller buildings that could be delivered without harming the visual amenities of the area. The proposal is therefore considered to be justified and in accordance with the criteria within the Tall Buildings Background Paper.

7.5.11 The approach taken to redevelop the site in this manner is supported by NPPF Paragraph 123 which states that it is especially important that

planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. It should also be noted that redeveloping these sites with taller buildings (with more housing) is not only in keeping with the area that has evolved but can help take some pressure off more sensitive locations as Merton tries to meet its vastly increased housing targets.

### Massing

- 7.5.12 The height of the buildings are considered to be acceptable, however massing (or bulk) also plays an important role in how the development is viewed at street level and its impact on the character of the area. Following discussions with the applicant, officers sought to help reduce any perceived bulk by including a further visual break at sixth floor level with a change of material to one of the units, removal of a section of external walkway outside that unit and overall changes to the treatment/materials of the building (that define each of the 4 building Blocks). These changes are considered to help break down the massing of the buildings into a series of individual built forms (4 Blocks, A, B, C and D) with vertical emphasis but still with a common architectural theme throughout. This design detailing, in combination with the buildings varying/staggered building heights, setback building lines and spacing between buildings is considered to ensure that the development does not appear too bulky or dominant from street level or surrounding areas.

### Layout

- 7.5.13 Officers are content that the rationale behind maximizing the potential of the site has been design led by responding to the different character areas on the site and its surroundings to ensure that the development respects the visual amenities of the area. Officers consider that the height, massing and layout of the scheme achieves the required maximizing potential by incorporating various gaps in its site layout (both soft and hard landscaped) and directing its larger elements adjacent to the railway embankment. The site layout is therefore considered to be rational and will help reduce the perceived building massing/height both from within and outside the site.

### Architecture

- 7.5.14 The architecture of the development is considered to be high quality, with differing building lines/forms creating separate character areas and external walkways, angled/curved balconies, green walls and roof top amenities spaces adding visual interest. The predominate use of brick as the main material is welcomed by officers as it responds to surrounding buildings and is considered to be a good quality long lasting building

material. Overall, the proposal design is considered to be a high quality development with a sleek design approach that responds satisfactorily to the character of the area.

#### Future-proof

7.5.15 Officers consider that creating new links is a great and unique opportunity to improve pedestrian movement, cycling and access to open space for all existing and proposed residents in the local community. Officers consider that this would be a significant planning benefit for the wider community which is fully supported by in planning at Local, Regional and National levels. However, unfortunately officers are unable to take this any further under this application as access into the park from the application site would require agreement with third party landowners, adjoining sites coming forward with suitable development and agreement with the Councils Greenspaces Team (who strongly object to any new access).

7.5.16 As set out in section 7.3 of the committee report, the application before members of the planning committee does not include any new access points into the park. It does however future-proof any new pedestrian and cycle links should the opportunity present itself to do so in the future. A new linkage would be secured by the design of the undercroft within Block C (element that sits adjacent to Dawlish Avenue and park beyond). Amended plans have been received to confirm that this undercroft will be closed off at the boundary with the Dawlish Avenue by security railing until such a time if access is deemed appropriate. If a suitable conclusion cannot be reached then the security fencing on the boundary of the application site will remain in place in perpetuity. Details relating to the security fencing and permissive access can be controlled via a S106 agreement.

#### Density

7.5.17 Planning Policy D3 (Optimising site capacity through the design-led approach) of the London Plan 2021 states that development proposals must be a design-led approach. All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. 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. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2 Infrastructure requirements for

sustainable densities. Where these locations have existing areas of high density buildings, expansion of the areas should be positively considered by Boroughs where appropriate.

7.4.18 The application site is located on the edge of an area of suburban residential development, with good access to a variety of jobs, services, infrastructure and amenities by public transport, walking and cycling and within an emerging context of former industrial sites being redeveloped for denser mixed-use purposes, including residential. The development proposals are considered to respond to this context by seeking to optimise the potential of this brownfield site and is therefore supported by officers.

#### Open Space

7.4.19 As set out above, the height, massing and layout of the development has had regard to the more sensitive relationships of adjacent residential properties and Durnsford Recreational Ground. The adjacent Durnsford Recreational Ground is designated as open space within Merton's Sites and Policies Plan. Planning Policy (DM O1 Open space) of Merton Sites and Policies Plan seeks to protect and enhance open space and to improve access to open space. Development in proximity to and likely to be conspicuous from MOL or designated open space will only be acceptable if the visual amenities of the MOL or designated open space will not be harmed by reason of siting, materials or design.

7.4.20 The application site is located beyond the far northern end of the Durnsford Road Recreation Ground where existing trees (no loss of trees proposed) and Dawlish Avenue access road would provide some visual relief between the application site and the park setting. The section of building running adjacent to the park (Block C), would predominantly comprise a light coloured brick with a cascade building design approach that ranges from 3 stories up to 8 stories. The taller elements being sited away from the park edge along the railway embankment and adjacent to wider section of Dawlish Avenue. The building would then be lower in height with a series of step down roof gardens (with soft landscaping) in a cascade building design approach. This approach will play a significant role in helping reduce the height and massing of the building when viewed from the park. Officers acknowledge that the proposal would be a considerable change in terms of height and massing and its relationship with Durnsford Recreational Ground, however, for the reasons stated above it is considered that the visual amenities of the designated open space will not be harmed by reason of siting, materials or design.

### 7.5 **Housing**

#### Inclusive Design

- 7.5.1 Planning Policy D5 (Inclusive Design) of the London Plan 2021 states that development proposal should achieve the highest standards of accessible and inclusive design. Inclusive design creates spaces and places that can facilitate social integration, enabling people to lead more interconnected lives. Development proposals should help to create inclusive neighbourhoods that cumulatively form a network in which people can live and work in a safe, healthy, supportive and inclusive environment.
- 7.5.2 The applicant confirms that the approach to the site is at level grade with the public realm combining with Earlsfield Place. Level thresholds for access to the commercial spaces and to the common residential entrances are from the raised landscaped public realm. This area is approximately 1m above road level (to mitigate flood displacement constraints) and has compliant wheelchair accessible ramps and an additional disabled hoist. These are positioned to work in tandem with a clear, legible way-finding design and external lighting.

#### Accessible Housing

- 7.5.3 Planning Policy D7 (Accessible housing) of the London Plan 2021 seeks to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 7.5.4 The applicant confirms that internally, thresholds and entrances to all residential flats will be level and door opening widths are in accordance with Part M of Building Regulations. The residential flats are accessed by 4 cores including lifts and ambulant disabled common stairs in accordance with Part M. The proposed residential element consists of 96 flats, 10 wheelchair accessible flats will be located within Blocks A and D. Therefore the development would comply with the 10% wheelchair user dwellings threshold required by Policy D7 (Accessible housing) of the London Plan 2021.

#### Standard of Residential Accommodation

- 7.5.5 Planning Policy D6 (Housing quality and standards) of the London Plan 2021 states that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. The design of development should provide sufficient daylight and sunlight for future occupiers, have adequate



and easily accessible storage space and maximise the provision of dual aspect dwellings (normally avoiding the provision of single aspect dwellings). All units must be designed to meet or exceed the minimum Gross Internal Area (GIA) standards as set out in Planning Policy D6 (Housing quality and standards).

- 7.5.6 Core Planning policy CS 14 and SPP policies DM D1 and DM D2 seek to ensure that new residential development is of a high standard of design both internally and externally and provides accommodation capable of adaptation for an ageing population and for those with disabilities, whilst offering a mix of unit size reflective of local need.
- 7.5.7 In terms of the quality of the accommodation proposed, it is considered that the proposed flats would provide a satisfactory standard of accommodation for future occupiers. The proposed flats would exceed/meet minimum London Plan Gross Internal Area, room size and amenity space standards. Each habitable room would receive suitable light levels and adequate outlook.

#### Dual Aspect

- 7.5.8 Planning Policy D6 (Housing quality and standards) of the London Plan 2021 states that housing development should maximize the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. Dual aspect units have many inherent benefits, including better daylight, a greater chance of direct sunlight for longer periods, cross ventilation, a choice of views, access to a quiet side of the building, and a greater flexibility in the use of rooms. All of the proposed flats are dual aspect and in many cases they have double aspect rooms that ensure quality of light, ventilation and good amenity value within the space. The high number of dual aspect units is due to the narrow nature of the site and design led approach responding with limited number of cores and external deck access design. The level of dual aspect units is therefore welcomed by officers and supported by policy D6 (Housing quality and standards).

#### Amenity Space

- 7.5.9 Planning Policy D6 (Housing quality and standards) of the London Plan 2021 states that a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. Each of the proposed flats would have a private balcony which meets or exceeds the above standards. In addition, the development includes a number of shared amenity spaces at various roof levels to provide residents with a choice of high quality outdoor environments.

### Children's Play Space

7.5.10 Planning Policy S4 (Play and informal recreation) of the London Plan 2021 states that development proposals for schemes that are likely to be used by children and young people should incorporate good-quality, accessible play provision for all ages. Increase opportunities for play and informal recreation and enable children and young people to be independently mobile.

7.5.11 A total of 203sqm of provision will be made for children ages 0-4, in excess of London Plan requirements. This will be provided across the rooftop levels, as well as provision of ecological play and learning at ground floor, which will ensure some provision that can be enjoyed by the wider community, not just residents of the development. Details relating to play space equipment can be controlled via a suitable planning condition.

7.5.12 The applicant states that the scheme cannot deliver onsite play space for the 5-17 years old given the constraints of the site. Therefore in light of the shortfall in requirement, the applicant has agreed to make financial contributions towards providing facilities offsite. Officers have been in discussions with the Councils Greenspace team to establish if additional facilities could be provided to meet the extra demand. The Councils Greenspace Team have confirmed that at the moment, Durnsford Recreational Ground is well equipped (having had recent investment), however new/upgraded facilities will need to be provided in the future. It has therefore been agreed with the applicant that a financial contribution of £15,000 is secured via S106 agreement which can then be spent towards the necessary facilities within Durnsford Recreational Ground when the development is completed or shortly after.

### Bin and Recycling Storage

7.5.13 Planning Policy D6 (Housing quality and standards) of the London Plan 2021 states that housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food waste as well as residual waste. Each of the residential cores would include a dedicated refuse storage area at ground floor level. Each separate bin store will have ventilated spaces, clearly lit and signposted with level access. The refuse bins will consist of 20 x 1100L Eurobins (see table in section 3 for full details). Commercial refuse stores are located in separate stores next to the residential stores with 5 x 1100L Eurobin (3 General Waste 2 Recycling). Final details relating to bin storage can be controlled via planning condition and the Council's Waste Officer has not raised objection with the proposal.

## Housing Mix

7.5.14 Planning Policy H10 (Housing size mix) of the London Plan 2021 states that schemes should generally consist of a range of unit sizes. 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 need, demand, deliver mixed and inclusive neighborhoods, price points, mix in the scheme, range of tenures, location of site, optimise potential of sites, reduce pressure of existing stock (conversions etc) and role of one and two bed units in freeing up existing family housing.

7.5.15 Planning Policy DM H2 (Housing mix) of Merton's Sites and Policies Plan and Policy H11.3 (Housing Mix) of Merton's Draft Local Plan 2021 both set out a preferred bed unit size mix of roughly 33% even split for 1, 2 and 3+ bed units. However this requirement must be applied having regard to relevant factors including individual site circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions.

7.5.16 The proposed development would provide a housing mix as follows:

Number of Bedrooms	Number	Percentage
1 bedroom	55	57%
2 Bedrooms	37	39%
3 bedrooms	4	4%

7.5.17 As set out above, the proposed housing mix would not strictly meet Merton's preferred housing mix. Therefore the applicant is required to provide justification why in this instance the site is unsuitable to apply the Borough level housing mix. The applicant states that the proposal does include a mix, including 43% family-sized units (two bedrooms or more), acknowledges a lower proportion of three bedroom units, however market experts confirm very little interest in three bedroom flats and given the constraints of the site providing family houses (and required amenity space) would conflict with the objective to optimise the housing potential and make the most efficient use of the site. The site is also in a highly suitable location with good accessibility and connectivity to nearby transport links and therefore the prevalence of one and two bedroom apartments within the development is considered to be acceptable as encouraged by Policy H10 of the London Plan. Further, the sites constraints relating to flooding would restrict family housing and gardens at ground floor level (ground floor commercial are more suitable). Whilst Merton's preferred housing mix would not be met in this instance, officers are satisfied with the applicants justification as set out above.

## Affordable Housing

- 7.5.18 Planning Policy H4 (Delivering affordable housing) of the London Plan 2021 sets out a strategic target for 50% of all new homes to be delivered across London to be genuinely affordable.
- 7.5.19 Planning Policy H5 (Threshold approach to applications) on the London Plan goes on to outline the threshold approach which is applicable to residential development that provides 35% affordable housing, or 50 per cent for non-designated industrial sites appropriate for residential uses where there is a net loss of industrial capacity. Where an application does not meet the Fast-Track Route threshold, it must follow the Viability Test Route which requires details supporting viability evidence to be submitted in a standardised and accessible format as part of the application.
- 7.5.20 Planning Policy H6 (Affordable housing tenure) of the London Plan 2021 outlines a split of affordable products to be applied to residential development including a minimum of 30% London Affordable Rent or Social Rent; minimum of 30% intermediate products including London Living Rent and London Shared ownership; the remaining 40% to be determined by the Borough as low-cost rented homes or intermediate products based on identified need.
- 7.5.21 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision, the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.
- 7.5.22 The proposed scheme cannot meet the above thresholds and therefore the amount of affordable housing this site can accommodate has been subject of a viability assessment which has been assessed by the Councils independent assessor. Following discussions, the Councils independent viability assessor (Altair) has confirmed agreement with the 8 affordable housing units being offered by the applicant. An early and late stage review mechanism will also be required which would ensure that any surplus profit outside the agreed position is secured within the legal agreement. The 8 affordable housing units would be delivered onsite within building Core D (equivalent of 8% of the total number of units or 9% of habitable rooms). It is proposed that the affordable housing tenure split would be for 75% (six units) to be provided as London Affordable Rent (LAR) with 25% (two units) to be provided as Intermediate housing. The level of affordable housing and review mechanisms can be secured through the S106 Agreement.

## Fire Strategy

- 7.5.23 Planning Policy D12 (Fire safety) of the of the London Plan 2021 highlights that fire safety of developments should be considered from the outset. How a building will function in terms of fire, emergency evacuation, and the safety of all users should be considered at the earliest possible stage to ensure the most successful outcomes are achieved, creating developments that are safe and that Londoners can have confidence living in and using. The policy requires all major development proposals to be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.
- 7.5.24 The application is accompanied by an independent Fire Strategy Statement by Mr Salisbury, a Chartered Fire Engineer at Salisburyfire. Mr Salsbury graduated with BEng (Hons) in Fire Engineering from the University of Leeds (1999) and is a member of the Institution of Fire Engineers and member of the Society of Fire Protection Engineers. The Statement provides a summary of the key fire safety features of the building. This is based on compliance with Part B of the Building Regulations 2010. In order to ensure that the development is carried out in accordance with regulations, a planning condition requiring full details of Fire Strategy measures, including evidence of agreement from an approved Building Control body (approved inspector) can be secured via planning condition.

## **8 Neighbour Amenity**

- 8.1 Planning Policy D6 (Housing quality and standards) of the London Plan 2021 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 8.2 Planning policy CS policy 14 of Merton's Core Planning Strategy and policy DM D2 of Merton's Sites and Policies Plan seek to ensure new developments does not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties. Planning policy DM D2 (Design considerations in all developments) states that amongst other planning considerations that proposals will be expected to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens.

## Sun and Daylight

- 8.3 The Building Research Establishment (BRE) numerical guidelines should be considered in the context of the National Planning Policy Framework (NPPF), which stipulates that local planning authorities should take a flexible approach to daylight and sunlight to ensure the efficient use of land. The NPPF states:

“Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”

- 8.4 The applicant has commissioned an independent Daylight and Sunlight Assessment by Herrington Consulting Limited. The report confirms that the development proposals are in line with the guidelines set out in the BRE document. The report concludes that the development will not result in a notable reduction in the amount of either daylight or sunlight enjoyed by the neighbouring buildings or an acceptable level will be retained with the proposed development in place.

#### 34 – 40 Dawlish Avenue

- 8.5 These neighbouring properties in Dawlish Avenue are orientated directly towards the western boundary of the application site. However, they sit on elevated land level above the application site which will naturally help reduce impact on outlook and light. In addition, all the neighbours, apart from 40 Dawlish Avenue, have existing single storey outbuildings that sit at the rear of the gardens. These existing structures will help to partly screen some of the proposed buildings. The existing rear alley running parallel with the application site will also provide a further degree of physical separation.
- 8.6 As set out in the design section of the committee report, the layout of the development has directed its lower elements adjacent to western boundary and the adjacent neighbouring residential properties. The closest building to these neighbours is the detached block of flats known as Block D. Block D is only three stories in height. Notwithstanding a small ground floor section comprising a plant/cycle room, the Block at first and second floor levels is pushed away from the rear boundary by approximately 4.6m. Officers took a similar approach to the height and massing of Block D as per the existing adjacent blocks on the Earlsfield Place development. This approach is considered to have been successful

and a good example of how maximizing the potential of the site can be achieved without harming the amenities of existing residents.

- 8.7 Given the modest massing/scale/height of Block D and the good level of separation and elevated ground levels of these neighbouring properties it is considered that there would be no undue loss of amenity. Block D does include external rear entrances, therefore in order to preserve neighbouring amenity it is considered necessary that the walkway would need to be fitted with a 1.7m high obscured screen. This would be required to mitigate views of neighbouring houses/gardens from persons traveling to and from the flats. A planning condition can be secured to require details of the screen and if them to remain in perpetuity to ensure that there is no undue loss of privacy or overlooking.
- 8.8 The taller elements of the proposal would be sited towards the eastern boundary of the application site adjacent to the railway embankment. There would be a separation distance of approximately 52m between these taller elements and the original rear elevations of these neighbouring properties. When viewed from these neighbouring properties, existing outbuildings and the proposed Block D building would help to screen the lower sections of the taller buildings. In addition, the taller elements of the proposal are a good level of separation away from the neighbours to ensure that there is no undue loss of amenity.

#### 40a and 40b Dawlish Avenue

- 8.9 The neighbouring properties (2 houses) to the West of the application site in Dawlish Avenue have their rear elevations orientated directly towards to the western boundary of the application site. The houses sit hard against the existing rear alleyways separating the properties in Dawlish Avenue from the application site. Directed towards the application site, the houses have a number of ground floor windows (mostly bedrooms) and angled first and second floor windows. It should also be noted that rooms within the houses are also served from other windows facing the park, front garden areas and by a number of roof lights.
- 8.10 As set out above, the layout of the development has directed its lower elements adjacent to western boundary and these adjacent neighbouring properties. In relation to impact on these neighbouring properties, the site layout has responded by having lower buildings pushed away from the site boundary. Block D is a modest three storey detached building which has its first and second floors set back approximately 4.6m from the boundary. Block C, is also pushed away from the site boundary between 0m and approximately 6.8m at its widest point. Its flank wall would sit at a right angle to these neighbouring houses has been designed with a cascade design approach from three stories at its closes point up away to 8 stories

at its highest point adjacent to the railway embankment. The flank wall of Block C (facing these neighbours) would also include a green wall. The inclusion of the green wall in this location will help reduce the massing of the Block C when viewed from these neighbours. Details relating to the green wall can be controlled via planning condition.

- 8.11 Outlook from the existing ground floor windows is directly onto the rear alleyway and impact by its own upper floor overhangs and the close proximity of the part two, part three storey industrial buildings. The level of outlook from these existing window is therefore already limited. The upper floor windows are angled so that outlook is improved to the main part of the houses when compared to the ground floor bedroom windows. The close proximity and height of the existing industrial building does however still partly restrict outlook from these upper levels. As set out above, the layout of the proposal would set the proposed buildings further away from the site boundary when compared to the existing buildings. In addition, a good sized gap is included between Blocks C & D which offers good breathing space (something that currently doesn't exist). It is noted that taller elements would exist as part of the redevelopment of the site, however, the lower elements closest to these neighbours are similar in height to existing (3 stories) and the taller elements are well distanced away. Therefore in some respects the development would be an improvement on outlook for the neighbouring windows facing towards the application site.
- 8.12 The proposed cascade design approach of Block C would include a number of outdoor amenity areas which sit partly adjacent to these neighbours. Therefore in order to ensure that there would be no undue loss of privacy and overlooking, the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 7<sup>th</sup> floor amenity areas would need to be fitted with screening at 1.7 m high (or other suitable mitigation features such as fixed planters away from the building edge). Details can be secured via a suitable planning condition.

#### Earlsfield Place (formerly Haslemere Industrial Estate)

- 8.13 The neighbouring properties to the West of the application site is now known as on the Earlsfield Place which comprises a recently built mixed use development of flats/houses and commercial units. The proposed development would sit mostly parallel with this neighbouring buildings. The exception is Block A (6/7 stories), which would sit approximately 3.8m forward of the neighbouring adjacent block in Earlsfield Place. There would also be a separation of approximately 1.6m between the flank wall of the Block A and the adjacent neighbouring building which would offer some relief. Given the modest forward projection and small separation gap, it is considered that there would be no undue impact on outlook and light to habitable rooms in this neighbouring building or to the buildings 4<sup>th</sup>



floor shared amenity area (2 floors of Block A would sit adjacent and above the shared amenity).

- 8.14 Block A (6/7 stories) would also sit directly opposite the 3 storey (plus roof) terraced buildings in Earlsfield Place on the opposite side of the proposed new access road. Whilst a degree of visual impact and overlooking between neighbours would take place, there is a good level of separation over a public highway which is a common relationship in urban areas. It is therefore considered that there would be no undue loss of amenity.

#### Wellington Works

- 8.15 The neighbouring commercial units located to the South of the application site in Wellington Works are well distanced away and separated from the application site by the Dawlish Avenue access road. Given the non-residential use of the units and level of separation there would be no undue loss of amenity.

#### Trewint Street/ Weir Road

- 8.16 The neighbouring properties to the east of the application site in Trewint Street and Weir Road are located on the other side of the railway embankment. The proposed development would therefore be well distanced away from these neighbours to ensure that there would be no undue loss of amenity (including the new residential units currently under construction).

### **9 Transport and Parking**

- 9.1 Planning Policy T1 (Strategic approach to transport) of the London Plan 2021 states that the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 9.2 Planning Policy DM T2 (Transport impacts of development) of Merton's Sites and Policies Plans seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment.
- 9.3 The proposed development would include a new access road within part of the site which links into the existing road on the adjacent site (Earlsfield Place), onsite cycle parking, bin storage and limited onsite car parking.

The Councils Highway & Transport Planner have confirmed that the proposed development is acceptable subject to planning conditions and S106 agreement as the development is unlikely to have a detrimental severe impact on the surrounding highway network in terms of capacity or highway safety. The construction programme would be agreed via suitable planning condition, as sought by the Council's Transport Planner.

#### Cycle parking

- 9.4 Planning Policy T5 (Cycling) of the London Plan 2021 states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.
- 9.5 The proposed development would provide 181 cycle stands for the residents, including 5 visitor spaces. The Councils Transport Planner has confirmed that level of cycling parking is acceptable, however additional information is required relating to the detailed design of the cycle parking spaces. This can be controlled via a suitable planning condition.

#### Car parking

- 9.6 Planning Policy T6 (Car parking) of the London Plan 2021 states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development has no general parking but should still provide disabled persons parking in line with standards set out in policy T6.1 (Residential parking). Planning Policy DM T3 (Car parking and servicing standards) of Merton's Sites and Policies Plan also promotes car free development in areas which benefit from good access to public transport (generally PTAL 4 or above) and be within an existing controlled Parking Zone.
- 9.7 The application site has a PTAL rating of 4 (good) and within Car Parking Zone P3. Therefore the development is considered to be suitable as a permit free development as this would take pressure off existing car parking zones and promote sustainable modes of transport. The applicant has agreed to the permit free requirement, this can be controlled via a S106 agreement restricting permits for both residential and commercial units. The development does not provide general parking other than 1 visitor space for use by both the residential and non-residential users and a car club space. As required by planning policy T6 (Car parking) the development does include 3 disabled spaces on-site at the onset (with the potential of more spaces in the future should there be demand. The Councils Transport Planner has confirmed that the proposed car parking is acceptable. However planning conditions are required to maintain parking

spaces as shown, further details of additional disabled spaces to be agreed if there is demand and details required to ensure that the disabled bays, car club bay and visitor space are provide with Electric Vehicle Charge Points (EVCP).

#### Car Club Membership

- 9.8 As set out above, the applicant has made provision for a car club car parking space onsite. Car clubs provide an easily accessible vehicle to their members for short term hire as and when needed, and offer an alternative to car ownership. There are two major car club operators that have car club bays located within close proximity to the proposed development. There are two car club bays located within 400m from the site, one operated by Zipcar on Lucien Street and another operated by City Car Club on Acuba Road. Additionally there are a further seven car club bays within 1km of the site.
- 9.9 The applicant has agreed to fund three years car club membership for new residents of the proposed development. The promotion of free car club membership will help inform new residents of sustainable modes of travel which is welcomed. The three year free Car Club Membership can be secured within the S106 agreement.

#### Pedestrians

- 9.10 The development will provide a pedestrian access from the apartment blocks to the existing footway layout which has recently been constructed as part of the Earlsfield residential development next door.

#### Construction Logistics Plan

- 9.11 The applicant has commissioned an independent Construction Logistics Plan (CLP) by NRG consulteeing with the application. The Councils Transport Planner has requested that full details are secured by planning condition.

#### Servicing

- 9.12 The bin stores are located 20 metres from the access road. Servicing and deliveries will be made with vehicles stopping on the access road, which is a cul-de-sac and accessing the apartment blocks using the walkways and either the stairs or elevators provided. The Councils Transport Planner has raised no objection to the proposed servicing arrangement.

#### Trip movement

- 9.13 The applicants Transport Statement has used TRICS data to establish the existing and proposed trip movement. The data confirms that the existing use would create 252 vehicle movement daily, whilst the proposed use would have a daily vehicle movement of 130. The new development will therefore result in less traffic on the local highway network. In addition, given the change of use from more industrial type of uses to office/residential, the redevelopment of the site is likely to see a reduction in larger vehicle movements following redevelopment. The Councils Transport Planner has raised no objection to information provided.

#### Travel Plan

- 9.14 The applicant has submitted a Travel Plan by PT Planners (PTP) with the application, it sets out a range of measures and management strategies to support and encourage the use of the most sustainable forms of travel, walking and cycling, thereby facilitating low car ownership levels. The Travel Plan can be secured within the S106 agreement.

### 10 **Flooding and Drainage**

- 10.1 Planning policy SI 12 (Flood risk management) of the London Plan 2021 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Planning Policy SI 13 (Sustainable drainage) of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 10.2 Merton's Core Planning policy CS 16 and SPP policies DMF1, DM F2 and DMD2 all seek to ensure that adequate flood risk reduction measures, mitigation, and emergency planning are in place to ensure there is no increase in flood risk offsite or to the proposed development.
- 10.3 The application site is located within Flood Zone 2 and 3 and identifies that the site does not benefit from existing flood defences. Flood Zones 2 and 3a are defined as medium probability of flooding & high probability of flooding respectively. The applicant has submitted an independent Flood Risk Assessment (FRA) with the application. The report concludes that the mitigation measures in the report have been designed to manage the risk of flooding from the River Wandle (i.e. the greater risk), and as such, these measures will be more than sufficient to mitigate the risk of flooding from surface water. The report sets out flood measures to include:
- Less vulnerable uses (commercial, bin/cycle storage on the ground floor and more vulnerable residential uses on the upper floors)
  - Raised finished floor levels.

- Flood resistance and resilience measures should be employed within the construction of the building.
- Floodable undercroft void space beneath part of the building.
- Walkway and plinth raised above the design flood level will provide safe dry access for residents and visitors. Access road raised to ensure safe access is still available for emergency services during a flood event.
- Flood warning and excavation plan
- Utilise SuDS to manage surface water runoff

10.4 The applicant has also submitted an independent Drainage Management Plan by Waterman Infrastructure & Environment Limited with the application. The report sets out the principles of Sustainable Drainage Systems (SuDS) for the proposed development, however, the final strategy would be confirmed at detailed design stage (this can be controlled via a planning condition). The report states that surface water runoff from the proposed development would discharge into the existing surface water sewer, as per the existing situation. The existing runoff rate for the site has been calculated to be 29.6 l/s. It is proposed to reduce runoff from the development in line with Merton Borough Policy requirements to 5.7l/s, providing a betterment of 81% over the existing situation. Surface water attenuation will be provided at roof top level in the form of blue roofs, porous paving subbase storage, below ground attenuation and bioretention systems.

10.5 The Councils Flood Risk Officer and the Environment Agency have both confirmed no objection to the proposal, subject to conditions.

#### Sequential Test assessment

10.6 A sequential test is required to be undertaken for the development of this site as a result of its location within Flood Zones 2 and 3. The National Planning Policy Framework (NPPF), at Paragraph 158, sets out that the aim of the sequential test is to steer new development to areas at the lowest risk of flooding. It states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas at lower risk of flooding. The applicants Sequential Test confirms that a total of 31 sites were assessed as part of the Sequential Test analysis. The Sequential Test demonstrated that there are no suitable alternative locations for the proposed development on any land at a lower flood risk.

10.7 Paragraph 159 of the NPPF outlines that if it is not possible for development to be located within zones with a lower risk of flooding, the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development

proposed, in line with the Flood Risk Vulnerability Classification set out in National Planning Practice Guidance (NPPG). For the Exception Test to be passed it should be demonstrated that:

A. the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

B. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 10.8 The Sequential Test confirms that no alternative sites on land at less risk of flooding were found to be available. As a result, an Exception Test was also undertaken and demonstrates the wider sustainability benefits of the development and that it will be safe for its lifetime (passing both A and B above as required). The aim of these tests is to consider whether there are any alternative sites, at less risk of flooding, that would be available for development, and that the development can be made safe for its lifetime and not worsen flooding elsewhere. Officers are content that the development passes the Sequential & Exception tests.
- 10.9 It should also be noted that the application site is identified as Site Wi7 – Rufus Business Centre, and is proposed for site allocation, in the Merton New Draft Local Plan (December 2020) for a mixed-use development including both employment and residential development. A sequential test was carried by the Council as part of the process in seeking to adopt the proposed site allocation in the new Local Plan.

## 11 **Biodiversity/Trees/ Urban Greening**

- 11.1 Planning Policy G6 (Biodiversity and access to nature) of the London Plan 2021 states that Sites of Importance for Nature Conservation (SINCs) should be protected and development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. Planning Policy DM D2 (Nature conservation, trees, hedges and landscape features) of Merton's Sites and Policies Plan seeks to protect and enhance biodiversity, particularly on sites of recognised nature conservation interest.
- 11.2 The applicant has commissioned an independent Preliminary Ecological Appraisal by T4 Ecology Ltd with the planning application. The report states that the site is not situated directly within a non-statutory designated location, and the site comprises an existing, modern, developed business park dominated by buildings/hard standing. It is noted that the site is bounded to the east by East Wimbledon Railsides Site of Importance for Nature Conservation (SINC). It is not considered that redevelopment of

the site would result in an adverse impact upon the SINC. However, in order to manage the potential specific impacts of the demolition and construction phase upon the SINC, the contractor should be required to produce a detailed, site specific Construction Environmental Management Plan (CEMP) to manage the demo/construction phase. Such a document should be secured pre-start of any works by way of appropriately worded planning condition.

11.3 The report makes a number of recommendations to ensure obligations in respect of protected species are met and the site is enhanced for the benefit of biodiversity. These include recommendations relating to the construction phase, general precautions, bats, lighting, nesting birds and the following enhancements:

- Installation of 8 x structurally integral bird boxes;
- Installation of 6x structurally integral bat boxes;
- New native/wildlife friendly planting where appropriate;
- Installation of 4 urban invertebrate boxes;
- Production of site-specific Biodiversity Management Plan, secured by way of planning condition;
- Suggested habitat boxes/plant species are provided.

11.4 The Councils Planning Policy Officer has confirmed no objection subject to conditions.

### Trees

11.5 Planning Policy G7 (Trees and woodlands) of the London Plan 2021 states that development proposals should ensure that, wherever possible, existing trees of value are retained. Planning Policy DM D2 (Nature conservation, trees, hedges and landscape features) of Merton's Sites and Policies Plan seeks to protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified.

11.6 The applicant has provided an independent Arboricultural Impact Assessment by Marcus Foster Arboricultural Design & Consultancy with the planning application. The report confirms that there are no trees on the application site and no tree loss would be required to implement the proposal. The Councils Tree Officer has confirmed no objection subject to condition.

### Urban Greening

11.7 Planning Policy G5 (Urban greening) of the London Plan 2021 states that major development proposals should contribute to the greening of London

by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The inclusion of urban greening measures in new development will result in an increase in green cover.

- 11.8 Merton Council currently does not have Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. Therefore the Mayor of London recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses). The Urban Greening Factor score for the proposed development through a combination of green infrastructure measures, such as green roofs, flower rich planting, and specimen trees is 0.38. It should also be noted that the existing site has excessive hard standing areas and lacks urban greening, therefore the proposed 0.38 score would represent a significant uplift when compared to the existing situation. The proposal would be 0.02 below the Mayors recommended target, however, given the existing situation, limited shortfall and the Mayor target only being a recommendation, in this instance the slight shortfall would not justify a refusal of planning permission

## 12 **Contamination**

- 12.1 Merton's Sites and Policies Plan Policy DM EP4 (Pollutants) aims to reduce pollutants and reduce concentrations to levels that will have minimal adverse effects on people and the natural and physical environment.
- 12.2 The applicant has provided a Preliminary Investigation Report by Soils Limited. The Councils Environmental Health Officer has confirmed no objection subject to conditions.

## 13 **Sustainability**

- 13.1 Planning Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan 2021 states that all major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy (be lean, be clean, be green and be seen). A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough,



either as through a cash in lieu contribution or off-site provided that an alternative proposal is identified and delivery is certain.

- 13.2 Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.
- 13.4 The applicant has updated their Energy Statement which demonstrates that the scheme would achieve a 49% improvement across the site (51% for the residential units and 38% for the commercial unit) which meets the GLA's minimum on-site targets. The applicant is proposing to install 52kWp solar PV, and a communal Air Source Heat Pump system for the majority of residential units apart from Block D. The proposed development would not meet the zero-carbon target as set out in Planning Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan 2021, therefore the applicant is proposing to offset the carbon shortfall of 52.6tCO<sub>2</sub>/year with a carbon offset contribution of £149,817 (calculated for a 30 year period at a rate of £95/tCO<sub>2</sub>). The Councils Climate Change Officer has confirmed no objection subject to conditions and S106 agreement relating to an offset contribution of £149,817.

## 15 Air Quality

- 15.1 Planning Policy SI 1 (Improving air quality) of the London Plan 2021 states that to tackle poor air quality, protect health and meet legal obligations development should not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits, delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits or create unacceptable risk of high levels of exposure to poor air quality. In order to meet the policy requirements, development proposals must be at least Air Quality Neutral, use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures.
- 15.2 Planning Policy DM EP4 of Merton's Adopted Sites and Policies plan (2104) seeks to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on people, the natural and physical environment in Merton. The policy states that to minimise pollutants, development:
- a) Should be designed to mitigate against its impact on air, land, light, noise and water both during the construction process and lifetime of the completed development.

b) Individually or cumulatively, should not result in an adverse impact against human or natural environment.

- 15.3 In accordance with the aims of the National Air Quality Strategy, the Mayor's Air Quality Strategy seeks to minimise the emissions of key pollutants and to reduce concentration to levels at which no, or minimal, effects on human health are likely to occur.
- 15.4 To meet the aims of the National Air Quality Objectives, the Council has designated the entire borough of Merton as an Air Quality Management Area (AQMA). Therefore, development that may result in an adverse air quality including during construction, may require an Air Quality Impact Assessment in order for the Council to consider any possible pollution impact linked to development proposals.
- 15.5 The applicant has provided an independent Air Quality Assessment Report by NRG Consulting with the planning application. The Air quality objectives for NO<sub>2</sub>, PM<sub>10</sub> are predicted to be met at all existing receptor locations considered in the assessment. Based on the assessment results the site is considered suitable for the proposed end use without the inclusion of any air pollution mitigation measures. An air quality neutral assessment has also been undertaken to consider both building and transport emissions. This shows that, in both cases, the total emissions for the proposed development lie below the emission benchmarks, and therefore no further mitigation is required. It is expected that there would be some dust emissions from the construction process. Consequently, the applicant has submitted a Construction Management Plan (May 2021) with satisfactory mitigation measures to ensure that any disruption is kept to a minimum. The Council's Air Quality Officer has confirmed that the assessment is acceptable and raises no objection, subject to conditions.

## 16 **Archaeology**

- 16.1 Planning Policy HC1 (Heritage conservation and growth) of the London Plan 2021 states that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- 16.2 The applicant has submitted an Archaeological desk-based assessment with the application. Historic England (HE) have confirmed no objection to the application. They confirm that the development is unlikely to have a

significant effect on heritage assets of archaeological interest and that they agree with the applicants Desk-Based assessment that due to the heavy contamination and significant depth of made ground on the site, the proposed development will not have a significant impact on potential buried archaeological remains.

17. **Local Financial Considerations**

17.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL). Merton's Community Infrastructure Levy was implemented on 1<sup>st</sup> April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

18. **Sustainability and environmental impact assessment requirements**

18.1 The proposal is for major mixed-use development and an Environmental Impact Assessment is not required in this instance.

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

19. **CONCLUSION**

19.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

19.2 NPPF - Paragraph 122 explains planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed, attractive and healthy places.

19.3 NPPF Paragraph 123 states that it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

- 19.4 The delivery of this site for commercial and new housing is in line with the proposed site allocation in Merton's Draft New Local Plan. The 96 proposed flats and 880sqm commercial unit at ground floor level will create much needed new homes and jobs in a sustainable location. The principle of development is considered to be acceptable with a mixed use development retaining a source of employment along with providing much needed new homes.
- 19.5 The standard of residential accommodation is considered to offer good accommodation that would meet the needs of future occupiers. Each unit would have direct access to private amenity space as well as communal areas, exceeding minimum standards. The proposed housing mix is considered to meet housing need. The level of affordable housing is agreed due to viability considerations.
- 19.6 The design of the development is considered to be high quality in terms of appearance and character and would be appropriate in terms of height and massing in this context. The proposed building would respect the context of the site, wider area and as such would not harm the adjacent Durnsford Recreational Ground and open space designation.
- 19.7 There would be no undue impact upon neighbouring amenity, flooding, transport, biodiversity, contamination, sustainability, archaeology, air quality or trees.
- 19.8 Overall, the proposal is considered to be in accordance with Adopted Sites and Policies Plan, Core Planning Strategy, London Plan policies and national policy. The proposal is therefore recommended for approval subject to conditions and completion of a S106 Agreement.

## **RECOMMENDATION**

GRANT PLANNING PERMISSION subject to –

1. Subject to conditions and the completion of a Section 106 Agreement covering the following heads of terms:-
  1. Permit Free (residential and commercial).
  2. Zero Carbon (£149,817).
  3. Car Club Membership (three years).
  4. Travel Plan.
  5. Affordable Housing (8 units and early and late stage viability review

required).

6. Playspace Contribution (£15,000)
7. Security fencing and permissive access
8. Wandle Trail “missing link” project contribution (£ TBC).
9. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B.1 Materials to be approved, including detailed plans at a scale of 1:20 of some of the typical details
4. B.4 Details of Surface Treatment
5. B.5 Details of Walls/Fences
6. B.6 Levels
7. C06 Refuse & Recycling
8. C08 No use of flat roofs (other than those shown on the plans)
10. C09 Screening (side screens to shared amenity areas)
- 10 D01 Hours of Use
- 11 D10 External Lighting
- 12 D11 Construction Times
- 13 E05 Restriction – Use of Premises
- 14 F01 Landscaping/Planting scheme
- 15 Green Walls/Roofs
16. F09 Hardstanding

17. H10 Construction Vehicles, Washdown Facilities etc (major sites)
18. H13 Construction Logistics Plan
19. Ventilation System - Due to the potential impact of the surrounding locality on the development, as specified in the NRG Consulting Noise Assessment Acoustic report for Wandle Way Ltd Dated March 2021, the final scheme incorporating the ventilation system, to mitigate against noise for the residential units shall be submitted and approved by the Local Planning Authority before implementation to meet the reports minimum standard for mitigation from external noise,. A post verification report in relation to the mitigation implemented shall be submitted to the LPA for approval.
20. Noise – The noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any mechanical plant associated with the commercial units and plant room shall not exceed LA90-10dB at the boundary with the closest residential property.
21. Soundproofing - A scheme for the soundproofing of the commercial uses of the building between the residential element to prevent the transmission of noise and vibration shall be submitted to 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 occupation of the development and shall thereafter be retained.
22. Demolition/Construction Method Statement – The demolition/construction method statement, for Wandle Way Ltd prepared by NRG Consulting dated May 2021 and submitted with the application shall be implemented and complied with during the development.

The aspect regarding artificial lighting has been addressed within the submitted application documents.

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

23. Non-Road Mobile Machinery (NRMM) - All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and

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

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

24. Gas Boilers - Prior to occupation of the development, details of the Ultra-Low NOx diesel-fired back-up generator shall be submitted to and agreed in writing by the council. The backup Ultra Low NOx generator shall have dry NOx emissions not exceeding 30 mg/kWh. The approved details shall be fully implemented prior to the occupation/use of the development and thereafter.

Reason: To ensure the development does not lead to adverse impacts on air quality (London Plan Policy SI1 (B)).

25. Contaminated Land - A preliminary risk assessment, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment, and submitted to the approval of the LPA.

Reason: To protect the health of future users of the site in accordance with policy E7, part B, section 3f of the London Plan 2021 and policy DM EP4 of Merton’s sites and policies plan 2014.

26. Remediation/ Verification Report - The approached remediation shall be completed prior to completion. And a verification report, demonstrating the then effectiveness of the remediation, subject to the approval of the LPA.

Reason: To protect the health of future users of the site in accordance with policy E7, part B, section 3f of the London Plan 2021 and policy DM EP4 of Merton’s sites and policies plan 2014.

27. Tree Protection - The details and measures for the protection of the existing trees as specified in the hereby approved document ‘Arboricultural Impact Assessment (BS 5837:2012)’ reference ‘AIA/MF/005/21’ dated ‘February 2021’ shall be fully complied with.

The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

Reason: To protect and safeguard the existing trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014;

- 28. Fire Strategy
- 29. Construction Environmental Management Plan (CeMP)
- 30. Biodiversity Management Plan
- 31. Ecology report
- 32. Parking management plan (including measures to prevent unauthorised car parking)
- 33. Disabled car parking (future proof)
- 34. Parking spaces retained as shown
- 35. H.06 Cycle Parking
- 36. Communal Heating System - No development shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority, details of the proposed communal heating system in line with climate change comments sent to the Applicant on 3<sup>rd</sup> December 2021.  
  
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.
- 37. District Heat Networks – London Heat Networks Manual - No development shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority evidence demonstrating that the development has been designed to enable connection of the site to an existing or future district heating network, in accordance with the Technical Standards of the



London Heat Network Manual (2014).’

Reason: To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic), and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating, in accordance with London Plan policies SI2 and SI3.

38. CO2 reductions & internal water use rates - No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions in accordance with those outlined in the approved Energy Statement (dated 7 December 2021), and wholesome water consumption rates of no greater than 105 litres per person per day for the residential units.’

39 ‘Be Seen’ energy monitoring - In order to demonstrate compliance with the ‘be seen’ post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy non-compliance.

a. Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the ‘be seen’ energy performance indicators, as outlined in Chapter 3 ‘Planning stage’ of the GLA ‘Be seen’ energy monitoring guidance document, for the consented development. This should be submitted to the GLA’s monitoring portal in accordance with the ‘Be seen’ energy monitoring guidance.

b. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the ‘be seen’ energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 ‘As-built stage’ of the GLA ‘Be seen’ energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA’s monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use

energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

40. Drainage Management Plan - Prior to the commencement of development, the applicant shall submit revised drainage plans for the site which incorporates the approved elements as outlined with the Drainage Management Plan dated March 2021 prepared by Waterman Infrastructure & Environment Limited. This must include the discharge rate of 5.7 l/s and on-site storage (blue roofs, permeable paving etc) to achieve this for the 1 in 100-year plus a 40% allowance for the effects of climate change.

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

- 41 Sustainable Drainage System (SuDS) - Prior to occupation of the development the applicant shall submit a SuDS management plan to and be 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 occupation of the development and shall thereafter be retained.

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

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

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy: Merton Local Plan, Policy D11 London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF).

43. Secured by Design final inspection - Prior to occupation a Secured by Design final inspection, once all works have been carried out to ensure compliance in all areas and certification shall be submitted to and approved by the Local Planning Authority.

Reason: In order to achieve the principles and objectives of Secured by Design to provide a safer environment for future residents and visitors to the site and reduce the fear of crime in accordance with Policy: Merton Local Plan, Policy D11 London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF).

44. Playspace
45. Accessible Housing (in accordance with details)
46. Inclusive Design (in accordance with details)
47. Urban Greening (in accordance with details)

**Informatives:**

1. (Communal Heating System) This should include further information on the proposed communal heating system and associated heat distribution losses, a drawing showing the route of the heat network linking all uses on the site, and a drawing indicating the floor area, internal layout and location of the energy centre.
2. (Network Rail) - Due to the close proximity of the proposed works to Network Rail's infrastructure and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team via [ssetProtectionWessex@networkrail.co.uk](mailto:ssetProtectionWessex@networkrail.co.uk) prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.
3. (Network Rail) - The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/assetprotection-and-optimisation/>.

4. (Network Rail) - The applicant / developer must also follow the attached Asset Protection informatives which are issued to all proposals within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).
  
5. (Thames Water) - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
  
6. (Thames Water) - The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_developers.thameswater.co.uk\\_Developing-2Da-2Dlarge-2Dsite\\_Planning-2Dyour-2Ddevelopment\\_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=HmJinpA0me9MkKQ19xEDwK7irBsCvGfF6AWwfMZqono&r=UPh-bqCqZrMn\\_44nU46Lx-cHcrYEvpn3iscaT65Yo14VpFF4q7jJukrZjK94\\_6aU&m=uYMbRCbHqnm0pSZ0wed8beBBcFqSICHy2eyOeonRTQw&s=EhgzunOCT5Yj6A777JZqOoShXi8bcMfZuag3\\_6Nc-Eo&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwIFaQ&c=HmJinpA0me9MkKQ19xEDwK7irBsCvGfF6AWwfMZqono&r=UPh-bqCqZrMn_44nU46Lx-cHcrYEvpn3iscaT65Yo14VpFF4q7jJukrZjK94_6aU&m=uYMbRCbHqnm0pSZ0wed8beBBcFqSICHy2eyOeonRTQw&s=EhgzunOCT5Yj6A777JZqOoShXi8bcMfZuag3_6Nc-Eo&e=) . Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

The developer should contact SGN to discuss requirements for any improvements to the gas infrastructure network.

7.

Carbon emissions evidence requirements for post construction stage assessments must provide:

- 'As Built' SAP Compliance Reports and detailed DER and TER worksheets for the as built development. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction. The outputs must be dated and include the accredited energy assessor's name and registration number, the assessment status, plot number and development address. OR, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation.

AND, where the developer has used SAP 10 conversion factors:

- The completed Carbon Emissions Reporting Spreadsheet based on the 'As Built' SAP outputs.

AND, where applicable:

- MCS certificates and photos of all installed renewable technologies.

Water efficiency evidence requirements for post construction stage assessments must provide:

- Water Efficiency Calculator for New Dwellings, representing the dwellings 'As Built', demonstrating that the dwelling(s) has achieved internal water consumption rates of no greater than 105 litres per person per day; AND
- Detailed documentary evidence representing the dwellings 'As Built'; showing:
  - o 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
  - o the location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling.

c. Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence

should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

Reason: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan.

In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner should use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority. The measures approved by the Local Planning Authority should be implemented by the legal Owner as soon as reasonably practicable.

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