

## PLANNING APPLICATIONS COMMITTEE

16<sup>th</sup> March 2023

### Item No:

### UPRN

### APPLICATION NO.

### DATE VALID

22/P2865

20/09/2022

### **Address/Site:**

115 Kingston Road, Wimbledon, SW19 1LT

### **(Ward)**

Abbey

### **Proposal:**

DEMOLITION OF THE EXISTING BUILDINGS ON THE SITE AND THE CONSTRUCTION OF A 4 STOREY BUILDING WITH ACCOMMODATION WITHIN THE ROOF COMPRISING OF 7 X SELF-CONTAINED UNITS (1 X 3-BED/4PERSON, 5 X 2-BED/3-PERSON, 1 X 1-BED/1 PERSON) WITH ASSOCIATED REFUSE AND CYCLE STORAGE.

### **Drawing Nos:**

Planning Statement & Design & Access Statement; Daylight & Sunlight Assessment; Energy Sustainability Statement; Fire Safety Strategy; 01; 02; 03; 04; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14; 20 Rev A; 21 Rev A; 22 Rev A; 23 Rev A; 24 Rev A; 25 Rev A; 26 Rev A; 27 Rev A; & 28 Rev A.

### **Contact Officer:**

Brenda Louisy-Johnson (0208 545 3169)

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## **RECOMMENDATION**

**GRANT Planning Permission Subject to Conditions and S106 Agreement**

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### **CHECKLIST INFORMATION**

- Heads of agreement: Permit free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 46
- External consultations: Thames Water

## **1. INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee due to the nature and number of objections received.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site measures 0.024 hectares and is located on the corner of Kingston Road and Palmerston Road. The application site comprises a two storey end of terrace building with a former commercial use at ground and first floor level. The building comprises yellow stock brick at first floor level and white render at ground level. The site is bounded by a glass balustrade and lean-to shed style structure. There is an access from Palmerston Road to the rear of the building where there is a small car parking area.
- 2.2 The properties to the east, fronting Kingston Road, are built of yellow brick and have rendered ground floors. The properties are aligned as a terrace. To the west of the application site, also on Kingston Road, there is a large 5 storey building constructed in 2017 from Yellow London Stock bricks on the lower levels then grey zinc on the upper levels consisting of 24 self-contained flats. The site has a good PTAL rating of 6A, being sited 200 meters from South Wimbledon Underground Station and with a bus stop providing access between Colliers Wood to the east and Raynes Park to the west. The site has no local plan designations and is not in Flood Zones 2 or 3.

## **3. CURRENT PROPOSAL**

- 3.1 Planning permission is sought for the demolition of the existing buildings on the site and the construction of a 4 storey building with accommodation within the roof comprising of 7 x self-contained residential flats (1 x 3 bed, 5 x 2 bed and 1 x 1 bed) with associated refuse and cycle storage.
- 3.2 All flats would have private amenity space in the form of terraces. 11 cycle spaces are proposed and bin storage is proposed in the communal area at ground floor level. One of the proposed units would be accessed from Kingston Road and all the others from the communal entrance in Palmerston Road. Soft landscaping is proposed around the front and side of the proposed building.

## **4. PLANNING HISTORY**

- 4.1 The site has planning history dating back to 1968. The most recent planning history is given below:
- 4.2 10/P1394 - CONVERSION OF GROUND FLOOR OFFICE AND FIRST FLOOR FLAT TO AN ANTE AND POST-NATAL TREATMENT AND TEACHING CENTRE WITH ANCILLARY FACILITIES, INCLUDING TWO STOREY REAR EXTENSION, OUTSIDE BUGGY STORE, BIKE STORE, PARKING, AND CAFÉ. Grant Permission Subject to Conditions 05/07/2010.

- 4.3 22/P1552 - PRIOR APPROVAL FOR CHANCEE OF USE FROM COMMERCIAL, BUSINESS AND SERVICE (USE CLASS E) TO DWELLINGHOUSES (USE CLASS C3) CONVERSION OF CAFÉ/YOGA STUDIO TO 1 X 3 BEDROOM FLAT AND 1 X 2 BEDROOM FLAT WITH ASSOCIATED OUTSIDE PRIVATE AMENITY SPACE, REFUSE AND CYCLE STORAGE AND OFF-STREET CAR PARKING. Prior Approval Granted 26/09/2022.

## 5. CONSULTATIONS

Neighbouring properties were consulted via letter. 13 neighbour representations have been received objecting to the proposal. One of the neighbour representations is from No.110 Palmerston Road and the other 12 representations form a petition from the occupants of 12 flats in Vertex Apartments on the corner of Palmerton Road and Kingston Road to the west of the site.

Reasons for objection:

- Loss of light to the side window of 110 Palmerston Road leading to reduction in living standard of neighbour and loss of value of property.
- The submitted daylight and sunlight assessment states that the vertical sky component is below the recommend 27.
- The current building is occupied for commercial purposes any new use should also be commercial.
- The building will result in high population density and this cannot be supported by the local infrastructure.
- Increased need for street parking which will exacerbate the existing problem parking situation.
- There is no place for the bins to be stored on collection days and they will end up on the pavement.
- The proposed building will create overlooking to the Vertex Apartments opposite in Palmerston Road.
- The building needs a lay-down parking space for deliveries, without this delivery vans etc will wait by the curb near to the road junction and this will cause nuisance for Vertex residents in terms of noise, access to the car hoist entrance and the side entrance to the block.
- Noise, disruption and pollution would be caused by construction works.
- The brick colour is yellower than found on Palmerston Road.
- Mailboxes opening onto the pavement are liable to be vandalised and their contents stolen.
- The type of cladding is likely to cause issues - the installation needs to be designed and built in compliance with building regulations, BS competence standards and manufacturer's installation guidance, and certified to the relevant building safety standard.
- The council needs to specify commonhold tenure only for any residential parts, in line with government reforms.

The Wimbledon Society

- The Wimbledon Society is pleased to see that the developer has respected the heights of the neighbouring buildings when designing this block of flats. The Society would ask that before the building is demolished a photographic survey is taken of any surviving fittings of an historic nature.

**Consultee comments:**

Thames Water

No comments have been received.

Climate Change Officer

No objection subject to the following condition:

1) No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions in line with those set out in the approved Energy & Sustainability Statement (dated 14th July 2022) and internal water consumption rates of no greater than 105 litres per person per day.

Environmental Health Officer (land contamination)

No objection subject to the following conditions:

1) No development shall occur until a preliminary risk-assessment is submitted to the approval of the LPA. Then an investigation conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with Policy SI 10 of the London Plan 2021 and Policy DM EP4 of Merton's Sites and Policies Plan 2014.

2) No development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, and shall be submitted to and approved 2 in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with Policy SI 10 of the London Plan 2021 and Policy DM EP4 of Merton's Sites and Policies Plan 2014.

3) Prior to first occupation, the remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with Policy SI 10 of the London Plan 2021 and Policy DM EP4 of Merton's Sites and Policies Plan 2014.

Environmental Health Officer (noise and nuisance)

The following conditions have been advised:

1) Prior to the commencement of the development and due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The scheme shall be based on Good Acoustic Design based upon ProPG: Planning and Noise - Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 (or any revision) as a minimum. The scheme is to include acoustic data for the glazing system and ventilation systems.

The approved scheme shall be implemented in accordance with the agreed details. A post verification report associated in relation to the mitigation implemented and internal noise levels shall be submitted to the LPA for approval.

2) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local Environmental Health planning authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- " hours of operation
- " the parking of vehicles of site operatives and visitors
- " loading and unloading of plant and materials
- " storage of plant and materials used in constructing the development
- " the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- " wheel washing facilities
- " measures to control the emission of noise and vibration during construction.
- " measures to control the emission of dust and dirt during construction/demolition
- " a scheme for recycling/disposing of waste resulting from demolition and construction works

Flood Risk / Drainage Officer

Initial comments:

We would expect them to set their finished floor levels at least 300mm about the ground level to avoid any potential surface flood waters from entering the

property. They need to provide the levels / topographical survey they carried out along with the finished floor level so we can check if they have met the minimum criteria. If they have we can easily put a condition on it.

Final comments:

The following conditions and informatives are advised -

Conditions:

1) Prior to the commencement a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS)), in accordance with drainage hierarchy contained within the London Plan Policy (SI 13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's Core Strategy 2011 Policy CS16, Merton's Sites and Policies Plan 2014 Policy DMF2 and the London Plan 2021 Policy SI 13.

2) The finished floor levels of the development shall be set no lower than 12.35mAODN.

Reason: To reduce the risk of surface water flooding to the proposed development and future users, in accordance with Merton's Core Strategy 2011 Policy CS16, Merton's Sites and Policies Plan 2014 Policy DMF2 and the London Plan 2021 Policy SI 13.

Informatives:

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

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

Highway Officer

No objection subject to the following conditions and informatives:

Conditions -

1) Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:

- (i) Parking of vehicles of site workers and visitors;
- (ii) Loading and unloading of plant and materials;
- (iii) Storage of construction plant and materials;
- (iv) Wheel cleaning facilities
- (v) Control of dust, smell and other effluvia;
- (vi) Control of surface water run-off.

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

2) Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Informatives -

1) You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

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

#### Transport Planner

Site and Surroundings: The application site has a PTAL rating of 6b, which means it has excellent access to public transport. The streets in the vicinity of the Site fall in the W4 Controlled Parking Zone with restrictions in place between

830am and 11pm Monday through Saturday and between 2pm and 6pm on Sunday.

**Car Parking:** The application provides no off-site car parking. Therefore, in order to minimise impact upon surrounding streets it is considered appropriate in this instance the development is permit free. The appellant will be required to enter into a Sec.106 agreement with the Council to ensure the development is permit free and no resident within the development can apply for an on-street parking permit in the surrounding parking zones.

**Cycle Parking:** The proposal would require 13 cycle parking spaces (secure & undercover) in accordance with the London Plan Standards.

**Refuse:** Given there is an already established collection route along this road, it is not considered the proposal would have a detrimental impact on the waste collection services in the area.

**Recommendation:** The proposal is unlikely to have a significant impact on the adjoining highway. Raise no objection subject to:

- The applicant enters into a Unilateral Undertaking which would restrict future occupiers of all 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.
- Cycle parking (secure & undercover) in accordance with the London Plan standards.
- 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.

## **6. POLICY CONTEXT**

### **6.1 National Planning Policy Framework (2021)**

Section 5 Delivering a sufficient supply of homes

Section 9 Promoting sustainable transport

Section 10 Meeting the challenge of climate change, flooding and coastal change

Section 11 Making effective use of land

Section 12 Achieving well-designed places

### **6.2 London Plan (2021)**

GG4 Delivering the homes Londoners need

D2 Infrastructure requirements for sustainable densities

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D6 Housing quality and standards

D10 Basement development

D12 Fire safety

D14 Noise



- H1 Increasing housing supply
- H2 Small sites
- H10 Housing size mix
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction

**6.3 Merton Local Development Framework Core Strategy (2011):**

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 14 Design
- CS 15 Climate change
- CS 16 Flood Risk Management
- CS 17 Waste management
- CS 18 Transport
- CS 20 Parking servicing and delivery

**6.4 Merton Sites and Policies Plan (2014):**

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM C1 Community facilities
- DM D1 Urban Design
- DM D2 Design considerations
- DM EP2 Reducing and mitigating noise
- DM E3 Protection of scattered employment sites
- DM F1 Support for flood risk management
- DM F2 SuDS and waste water
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards

**6.5 Supplementary planning documents:**

- DCLG Technical Housing Standards 2015
- London Plan Housing SPG 2016
- Mayor's Sustainable Design and Construction SPG 2014
- Merton's Small Sites Toolkit 2021
- Merton's Design SPG 2021
- Waste and Recycling Storage Requirements - A Guidance for Architects

**7. PLANNING CONSIDERATIONS**

The key planning considerations include:  
Principle of Development;

Design (massing, scale, height; appearance, siting and layout; cycle and bin storage; landscaping)  
Housing Mix;  
Standard of Accommodation;  
Neighbouring Amenity;  
Car and Cycle Parking;  
Fire Safety;  
Flood Risk;  
Air Quality; and  
Sustainability.

## **7. Principle of Development**

- 7.2 The National Planning Policy Framework 2019 and London Plan 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.
- 7.3 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 The application site has an area of 0.024 ha. The application site is therefore considered to fall under planning policy H2 (Small Sites) of the London Plan 2021. Following on from the housing targets set out above, small sites are expected to deliver 2,610 new homes over the 10 year period (2019/20 - 2028/29). Policy H2 sets out that for London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.
- 7.5 The borough'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. The existing use of the site comprises café and yoga studio. Policy DM E3 outlines that proposals that result in the loss of scattered employment sites will be resisted, except where:

- i) The site is located in a predominantly residential area and it can be demonstrated that its operation has had significant adverse effect on local residential amenity;
- ii) The size, configuration, access arrangements and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use; and
- iii) It has been demonstrated to the council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing of the site at reasonable process for a period of 30 months (2.5 years).

7.6 Policy DM E3 seeks to protect scattered employment sites and whilst the site would fall within this category, consent has previously been granted for a change of use to both floors of the building to residential development under Prior Approval application 22/P1552. Officers note the following comments on the existing building uses from the officer report for 22/P1552:

'The building has been vacant for a continuous period of over 3 months immediately prior to the date of this application for prior approval. The applicant has submitted a letter from estate agent and evidence that the site has been marketed since March 2020.'

7.7 The building is currently vacant and the above marketing referred to demonstrated that it had no uptake for its lawful uses. In light of the above, considerable planning weight must therefore be given to the previous consent under Prior Approval and the benefits of the delivery of new homes as part of the planning application process. The application site is located on a brownfield site within a mixed residential and commercial location with nearby amenities and a high PTAL of 6A.

7.8 The site is considered to be in a good location that would promote sustainable development. The redevelopment of the site would bring forward 7 new residential units which will make a modest 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.

7.9 Five year land supply

7.10 Merton currently does not have a five-year supply of deliverable housing. It is therefore advised that members should consider this position as a significant material consideration in the determination of planning applications proposing additional homes. The NPPF 2021 outlines that: Where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, relevant decisions should apply the presumption in favour of sustainable development. This means that for planning applications involving the provision of housing, it should be granted permission unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- any adverse effect of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

- 7.11 In real terms, if Merton continues to not meet its housing supply, then greater weight will need to be given to delivering more housing in the planning balance. Therefore, it is important that the Council seeks to deliver new housing now and make the most efficient use of sites to deliver new homes with appropriately designed buildings. The scheme is considered to make the most efficient use of the site with a good quality development that respects the character and appearance of the area without being harmful. The additional units created on the site will make a valuable contribution towards Merton meeting its housing targets.
- 7.12 Therefore, the principle of development of the 7 residential units is considered acceptable.

## **8. Design/visual amenity**

- 8.1 Planning policy DM D2 (Design considerations in all developments) of Merton's Sites and Policies Plan 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.

### **8.2 Demolition**

- 8.3 The existing building within the site to be demolished is of no particular architectural merit and its loss will therefore, have little impact on the visual amenity of the local area. The building on site is not listed or locally listed and its loss is not objected to by officers, subject to a suitable building replacement being acceptable.

### **8.4 Massing, scale and height**

- 8.5 Officers consider that the proposal makes affective use of the land by positively and appropriately relating to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings. In terms of the surroundings, the application site is surrounded by traditional two storey terrace and semi-detached houses with a 5-storey modern development on the opposite side of Palmerstone Road. The increase in height of the buildings on the corner of Kingston Road and Palmerston Road from 2 storeys to 4 storeys is more prominent for this corner location. The proposed building would be slightly taller than the adjoining building and its fourth storey would be set back from the edges of the storey below, meaning that the building would have less of an impact on street scene and the overall bulk and mass would be sufficiently broken up. This is particularly the case in Palmerston Road which is a narrower

road and where the proposed building is opposite a 5-storey block of flats. Setting the fourth and third floors back away from the edges of the lower storeys mitigates any sense of enclosure and feeling of overbearingness experienced at street level. Overall, officers are satisfied that the height and massing of the proposal would relate well to its surroundings and both the street scenes of Kingston Road and Palmerston Road.

#### 8.6 Appearance, siting and layout

8.7 The proposed building makes more effective use of the site than the existing building with greater plot coverage, but still retaining the access at the rear. The current site benefits from an area of hardstanding at the rear currently used for car parking. Further, there is space to the side of the building which is currently under-utilised. The proposed building would extend over these areas, utilising these under-utilised spaces. The proposed building would be similar in appearance to the adjacent 5-storey block of flats in terms of the materials proposed for its external appearance (yellow brick the lower storey elevations and zinc for the highest storey). The size of many of the window openings are the same. Also the main communal entrance way to both buildings is in Palmerston Road. The proposal is considered to make best use of the site, whilst providing good layouts for each flat and making provision for outdoor space for each flat. The use of set backs to the 3<sup>rd</sup> and 4<sup>th</sup> floors helps provide visual interest to the building. Overall, the proposed materials and layout of the proposal is considered to be acceptable to the site and surroundings.

#### 8.8 Landscaping

8.9 The size constraints of the site limit the extent to which soft landscaping can be provided within the site. However, through thoughtful design, small areas of soft landscaping would be provided along the edges of the development in Kingston Road and Palmerston Road to soften the appearance of the development at street level. A condition seeking final details is to be recommended and secured.

### 9. **Housing Mix**

9.1 Planning policy DM D2 (Housing Mix) of Merton's Sites and Policies Plan seeks to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. The borough level indicative proportions concerning housing mix (as set out below) will 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.

9.2 Table in Planning policy DM H2 (Housing Mix) of Merton's Sites and Policies Plan 2014:

Number of bedrooms	Percentage of Units
One	33%
Two	32%

Three + 35%

9.3 The proposed development would deliver 1 x 1 bedroom units, 5 x 2 bedroom units and 1 x 3 bedroom units. The proposed development would therefore generate a percentage housing mix as follows:

9.4	Number of bedrooms	Percentage Units
	One	14%
	Two	72%
	Three +	14%

9.5 The proposal does not strictly meet the housing mix requirements, however the Borough level is indicative having regard to the site circumstances, site location and economic provision such as financial viability. The site is a small site, with surrounding constraints restricting outlook, layout and height. The proposal would have a central core and set backs at 3<sup>rd</sup> and 4<sup>th</sup> floor level. Further, the proposal provides outdoor space for each unit. The above factors hinder the layouts of the units and ability to provide the exact mix under policy. Officers note, however, that the 3-bed unit proposed is split level and would provide good standard of accommodation. The proposal is considered to offer a reasonable range of unit sizes, including 5 small family sized accommodation (2-bed units) and 1 larger family sized accommodation (3-bed unit). The proposal is considered to provide a good range of flats and the proposed mix is therefore considered to be acceptable.

## 10. Standard of Accommodation

10.1 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.

10.2 Planning Policy D6 (Housing quality and standards) of the adopted 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).

### 10.3 Space Standards

10.4 The internal floorspace for all 7 units have been assessed against the 'Technical housing standards - nationally described space standard' document. Each unit exceeds the minimum floorspace standards and are therefore deemed to be fit for purpose and will provide suitable levels of residential amenity for future occupants.

## 10.5 Natural light, Ventilation and Outlook

10.6 The development has been designed so that all habitable rooms would have good levels of outlook, light and ventilation. The large window/door openings serving each of the main living spaces of the flats would ensure a high-quality environment for future occupiers.

## 10.6 Dual Aspect

10.7 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 greater flexibility in the use of rooms. A dual aspect dwelling is one with opening windows on two external walls, which may be on opposite sides of the building or around a corner.

Planning Policy D6 (Housing quality and standards) seeks to maximise the provision of dual aspect dwellings. While only four flats in this development achieves dual aspect to the main living rooms, this is acceptable given the site constraints and the lack of scope to provide dual aspect rooms in a development of this size.

## 10.8 Provision of Amenity Space

10.9 In accordance with Policy DMD2 of the Council's Sites and Policies Plan and the London Plan 2021, that there should be 5sqm of external space provided for 1 and 2 person flats with an extra square metre provided for each additional occupant. The ground floor flat would be provided with outdoor amenity space by a garden, the flats on the upper floors will all have balconies, all of which meet or exceed the minimum size requirement.

## **11. Neighbouring Amenity**

11.1 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of natural light (sunlight and daylight), outlook, privacy, noise, visual intrusion and quality of living conditions.

## 11.2 Sunlight and Daylight

11.3 The Applicants have submitted a daylight and sunlight report assessing the impact of the proposed buildings on neighbouring properties. 28 habitable room windows in the neighbouring residential properties of 110 Palmerston Road, Vertex Mews Palmerston Road, 112, 113 and 116A Kingston Road and Hamilton Mews were assessed. The report concludes that during the design process the implications of the proposed massing on neighbouring daylight was carefully considered such that in almost all instances the numerical values set out within the BRE guidelines relating to buildings receiving adequate daylight have been achieved, apart from in the case a small standalone kitchen, would not ordinarily be considered a habitable room in line with Merton Planning Policy Guidance. Likewise the design process also considered the implications

of the development would have on neighbouring properties sunlight and the report demonstrates that neighbouring properties will still enjoy a good level of sunlight.

#### 11.4 Overlooking / Privacy

11.5 There has been an objection from the residents of the 5-storey adjacent block of flats that there would be overlooking from the proposed development to the windows of the elevation in Palmerston Road. However, it is considered that there is sufficient distance between the buildings and given the elevations are within the public realm and on the opposite side of the road, a certain level of overlooking expected.

11.6 The windows in the rear elevation of the proposed building overlook a side window at No. 110 Palmerston Road. However, this is a window to landing on a stairway and not a habitable room window. Therefore, any overlooking in this instance is not considered to be harmful. The proposed bulk and mass of the building would not extend beyond the rear building line of 110 Palmerston Road. Further, a good separation distance would remain due to the separation of the vehicle access to the rear of the site and 110. Further, the 3<sup>rd</sup> and 4<sup>th</sup> floor rear outdoor terraces have been set back further from the rear building line of 110 which helps mitigate visual interaction between the occupiers of 110 and the outdoor terraces. Officers acknowledge that that proposal would offer some elevated views from windows and raised terraces to the rear garden of 110, however, these would be at oblique angles and within a built up environment (such as the application site location) this would be inevitable and common.

11.7 113 Kingston Road comprises a split level ground and first floor flat with front and rear outlook. Officers note there is a planning permission pending under ref 19/P2448 to extend at the rear to create two flats. Officers have reviewed this neighbouring proposal and the current proposal would not cause harm to the future occupiers of such flats should it get approved due to the flank walls having limited windows. Taking into account the current situation, officers acknowledge that the proposal would result in an increase sense of enclosure and affect the outlook from the rear facing windows at 113. However, the proposal has been designed so that as the rear section of the proposed building extends deeper into the plot, it moves further away from the adjoining boundary with 113. The 3<sup>rd</sup> and 4<sup>th</sup> floor would also be stepped further away than the floors below further mitigating the impact.

11.8 Overall, officers are satisfied that the proposal would not cause harm to neighbouring residential amenity and is compliant with Policy DM D2 in this regard.

## 12. **Car and Cycle Parking**

12.1 London Plan Policy T6 states that car-free development should be the starting point for all development proposals in places that are well served by public transport. Adequate provision should be made for efficient deliveries and



servicing and emergency access. Policy T6.1 states that new residential development should not exceed the maximum parking standards. The maximum parking standards for developments in outer London with PTAL 2-3 are 0.75 spaces per 1-2 bed dwellings and 1 space per 3+ bed dwellings.

- 12.2 Merton's Sustainable Transport SPG 2004 requires 1 car parking space per 1-2 bedroom dwellings plus 1 space per 4 dwellings for communal use. 2 spaces are required for 3-4 bedroom dwellings and 5+ bedroom developments are negotiable. However, Sites and Policies Plan Policy DM T3 requires development to only provide the level of car parking required to serve the site taking into account its accessibility by public transport (PTAL) and local circumstances in accordance with London Plan standards unless a clear need can be demonstrated.
- 12.3 This development provides no on-site car parking provision. Given the high PTAL of 6A, it is appropriate for the development to be car permit free requiring the Applicant to enter into a section 106 unilateral agreement with the Council.
- 12.4 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. Policy T5 requires the provision of appropriate levels of cycle parking, at least in accordance with the minimum standards. For residential long-stay parking, 1 long-stay space per studio or 1 person 1 bedroom dwelling, 1.5 long-stay spaces per 2 person 1 bedroom dwelling and 2 long-stay spaces per all other dwellings are required. Additionally, 2 short-stay spaces are required for 5-40 dwellings and, thereafter, 1 short-stay space per 40 dwellings. There is cycle storage and bin storage within the ground floor communal area, also uncovered cycle storage within the private garden of one of the ground floor flats. 12 cycle spaces are provided within the communal area and 2 spaces within the private garden. Officers are satisfied that the policy level of cycle parking can be accommodated on site and a condition will be recommended securing this.
- 12.5 Two 1100 litre euro bins for recycling and refuse and a bin for food waste are provided, which is the compliant amount of bin storage required under the Council's Bin and Recycling Storage Guidance.

### **13. Fire Safety**

- 13.1 Planning Policy D12 (Fire Safety) of the London Plan 2021 highlights that the 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 Londoner's can have confidence living in and using.
- 13.2 The Applicant has complied with the above policy and submitted a fire strategy detailing the fire safety measures that would be taken. However, fire safety would be formally considered at Building Control stage to see whether it fully complies with building regulations.

## **14. Flood Risk / Drainage**

- 14.1 London Plan policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage), Core Planning Strategy policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 14.2 The application site is not within a Flood Risk Zone, however, the Council's Flood Risk Officer has requested details of finished floor levels to avoid any potential surface flood waters from entering the property. They have also advised conditions relating to this and the submission of a detailed scheme for the provision of surface and foul water drainage.

## **15. Air Quality**

- 15.1 Planning Policy SI 1 (Improving air quality) of the London Plan 2021 seeks to tackle poor air quality and protect health.
- 15.2 The development is Air Quality Neutral according to the London Plan Policy SI1 Improving Air Quality Part B(2)(a) and Part E as follows: there is no new combustion car parking as part of the proposed development and the proposal specifically results in the loss of on-site car parking. Further, a Construction Method Statement (recommended by the Council's Environmental Health Officer) would capture measures as to how emissions and dust would be controlled during the construction process. This would be controlled via condition.

## **16. Sustainability**

- 16.1 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 9 (Sustainable infrastructure) of the new London Plan.
- 16.2 The Applicant has submitted a sustainability statement which details the sustainability measures incorporated in the development and others which have been considered and which are not appropriate. The development will need to achieve internal water usage rates not exceeding 105 litres per person per day. CO2 emissions for the proposed development would be assessed under Approved Document Part L1A of Building Regulations. Renewable energy is proposed in the form of photovoltaic cells on the roof of the proposed development. Part L of Building Regulations was updated (Part L 2021) and Part L 2021 is estimated to represent a 31% improvement against Part L 2013. As a result, the new Part L 2021 exceeds the 19% improvement against Part L 2013 target which Merton requires for minor schemes. Therefore, better

improvements to building standards will now be controlled under building control regulations, however under planning, we will still need to see evidence of meeting Merton's internal water use rate of 105 Litres per person per day for minor residential schemes. In order to secure this requirement, a planning condition can be attached requiring evidence that the development has met this standard.

## **17. Biodiversity**

- 17.1 Planning Policy G6 of the London Plan sets out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain, including sites not within areas of special protection. Planning Policy DM O2 (Nature conservation, trees, hedges and landscape features) of Merton's Sites and Polices Plan seeks to protect and enhance biodiversity. Policy CS13 of the Core Planning Strategy requires proposals for new dwellings in back gardens must justify the impact on biodiversity value of the site.
- 17.2 It is considered the biodiversity value of the existing site is very limited, however as part of the development of the site, further details of biodiversity features can be controlled via a planning condition so that there is some biodiversity value delivered. Officers note that the proposal incorporates and allows space for soft landscaping. It is considered that an enhancement can be achieved as part of the proposal and a condition securing this is recommended.

## **18. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **19. LOCAL FINANCE CONSIDERATIONS**

- 19.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Merton CIL are therefore material considerations. On initial assessment this development is considered liable for the Mayoral and Merton CIL.

## **CONCLUSION**

The principle of development is considered to be acceptable by maximizing the potential of the site, helping Merton deliver its increased housing targets and re-developing a brownfield site. The standard of residential accommodation is considered to offer good accommodation that would meet the needs of future occupiers. Each flat

would have access to suitable amenity spaces and have good outlook. The proposed building is considered to be of a suitable height, scale and design, making a positive contribution to the streetscenes of Kingston Road and Palmerston Road. The proposal is considered to be of a suitable design which would not cause harm to surrounding neighbouring amenity. The proposals are therefore considered to be in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. It is considered that the proposal is acceptable with respect to all planning considerations and would comply with all relevant planning policies. As such it is recommended that planning permission be granted, subject to conditions and S106 Agreement.

**Recommendation:**

Grant Permission Subject to Section 106 Obligation or any other enabling agreement.

**Conditions:**

- 1 The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Planning Statement & Design & Access Statement; Daylight & Sunlight Assessment; Energy Sustainability Statement; Fire Safety Strategy; 01; 02; 03; 04; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14; 20 Rev A; 21 Rev A; 22 Rev A; 23 Rev A; 24 Rev A; 25 Rev A; 26 Rev A; 27 Rev A; & 28 Rev A.

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

- 3 The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 4 No development shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the

development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 5 No development shall take place until details of all boundary walls or fences are submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reason: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 6 No development shall take place until details of the proposed finished floor levels of the development, together with existing and proposed site levels, have been submitted to and approved in writing by the Local Planning Authority, and no development shall be carried out except in strict accordance with the approved levels and details.

Reason: To safeguard the visual amenities of the area and to comply with the following Development Plan policies for Merton: policy D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 7 The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 8 Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

- 9 No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Polices Plan 2014.

- 10 No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions in line with those set out in the approved Energy & Sustainability Statement (dated 14th July 2022) and internal water consumption rates of no greater than 105 litres per person per day.

Reason: In the interests of sustainability. To comply with Policy CS15 of the Merton Core Strategy 2011.

- 11 No development shall occur until a preliminary risk-assessment is submitted to the approval of the LPA. Then an investigation conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with Policy SI 10 of the London Plan 2021 and Policy DM EP4 of Merton's Sites and Policies Plan 2014.

- 12 No development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, and shall be submitted to and approved 2 in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with Policy SI 10 of the London Plan 2021 and Policy DM EP4 of Merton's Sites and Policies Plan 2014.

- 13 Prior to first occupation, the remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with Policy SI 10 of the London Plan 2021 and Policy DM EP4 of Merton's Sites and Policies Plan 2014.

- 14 Prior to the commencement of the development and due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The scheme shall be based on Good Acoustic Design based upon ProPG: Planning and Noise - Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 (or any revision) as a minimum. The scheme is to include acoustic data for the glazing system and ventilation systems.

The approved scheme shall be implemented in accordance with the agreed details. A post verification report associated in relation to the mitigation implemented and internal noise levels shall be submitted to the LPA for approval.

Reason: In the interests of amenity. To comply with London Plan 2021 Policy D14 and Merton's Sites and Policies Plan 2014 Policy DM EP2.

- 15 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local Environmental Health planning authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

hours of operation

the parking of vehicles of site operatives and visitors

loading and unloading of plant and materials

storage of plant and materials used in constructing the development

the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

wheel washing facilities

measures to control the emission of noise and vibration during construction.

measures to control the emission of dust and dirt during construction/demolition

a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of amenity and highway safety. To comply with London Plan 2021 Policy T7 and Merton's Sites and Policies Plan 2014 Policy DM D2.

- 16 Prior to the commencement a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS)), in accordance

with drainage hierarchy contained within the London Plan Policy (SI 13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's Core Strategy 2011 Policy CS16, Merton's Sites and Policies Plan 2014 Policy DMF2 and the London Plan 2021 Policy SI 13.

- 17 The finished floor levels of the development shall be set no lower than 12.35mAODN.

Reason: To reduce the risk of surface water flooding to the proposed development and future users, in accordance with Merton's Core Strategy 2011 Policy CS16, Merton's Sites and Policies Plan 2014 Policy DMF2 and the London Plan 2021 Policy SI 13.

- 18 Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: In the interests of highway safety. To comply with London Plan 2021 Policy T7.

- 19 No development shall take place until full details of a landscaping and planting scheme (including tree planting) has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies G7 and D8 of the London Plan 2021, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, DM F2 and DM O2 of Merton's Sites and Policies Plan 2014.

- 20 No development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been



submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

21 INFORMATIVE

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

22 INFORMATIVE

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

23 INFORMATIVE

You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

24 INFORMATIVE

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

25 INFORMATIVE

The applicant is advised to check the requirements of the Party Wall Act 1996 relating to work on an existing wall shared with another property,

building on the boundary with a neighbouring property, or excavating near a neighbouring building. Further information is available at the following link:

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/current-legislation/partywallact>

26 INFORMATIVE

This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice.