

PLANNING APPLICATIONS COMMITTEE 15th September 2016

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P4798	23/12/2015
Address/Site	46 – 76 Summertown (Volante), Wimbledon, SW17 0BH	
Ward	Wimbledon Park	
Proposal:	Demolition of existing buildings and erection of a part 7 (top floor recessed), part 9 (top floor recessed) storey building, including accommodation at basement level, comprising 93 flats with 18 associated car parking spaces, 165 cycle parking spaces, hard and soft landscaping and associated works.	
Drawing Nos	1216_SK102 Rev J, 2110-00-DR- 0020 Rev P01, 0021 Rev P02, 0050 Rev P02, 0051 Rev P01, 0052 Rev P01, 0053 Rev P01, 0054 Rev P01, 0058 Rev P01, 0059 Rev P01, 0060 Rev P01, 0100 Rev P04, 0101 Rev P04, 0102 Rev P04, 0103 Rev P02, 0104 Rev P02, 0108 Rev P02, 0109 Rev P02, 0110 Rev P02, 0111 Rev P02, 0400 Rev P02, 0401 Rev P02, 0402 Rev P03, 0420 Rev P02, 0600 Rev P02, 0601 Rev P03, 0602 Rev P02 & 0603 Rev P03.	
Contact Officer:	Stuart Adams (0208 545 3147)	

RECOMMENDATION

GRANT Planning Permission subject to S106 agreement and conditions.

CHECKLIST INFORMATION.

Heads of agreement: - Permit free, Health Care, Car Club, Loading/Drop Off Bays, Travel Plan, affordable housing review mechanism and Sport Provision.
Is a screening opinion required: No
Is an Environmental Statement required: No
Has an Environmental Impact Assessment been submitted – No
Press notice – Yes

Site notice – Yes
Design Review Panel consulted – No
Number of neighbours consulted – 58
External consultations – No.
PTAL Score – 2/3
CPZ – No

1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration due to the number of objections received

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is situated on Summertown, Tooting. The site comprises a two storey commercial unit currently occupied by 'Volante Limited' who supplies flooring materials to the building trade. The site is roughly rectangular shaped, with buildings arranged in an 'L' shape along its western and southern boundaries. The buildings front onto a hard standing car park/ HGV deliveries area with direct access to Summertown/B235.
- 2.2 A range of uses surround the site. To the east on the opposite side of the Summertown are single storey industrial units. Directly beyond are two storey terrace houses in Keble Street. To the north, south, and west of the site are further industrial, commercial, and service uses, including, Wimbledon Stadium, a retail park, and a metal works.
- 2.3 The site is bound to the north, west and south by open land/ car park that serves the 8,000 capacity Wimbledon Greyhound Stadium. Wimbledon Stadium Squash Club is located within a building on the south eastern corner of the stadium. A surface water sewer (culvert) of approximately 1370mm diameter is shown passing through east of the neighbouring Wimbledon Stadium site from Plough Lane to Riverside Road.
- 2.4 The site has a Public Transport Accessibility Level (PTAL) of 2/3, providing good access to a range of bus services with a maximum 8 minute walk time; London Underground Northern Line with a maximum 12 minute walk time; and London Rail services, also within a maximum walk time of 12 minutes. Whilst the site falls within the London Borough of Wandsworth (LBM), the borough boundary, which it shares with the LBW, runs along the western side of the B235/ Summerstown. LBW are therefore the Highway Authority for the B235/Summerstown.
- 2.5 There are 5 train / underground stations within a 1.5 mile radius of the site:

- Haydon's Road Station (Overground and approximately 0.5 miles south of the site),
 - Earlsfield Station (Overground and approximately 0.9 miles from the site)
 - Tooting Broadway Station (1 mile east of the site, Northern Line),
 - Wimbledon Park Station (1.1 miles west of the site, District Line), and Wimbledon Station (Overground, District line, and Tramlink, and approximately 1.2 miles from the site).
- 2.6 Local bus number 493 passes the along Plough Lane and a variety of buses can be accessed from Garratt Lane (Earlsfield and Tooting Broadway stations) and Wimbledon town centre.
- 2.7 Within the Merton Core Strategy (2011), the site falls within the Colliers Wood and South Wimbledon Sub-Area (Policy CS1 and within the Wandle Valley sub- area (Policy CS5). The application site sits within the overarching Wimbledon Stadium Site which is identified as Site Proposal 37 in the councils adopted Sites and Policies Plan (2014). The allocated use of the Wimbledon Stadium site is 'Intensification of sporting activity (D2 Use Class) with supporting enabling development'.
- 2.8 The River Wandle is located approximately 130m west of the site and within the 1 in 100 year flood extent (flood zone 3a).
- 2.9 The entire site lies within an Archaeological Priority Zone.

3. **CURRENT PROPOSAL**

- 3.1 Demolition of existing buildings and erection of a part 7 (top floor recessed), part 9 (top floor recessed) storey building, including accommodation at basement level, comprising 93 flats with 18 associated car parking spaces, 165 cycle parking spaces, hard and soft landscaping and associated works.
- 3.2 The design rationale follows on from the master plan of the main Wimbledon stadium site (LBM 14/P4361) including form, layout, massing, height and appearance. Planning Committee resolved to grant planning permission on this application on 10th December 2015. The proposed building would have a modern design approach with the predominate use of brick within the elevations. The proposed building would vary in height with north-south building being 7 storeys and the east-west building being 9 storeys. The top floors of the 7 and 9 storey elements would be set back from the front building line by 4.8 & 5.3m and 9.8m respectively. The proposed building would have a cruciform plan that responds well to the footprint of the master plan for the main Wimbledon Stadium site.

- 3.3 The site boundary with Summertown follows the curving line of the back pavement. The rectilinear plan of the building is carried on a raised ground floor plinth. The basement would accommodate 18 car parking spaces, 3 of which are disabled space, 7 car charging points and 165 cycle spaces. The basement would be accessed by vehicle ramp from the northern section of the site on Summertown. At ground floor level, two loading/drop off bays are provided partly on the application site and partly on the public pavement. The ground floor level of the building, which sits above street level would accommodate entrance lobbies, stairs, lifts and a substation. The upper ground floor level sits 2.2m above pavement level and accommodates 6 flats with raised terraces and private and communal amenity spaces and a plant room. At first floor and levels above, are the remaining flats with private balconies.

3.4 Housing Mix

	Units	Percentage	Council Policy
Studio	19	20%	
1 bed	19	20%	33%
2 bed	49	54%	32%
3 bed	6	6%	35%

4. **RELEVANT PLANNING HISTORY**

4.1 46 – 76 Summerstown (Volante Site)

- 4.1.1 14/P4188/NEW - Application for a pre application advice for the demolition of the existing buildings and the erection of 98-112 residential units above the ground floor which will provide a mix of uses – 46 – 76 Summerstown, Tooting
- 4.1.2 88/S/0053 - Erection of a portacabin at rear of existing factory to be used as mess / rest room for staff – Grant - 21/03/1988.
- 4.1.3 87/S/1074 - Alterations including the erection of an extension at the rear of the 1st floor in connection with the refurbishment of the building and its use as 2 light industrial units – Grant - 16/03/1987
- 4.1.4 79/S/1031 - Approval of details of plans pursuant to conditions (c) and (d) of planning permission 78/s/1100, dated 10/11/1978 – Grant - 12/09/1979
- 4.1.5 78/S/1155 - Approval of details pursuant to condition (c) of planning permission 78/s/1100, dated 10/11/1978 – Grant - 12/12/1978
- 4.1.6 78/S/1100 - Erection of a single storey industrial building with ancillary offices at 1st floor – Grant - 10/11/1978

- 4.1.7 MER575/78 - Erection of 3 industrial buildings each with ancillary offices, and formation of access road and provision of parking, loading/unloading area, at 46-76 Summerstown – Grant - 28/09/1978
- 4.1.8 78/S/680 - Erection of 3 single storey industrial buildings with ancillary offices at 1st floor level – Grant - 08/09/1978
- 4.1.9 73/10811 - Use of site at Summerstown as a temporary car park and the erection of an attendant's portable hut – Grant - 22/02/1973.
- 4.2 Greyhound Stadium Site
 - 4.2.1 14/P4361 - Proposed demolition of existing buildings and erection of a 20,000 seat football stadium (initially 11,000 seat) with hospitality, crèche, café, and coach parking, pedestrian street, 1,273m² retail unit, 1,730m² squash and fitness club, 602 residential units with basement parking, refuse storage, 200 car parking spaces, 992 cycle parking spaces, and associated landscaping/open space and servicing – committee resolution to grant permission at planning applications committee meeting December 2015. Note – application has been called in by the Mayor of London, pending decision.
 - 4.2.2 14/P0286 - Application for use of car park for car boot sales on Wednesdays between 10.30 - 14.30 (replacement of extant temporary planning permission 12/p0338 dated 20/03/2012) – Approved
 - 4.2.3 12/P0338 - Application for replacement of extant planning permission 10/P0171 for use of car park for car boot sales on Wednesdays between 10.30 - 14.30 – approved 11/p0822 - erection of steel-framed building 9m x 7m to be used for vehicle mot testing and vehicle valeting. – Approved
 - 4.2.4 10/P2931 - Retention of 2 x portable buildings for office use. – Approved
 - 4.2.5 10/P0171 - Application for replacement of extant planning permission 08/p0231 for use of car park for car boot sales on Wednesdays between 10.30 - 14.30 – approved 10/p0165 - renewal of LBM planning permission 08/p1280, for part use of car park for car boot sales on Saturdays. between the hours of 7.00 am - 1.00 pm – Approved

5. CONSULTATION

- 5.1 The application has been advertised under the major site notice procedure and notification letters to the occupiers of neighbouring properties.
- 5.2 In response to the original consultation, 14 letters of objection and 4 letters of support have been received. The letters of objection raise the following points:

- The sun and day light report is incorrect and misleading. A row of Victorian terraced houses does lie just behind the small units in commercial use. The sun and daylight report should therefore be extended to include these houses (Keble Street). Concern with overshadowing of residential properties in Keble Street. The angle from properties in Keble Street to the top of the new development is between 35 and 38 degrees, the new development would therefore be well above the 25 degree threshold set by the Building Research Establishment. The distance to properties in Kimble Street are within the distance recommended by the BRE guide to be tested and therefore should be included in the report. (Officer comment: now included, further report submitted)
- The proposed 10 story building will cause overlooking. Properties on the west side (Keble Street) are only 40-45m from the development. The balconies and rooms facing east will directly look into their properties and for those on higher floor will have views across to the west side of the street too. The architects have only considered overlooking of the AFC apartment blocks (obscured glazing) and not other surrounding residents
- The density of the development is 1,248 habitable rooms per hectare. The London Plans standards for developments in an urban area with poor/moderate access to public transport (PTAL of 2/3) is a density range of 200-450 HR/ha. The new development therefore vastly exceeds the specified range for new development. The application contains no justification for the density proposed. The density taken with the main site adds further to the inappropriate density for the development.
- The transport assessment makes no allowance for the current capacity of public transport services. Instead the assessment concludes that the number of additional trips at peak hours from the 112 flats is immaterial (Officer comment: original proposal, now 93 flats) and that no consideration is needed for current capacity. This may be immaterial at current levels however there is a material impact when added to the commuters from the additional 600+ residences, which are being built at the same location on the stadium site, are taken into consideration. The current overcrowding of local transport is already a widely held concern, with several local politicians supporting campaigns to increase capacity where possible.
- The developers should be required to perform a transport assessment using a genuinely comparable site, where all residents are allowed for, where the residents are more reliant on public transport, and to consider the larger development of the stadium in their calculation.
- The numbers and the evaluation in the Transport Statement don't stack up. Based on the occupancy levels, the travel time during

peak (5am to 9.30am) would be 58 people per hour via public transport. Where is the extra half a bus going to come from? Has this additional quantity of people been evaluated in conjunction with the already planned AFC Wimbledon plot?

- How will parking restrictions be imposed on this development with considerations that only 20% of the flats will have access to an available space. Will the other 80% not be allowed to have a car? Will they be seeking to get parking permits within an already congested Wandsworth Council street or using Wandsworth streets after the hours of the parking restrictions?
- Concerns with impact upon services i.e. doctors, dentist, schools within Merton and Wandsworth to meet the demands of the additional residents. Are there provisions to increase services in the area to support all these new developments on the site?
- The design and scale of the new building appear to be focused exclusively on coordinating with the new stadium development and gives little regard to the wider context of the site. This new development brings the bulk of the stadium development much closer to residential properties.
- Visual intrusion due to height, massing and proximity to neighbours
- Impact upon traffic which is already out of control. Summertown is often backed up with traffic from Wimbledon Road/Plough Lane all the way back to Garratt Lane.
- The parking regulations in Summertown will need to be amended because they would be inadequate for additional traffic entering and exiting & using Riverside Road.
- Summertown is a narrow road that struggles in rush hour traffic to cope with the volume of traffic and some evening exiting the Garratt Business Park in the direction of Wimbledon Town Centre can be severely hampered with the existing volume of traffic. Additional cars will try and park on industrial estates causing adverse harm to businesses.
- The site lies within a flood zone and will increase flooding
- Height is out of scale with surrounding and narrow street
- Poor environment for proposed flats. Single aspect flats are undesirable and forbidding internal access corridors with hidden areas, all requiring permanent artificial light (Officer comment: residential redesigned).
- Facilities for children's play are inadequate, the urban proportions of the site appears as SLOAP (space left over after planning) and landscaping is unconvincing
- 21 car parking spaces in totally inadequate for 112 flats
- No attempt to relate the building to the street line and the frontage to the street provides little of interest.
- Existing narrow public footpath is inadequate for the amount of pedestrian movement that would be expected.

5.2.1 The letters of support raise the following points:

- Pleased to see the inclusion of new health facilities as part of the application (Officer comment: health facility now removed).
- The design is excellent and would be in keeping with the adjacent dog track proposals
- The loss of the current warehouse building will alleviate lorry traffic within the area which is already a problem.
- The whole area is in dire need of affordable housing, the more supply the better
- Area is need of regeneration.

5.3 In response to re-consultation, 10 letters of objection received (including one from the Wimbledon Society). The letters of objection raise the following points:

- In light of the Mayor of London's decision to call in the proposed development of the stadium, it is requested that this revised application is put on hold until the revised stadium consultation has been concluded. It is hoped that this delay gives the developer the opportunity to address some of the outstanding work that is needed to go into this proposal, such as a full assessment of daylight implications for nearby homes and a substantially improved transport assessment.
- The revised scheme would still result in overlooking and poor outlook from neighbouring properties
- Housing is not considered appropriate in a flood zone.
- The amount of residential accommodation has not been reduced significantly as claimed. Whilst the number of flats has gone down from 112 to 101 (Officer comment: now 93 flats), the average size of the flats has gone up (1.56 bedrooms per flat to 1.83) and by enough to largely offset the fewer flats. The result of the changes is that the number of residents that can be accommodated in this development has remained largely unchanged. This is an issue as a significant number of the objections raised relate to the scale of this development.
- The original scheme breached (by a considerable margin) the BRE's 25 degree threshold, which requires a full analysis of the daylight impact on nearby residents. This analysis was supported by a letter from a qualified right to light surveyor. The developer has increased the scale of the development in places (to 12 storeys) and decreased it in others. This will obviously lead to a greater daylight impact on those properties immediately facing the 12 storey part of the development. Therefore the developers should be required to perform a full analysis of the daylight impacts on nearby residents, and to modify their development if appropriate (Officer

comment: now included).

- The density of the development is vastly in excess of the London Plan. The application has provided no rationale for why the upper limit of the London Plan's requirements should be ignored.
- The inaccurate representation of the reduction in the scale of the development serves to highlight one of the flaws in the transport assessment. The revised assessment indicated the number of public transport journeys will reduce, even though the number of people living in the development will be broadly the same. The report incorrectly assumed the number of journeys is linked to the number of flats, this error, including the previous issue of assuming each flats only contributes one journey, could be (very roughly) overcome by multiplying the number of journeys per mode of transport by the average number of residents per flats (about 3.15). The developer should be required to perform a revised transport plan, and fully consider the impact of the development on existing public transport links.
- The development has increased the height of the building from 10 to 12 in places. The new development will be visually intrusive, out of character, overbearing and will result in an unacceptable loss of daylight/sunlight and overlooking (Officer comment: now revised to part 7, part 9 (top floor recessed)).
- The revised scheme has failed to overcome concerns raised by neighbours.
- The access to and from Summertown for such a large development is inadequate. The area is already heavily congested
- Lack of appropriate car parking leading to loss of existing spaces within the vicinity.
- No community facilities have been provided for (Officer comment: secured by legal agreement)
- The ground floor still has a dead frontage.
- There are still 30 single aspect flats
- The development is on a very narrow and busy road, which already has problems for pedestrians as there is a very narrow pavement area, which is not safe.
- The existing drainage is not capable of dealing with flooding

5.4 Wandsworth Council – Response on revised scheme (part 6, part 12 storey building, residential only scheme, 101 Flats:

- The height of the central tower is excessive within the context and should be reduced (Officer comment: now reduced to 9 storeys with top floor recessed).
- It is unclear why the D2 Healthcare facility was removed from the proposal; this should be justified as the development would put

further pressure on local healthcare facilities (Officer comment: contribution secured).

- The safety of Summerstown is already questionable with vehicles travelling quickly along the road. This needs to be further considered and addressed.
- The development should only include 1 x loading bay.
- Pedestrian condition on this road is poor with no safe pedestrian crossing facility and narrow footway on its western side flanking this development.
- This section of highway should also be repaired and resurfaced to remove the ponding around the proposed northern access.
- No consideration has been given to the opportunity to provide affordable housing (Officer comment: see section 8 - affordable housing).
- If LBM were minded to grant planning permission for this proposed development, it is subject to a legal mechanism that ensures this planning permission cannot be implemented until the redevelopment associated with the Wimbledon AFC is at an agreed stage of implementation. This is currently subject to determination by the Mayor of London.

5.5 Sport England - No comment (Officer comment: commensurate contribution towards sport secured by legal agreement)

5.6 Network Rail – No objection

5.7 Historic England – No archaeological requirement

5.8 Merton Clinical Commissioning Group (CCG) and NHS England – comments on original scheme:

5.8.1 The planning application proposes a 976 m² health facility and 112 housing units, comprising 61 one bed units, 39 two bed units and 12 x 3 bed units. It is noted that the provision of affordable housing is yet to be determined. The population yield from the development is estimated to be 200 using the GLA's Population Yield Calculator (September 2014).

5.8.2 Merton CCG and NHS England have been involved in pre-applications discussions regarding the provision of a health facility on the Volante site and welcome the inclusion of the facility as part of the application.

5.8.3 Planning permission has been approved on the adjoining Greyhound Stadium site for a new 20,000 seat football stadium, 602 residential units and retail and leisure uses (14/P4361). Together, these developments will generate an additional demand of approximately 1,400 patients. It is acknowledged that the Wimbledon Stadium and Volante proposals will not, by themselves, trigger the need for an on-site facility. NHS

- organisations have identified the need for a new facility in the area to address a deficiency in the size and condition of current GP premises and to absorb future demand and enable enhanced primary and community services to be provided. The new health facility will consolidate existing GP practices into new purpose-built premises and provide flexible clinical space.
- 5.8.4 There are 10 GP practices within 1 mile of the development site within Merton and Wandsworth. It is considered that four GP practices within two thirds of a mile will be particularly affected by the development proposals. These practices are relatively small and overcrowded, typically operating in residential areas with little or no opportunity to expand their premises. Two of the premises are branch surgeries with restricted opening hours. The proposed health facility totalling 976 m² would be sufficient to allow the relocation of GP practices from two premises with the flexibility to accommodate the additional demand and service requirements.
- 5.8.5 The Volante site is located in a flood risk area with a high (greater than 1 in 100 year) risk of flooding from the River Wandle. The planning application is accompanied by a flood risk assessment which proposes mitigation measures. The upper ground floor is provided above grade at a height in excess of predicted flood level. The basement car parking area is designed to flood. The main entrance of the building, bicycle store and bin store will be susceptible to flooding in the 1 in 100 year event. A flood event would affect the operation of the health facility by restricting access and requiring evacuation of the premises. It is proposed that flood resilient material be used in the entrance area to reduce property damage and to enable quick clean up following a flood event, enabling normal services to resume. A Flood Warning and Evacuation Plan would be put in place.
- 5.8.6 The proposed health facility is spread over two floors, at upper ground (469 m²) and at first floor level (508 m²). The entrance to the facility is at grade with direct access from Summerstown. The upper ground floor of the health facility is above grade (1.43m) and would have to be accessed via stairs and a lift from the entrance. A potential pedestrian link is proposed between the rear of the health facility and the adjacent Wimbledon Greyhound Stadium development to the west. The health facility demise at lower ground floor also includes stairs and a platform lift to first floor and a dedicated bin store. Two car parking spaces are proposed for the health facility in the semi basement / lower ground floor, of which one is wheelchair accessible.
- 5.8.7 Whilst some design issues have been addressed at the pre-application stage, the following issues require clarification and attention:
- Whether there scope for additional car parking for doctors in addition to the 2 spaces currently allocated. It is assumed that reserved doctors parking on Summerstown would not be available.

- It is assumed that the column positions for the upper and first floors are the same as for the lower ground floor.
- Clarify whether there is lift access from the entrance to the upper ground floor health space.
- Clarify whether the proposed pedestrian link between the health facility and the Greyhound Stadium development is at upper ground floor or first floor (elevation plan suggests first floor whilst floor plan indicates upper ground)
- Clarify whether there is lift access from the lower ground floor car parking to the health facility.

HNS comments on revised scheme

5.8.8 On 21 January 2016 NHS England and Merton CCG responded positively to the original planning application supporting the inclusion of a health facility as part of the proposals. The health facility would have accommodated the demand for additional primary care services generated by the housing element of the development and the neighbouring Greyhound stadium development, as well as addressing a deficiency in the size and condition of current GP premises in the surrounding area. We are therefore very disappointed to receive notification that the application has been amended and that the health facility has been removed from the proposals.

5.8.9 We were engaged in positive discussions regarding the inclusion, design and delivery of the health facility. We strongly disagree with the statement in the applicant's covering letter dated 10 March 2016 that this communication was not 'sufficiently advanced' to allow the health facility to be retained within the proposals. Indeed, there were ongoing discussions regarding the s106 legal agreement and heads of terms in advance of the application being determined. We do note, however, the difficulties and additional costs associated with designing a health facility in a flood risk area.

5.8.10 As an alternative to on-site provision, to mitigate the healthcare impact of the amended scheme comprising 93 residential units, we seek an off-site financial contribution. This approach is endorsed in the draft Planning Obligations SPD (October 2014) which refers to s106 planning obligations being sought for site-specific infrastructure, including health projects not on the Strategic Infrastructure List and not intended to be funded by CIL (paragraph 70), subject to the statutory tests set out in CIL Regulation 122. This approach was used in relation to the Wimbledon Stadium application and we would support a similar arrangement.

5.8.11 Using Department of Health guidance, a projected demand of 230 additional patients would translate into 20 m2 of primary care floorspace

and an in lieu capital financial contribution of £62,000. This payment would contribute towards the cost of additional healthcare capacity within the vicinity of the site.

5.9 Natural England – No comment

5.10 Transport For London (TFL) – comments on original scheme (no response on revised scheme):

Car parking - Standards are in line with London Plan. Clarification on how the spaces allocated to the medical centre will be managed to ensure residents don't occupy them, and suggests a car Parking Management Plan is implemented to monitor the spaces. Permit free development (suggests Merton & Wandsworth consider extending the local CPZ zone) TFL suggests the applicant look into providing two years free car club membership to all residents in order to encourage sustainable travel (travel plans and secured via a S106 agreement).

Cycle Parking – in line with London Plan

Trip Generation – TFL welcomes the multi-model trip generation surveys which have been carried out. TFL are satisfied that the development will not have a significant impact on public transport capacity, considering contributions have already been sought for the Wimbledon stadium development site.

Travel Planning – The applicant has submitted a framework Travel Plan and indicates a commitment to submitting a full travel Plan, which is supported. The final version of the Travel Plan, including all agreed measures therein, should be secured, enforced, monitored and reviewed as part of the section 106 agreement, in accordance with London Plan policy 6.3.

Construction - TFL welcomes the applicant's commitment to submitting a construction Logistics Plan (CLP), which TFL request is secured by condition. Information provided on delivery and servicing, and requests a Delivery and Servicing Plan (DSP) is submitted and secured by condition.

Conclusion – In summary, for the proposals to comply with the transport policies of the London Plan the following matters should be addressed:

- Exclude residents from applying for parking permits in the local CPZ
- Providing a Car Parking Management Plan
- Increase Electric Vehicle Charging Points provision and secure by condition

- Securing Blue Badge and cycle parking provisions by condition
- Providing a free car club membership to residents, secured via Section 106
- Securing the final Travel Plan by section 106
- Securing a CLP and DSP by condition.
- (Officer comment: all secured)

5.11 Council's Design Officer – No objection subject to conditions requiring minor alterations

5.11.1 Environment Agency – Having reviewed the information submitted we have no objection to the proposed development.

We have reviewed the following:

- Flood Risk Assessment (FRA) Issue No 7 45369, compiled by Dixon Hurst Kemp in May 2016
- Flood Compensation Calculations 45369 Rev 1, compiled by Dixon Hurst Kemp in May 2016
- Flood Compensation Layout Drawing no. 45369/SK10 Rev C, 17/05/2016

The proposed development will only meet the National Planning Policy Framework (NPPF) policy to ensure the development is safe for its lifetime without increasing risk elsewhere and where possible reducing flood risk overall, if the following planning conditions are included.

Condition 1 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) Issue No 7 45369, compiled by Dixon Hurst Kemp in May 2016, and the following mitigation measures detailed within the FRA:

- Identification and provision of safe access and egress to an appropriate safe haven.
- Provision and implementation of Flood Warning and Evacuation Plan
- Finished floor levels for residential uses are set no lower than 11.279m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

Condition 2 No development approved by this planning permission shall take place until such time as a scheme to provide compensatory flood storage in accordance with the Flood Risk Assessment (FRA) Issue No 7 45369, and Flood Compensation Calculations 45369 Rev 1, both compiled by Dixon Hurst Kemp in May 2016, and Flood Compensation Layout Drawing no. 45369/SK10 Rev C, 17/05/2016, has been submitted to, and approved in writing by, the local planning authority.

Reason

- To ensure safe access and egress from and to the site.
- To reduce the risk of flooding to the proposed development and future occupants.
- To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

Advice The applicant has not specified if the flood levels they are using are from defended or undefended scenarios. We recommend the applicant consider a range of flooding events likely to be experienced over the lifetime of the development. There is no guarantee that the existing defences will continue to provide the same standard of protection over the lifetime of the development, and there is also a residual risk of overtopping or breaching of defences. Therefore, we advise that the applicant consider both defended and undefended flood levels to identify the worst case scenarios and review the proposed mitigations measures accordingly. This would also help the applicant be more prepared with the new climate change allowances.

Given that the residential uses are located at 11.297mAOD which is significantly higher than the ground level the development will continue to provide a safe refuge for the site occupiers. The applicant may wish to review the Flood Warning and Evacuation Plan to see if it is still adequate and the emergency services can reach the site safely.

We note that electric charging points are proposed in the basement. You should consider whether this is appropriate given that the basement will be used to receive floodwater.

- 5.12 Council's Flood Officer – No objection subject to condition.
- 5.13 Council's Climate Officer – No objection subject to condition
- 5.14 Secure by design (Met Police) – no objection subject to detailed advice
- 5.15 Councils Policy Officer - Sport England's Sports Facilities Calculator indicates that a population of 169 will generate the following demand:

0.01 sports halls (£45,106),
0.01 swimming pools (£34,633),
0.01 artificial turf pitches (3G) (£6,316 3G) and
0.01 indoor bowls (£3,077)

Total sum = £89,132

6. **POLICY CONTEXT**

6.1 Adopted Merton Sites and Policies Plan (July 2014)

DM H2 Housing Mix
DM H3 Support for affordable housing
DM D1 Urban design and the public realm
DM.D2 Design Considerations in All Developments
DM E1 Employment areas in Merton
DM.EP2 Reducing and Mitigating Noise
DM EP4 Pollutants
DM E4 Local employment opportunities
DM F1 Support for flood risk management
DM F2 Sustainable urban drainage systems (SUDS) and; wastewater and water infrastructure
DM O2 Nature conservation, trees, hedges and landscape features
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T5 Access to the Road Network

6.2 Merton Core Planning Strategy (July 2011)

CS1 – Colliers Wood
CS5 – Wandle Valley
CS8 – Housing Choice
CS9 – Housing Provision
CS12 – Economic Development
CS 13 - Open space, nature conservation, leisure and culture
CS14 - Design
CS15 – Climate Change
CS16 – Flood Risk Management
CS18 – Active Transport
CS19 – Public Transport
CS20 - Parking, Servicing and Delivery

6.3 London Plan (2015) and Minor Alterations to the London Plan (March 2016)

- 3.3 (Increasing Housing Supply),
- 3.4 (Optimising Housing Potential),
- 3.5 (Quality and Design of Housing Developments),
- 3.6 (Children and young people's play and informal recreation facilities)
- 3.7 (Large residential developments)
- 3.8 (Housing Choice),
- 3.9 (Mixed and balanced communities)
- 3.10 (Definition of affordable housing)
- 3.11 (Affordable housing targets)
- 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)
- 3.13 (Affordable housing thresholds)
- 3.17 (Health and social care facilities)
- 5.1 (Climate Change Mitigation),
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable Design and Construction).
- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.21 (Contaminated land)
- 6.3 (Assessing effects of development on transport capacity)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.12 (Road network capacity)
- 6.13 (Parking)
- 7.3 (Designing Out Crime)
- 7.4 (Local Character)
- 7.6 (Architecture)
- 8.1 (Implementation)
- 8.2 (Planning obligations)
- 8.3 (Community infrastructure levy)
- 8.4 (Monitoring and review)

7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations related to this application are the principle of development, the design of the new building and its impact upon the Summertown Road street scene and adjacent Wimbledon Dog track site, the standard of accommodation provided, impact upon neighbouring amenity, flooding, and parking/highways considerations.

7.2 Amendments

7.2.1 Following discussion with the Councils design officer and the applicant, the scheme has been amended in the following ways:

- Change to the design approach for the building with reductions in the buildings height, form, siting and massing. Rather than a singular form, the design of the building has now responded to the form and layout of the master plan for the main site with a form that responds to the north-south and east-west pattern of development of the adjoining Wimbledon Stadium proposals.
- The number of flats have been reduced from 112 to 93 (including changes to the layout as a result of the change of building form)
- The number of car parking spaces has been reduced from 23 to 18.
- The health care facility has been omitted from the scheme (contribution secured).
- Two new off street loading/ drop off bays on Summertown frontage have been introduced.
- Reduction on the number of cycle parking spaces from 187 to 165.

7.3 Principle of development

- 7.3.1 The Volante site forms part of the wider site known as Wimbledon Stadium. The Wimbledon Stadium is identified as Site Proposal 37 in the Sites and Policies Plan, which sits alongside the Core Strategy. The site allocation is for “Intensification of sporting activity (D2 Use Class) with supporting enabling development’.
- 7.3.2 In terms of the site allocation and the Wimbledon Stadium site, at the planning applications committee meeting in December 2015, members of the planning committee resolved to grant planning permission, LBM ref 14/P4361, subject to conditions and S106 agreement for the demolition of existing buildings and erection of a 20,000 seat football stadium (initially 11,000 seat) with hospitality, crèche, café, and coach parking, pedestrian street, 1,273m2 retail unit, 1,730m2 squash and fitness club, 602 residential units with basement parking, refuse storage, 200 car parking spaces, 992 cycle parking spaces, and associated landscaping/open space and servicing.
- 7.3.3 The Volante site currently provides a source of employment and the proposal seeks planning permission for a solely residential development. The proposed scheme would result in the loss of employment, however this was considered under the main Wimbledon Stadium application, 14/P4361 and against the sites adopted site allocation. The planning committee report for the development stated that the redevelopment of the stadium site would provide an opportunity for a much higher level of employment to be generated than existing. The loss of existing business is regrettable however the proposed development is in accordance with its policy allocation and due to its scale, would generate a significant level of employment during its construction phases in particular. Once operational, the development would also result in a high level of local spending. The

same principles with apply to the Volante site with its allocation forming part of the overarching Wimbledon Stadium site.

- 7.3.4 Given the scale and nature of main site planning approval 14/P4361, the application was 'called in' for decision by the Mayor of London. However, the Mayor has now handed back the decision to Merton for determination. Details of S106 agreement are currently being completed with the applicants, following which the Council can issue the formal decision notice.
- 7.3.5 Planning approval 14/P4361 is therefore a material consideration in the planning assessment of the Volante site. The application site sits within the overarching site proposal 37 'Wimbledon Stadium' for sporting intensification with enabling development. The sport intensification for the Wimbledon Stadium site has been provided under planning approval 14/P436, however due to the site constraints of the Volante site it is not practical to provide sporting facilities onsite. Therefore in order to fulfil the site's adopted policy allocation of sporting intensification, a financial contribution in line with Sport England's calculator will be required and secured via a s106 agreement.
- 7.3.6 The Volante site would provide 93 new flats. The requirement for additional homes is a key priority of the London Plan and the recently published Further Alterations to the London Plan (FALP) seeks to significantly increase the ten year minimum housing target across London from 322,100 to 423,887 (in the period from 2015 to 2025), and this equates to an associated increase in the annual monitoring target across London to 42,389. The minimum ten year target for Merton has also increased by more than 30% to 4,107, with a minimum annual monitoring target of 411 homes per year. The delivery of new residential units at this site will contribute to meeting housing targets and the mix of unit sizes will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policy.
- 7.3.7 The principle of development is therefore considered to be acceptable. In order for the Council to ensure that there is a comprehensive development of site proposal 37 'Wimbledon Stadium', the applicant has formally agreed to allow the Council to only release the formal decision notice and conclude the legal agreement until such a time when the Council are fully confident that a comprehensive development is deliverable. In order to ensure that a comprehensive development is deliverable the link requirement, between Volante and the Wimbledon Stadium site can either be secured via the S106 agreement or appropriately worded grampian style planning condition in consultation with the Councils Legal Advisers.

7.4 Health Care Facilities

- 7.4.1 The original planning submission for the Volante site included the provision of a 469sqm and 508 sqm health care facilities (Class D1) at ground and first floor levels respectively. However following discussion with the applicant, the health care facility has been removed from the scheme. It is regrettable that the proposal no longer provides a health care facility on the Volante site, however it appears that the applicant and NHS could not reach a positive conclusion to provide a facility onsite.
- 7.4.3 There is no policy requirement for a health care facility to be provided onsite. Between 2011 and 2014, the NHS responded to consultations on the allocation of this site as Site 37 in Merton's *Sites and Policies Plan*, and of other sites in the borough and their responses did not require additional primary care facilities to be located as part of this site. In addition there are no documented plans from the NHS to provide additional primary care facilities in this location (unlike, for example, the provision at the Nelson Hospital, or at the proposed Mitcham Local Care Centre).
- 7.4.4 The Committee Report for the Wimbledon Stadium site (14/P4361, including paragraphs 24.47 to 24.54) stated that the need for primary health care space arising from the 602 residential units proposed would be for 130sqm of floorspace. NHS England stated that it would not be feasible for the required 130m² floor space to be accommodated through the extension of existing GP surgeries because many of them are located within residential units which have been converted to surgeries and the scope for built extension is limited. 130m² is also considered to be too small an amount to justify the creation of a new GP surgery or to provide 130sqm within the development site due to the very small floorspace relative to the cost of GP relocation and fit out
- 7.4.5 As such, NHS England raise no objections to the proposed development on healthcare provision grounds subject to a financial contribution of £402,500 for primary health care secured through the Wimbledon stadium Section 106
- 7.4.6 The Wimbledon Stadium Committee Report stated "It is proposed that should the Volante site come forward for development, this would include an onsite health care facility (1000m²), and the commuted sum paid by the applicant here would be used by NHS England to contribute towards the fit out of, and GP relocation to, that facility. This approach has been agreed in principle by the applicants NHS England, Merton CCG, Wandsworth CCG, and the potential developer of the Volante site through pre-application discussions with LBM.

- 7.4.7 Should the Volante site not come forward for development the money would be held in an escrow account by LBM (along with other S106 monies generated by the development and to be claimed by outside parties) until a location/scheme for additional healthcare facilities within LBM/LBW and within the vicinity of the site comes forward. Should this not occur within 5 years of the completion of the development the monies would be used towards maximising the level of affordable housing provision supported by the development within the borough, in accordance with Adopted Core Strategy 2011 policy CS8.
- 7.4.8 Therefore in light of the above, a similar approach is taken on this site in securing a financial contribution. The NHS confirm that using Department of Health guidance, a projected demand of 230 additional patients would translate into 20 m2 of primary care floorspace and an in lieu capital financial contribution of £62,000. This payment would contribute towards the cost of additional healthcare capacity within the vicinity of the site.

7.5 Design

- 7.5.1 The overarching principle of national and local planning policy is to promote high quality design. Planning policy DM D2 (Design considerations in all development) of Merton's Sites and Policies Plan states that amongst other considerations, that proposals 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.

Context

- 7.5.2 The existing built environment comprises a mixture of commercial and residential building up to three storey's in height. As set out above, the Volante site sits within the broader Wimbledon Stadium site. The Wimbledon Stadium approval (14/P4361) produced a master plan which was designed to allow for the possibility of the potential future development of the Volante site. The site sits on the eastern edge of the master plan and fronts directly onto Summertown. The Wimbledon Stadium approval comprises a new Football stadium, Squash and fitness club, retail unit, and 602 flats in 3 new residential blocks (6 to 10 storey's in height) with associated landscaping, public open space and public pedestrian connection between Riverside Road and Plough Lane.

Architectural Style, Height, form and massing

- 7.5.3 The design of the building has been subject to significant redesign and seeks to follow the principle established under the master plan of the

Wimbledon Stadium site. The buildings on the master plan have a modern appearance with a strong pattern of north-south buildings and an overlaid series of east-west buildings which vary in length and height. The proposed building responds to the master plan with a similar vocabulary of design element/treatment. The buildings form and layout would link with the north-south and west-east buildings of the master plan. The proposed 7 storey north-south element of the building (top floor recessed) would sit parallel with the two offset adjacent blocks of the master plan to the north and south. The proposed 9 storey central core (top floor recessed) would sit parallel with the 9 and 10 storey east-west building of the master plan. In principle, the proposed building would reinforce the design rationale of the master plan and would respect the general pattern of development in the area. At ground floor level the excessive hard standing of the existing site would be replaced with an active building frontage and new landscaping (soft and hard) which is considered to improve the street scape.

- 7.5.4 Care has been taken to ensure that the finer architectural details of the proposed building reflect, but do not necessarily match the main site to ensure that design is of sufficient standards in its own right. Planning conditions requiring further details of the buildings internal arrangements, elevations and materials would ensure that the development achieves a high quality design, integrates positively with the adjacent development of the main site and improves the visual amenities of the street scape and wider area.

Density

- 7.5.4 The amendments to the scheme reduce the density of the site to 1,104hrph. It is acknowledged that this is above the notional density range set out within Table 3.2 of the London Plan. However, as acknowledged by paragraph 3.28 of the London Plan, the use of the density ranges is 'only the start of the planning housing development' and 'it is not appropriate to apply table 3.2 mechanistically'.
- 7.5.5 Achieving appropriate densities on site should be design led and based upon a raft of appropriate considerations, particularly in relation to design and achieving appropriate amenity standards, including impacts on surrounding properties as well as those within the proposed development. It should also be noted that Table 2.4 of the most recent Annual Monitoring Report for the London Plan, identifies compliance of schemes comprising 15 units or more with the London Plan density matrix. This table identifies that since monitoring started in 2006/ 2007 over 56% of schemes have achieved a density above the range identified in the density matrix. The exception was in 2012/2013 when 39% achieved above the identified range, which is still a significant proportion.

7.5.6 Development schemes on a pan London basis are therefore regularly achieving densities above the notional range identified in Table 3.2 in the London Plan but are still considered satisfactory in planning terms.

7.6 Neighbour Amenity

Wimbledon Stadium

7.6.1 The proposed development has been designed to respond to the form, massing and layout of the proposed residential development on the main site (master plan).

7.6.2 The proposed 7 storey north-south building elements would be distanced 1.960m and 3.910m from the flank walls of the adjacent building blocks (blocks N & E) on the main site to the north and south of the application site respectively. Block N has no side facing windows towards the application site; therefore there would be undue loss of amenity. Block E has side facing windows, however given the use of the rooms and level of separation from the proposed building it is considered that there would be no undue loss of amenity. In order to ensure that there is no loss of privacy between neighbours, the proposed side windows facing block E can be conditioned to be obscured glazed.

7.6.3 To the west of the application site, the north-south building blocks (blocks J & G) within the main site are separated from the application site by a large soft landscaped courtyards and private gardens. Blocks J & G would be distanced between 7m and 13m from the site boundary of the application site and approximately 30m from the west facing balconies within the 7 storey element of the proposed flats. Given the soft landscaping buffer and level of separation, it is considered there would be no undue loss of amenity for potential occupiers within either development.

7.6.3 The 9 storey west-east element of the proposed building would be distanced at least 4.630m from the adjacent west-east building block (block H) on the main site. There is no east facing windows within the adjacent building block H on the main site. Therefore there would loss of privacy between neighbours. The proposed 7 storey elements would be located to the east of block H and is well distanced away from the block H to ensure that there is no undue loss of light.

Summertown

7.6.4 The neighbouring properties on the opposite side of Summertown are large single storey commercial units. The proposals would include two on-off street loading/drop off bays and a vehicle access towards the northern

section of the site. The proposed loading-drop off bays and new basement parking access is not considered to conflict with the operation of the adjacent commercial units. In addition, given the commercial nature of the units, there would be no undue loss of amenity in terms of light and visual intrusion.

Keble Street

- 7.6.5 Properties in Kimble Street to the east of the application are located at least 42m (varying building line) from the front edge of the application site boundary (23m from rear gardens) and sit beyond the existing commercial units fronting the east side of Summertown. The existing commercial units sit within close proximity of the rear gardens of properties in Keble Street and therefore the existing situation is a material consideration in terms of light and outlook received to properties in Kemble Street. The application is located on the west side of Summertown, separated from properties in Kemble Street by a public highway and large commercial units on the east side of the street. There would be a separation distanced of at least 42m away from the nearest property in Keble Street and at least 23m from rear gardens. Given this significant separation distance, it is considered that there would be no undue loss of privacy or overlooking within this urban situation.
- 7.6.6 Following objections from neighbours regarding loss of light and breach of BRE guidance, the applicant has commissioned a sun and light report which has assessed 14 – 44 (even numbers) Keble Street.
- 7.6.7 The report states that the majority of these residential properties will remain within the BRE Guidelines for all Daylight and Sunlight criteria as specified in the BRE Guidelines. One property, 22 Keble Street, would experience minor transgressions. In regards to 22 Keble Street and the Vertical Sky Component (VSC) criteria, all eight windows analysed meet the BRE Guidelines. With regards to Sky Line (NSL), one room on the first floor will experience a transgression of the BRE Guidelines. This room does so marginally, experiencing a 24.43% loss against a target value of 20%. However, this room will retain a relatively high level of No NSL, at 72.88% sky visibility. Given this high retained value and due to the fact that the windows serving this room meet the BRE Guidelines regarding the VSC criteria, they found the daylight impacts to this property minor in nature.
- 7.6.8 Regarding Annual Probable Sunlight Hours (APSH), seven windows in 22 Keble Street were assessed, with six of these within the criteria as per the BRE Guidelines. One window on the ground floor will experience a transgression in the number of winter sunlight hours it would receive. It would be reduced to retain 4% winter APSH which is marginally below the

suggested 5%. In addition, there is a high level of retained annual APSH, being 31% well in excess of the suggested 25%. There is also an additional window serving this room which achieves BRE compliance. The sunlight impact to this property was be considered a minor breach in guidance.

7.6.9 In conclusion, the report states that there are clear mitigating factors for non-compliance with the BRE guidelines. Regarding daylight, whereby one room NSL transgression occurs, the retained levels of NSL within this room is high, while the windows serving this room meet the BRE Guidelines for VSC. Regarding sunlight, only one window would experience a minor transgression to winter sunlight hours, but would retain very high levels of annual sunlight hours, well in excess of the suggested target. With respect to the above, they found the Daylight and Sunlight impacts to the surrounding properties acceptable.

7.6.10 In conclusion, given the level of separation and reduced height and massing of the building, it is considered that there would be no detrimental loss of day or sunlight to properties in Kemble Street to warrant refusal of planning permission.

7.7 Standard of Accommodation

7.7.1 In terms of the quality of the accommodation proposed, it is considered that the proposed flats would provide a satisfactory standard of accommodation for future occupiers. The proposed flats would exceed/meet minimum London Plan Gross Internal Area, room size and amenity space standards. Each habitable room would receive suitable light levels, adequate outlook and would be capable of accommodation furniture and fittings in a suitable and adoptable manner.

7.8 Transport

7.8.1 Whilst PTALS provides a useful tool to measure a sites connectivity by public transport , it does not consider opportunities by walking and cycling nor public transport choices just beyond 8 and 12 minute walk distances used for calculating PTAL. In the case of the applicants site Haydon's Road Station sits just beyond this limit (at around 1km), 1.3km to Earlsfield and Tooting LUL Station at 1.5km. It is considered that given these additional high frequency services residents will be more willing to make these longer journey, especially by cycle.

7.8.2 As with the stadium development the number of parking spaces proposed considered car ownership levels of the nearby residential development on the corner of Plough Lane and Haydon's Road, which is considered reasonable. This comparison suggests the proposed level of parking

would be acceptable and complies with London Plan maximum standards.

- 7.8.3 Any new trips during the peak hours are expected to be offset by the loss of existing trips associated with the current Volante operations. The small increase shown in the evening peak is not considered significant when compared to typical daily movements across the local road network. Similarly, when dispersed across public transport alternatives, new public transport journeys are not expected to have a material impact. It is also noted that many of the existing vehicle trips are undertaken by HGV's.
- 7.8.4 The application includes a Travel Plan, which sets out a series of actions and targets to support sustainable travel alternatives. The applicant has also given an undertaking that residents would not be eligible for on-street parking permits. This can be secured through the s106 agreement. Also as the application site falls within the borough of Merton, residents would not be eligible to apply for parking permits in neighbouring streets within the London Borough of Wandsworth (to qualify for a parking permit any resident must reside within the CPZ in which they live). In addition as part of the planning obligations for the stadium development there will be a review of parking controls in the area. This includes streets surrounding the Volante site
- 7.8.5 The latest proposals include 2 loading bays. Land will need to be dedicated to the public highway around the bays to guarantee that pedestrians can pass when the bays are in use. This can be secured through the s106 agreement.
- 7.8.6 As an outcome of the mitigation measures proposed including the Travel Plan, low level of on-site parking and stadium parking review this development is not expected to have a severe impact on transport conditions. Therefore the Councils transport planning section have no objection.

7.9 Flooding

- 7.9.1 The Environment Agency's (EA) published flood map for planning (rivers and sea) indicates that the development site lies within Flood Zone 3a (high probability). According to the Environment Agency's published risk of flooding from surface water map, Summerstown (the highway) is shown to have a high risk of surface water flooding, meaning that each year, this area has a chance of flooding of greater than 1 in 30 (3.3%) however the site itself is shown to have a low risk of surface water flooding. The application has been assessed and reviewed on the basis that the AFC Wimbledon/Galliard application will be undertaken.

- 7.9.2 The existing site is a brownfield site which is currently occupied by a light industrial warehouse building and is regarded as wholly impermeable . The site was allocated in Merton Sites and Policies Plan, as Site 37, for the intensification of sporting activity (D2 Use Class) with supporting enabling development. The inspector acknowledged in his report on the examination into Merton Sites and Policies Local Plan that flooding is a key constraint. The inspector did not consider the potential of residential use reason to find the allocation unsound and stated that the amount would be acceptable according to the design and layout of particular proposals.
- 7.9.3 Based on this and the fact that the site is also now not shown to be within the functional floodplain (zone 3b) in accordance with the most up to date Environment Agency flood modelling, we do not consider it appropriate to object on inappropriate development in line with the NPPF given the enabling uses were considered and not found unsound by a planning inspector. It is accepted that the application of the Exception Test is required due to more vulnerable uses being located in Flood Zone 3a.
- 7.9.4 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.
- 7.9.5 The sequential test was carried out as part of the site allocations process and no other suitable site for sporting intensification with enabling growth has been identified. The NPPG (paragraph 033) states that the 'Sequential Test does not need to be applied for individual developments on sites which have been allocated in development plans through the Sequential Test.'
- 7.9.6 The Council therefore consider the site to have passed the sequential test.
- 7.9.7 The applicant has commissioned and submitted a Flood Risk Assessment (FRA) by Dixon Hurst Kemp Ltd (Dated May 2016 Issue No. 7 Ref: 45369). The latest version of the Flood Risk Assessment was submitted by the applicant on Friday 6th May following comments on the previous version by the Council's flood risk management engineer who has responded on behalf of the Lead Local Flood Authority (LLFA). Both the Councils Flood Engineer and the Environment Agency have confirmed that they have no objections subject to conditions. The proposed development is therefore considered to be acceptable in terms of flooding subject to planning conditions.

7.10 Archaeology

- 7.10.1 The site lies within the Wandle Valley Archaeological Priority Area, however Historic England have confirmed that there are no archaeological requirements.

7.11 Children's Play Space

- 7.11.1 The amended scheme provides sufficient on-site amenity with a 170sqm area at the rear of the site. Subject to conditions relating to further details and secures the delivery and maintenance of this play space, this would be acceptable

7.12 Energy/Sustainability

- 7.12.1 The applicant has provided an Energy and Sustainability Statement with the application. The report states that low environmental impact is key to the design of the proposed 46-76 Summerstown residential development. The Energy and Sustainability Statement outlines the development's approach to sustainability, energy efficiency and renewable energy strategies in order to meet the targets set out in the guidance from the London Borough of Merton.
- 7.12.2 To benchmark this process, the Code for Sustainable Homes (CfSH) methodology has been used and the development is likely to achieve Code for Sustainable Homes 'Level 4' rating. The CfSH considers the broad environmental concerns of climate change, pollution, impact on occupants and the wider community. This is balanced with the need for a high quality, safe and healthy internal environment. These standards go beyond the requirements of the Building Regulations. The Councils Climate Change officer has confirmed that he has no objection subject to conditions.

7.13 Contamination

- 7.13.1 The applicant has provided a Phase I Desk Study and Site Reconnaissance Report with the planning application. The site is anticipated to be underlain by Alluvium, although Head deposits and Kempton Park Gravel may also be present. The bedrock deposits comprise London Clay. Historic maps indicate that a culverted river may be present beneath the site, although this is likely used as Thames Water sewer.
- 7.13.2 The desk based information has been used to compile a preliminary Conceptual Site Model. The key risk drivers are likely to be organic, metal and asbestos contamination within shallow Made Ground. Contamination

of site soils and the underlying aquifer may also have occurred due to possible historic storage and use of oils and solvents.

7.13.2 Potential sources of ground gases have been identified. These include the potential presence of an increased thickness of Made Ground from the historic redevelopment of the site, or from infilling of the historic stream and the possible presence of alluvial. However it is noted that the extent of and such source material may be significantly reduced through basement excavation.

7.13.3 The Councils Environmental Health Officer confirms that there is no objection subject to conditions.

8. Affordable Housing

8.1.1 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision, the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.

8.1.2 The amount of affordable housing this site can accommodate has been subject of a viability assessment. Following extensive discussions and robust interrogation of information, the Councils independent viability assessor stated that a policy compliant 40% affordable scheme is not viable. The nil provision of affordable housing in this instance meets the objectives of planning policy CS 8 (Housing Choice).

8.1.3 The report identifies that even with a nil affordable housing contribution the scheme cannot provide the normally 'accepted' 20 % developer profit. However, despite the above viability review, the applicant has put forward an offer of 10% intermediate affordable housing which would include a clawback mechanism. Officers recommend the use of a clawback mechanism on the basis of the stated purpose of London Plan Policy 3.12 which supports such mechanism. It states that to take into account of economic uncertainties, and in respect of schemes presently anticipated to deliver low level of affordable housing, these provisions may be used to ensure that maximum public benefit is secured over the profit of the development.

9. Local Financial Considerations

9.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by

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

10. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

10.1.1 The proposal is for residential development with a site area of 00.23 hectares and an Environmental Impact Assessment is not required in this instance.

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

11. CONCLUSION

11.1.1 The proposed development will provide 93 new dwellings which are considered to satisfactorily relate to the context of the site reinforcing the design principles established for the adjacent Wimbledon Stadium site. The standard of residential accommodation proposed is considered to meet the needs of future occupiers, with an appropriate level of amenity space and room sizes with good levels of outlook and light. There would be no undue impact upon neighbouring amenity, flooding, traffic or highway conditions. The proposal is in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to –

1. The application being referred to the Mayor of London, in accordance with the Mayor of London Order 2008
2. Subject to the Council only releasing the formal decision notice and conclude the legal agreement until at such a time when the Council are fully confident that a comprehensive development is deliverable (subject to heads of terms in the legal agreement or grampian planning condition).

3. Subject to the completion of a Section 106 Agreement covering the following heads of terms:-
 1. Designation of the development as permit-free and that on-street parking permits would not be issued for future residents of the proposed development.
 2. That the developer makes an financial contribution towards Health Care (£62,000)
 3. Car Club – submission of full details.
 4. Loading Bays - Land will need to be dedicated to the public highway around the bays
 5. That the developer makes a financial contribution towards Sport provision as required by the site allocation (£89,123)
 6. Affordable housing viability review mechanism
 7. Travel Plan – submission of a full travel plan
 8. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.
4. And subject to the following conditions:
 1. A.1 Commencement of Development
 2. A7 Approved Plans
 3. B1 Materials to be approved
 4. B4 Details of Surface Treatment
 5. B5 Levels
 6. B5 Details of boundary treatment
 7. C06 Details of refuse & recycling
 8. C07 Refuse implementation
 9. C08 Use of Flat Roofs
 10. D11 Construction Times

11. H07 Cycle Parking to be implemented
12. Flood Warning and Evacuation Plan:
14. Parking Management Plan
15. Construction Logistic Plan
16. Delivery & Servicing Plan
17. Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the WSP noise impact assessment report No: 70009681 dated 16/12/15 shall be implemented as a minimum standard. Details of the final scheme shall be submitted for approval to the Planning Authority prior to the commencement of the development.
- Reason: To protect the amenities of future occupiers and those in the local vicinity.
18. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new plant/machinery from the proposed health centre use shall not exceed LA90-10dB at the boundary with the closest residential property.
- Reason: To protect the amenities of future occupiers and those in the local vicinity.
19. Prior to commencement of development an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment should include dispersion modelling and be carried out with regard to all relevant planning guidance, codes of practice and UK air quality objectives. The assessment report shall include recommendations, appropriate remedial measures and actions to minimise the impact of the development on the surrounding locality and occupants of the building itself. The agreed recommendations and remedial measures shall be completed prior to first occupation of the property
- Reason: To protect the amenities of future occupiers and those in the local vicinity.
20. Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
- Reason: To protect the amenities of future occupiers and those in the local vicinity.

21. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
Reason: To protect the amenities of future occupiers and those in the local vicinity.
22. Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
Reason: To protect the amenities of future occupiers and those in the local vicinity.
23. Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of future occupiers and those in the local vicinity.
24. Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
Reason: To protect the amenities of future occupiers and those in the local vicinity.

25. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Reason: To protect the amenities of future occupiers and those in the local vicinity.

26. No development shall take place until a Demolition and 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 demolition and 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: To protect the amenities of future occupiers and those in the local vicinity.

27. Crossovers

28. No Satellite Dishes: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no Satellite dishes or Aerials shall be installed

on any part of the approved development without planning permission being first obtained from the Local Planning Authority.

Reason: To safeguard the appearance of the development and the visual amenities of the area 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 Policies Plan 2014.

30. Electric vehicle charging points: provision for electric vehicle charging points (passive and active provision) to be provided on site in accordance with the agreed plans.
31. Landscaping (details)
32. Landscaping (Implementation)
33. Sustainable homes
34. Details of Network Connection
35. Notwithstanding approved details – further details of building elevations and internal alterations to be submitted and approached in writing
36. Obscured glazing (side windows facing adjacent block E)
37. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by Dixon Hurst Kemp Ltd (Dated May 2016 Issue No. 7 Ref: 45369). The mitigation measures shall be fully implemented prior to occupation and subsequently 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 reduce the risk of flooding to the proposed development and future users, and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DM F1 and DMF2 and the London Plan policies 5.12, 5.13.
38. The development hereby permitted shall not be occupied until such time as a floodplain compensation scheme is implemented which ensures that the flood risk is not increased elsewhere and any scheme is undertaken on a level for level and volume for volume basis. The implemented scheme shall include flood openings

(voids) and these voids must be maintained and remain operational for the lifetime of the development. 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 reduce the risk of river flooding to the proposed development and future users, and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DM F1 and the London Plan policy 5.12.

- 39 The development hereby permitted by this planning permission shall ensure that finished floor levels for all residential units shall be set no lower than 300mm above the 1 in 100 year plus climate change flood level (in metres above Ordnance Datum).. 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 reduce the risk of flooding to the proposed development and future users in accordance with Merton's policies CS16, DM F1 and the London Plan policy 5.12.

- 40 The development hereby permitted shall not be occupied until such time as a Flood Warning and Evacuation plan and procedure is implemented and agreed in writing to the satisfaction of the Local Planning Authority. The Flood Warning and Evacuation Plan shall be implemented in accordance with the submitted document included within section 13 of the Flood Risk Assessment and the procedures contained within the plan shall be reviewed annually for the lifetime of the development. Consultation of the plan shall take place with the Local Planning Authority and Emergency Services.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's CS16 and policy DM F1 and the London Plan policy 5.12.

- 41 No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The final drainage scheme shall be designed in accordance with the details submitted in the Flood Risk Assessment. The drainage scheme will

dispose of surface water by means of a sustainable drainage system (SuDS) to sewer at the agreed restricted rate (5l/s) in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. 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 (attenuation provision of no less than 87m³ of storage) and control the rate of surface water discharged from the site at a maximum rate of 5l/s for the 1 in 100 year climate change event. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation;
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime;
- iv. A CCTV of the existing sewer and drainage network to establish its condition and any remedial works;
- v. Include a sequencing of works and construction method statement for any sewer diversions and new connections
- vi. All sewer diversions and any new connections are undertaken to the satisfaction of Thames Water.

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

42. Play Space

43. Bat boxes and bird nesting features

44. Green Roofs

45. Terrace/balcony screening

46 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) Issue No 7 45369, compiled by Dixon Hurst Kemp in May 2016, and the following mitigation measures detailed within the FRA:

- Identification and provision of safe access and egress to an appropriate safe haven.
- Provision and implementation of Flood Warning and Evacuation Plan

- Finished floor levels for residential uses are set no lower than 11.279m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

- 47 No development approved by this planning permission shall take place until such time as a scheme to provide compensatory flood storage in accordance with the Flood Risk Assessment (FRA) Issue No 7 45369, and Flood Compensation Calculations 45369 Rev 1, both compiled by Dixon Hurst Kemp in May 2016, and Flood Compensation Layout Drawing no. 45369/SK10 Rev C, 17/05/2016, has been submitted to, and approved in writing by, the local planning authority.

Reason

- To ensure safe access and egress from and to the site.
- To reduce the risk of flooding to the proposed development and future occupants.
- To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

- 48 Grampian planning condition relating to link between Volante and Wimbledon Stadium Site to ensure comprehensive redevelopment

- 49 Details of internal layout

Please [click here](#) for full plans and documents related to this application.

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