

**PLANNING APPLICATIONS COMMITTEE**  
11<sup>th</sup> February 2016

**ITEM**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

14/P4287

21/11/14

**Address:** 258 Coombe Lane SW20.

**Ward:** Village Ward

**Proposal:** Demolition of existing bungalow and the erection of six houses (3 pair of semi-detached houses on basement, ground, first and second floors) with 6 parking spaces.

**Drawing No's:** A planning statement (AND Planning - May 2015);  
Design and Access Statement (Martin Evans Architects -May 2015);  
Transport statement ITR/4595/TS.4 (Bellamy Roberts - March 2015);  
Arboricultural impact assessment report (Landmark Trees - March 2015);  
Extended Phase 1 Habitat Survey (Syntegra - Feb 2015);  
Code for sustainable homes report (Syntegra - January 2015);  
Environmental Noise Assessment (Sharps Redmore - Feb 2015);  
Energy strategy report (Syntegra - March 2015);  
Dusk wildlife report (Syntegra - July 2015);  
Flood risk assessment (Ground and Water Ltd - August 2015);  
Draft specification for basement construction.  
COL-EX-GA01, 02, 03,  
COL-PL-GA-02, 03, 04, 05, 06, 07, SK-08  
COL-PL-SK-10, GA-11, 12, 15, 21, 27, 28,  
COL-PL-GA20, 24, 25

**Contact Officer:** Jonathan Lewis (020 8545 3287)

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**RECOMMENDATIONS:**

**Grant planning permission subject to a s106 agreement and planning conditions .**

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## **CHECKLIST INFORMATION.**

- S106:
  - Is an Environmental Statement required: No
  - Has an Environmental Impact Assessment been submitted: No
  - Is a Screening Opinion under the Environmental Impact Assessment Regulations required: No.
  - Has a Screening opinion been issued: N/A.
  - Press notice: No.
  - Site notice: No.
  - Design Review Panel consulted: No.
  - Number of neighbours consulted:
  - External consultations:
  - Conservation Area – No.
  - Public Transport Accessibility Level [PTAL]: Level 1b TFL Information Database [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility].
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### **1. INTRODUCTION**

- 1.1 The application is reported to Committee on the basis of the scope of representations received.

### **2. SITE AND SURROUNDINGS:**

- 2.1 The site (0.263 Hectares) comprises a triangular shaped plot located to the rear of 260-282 Coombe Lane and is accessed via a 2.8m wide access road running along the south west edge of the site with vehicle access onto Coombe Lane alongside that for the bungalow at 260 Coombe Lane. The access to the application site and that of the adjoining bungalow combine to create a bell-mouth.
- 2.2 The site is occupied by a large detached dwelling with accommodation on two floors rising to a ridge height of 7m and 2.5m to its eaves, with a detached garage orientated north east to south west. The plot is divided into several areas of well-maintained gardens lawns, orchard and planted beds. There are a number of mature and semi-mature trees in the garden none of which are protected by a TPO including a mature Willow, which has been reduced to one single trunk following removal of secondary trunks, located towards the boundary with houses on Coombe Lane, tall leylandii hedges that partition parts of the garden towards the north west corner and fir trees towards the northern boundary.
- 2.3 The immediate area to the south comprises detached and semi-detached houses fronting onto Coombe Lane that are single storey (260), two and three storeys high.
- 2.4 To the north east and north-west of the site is a large area of allotments with housing beyond. The land on which the allotments are

located is designated as Metropolitan Open Land and forms the southern part of the Copse Hill Conservation Area. The adjoining open land is also designated as a green corridor in Merton's Sites and Policies Plan.

- 2.5 The application site has a Public Transport Accessibility Level of 1b which indicates that the site has limited access to public transport services. Cambridge Road is a Controlled Car Parking Zone but with limited restrictions to permit holders only between 11.00 and noon Mondays to Fridays.

### **3. CURRENT PROPOSALS**

- 3.1 The proposals involve the demolition of the existing dwelling and the erection of three pairs of semi-detached dwellings with accommodation on 4 levels including a basement. The houses would each have 5 bedrooms. The proposal would have 54 habitable rooms over 0.263 ha equating to 204 hr/ha.
- 3.2 The dwellings, laid out in a gentle arc and arranged as three pairs of semis, would rise to 8.4m above surrounding ground level (the ridge of the existing dwelling is 7m high), with a basement sunk 2.7m into the ground. The layout presents the flank wall of the nearest proposed house towards the boundary with the back gardens of 278 to 282 Coombe Lane. The flank wall would be 3m from the southern boundary of the site, 23m from the nearest part of 278 Coombe Lane, 18m from a rear addition to 280 Coombe Lane and 24m from a back addition to 282 Coombe Lane.
- 3.3 The access road would be approximately 4.5m wide for the first 20m, narrowing to 3.5m for the length of the indicative refuse enclosure. The remainder would be approximately 4.1m. Resurfacing of the access road is proposed in brick paving. A continuous double boarded fence of 1.65m height is proposed along the side of the access road boundary with the side and rear garden of 260 Coombe Lane. The access road is shown to be gated with bin stores located on the Coombe Lane side of the gates with the furthest of the bin stores 17m from the back edge of footway.
- 3.4 6 parking spaces are shown, one for each dwelling. Secure cycle parking for two bicycles is shown for each house.
- 3.5 Units have been designed to meet London Housing Design Guide and Lifetime Homes standards and Code for Sustainable Homes Level 4. 20% of anticipated energy supply would come from renewable sources via PV panels to be fitted to the roofs.
- 3.6 The main two storey part of the houses are to be built of London Stock brick and the setback top floors will of a grey coloured cladding. The

cladding to the cantilevered bays to the front of the houses will be mid-grey stained timber.

- 3.7 The application is accompanied by a number of supporting statements including:
- A planning statement (May 2015);
  - Design and Access Statement (May 2015) ;
  - Transport statement (March 2015);
  - Arboricultural impact assessment report (March 2015);
  - Extended Phase 1 Habitat Survey (Feb 2015);
  - Code for sustainable homes report (January 2015);
  - Environmental Noise Assessment (Feb 2015);
  - Energy strategy report (March 2015);
  - Dusk wildlife report (July 2015);
  - Flood risk assessment (August 2015);
  - Draft specification for basement construction.
- 3.8 The applicant has also submitted a commercially sensitive and confidential viability appraisal which has been the subject of independent review.
- 3.9 The appealed scheme was also for 6 houses two of which had integral garages and then a separate block for 4 cars. The main differences are that the design is contemporary as opposed to the previous more traditional design; there are no integrated or stand-alone garages and no basements.

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

- 4.1 1998. 97/P0806 - Demolition of existing bungalow and the erection of a terrace of 6 houses. Planning permission refused on the following grounds:

**The proposed development would constitute overdevelopment of this backland site through excessive number of residential units, resulting in excessive site coverage and an over intensive use of existing vehicular access, detrimental to the amenities of neighbouring residential occupiers through loss of privacy and noise disturbance, contrary to Policy EB18 and H12 of the Adopted Unitary Development Plan (April 1996).**

**The siting, bulk and massing of the development would fail to preserve or enhance the open character of the adjoining Conservation Area, and Metropolitan open Land, contrary to Policies EN1 and EB2 of the Adopted Unitary Development Plan (April 1996).**

**The proposed development would have a substandard access arrangement at the junction of Coombe Lane and Cambridge**

**Road and would therefore be prejudicial to highway safety and the free flow of traffic, contrary to Policy M12 of the Adopted Unitary Development Plan (April 1996).**

Appeal dismissed with the Planning Inspector basing his conclusions on outstanding concerns of highway safety and noise but not impact on character and appearance of surrounding area (copy of decision letter appended to Committee report).

**5. CONSULTATION**

5.1 The planning application was publicised by site and press notices and individual letters to 14 addresses.

5.2 In response to this public consultation, 3 replies have been received making the following comments:

5.3 Overdevelopment of site. New houses would appear cramped and shoe horned onto plot. Design at odds with other houses nearby. Higher density would together with layout and site coverage would make scheme appear incongruous. Would erode spacious open character of the area. Would introduce an urban form into an area that is currently green and verdant altering and eroding views from neighbouring properties. Outlook would be harmed. Loss of privacy and light. Additional traffic likely to cause highway problems. Narrow access road, harmful to highway safety. Virtually identical scheme was refused in 1998. Trivial changes - no reason to depart from Planning Inspector's conclusions. Excavation of basements and construction of houses will be a source of serious disturbance for the area for a long time. Scheme should be rejected. Will adversely affect value of neighbouring property.

5.4 Residents Association of West Wimbledon

Objections on grounds that: the proposals would have a significant impact on the openness and visual amenity of the MOL. Noise, vibration and disturbance from access road on 260 Coombe Lane, proposed windows in flank wall would overlook existing house in Coombe Lane, loss of light and amenity to gardens of houses in Coombe Lane. Concerns regarding ease of access for emergency vehicles and the provision of an escape route from the site, lack of clarity as to standard of access road, pedestrian safety and lighting, inconvenient location of refuse storage, no hydrology study in an area where flooding occurs. Overall development is not considered safe or sustainable.

5.5 The Wimbledon Society. Narrow access road would need to provide dual access for vehicles, cyclists and pedestrians. No separate provision appears to have been made for pedestrians or lighting of the access route. Emergency vehicles entering the site would impede escape and large delivery vans would equally create problem of movement within the site. Lack of adequate space for such movement

highlighted by provision of communal collection point for recycling at corner access point. Unlikely that residents would walk to collection point. Design conflicts with policy DM.D2 a(iii) which seeks to provide layouts that are safe and secure. Proposed houses would conflict with the scale of local development and would overshadow neighbouring gardens in conflict with policies DM.D2. There is an informal building line to the rear of the Coombe Lane Houses. There are uninterrupted views across the open spaces of the allotments and Oberon Playing Fields. Proposals would insert a higher more massive development closer to and overlooking the MOL and would have a negative impact on the openness and views across the MOL contrary to policy DM.O1 e. The site is close to an area which is subject to flooding and the flood plain. Proposals introducing basements would increase flood risk for the surrounding area. Risks have not been addressed. Application is not accompanied by high grade waterproofing to ensure that basements would be suitable as permanently habitable areas and a hydrology report contrary to policy DM.F1 (iii) and DM.D2 c. Development would be unsustainable and should not be approved.

5.5 Cllr Bush. Proposals too close to 276 Coombe Lane. Development would only be 5m from the end of the garden of 276 (currently a gap of approximately 30m). Proposed noise from 6 houses will have a detrimental impact on lifestyle of 276.

5.6 Merton Highways. Concerns raised from perspective of safety and access regarding applicant's analysis of vehicles movements entering the site and space to manoeuvre within the site. Adequate sight lines will need to be provided and further details of boundary treatment towards junction with Coombe Lane are required. Visibility of pedestrians must be assessed and considered. More generally boundary treatment should not compromise available space for access and servicing. Length and dimensions of access road not favoured for access by refuse vehicles. Applicant will need to check with utility companies the ability to lower large utility boxes on pavement adjoining Coombe Lane. The crossover can only be constructed once utilities agree.

5.7 Merton Environmental Health. The report by Sharps Redmore Acoustic Consultants Ltd along with the submitted documents with the planning application, together with further clarification of the predicted noise levels in the report by Sharps Redmore, enables officers to conclude that the additional number of vehicle movements associated with the proposed number of residential properties would not affect the long term day or night time noise levels.

The vehicle movements may give a short term increase in noise at the time of a vehicle movement, but given the relatively low number predicted this would unlikely have an impact on the amenity with the proposed boundary fence screen in place as proposed.

Officers have no grounds to object to the application but would recommend that conditions are incorporated into the decision to ensure the boundary fence as proposed in the Sharps Redmore Report No 1515092 dated 5th February 2015 is implemented prior to first occupation and retained thereafter; external lighting is positioned and angled to prevent any light spillage or glare beyond the site boundary; precautionary measure in the event that contamination is found at any time when carrying out the approved development and where remediation is necessary a remediation scheme to be prepared for approval by the Local Planning Authority, a Construction Method Statement to be submitted to, and approved in writing by, the local planning authority.

#### 5.7 Merton Flood Risk Engineer.

The basement construction (cross section) has been revised to include passive drainage measures, including a permeable 'gravel blanket' with pipe on the external wall of the basement and includes permeable paving which will help minimise the risk of the scheme resulting in a rise in groundwater levels offsite. No Basement Impact Assessment based on intrusive site investigation such as boreholes or trial pits have been undertaken to determine groundwater levels, however, the hydrology report is based on desktop information and other existing borehole records for the wider area. Groundwater levels will be likely to be higher than anticipated within the reports and ground investigation should be carried, especially due to presence of the watercourse.

The FRA does acknowledge the presence of the ordinary watercourse (the allotment ditch) which runs along the site boundary in a north/south flow direction and discharges into the Beverley Brook. This watercourse takes substantial flow for the size of the ditch and has caused historic flooding within the wider area, mostly due to blockages from debris. It is advised that this is considered further and flood risk reduction measures taken into account such as including a raised threshold of any water ingress points or apertures into the dwellings or through raised floor levels. This has not been addressed in detail in the FRA. Any works to culvert section of the ditch or which may alter flows, will require Merton's prior written consent under the Land Drainage Act 1991 and Flood and Water Management Act 2010.

No drainage layout plan or SuDS detail has been provided which shows the final levels, runoff rate, volume of attenuation or discharge location of the surface water drainage system. The applicant notes in correspondence that there is an increase in permeable surfacing due to the scheme which will provide some betterment in runoff rates and the final design will include the following SuDS features: Green roofs, soft landscaping/Shrubs, Rainwater butts, tree retention and permeable paving.

Conditions recommended to address the above including a detailed SUDS scheme for the development, measures to address ingress of water and for the development to be carried out in accordance with the recommendations of the Flood Risk Assessment.

- 5.9 Environment Agency. Proposals have a low environmental risk and the EA has no comments to make other than the applicant may need to apply for other consents from the EA. Informative recommended.

## **6. POLICY CONTEXT**

### National Planning Policy Framework [March 2012]

- 6.1 The National Planning Policy Framework was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is put forward as a key part of central government reforms ‘...to make the planning system less complex and more accessible, and to promote sustainable growth’.
- 6.2 The document reiterates the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development.
- 6.3 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.
- 6.4 Paragraph 17 of the NPPF sets out a number of ‘Core Planning Principles’. These include:
- Not being simply about scrutiny, but be a creative exercise in finding ways to enhance and improve the place in which people live their lives;
  - To proactively drive and support sustainable economic development to deliver homes and businesses;
  - Always seek to secure high quality design;
  - Encourage effective use of land by reusing land that has been previously development (brownfield land) where it is not of high environmental value;
  - Promote mixed use developments, and encourage multiple benefits from the use of land in urban areas; and
  - To take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient



community and cultural facilities and services to meet local needs.

- 6.5 The National Planning Policy Framework [NPPF] urges local authorities to significantly boost the supply of housing. Local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed need for market and affordable housing in the housing market area, as far as is consistent with other policies set out in the NPPF. This process should include identifying key sites that are critical to the delivery of the housing strategy over the plan period.
- 6.6 The National Planning Policy Framework states that local authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

London Plan (2015)

- 6.7 The relevant policies are:  
Policy 3.1 (Ensuring equal life chances for all), Policy 3.3 (Increasing housing supply), Policy 3.4 (Optimising housing potential) Policy 3.5 (Quality and design of housing developments), Policy 3.8 (Housing choice), Policies 3.10 and 3.11 (Affordable housing and affordable housing targets), Policy 3.12 (Negotiating affordable housing), Policy 3.13 (Affordable housing thresholds), Policy 5.1 Climate Mitigation, Policy 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.11 [Urban greening]; 5.12 [Flood risk management]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.3 [Designing out crime]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes], 7.19 (Biodiversity and access to nature) and 8.2 [Planning obligations].

- 6.8 Mayor of London Supplementary Planning Guidance.  
The following supplementary planning guidance is considered relevant to the proposals: Supplementary Planning Guidance on Housing (2012).

Merton LDF Core Planning Strategy [2011]

- 6.9 The relevant policies within the Council's Adopted Core Strategy [July 2011] are CS.8 (Housing), CS.13 (Open Space) CS.14 [Design]; CS.15 [Climate change]; CS.16 Flood Risk Management, CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

Merton Sites and Policies Plan (2014).

- 6.10 The relevant policies are follows: DM H2 – Housing mix; DM H3 – Support for affordable housing, DM.O2 Nature Conservation, DM D1 – Design and public realm; DM D2 –Design consideration; DM.EP4 Pollutants, DM F1 – Flooding; DM F2 – Drainage; DM T1 – Sustainable transport; DM T3 – Car parking and servicing, DM.T4 Transport infrastructure, DM.T5 Access to the Road network.
- 6.11 Merton Supplementary Planning Guidance.  
The key supplementary planning guidance relevant to the proposals includes: New Residential Development [1999]; Design [2004] and Planning Obligations [2006].

**7. PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations include assessing the following:
- Principle of development including development of garden land;
  - Effect of proposals on character and appearance of the surrounding area;
  - Highways safety and access arrangements;
  - Nature conservation;
  - Impact on neighbour amenity including outlook, privacy and noise.
  - Standard of accommodation;
  - Sustainable design and construction and energy;
  - Technical issues including flooding, air quality, and contamination.
  - S106 issues including affordable housing and permit controls.

Principle of development including development of garden land

- 7.2 The National Planning Policy Framework [March 2012] requires the Council to identify a supply of specific ‘deliverable’ sites sufficient to provide five years’ worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.3 Policy 3.3 of the London [March 2015] sets new minimum targets for housing delivery which in the case of Merton rises from 320 additional homes annually to 411 for the period 2015 to 2025. The adopted Core Strategy states that the Council will encourage residential accommodation in ‘sustainable brownfield locations’.
- 7.4 On the basis that the site is previously developed housing land, redevelopment of the site more intensively for further housing would appear appropriate and would fulfil NPPF, metropolitan and local housing objectives.

- 7.5 However, a considerable proportion of the site is garden land and while the proposals entail the demolition of the existing dwelling rather than simply erecting a new dwelling on part of the garden it may be appropriate to consider the broader policy context under policy CS 13 within the Core Strategy. The policy states that proposals for new dwellings in back gardens must be justified against the;
- Local context and character of the site
  - Biodiversity value of the site
  - Value in terms of green corridors and green islands
  - Flood risk and climate change impacts.
- These matters are addressed below as part of the overall assessment of the proposals.
- 7.6 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units. A scheme comprising more smaller units with the associated additional vehicle movements rather than all large family sized units is not an option that officers have pursued with the applicant in this particular instance (limited access and servicing arrangements are considered below) and a scheme providing all family housing is considered appropriate.

Effect of proposals on character and appearance of the surrounding area. Density.

- 7.7 While density on its own is not an entirely reliable guide to determining whether a development is appropriate for a particular site the London Plan's Sustainable residential quality density matrix sets out indicative density ranges for the effective development of sites dependent upon setting (suburban, urban and central) and public transport accessibility.
- 7.8 The London Plan policy 3.4 identifies appropriate densities. The London Plan suggests for schemes delivering family housing in suburban locations a density of up to 200 hrph may be appropriate. The proposal equates to 204 hr/ha and, given that density is only one factor in the overall assessment of the appropriateness of a development, and being only marginally above the recommended maximum, is considered acceptable.

Design, including scale and massing, impact on MOL and neighbouring conservation area.

- 7.9 London Plan policy 7.4 requires, amongst other matters, that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including the following: that buildings should be of the highest architectural quality,

be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.

- 7.10 Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings. CS.14(a) seeks to conserve and enhance Merton's heritage assets including conservation areas
- 7.11 London Plan policy 7.17 seeks to protect MOL from development having an adverse effect on its openness.
- 7.12 The new dwellings would form a backdrop to the allotments that are both MOL and part of the Conservation Area. Trees, while not all those currently on the site, and some hedging would remain. As with the appealed scheme the profile of buildings seen above and through the vegetation would be different than is currently the case. However, the applicant's plans outline the building mass of the appealed scheme the height of which would be greater than the current proposals. As with the appealed scheme the height of the new dwellings would be similar and in instances lower than the height of the existing houses in Coombe Lane that currently form the backdrop to the MOL and conservation area. The current scheme is about 1.1m lower than the appealed scheme. It is considered that the arced layout of the dwellings may lessen the visual impact of the proposals from many viewpoints in a similar way to that achieved by the cranked layout of the appealed scheme.
- 7.13 The more detailed design combines traditional materials (London stock bricks and timber front doors) with more innovative finishes such as light grey timber cladding and modern anodised aluminium windows. This, coupled with the stepped profile of the dwellings with the top floor inset and the cantilevered first and second floors adds interest and quality to their design while breaking down what might otherwise have been a somewhat bulky appearance.
- 7.14 The NPPF states that design policies should avoid unnecessary prescription or detail and should concentrate on guiding overall scale density massing layout materials and access in relation to neighbouring buildings. It is considered that the proposals would not have a harmful impact on the openness of the MOL or the backdrop to the conservation area and that the modern approach to design is appropriate in this instance.

Design – safety and security.

- 7.15 London Plan policy 7.3 aims to ensure that measures to design out crime are integral to development proposals and are considered early in the design process, taking into account the principles contained in

Government guidance on 'Safer Places' and other guidance such as Secured by Design' published by the Police. Development should reduce the opportunities for criminal and anti-social behaviour and contribute to a sense of security without being overbearing or intimidating. Places and buildings should incorporate well-designed security features as appropriate to their location.

- 7.16 While full details of the gated entrance to the site and boundary fencing have not been provided the security of the site could be effectively established by condition and without compromising the security of existing dwellings on Coombe Lane. While light spillage and glare are to be avoided the safety and security of future occupants can also be enhanced by requiring full details of lighting to the access route and within the site.

Access and highway safety including car/cycle parking and servicing.  
Car parking.

- 7.17 Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.
- 7.18 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling, walking and public transport use.
- 7.19 The current maximum car parking standards are set out within the London Plan at table 6.2. In areas of poor transport accessibility on-site parking for larger dwellings is up to 1.5 spaces per dwelling in urban areas and up to 2 in suburban areas. The immediate area is characterised by 1, 2 and 3 storey dwellings and may reasonably be considered suburban in character. Nevertheless, parking standards are to be applied as a maximum and given that each house would benefit from its own parking space no objection is raised to the proposed level of parking.

Impact on traffic, servicing and access.

- 7.20 Policy CS.20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to and from the public highway. Sites and Policies Plan Policy DM T2 'Transport impacts of development' seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Planning permission will therefore be granted for development proposals that do not adversely impact on the road or public transport networks. In support of the application the applicant has submitted a detailed transport statement.

- 7.21 In 1997 planning permission was refused for 6 houses. One of the reasons for refusal was:  
The proposed development would have a substandard access arrangement at the junction of Coombe Lane and Cambridge Road and would therefore be prejudicial to highway safety and the free flow of traffic, contrary to Policy M12 of the Adopted Unitary Development Plan (April 1996).
- 7.22 The appeal decision letter does not raise a concern regarding the access on matters of width and length. The Planning Inspector states: "The existing access would be widened for much of its length to 4.1m". This is the width currently proposed for that part of the access beyond the proposed access gate. The Inspector went on to say that "This width allows for cars to pass each other with care and is considered suitable for up to 20 houses. Vision along the access is good and to my mind this in itself would preclude any significant occurrence of wider vehicles having to reverse back onto the public highway at the junction of Coombe Lane and Cambridge Road to let other vehicles emerge". The design of the access in these respects remains essentially the same and on the basis of the width and orientation of the access it would appear unreasonable to withhold permission. The internal layout allows for typical deliveries to be undertaken such as internet food shopping. For the time being the route is made to look narrower by reason of overgrown hedges but this can be readily addressed and planning conditions can be used to regulate the heights of any new fences or gates so as to improve vision splays towards the site entrance. The recommended vision splays for a development such as this is 2.4m x 43m and such visibility can be achieved.
- 7.23 The Inspector went on to state "In addition the size of the combined bell mouth with the access to the bungalow No 260 should mean that if reversing is necessary it can be done without intrusion into the carriageway. Arrangements remain essentially the same and the applicant has undertaken swept path track analyses and this demonstrates that in the event of two vehicles meeting each other at the bellmouth, manoeuvring can be undertaken safely without vehicles to back onto Coombe Lane.
- 7.24 The Inspector did however have concerns that much of the success of the access relied on the works taking in third party land, namely a triangle of land towards the south eastern corner of the frontage to 260 Coombe Lane. At the time there seemed to be no prospect of agreement with the owner of 260 Coombe Lane. Thus, while certain highways and access issues appeared to be to the Inspector's satisfaction, one of the reasons the appeal failed was because of this; the Inspector taking the view that it would be inappropriate to attach a Grampian style condition if there was little or no prospect of the issue being resolved.

- 7.25 In 2015 a deed of easement, was drawn up to enable the third party land to be included in the remodelled access to the site. There is now a reasonable prospect that conditions could be added that previously the Planning Inspector was unwilling to entertain to secure a properly remodelled access.
- 7.26 At the head of the cul-de-sac there would be a fan shaped turning area. The applicant has provided tracking plots for the manoeuvring of larger service vehicles. The extremities of manoeuvring vehicles would appear to stray beyond the hard surfaced area but would remain within site boundaries. Notwithstanding what is shown on the plans it would be appropriate to require further details for the hard surfaced area to ensure that the layout functions effectively.
- 7.27 Refuse and recycling. The applicant has positioned these onto the Coombe Lane side of a security gate with the furthest bin store being 17m, from back edge of pavement, being within adopted carrying distances. While it may be considered that this arrangement is less than ideal the arrangement is no different than that which currently arises.
- 7.28 Servicing by the emergency services may require the installation of a hydrant at a suitable point along the access road and such details may reasonably be dealt with as part of the submission of full details of the access road and other hard surfaced areas.
- 7.29 The developer would need to ensure that any utilities are happy for the works to be carried over the plant and equipment across the frontage to the site as part of the remodelling of the access. While costs for such works can present challenges for developers it would be unreasonable to withhold permission until such consents were forthcoming and an informative highlighting that the costs will be down to them is considered appropriate.
- 7.30 While there have been changes to planning policies since the time of the appeal the fundamental findings of the Inspector hold true for the scheme currently proposed. While the decision is some 18 years old adopted policy still requires a scheme to be able to demonstrate adequate servicing which the design of the latest scheme does.
- Cycling and walking.
- 7.31 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and encouraging design that provides, attractive, safe, covered cycle storage.
- 7.32 London Plan standards for cycle parking are 2 per three bedroom dwelling. The level of provision and location are considered

satisfactory. A planning condition is recommended to ensure that cycle parking is provided before first occupation of each dwelling.

Nature Conservation, biodiversity and trees.

- 7.33 Adopted policy CS.13 recognizes the potential importance of garden sites in terms of their contribution to biodiversity and green corridors. At the time of the appeal the Inspector concluded that although there would be some changes to wildlife habitats including potential foraging areas for badgers they would not be such as to harm nature conservation interests.
- 7.34 In support of the current application the applicant has submitted a habitat survey, bat survey report and a supplementary dusk survey report.
- 7.35 The report identifies 4 statutory designated sites for wildlife, including Wimbledon Common and Cannon Hill Common, within 2km of the proposed development, however given the small scale nature of the proposals and the intervening habitats the proposals would not impact on the nature conservation status of these sites. There are no protected habitats on the site. Plants recorded on the site are common and widespread and there are no rare or threatened species. No active or disused bird nests were observed and there was no evidence that badgers had excavated setts or that there was evidence of foraging. Further analysis for invertebrates, newts and reptiles lead to conclusions that while there was limited habitats for common and widespread species the relatively small scale of the development and low quality habitats would not be likely to give rise to impacts on notable species or significant populations of widespread species. The follow up bat survey undertaken in summer 2015 identified small numbers of traversing and foraging bats on the site boundaries.
- 7.36 Officers consider that the methodology and findings of the habitat survey and bat survey are generally acceptable.
- 7.37 The reports make recommendations for demolition works to go ahead with precautionary measures in place to safeguard bats. The new development can make provision for roosting features and sensitive landscape design including a wildlife friendly planting scheme. At any stage of the demolition works, should any evidence of bats be found, then the applicant's report recommends that works must stop and the ecologist called to determine mitigation measures.
- 7.38 Officers recommend that site clearance and associated habitat safeguarding and tree protection measures, as recommended in the reports, are integrated into appropriate conditions and their reasons.
- 7.39 The site plan shows that a number of trees are proposed for removal including 11/12 individual trees and two blocks of cypress hedging. No



objection raised by the Planning Section's Tree officer. A Willow tree classified as a category A tree is retained however the site plans shows a considerable amount of construction likely to take place within its root protection area. The tree contributes to the green and attractive southern edge of the site and a condition requiring further information as to how this tree, along with others to be retained, are to be adequately safeguarded during construction is recommended along with requirements for there to be adequate site supervision to ensure protection during the course of construction. Some general indication of landscaping is provided. The plans however do not appear to include new trees or soft landscaping and it is essential that these details are secured by condition and that the quality of the scheme is suitably enhanced.

Impact on neighbour amenity including outlook, privacy and noise.

- 7.40 Policy DM.D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, and privacy to adjoining gardens.

Loss of daylight sunlight and visual intrusion.

- 7.41 The flank wall of the nearest house to those on Coombe Lane proposals would be between 18m and 24m from the backs of nearby houses on Coombe Lane. The flank wall of the nearest proposed house would be set 3m from the boundary allowing for hedging to remain uninterrupted. On the basis of this level of separation while it is acknowledged that the outlook from neighbouring houses, and in particular 278 to 282 Coombe Lane, would change, as a matter of judgement it is considered that the proposals would not appear unduly intrusive.
- 7.42 Given the distance between the existing and proposed houses and allowing for the height of the new dwellings the proposals would comfortably satisfy BRE guidance to ensure that existing dwellings retain the potential for good interior daylighting and would not give rise to a loss of natural light.
- 7.43 The dwellings are designed with flat roofed terrace areas at second floor level and screening and in particular the terrace nearest to the back gardens of the houses in Coombe Lane is recommended so as to avoid overlooking/mutual overlooking and loss of privacy.
- Noise.
- 7.44 At the time of the last appeal the Inspector identified a key concern as that of the impact of noise and disturbance arising from a more intensive development (6 dwellings) on the amenities of 260 Coombe Lane. The inspector noted that "the development of six dwellings in place of one would result in a substantial increase in vehicle movements and associated noise and disturbance close to the relatively quiet and secluded east elevation of 260". The inspector did

not consider that “the limited degree of sound protection that might be afforded by any form of boundary treatment would in any way compensate for the increased noise and disturbance that would be suffered by occupiers of 260” and that “although privacy could be preserved the increase noise and disturbance from passing vehicles would harm the living conditions of the adjoining occupier”. There is little to suggest that the findings flowed from a quantitative analysis of the existing and likely noise environments.

- 7.45 Noise and the need to avoid it having a harmful impact on noise sensitive development including housing remains relevant to the proposals with the NPPF (paragraph 123) London Plan policy 7.15 and Sites and Policies Plan policy DM.D2 and DM.EP2 providing the policy framework.
- 7.46 In order to address the issue of noise, the applicant has commissioned an environmental noise assessment and has undertaken a noise survey. The report factors in estimated vehicle movements to and from the proposed dwellings, noise levels generated by cars passing slowly along the access drive and the mitigating effects of a double boarded timber fence along the boundary with the rear garden of 260. The findings are such that with fencing in place the predicted levels of noise would be well below recognized guidelines in terms of noise nuisance. Levels are predicted to be sufficiently low that even with a doubling of the estimated vehicle movements the guidelines would still not be breached.
- 7.47 The report has been reviewed by the Council’s Environmental Health officers who are satisfied with the methodology and findings and supports the conclusion that on the basis of the available evidence refusal on grounds of noise could not be substantiated at appeal.

Other matters - Standard of accommodation.

- 7.48 Policy DM.D2 of the Merton Sites and Policies Plan (2014) states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to adjoining gardens. Policies CS 8, CS9 and CS14 within the Council’s Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed.
- 7.49 Policy 3.5 of the London Plan (2015) states that housing developments should be of the highest quality internally and externally. The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out in table 3.3 of the London Plan. The standards are expressed in terms of gross internal area. The proposals would meet London Plan standards (table of floorspace appended to report)
- 7.50 Sites and Policies Plan policy DM D2 states that developments will be

expected to ensure appropriate provision of outdoor amenity space which accords with appropriate minimum standards and is compatible with the character of the surrounding area.

- 7.51 Each house would have a garden which comfortably exceeds 50 sq.m ranging from 104 sq.m to 310 sq.m. The plots for the houses are comparable in length to those on Coombe Lane and despite their tapering nature the overall the relationship of building to open space on each plot is not so dissimilar to existing dwellings on Coombe Lane that the development would appear incompatible with the character of the surrounding area.

Standard of accommodation - Air quality.

- 7.52 The NPFF recognises reducing pollution as being one of its core planning principles. It further indicates that LPA's should focus on whether the development is an acceptable use of land, and the impact of the use.
- 7.53 London Plan Policy 7.14 provides strategic guidance specific to air quality. It seeks to minimise exposure to existing poor air quality and make provision to address local problems. This is reflected by local policy, whereby the Core Strategy identifies the strategy to reduce air pollution through Policies CS18-20. The entire borough has been declared as an Air Quality Management Area.
- 7.54 Officers recommend that permission is made conditional on the development not commencing until a method statement outlining the method of site preparation, and measures to prevent nuisance from dust and noise to the surrounding occupiers, and a construction method statement has been submitted to and approved in writing to the Local Planning Authority for approval.

Drainage, flood risk and basements.

- 7.55 Merton's Sites and Policies Plan policies DM.F1 and DM.F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.56 The application design comprises the following SUDS elements:
- Green (sedum) roofs
  - Soft landscaping
  - Shrubs
  - Lawned areas
  - Rainwater butts/recycling
  - Tree retention (including a Willow tree)
  - Permeable paving.
- The applicant has advised that if further surface water storage/attenuation is required then this may be sited beneath the large forecourt area. However, calculations by the applicant show that the

post development situation comprises no more surface water run-off areas than the pre-development situation and a greater proportion of permeable surfaces than is currently the case.

- 7.57 The Council's Flood Risk Engineer has identified a number of concerns regarding flood issues. However it is considered reasonable for the application to proceed towards a decision on the basis that conditions are attached to any permission including a detailed SUDS scheme for the development, measures to address ingress of water and for the development to be carried out in accordance with the recommendations of the Flood Risk Assessment.

Basement construction.

- 7.58 Adopted policy DM.D2 (b) provides a comprehensive set of criteria that basement development is expected to meet. The Council requires and assessment of basement scheme impacts on drainage, flooding from all sources, groundwater conditions and structural stability where appropriate. The Council will only permit developments that do not cause harm to the built and natural environment and local amenity and do not result in flooding or ground instability.
- 7.59 The development is not in an archaeological priority area or conservation area and would not harm heritage assets, not extend under the gardens of the proposed dwellings, satisfying DM.D2 (b)(ii) (iii) and (iv).
- 7.60 Full details of tree protection measures may be required by way of condition thereby ensuring that potentially harmful impacts on nearby trees can be reviewed and mitigated where necessary addressing DM.D2(b)(vi).
- 7.61 The development is on a backland site tucked away from the more public environment of Coombe Lane and the presence of basements would not have an impact on the visual amenities of the area satisfying DM.D2 (b)(viii)
- 7.62 The proposed basement construction detailed design has been prepared upon the basis of information including a ground and water hydrological/hydrogeological risk assessment, a ground & water flood risk assessment.
- 7.63 Council officers are happy with the construction method statement but recommend that a ground Investigation report with borehole results, and interpretation of the GI results and any recommendations for the foundations is submitted to the local planning authority for approval along with a detailed Construction Method Statement from the contractor undertaking these works with construction drawings. This should include the envisaged sequence of construction, temporary propping and the relationship between the permanent and temporary works.

## **8. ENVIRONMENTAL IMPACT ASSESSMENT AND SUSTAINABILITY**

### **Environmental Impact Assessment**

- 8.1 The application site is less than 1 hectare in area and therefore falls outside the scope of Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. A Screening Opinion is not required.

### **Sustainability**

- 8.2 Policy CS 15 of the adopted Core Strategy [2011] states that proposals will be required to demonstrate how resources have been used effectively. Proposals would also need to demonstrate how they make the fullest contribution to minimising carbon dioxide emissions. Proposals should meet the CO2 reduction targets in line with the London Plan. Policy 5.2 of the London Plan [2015] states that development proposals should make the fullest contribution to minimising carbon dioxide emissions.
- 8.3 The applicant's report commits to achieving CSH certification at level 4 and includes measures to install solar panels onto the roofs of the houses. Notwithstanding that the Code for Sustainable Homes has been abandoned by the Government this is nevertheless welcomed and is in line with Merton's Core Planning Strategy 2011 CS15(a) / London Plan policies 5.2(a), 5.3 and 5.6.

## **9. LOCAL FINANCIAL CONSIDERATIONS**

### **Mayor of London Community Infrastructure Levy**

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project.
- 9.2 The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. It is likely that the development will be liable for the Mayoral Community Infrastructure Levy that is calculated on the basis of £35 per square metre of new floor space.

### **London Borough of Merton Community Infrastructure Levy**

- 9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London Levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.
- 9.4 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local

infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, and leisure and public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.

- 9.5 The London Borough of Merton Community Infrastructure Levy applies to the housing elements. This levy is calculated on the basis of £220 per square metre of new floor space for residential floorspace with social housing relief available under Part 6 of the Regulations to the affordable housing element of the scheme.

### **Planning Obligations**

- 9.6 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development;
  - fairly and reasonably related in scale and kind to the development.
- 9.7 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.
- 9.8 London Plan policy 3.12 requires that in making planning decisions a maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Decision makers are required to have regard to factors including current and future requirements for affordable housing at local and regional levels; and affordable housing targets adopted in line with policy.
- 9.9 The London Plan requires that negotiation on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation and other scheme requirements.
- 9.10 Policy CS.8 of the Core Strategy requires development of 1-9 units to make an off-site financial contribution for provision of affordable housing in the borough. In this instance the applicant provided a viability assessment indicating that the site could not deliver an affordable housing contribution and remain viable. This has been independently reviewed and the applicant has been required to provide further information to assist the independent assessor with his analysis. The assessor has concluded that the scheme is unable to deliver an affordable housing contribution on the basis of the current information

but recommended that the Council includes a review mechanism so that scheme viability more generally can be revisited later in the development timetable to establish if the project is able to deliver an affordable housing contribution

- 9.11 In this instance the large family houses would have only one parking space each with the potential to generate some additional pressure for kerbside parking. The ability to park on Coombe Lane is limited and there are limited controls over on-street parking Monday to Friday between 11.00 and noon on Cambridge Road. Members may however judge it appropriate to make this a permit free development and this could also be secured via a S106 agreement.

## **10. CONCLUSION:**

- 10.1 It is considered that the proposals would meet planning principles set out in the NPPF, London Plan and Merton's Core Planning Strategy and Sites and Policies Plan. The development has the potential to make more effective use of existing housing land delivering increased housing without harm to the surrounding area or neighbour amenity.
- 10.2 Officers consider that the earlier concerns raised by the Planning Inspector to the appealed scheme from 1998 for 6 houses in respect of access and noise have been addressed by the applicant.
- 10.3 Access arrangements are adequate and notwithstanding the limited on-site parking, potential to generate some pressure on kerbside parking locally can be mitigated by making the scheme permit free. A suitably drafted review mechanism as part of a S106 could also provide an opportunity to secure an affordable housing contribution if viability improved.
- 10.4 The development would achieve a suitable level of sustainable design and construction.
- 10.5 Accordingly, planning permission may be granted subject to the planning conditions and planning obligations set out below.

**RECOMMENDATION: Grant planning permission subject to the completion of a S106 legal agreement and conditions.**

### **S106 legal agreement:**

1. To ensure that the houses would be "permit free".
2. To provide a review mechanism for determining whether an affordable housing contribution can be provided later in the development timetable;
3. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [to be agreed].

4. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [to be agreed].

**And the following conditions:**

**Pre-commencement/construction stage/environmental impacts.**

1. Time period. 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 for condition: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2. Approved plans. The development hereby permitted shall be carried out in accordance with the following approved plans: (Schedule of drawings and documents on Page 1 of PAC report to be inserted) Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Demolition dust and noise. Prior to the commencement of development [including demolition] measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2.
4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:  
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 dust and dirt during construction;  
A scheme for recycling/disposing of waste resulting from demolition and construction work.  
The Construction Method statement shall follow the recommended precautionary methods identified in the conclusions to the applicant's Extended Phase 1 Habitat survey report dated February 2015 and the subsequent Dusk Echolocation Survey July 2015.  
Reason. To safeguard neighbor amenity and wildlife in accordance with adopted planning policies.



5. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Reason; In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Polices Plan 2014.
  6. Hours of construction. 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: policy 7.15 of the London Plan 2011 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
  7. Bat Survey. Prior to the commencement of development, including demolition, the applicant shall submit to, and shall obtain the written approval of the LPA of appropriate mitigation measures including potential for artificial bat roosting sites/boxes. The approved works shall be implemented in full before first occupation of any part of the development, unless otherwise agreed in writing by the LPA. Reason. To ensure that bat species are protected and their habitat enhanced, in accordance with the Wildlife and Countryside Act 1981 as amended, the Conservation (Natural Habitats, &c.) Regulations 1994 and policy CS 13 within the Adopted Core Strategy [July 2011].
- Design details.**
8. Site levels. No development, other than demolition of existing buildings, shall take place until details of the proposed finished floor levels of the development, together with 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, to mitigate against flood risk and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policies CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
  9. Site surface treatment, drainage and lighting. No development shall take place until full details of the surfacing, drainage and lighting of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas, and footpaths, 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: policies 7.5 and 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

10. Access arrangements. No development other than demolition shall commence until full details, including any alterations to boundary treatment and crossovers, of the proposed vehicular access to serve the development have been submitted in writing for approval to the Local Planning Authority. No works that are subject of this condition shall be carried out until those details have been approved, and the development shall not be occupied until those details have been approved and completed in full. Reason. To ensure satisfactory access arrangements from Coombe Lane and in the interests of pedestrian and highway safety and to comply with
11. External materials. No development shall take place, other than demolition, until details and samples of the materials to be used on all external faces of the development hereby permitted, (notwithstanding any generic materials specified in the application form and/or the approved drawings and documents), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason for condition. To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2\_and D3 of Merton's Sites and Polices Plan 2014.
12. External Lighting. Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition: In order to safeguard the amenities of the area and the occupiers of neighbouring properties, to safeguard potential wildlife habitats, including bat foraging areas and to ensure compliance with policy 7.19 of the London Plan (2015), policy DM D2 of Merton's Sites and Policies Plan 2014 and CS.13 and CS14 of the Merton Core Planning Strategy 2011.
13. Landscaping. Prior to first occupation of the proposed new dwellings landscaping shall be in place that is in accordance with a landscaping scheme that shall have been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on

a plan, full details of the size, species, spacing, quantities and location of plants, measures to increase biodiversity. The landscaping scheme shall adhere to the recommendations as set out in the conclusions to the applicant's Extended Phase 1 Habitat Survey and Daytime bat survey report dated February 2015. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy 7.19 of the London Plan (2015) policy CS13 of the Adopted Merton Core Planning Strategy 2011 and the London Plan Housing SPG (2012).

14. Tree protection. No development [including demolition] pursuant to this consent shall commence until an Arboricultural Method Statement and Tree Protection Plan, drafted in accordance with the recommendations and guidance set out in BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the approved details have been installed. The details and measures as approved shall be retained and maintained, until the completion of all site operations. Reason: To protect and safeguard the existing retained 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 policy DM.O2 of Merton's Sites and Policies Plan 2014.
15. Tree protection and monitoring. The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than fortnightly the status of all tree works and tree protection measures throughout the course of the demolition and site works. The works shall be carried out strictly in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy DM.O2 of Merton's Sites and Policies Plan 2014.
16. Privacy. Windows in the flank wall of the house facing 278 to 282 Coombe Lane shall be glazed with obscured glass and designed to be fixed shut to a height of 1.7m above internal finished floor level. Reason. To safeguard the privacy of neighbouring occupiers and comply with policy DM.D2 of the Merton Sites and Policies Plan (2014).
17. Privacy – roof terraces. Details of screening between adjoining roof terraces and for the roof terraces of the dwelling facing 278 to 282 Coombe Lane shall be submitted to, approved in writing by the Local Planning authority and installed before the dwellings are occupied and thereafter retained. To safeguard the privacy of neighbouring occupiers and comply with policy DM.D2 of the Merton Sites and Policies Plan (2014).

18. Boundary treatment. No development shall take place until details of all boundary walls or fences, other than the boundary treatment proposed in the Sharps Redmore Report No 1515092 dated 5th February 2015, 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.
19. Acoustic fence. The boundary fence as proposed in the Sharps Redmore Report No 1515092 dated 5th February 2015 shall be implemented prior to first occupation and retained thereafter. Reason: To safeguard the amenities of the neighbouring occupiers at 260 Coombe Lane and to comply with London Plan policy 7.15 and Sites and Policies Plan policy DM.D2 and DM.EP2.
20. Removal of p.d rights. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses shall be carried out without planning permission first being obtained from the Local Planning Authority. Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

### **Sustainable design and construction.**

21. Lifetime homes. Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy [July 2011].
22. Sustainability. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1)(105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with

policies 5.2 of the Adopted London Plan 2015 and CS 15 of the Adopted Merton Core Planning Strategy 2011.

23. Green roofs. Details and specifications for the “green roofs” for the dwellings hereby approved shall be submitted to, approved by the local planning authority and installed before the development is occupied and shall thereafter be retained. Reason. To reduce surface water run-off and to reduce pressure on the surrounding drainage system and to promote biodiversity in accordance with the following Development Plan policies for Merton: policy 5.13 and 7.19 of the London Plan 2015, policy CS.13 and CS16 of Merton's Core Planning Strategy 2011 and policy DM.F2 of Merton's Sites and Polices Plan 2014.

24. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates, as reasonably practicable, and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption authority and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Polices Plan 2014.

25. No development approved by this permission shall be commenced until a scheme to reduce the potential impact of water ingress (including flows from groundwater, the ordinary watercourse or surface water), both to and from the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address the risks both during and post construction, as highlighted in the submitted Flood Risk Assessment (FRA) and Hydrological report. This will be informed by baseline and ongoing

monitoring of groundwater levels for a period of a year after completion of works, unless otherwise agreed by the Local Planning Authority.  
Reason: To ensure the risk of groundwater ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policies, DM D2 and DM F2 of Merton's Sites and Policies Plan 2014.

26. The development hereby permitted shall not be commenced until such time as the mitigations measures outlined in the Flood Risk Assessment and Hydrology report, including appropriate measures to reduce the risk of flooding to development from the ordinary watercourse are submitted to, and approved in writing by, the local planning authority. These may include raising any water ingress points or apertures and thresholds to the dwelling to ensure the dwellings are more resilient to flooding. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason. To ensure that development does not increase the risk of flooding, either to or from the proposed scheme.

27. Before development commences the applicant shall submit to and have approved by the Local Planning Authority a ground Investigation report with borehole results, and interpretation of the GI results and any recommendations for the foundations along with a detailed Construction Method Statement from the contractor undertaking these works with construction drawings. This should include the envisaged sequence of construction, temporary propping and the relationship between the permanent and temporary works.

Reason. To safeguard the built and natural environment and local amenity and to comply with policy DM.D2 of the Sites and Policies Plan (2014).

#### **Parking and servicing pre-occupation.**

28. Refuse and recycling facilities. Notwithstanding the indicative details in the Design and Access statement, prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Core Strategy [July 2011].

29. Cycle storage and parking. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy [July 2011].
30. Car parking spaces. Prior to occupation of the development hereby permitted the car parking spaces shown on the approved drawings to serve the development shall be provided and thereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Merton Core Planning Strategy 2011 and policy 6.13 of the London Plan.

**INFORMATIVES:**

- a) The applicant is advised that details of Lifetime Homes standards can be found at [www.lifetimehomes.org.uk](http://www.lifetimehomes.org.uk)
- b) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside act 1981. If bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).
- c) With regards to the Construction Method Statement required under the conditions above the applicant is advised that particular attention must be paid to how the vertical and lateral loads are to be supported and balanced at all stages especially when there is to be load transfer and what must be done to limit movements of the existing structure and adjoining buildings. This should be presented in either written or drawn form. Details of any building or site specific issues which may be affected by the basement proposal should be included.

