

PLANNING APPLICATIONS COMMITTEE

21 August 2014

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P0561	23/04/2014
Address:	Land forming part of the former Windmill Trading Estate, (forming part of the development known as 'The Meadows') 302-312 Commonside East, Mitcham, CR4 1HX	
Ward:	Pollards Hill	
Proposal:	Erection of a part three, part four storey building to provide 20 dwellings (2 one bedroom flats, 9 two bedroom flats, 4 three bedroom flats, 1 four bedroom flat and 4 three bedroom houses) car parking, refuse and recycling facilities and landscaping on vacant land at the corner of Commonside East and Windmill Road (forming part of The Meadows development).	
Drawing No's:	Csa/2090/100A; A10691-D0001-P1; D0100-P1; D0101-P1; D0102-P1; D0103-P1; D0104-P1; D0110-P1; D0200-P1; D0201-P1; D0202-P1; Design and Access Statement; Arboricultural Report and Landscape and Visual Appraisal.	
Contact Officer:	Tony Ryan (020 8545 3114)	

RECOMMENDATION: **GRANT PLANNING PERMISSION subject to planning conditions and a s106 legal agreement.**

CHECKLIST INFORMATION.

- S106: on site affordable housing and cost to the Council of work to draft the legal agreement and monitoring the obligation.
 - 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: 125
 - External consultations: Mitcham Common Conservators.
 - Public Transport Accessibility Level (PTAL): Zone 1b TFL Information Database (On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility)
 - Density: 317 habitable rooms per hectare (site area of 0.23 hectares and provision of 73 habitable rooms)
 - Number of jobs created: N/A.
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1. INTRODUCTION

- 1.1 This application is brought before the Planning Application's Committee following the level of interest in this proposal as a result of public consultation, an earlier request by former ward councillor Richard Williams, and to seek members' authority to enter into an s106 legal agreement.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located towards the northwest edge of Mitcham Common and to the south east of Mitcham town centre. The site is at the junction of Windmill Road and Commonside East. The borough boundary with the London Borough of Croydon is 1,000 metres to the south east of the site. The London Borough of Sutton boundary is 750 metres to the south of the site. Mitcham town centre is 1,300 metres to the north west of the site.
- 2.2 The current planning application site covering 0.23 hectares forms one corner of the larger rectangular site of 1.6 hectares that was originally occupied by Windmill Trading Estate. Following an appeal against the Council's refusal of planning permission, the Secretary of State granted planning permission in 2007 for the redevelopment of Windmill Trading Estate. The development included 212 residential units, a retail shop unit and a three-storey commercial employment building (2,932 square metres) with a separate parking area and access on to Commonside East.
- 2.3 Following the approval of planning permission the land that provided residential and retail uses was sold by the landowner to Notting Hill Housing Association (incorporating Presentation Housing Association). The construction of the residential buildings providing 212 units have now been completed by Notting Hill Housing Association and these units are now fully occupied in this development which is now called The Meadows.
- 2.4 The approved redevelopment of Windmill Trading Estate includes the provision of a three-storey commercial employment building on the land that forms the current application site. This land was not sold to Notting Hill Housing Association and was retained by the original landowner. The planning permission for the redevelopment of Windmill Trading Estate has been implemented [with the construction of the residential buildings] and as a result the approval for the employment building remains extant and this building could be built at any time without any need for further planning permission.
- 2.5 The vacant land that forms the current application site is currently hardstanding with a mixture of brick wall and fencing along the site boundary and a double width gate providing vehicle access onto Commonside East. The application site was last in use as a temporary

compound for construction and demolition contractors associated with the adjoining residential development called The Meadows.

- 2.6 Adjacent to the current application site along the Windmill Road frontage, to the southwest is a new 5 storey high building within The Meadows development called Reed Lodge (22 flats). A single storey building providing an electrical substation is also located adjacent to the south west site boundary within The Meadows site. A 3 storey high building called Meadow Lodge (vacant retail use on the ground floor with 18 flats above) is located to the south east of the site along Commonsides East with the end property in a terrace of 7 four-storey houses also located adjacent to this boundary.
- 2.7 The grass verges that separate the application site from Windmill Road and Commonsides East on the north east and north west boundaries form part of Mitcham Common. These strips of land are part of a green chain and are maintained by Mitcham Common Conservators. The strip of land along the Windmill Road site frontage (but not Commonsides East) is designated in the Sites and Policies Plan as Metropolitan Open Land. A Tree Preservation Order that was introduced in November 2011 protects the 17 Lime trees located along the grass verges.
- 2.8 A further parcel of common land located on the opposite side of Commonsides East is designated as Metropolitan Open Land and a Site of Importance for Nature Conservation (SINC). The site is not located within a Conservation Area, not in a Controlled Parking Zone and not in an area at risk from flooding. The application site is located in an Archaeological Priority Zone, and has a Public Transport Accessibility Level rating of 1b (where 1a represents the least accessible areas and 6b the most accessible).

3. CURRENT PROPOSAL

- 3.1 As part of the redevelopment of the trading estate, the current application site currently benefits from an extant planning permission for a three-storey employment building. The current planning application involves the erection of a residential building in place of this employment building.
- 3.2 The proposed part three, part four storey building will provide 20 new dwellings on land located at the corner of Windmill Road and Commonsides East. The development includes provision of 16 flats in a part three, part four storey building on along Windmill Road and to the road junction and 4 three storey three-bedroom houses fronting Commonsides East. The proposed terrace of houses and the proposed block of flats are joined at ground floor level.

- 3.3 The proposed development will use the existing separate vehicle entrance from Commonsides East. The development will provide a total of 34 off street car parking spaces, including 6 spaces for those with a disability and 22 cycle parking spaces.
- 3.4 The development includes a mix of flats and houses and the following table provides the internal floor space and amenity space areas for the 16 flats that are proposed as part of the current development.

Table 1: Floor areas and amenity space – proposed flats.

Flat and floor	Floor area (Sq. M)	London Plan standard (Sq. M)	Amenity space (Sq. M)	Minimum Standard (Sq. M)
1 Ground	133	99 (4 bedroom 6 person)	107	9
2 First	105	86 (3 bedroom 5 person)	28	8
3 First	80	70 (2 bedroom 4 person)	10	7
4 First	85	70 (2 bedroom 4 person)	12	7
5 First	112	86 (3 bedroom 5 person)	16	8
6 First	77	70 (2 bedroom 4 person)	9	7
7 Second	105	86 (3 bedroom 5 person)	20	8
8 Second	80	70 (2 bedroom 4 person)	10	7
9 Second	85	70 (2 bedroom 4 person)	12	7
10 Second	112	86 (3 bedroom 5 person)	16	8
11 Second	77	70 (2 bedroom 4 person)	9	7
12 Third	79	70 (2 bedroom 4 person)	60	7
13 Third	52	50 (1 bedroom 2 person)	21	5
14 Third	58	50 (1 bedroom 2 person)	34	5
15 Third	79	70 (2 bedroom 4 person)	36	5
16 Third	72	70 (2 bedroom 4 person)	30	5

- 3.5 The table below relates to the four proposed three bedroom houses. The table provides the minimum internal floor areas standards set out in London Plan for and in terms of private external amenity space standards sets out the standards within the Council's recently adopted Sites and Policies Plan (7 July 2014). As external amenity space is measured on the basis of private space, the external amenity space figures provided by the applicant have been adjusted to exclude the incidental external space that adjoins the communal internal car parking area.

Table 2: Floor areas and amenity space – proposed houses.

House	Floor area (Sq. M)	London Plan standard (Sq. M)	Amenity space (Sq. M)	Minimum Standard (Sq. M)
1	109	102 (3 storey - 3 bed 5 person)	55	50
2	111	102 (3 storey - 3 bed 5 person)	54	50
3	111	102 (3 storey - 3 bed 5 person)	54	50
4	109	102 (3 storey - 3 bed 5 person)	55	50

- 3.6 The table provided below shows the internal floor space and amenity space areas for the 16 flats that are proposed as part of the current development.

4. PLANNING HISTORY.

- 4.1 The application site has a long-standing industrial and warehousing use. The site occupied during the 19th Century and early 20th Century for various purposes including a dairy, a rubber works and for motor manufacture. The site was redeveloped after 1945 for industrial and manufacturing purposes. Planning records from the 1960's indicate a modern dairy with laboratories and office uses present on the site. It is believed that a company manufacturing margarine also previously occupied the site.
- 4.2 Between 1946 and 1973 there were various permissions for alterations and extensions to factory premises. Between 1970 and 2000 there were various minor applications for alterations to the site access and telecommunications equipment on the site. In 1973 planning permission was granted for use of part of the site for warehousing (MER 900/73). In 1980 an established use certificate was granted for use of part of site for offices (MER 995/80).
- 4.3 In October 2006 the Council refused planning permission (06/P1691) for the "Demolition of existing buildings and structures and erection of 11 new blocks ranging between three and five storeys in height and associated

landscaping to provide:- a) 212 residential units, b) 2,932 square metres business centre (class B1), c) 404 square metres retail unit, including 141 parking spaces, 80 square metres car-club (class sui generis)". The reasons for refusal were as follows:

1."The proposal would result in the loss of employment land, for which the applicant has failed to demonstrate its unsuitability and unviability for any employment or community purposes through full and proper marketing, and which is considered suitable, by reason of its size, configuration and access arrangements, for continued use for employment purposes, and would undermine the Council's objectives of safeguarding employment land for long term job opportunities within the Borough and would be contrary to policies ST.14 and E.6 of the Merton Unitary Development Plan (2003)".

2. "The proposals by reason of the quantum and the density of the residential element of the development in an area of poor public transport accessibility would increase the demand for car borne trips, would result in an unsustainable increase in private car journeys, and would be contrary to policies ST.1, ST.3, ST.10, ST.31, ST.32, HP.4, LU.2, LU.4 and the adopted transport hierarchy in Merton Unitary Development Plan (2003) and the sustainable objectives in its SPG "Sustainable Transport" and policies 2A.1 and 3C.1 of the London Plan (2004)".

3. "The proposals by reason of their scale, bulk, design, layout and their proximity in relation to the adjoining Metropolitan Open Land (MOL) would give rise to a visually dominant development that would fail to complement the character and distinctiveness of the adjoining landscape, would be harmful to open character of the MOL, would fail to successfully enhance the value of the adjoining green chains and would result in a poor quality of environment for future occupiers, arising from a poor internal layout and shortfalls in amenity space, and would be contrary to policies NE.2, NE.3, ST.17, HS.1, BE.15, BE.16 BE.19 and BE.22 of the Merton Unitary Development Plan (2003)".

4.4 The Secretary of State held a public inquiry over 8 days in November 2006 and February 2007 that considered an appeal against the refusal of planning permission. A letter from the Secretary of State dated 4 June 2007 confirmed that the appeal had been allowed and planning permission granted subject to planning obligations (contained in the unilateral undertaking submitted by the developer) and planning conditions.

- 4.5 In September 2009 the Planning Applications Committee agreed to vary the unilateral undertaking submitted by the developer and attached to the planning permission under reference 06/P1691. The agreed variations were as follows:
- (a) To remove of the obligation (clause 1.4) in the unilateral undertaking restricting tenure to allow a revised mix of residential accommodation.**
- (b) Removal of the obligation (clause 5.1) in the unilateral undertaking linking the delivery of the employment floor space with 50% of the market housing.**
- (c) Consideration of amendments to the approved development including the internal layout of the proposed residential accommodation and the external appearance.**
- 4.6 In March 2010, following a call-in by former Councillor Richard Williams, the Planning Applications Committee agreed to discharge conditions 3 (window details), 4 (slab levels), 19 (facilities for disabilities), 20 (parking and phasing) and 21 (storage of refuse) attached to the planning appeal decision made in relation to the planning permission (06/P1691).
- 4.7 In November 2011, the Planning Applications Committee agreed an amendment to the definition of 'shared ownership units' that was included within the unilateral undertaking attached to the planning appeal decision (06/P1691).
- 4.8 In April 2012, a Lawful Development Certificate (12/P0167) was approved in relation to construction of soil bund, on land owned and managed by the Mitcham Common Conservators. The bund was on land to the south and not immediately outside the current application site. The bund would be a maximum of 1 metre high, 74 metres in length and 2.3 metres in width. The purpose of the bund was to prevent vehicles parking on Common Land and to screen the development.
- 4.9 In June 2012 members agreed the reallocation of unspent financial contributions associated with the unilateral undertaking that formed part of the planning permission for the completed residential development (06/P1691). This included £60,000 towards pedestrian crossing or footway works in Commonsides East: £80,000 Commonsides East or Windmill Lane junction improvements: £60,000 towards Beddington Lane footway and/or cycleway improvements: and £100,000 for the enhancement, maintenance and management of the Common.

- 4.10 In November 2011 a Tree Preservation Order (no.576) was approved. This order covers the 17 Lime trees that are located along the strip of common land that separates the application site from Commonsides East and Windmill Road.
- 4.11 In June 2013 the Planning Applications Committee resolved to refuse planning permission (overturned officer recommendation) for the erection of a part three, part four, part five storey building on the current application site to create 23 dwellings (2 one bedroom, 10 two bedroom, 10 three bedroom and 1 four bedroom). The proposal also included car parking, refuse and recycling facilities and landscaping (13/P0051). The two reasons for the refusal of planning permission were as follows:
- 1. "The proposals would fail to provide affordable housing, for which there is a recognised need, and would be contrary to policies 3.12 and 3.13 of the London Plan (2011) and policy CS.8 of the Merton LDF Core Planning Strategy (2011)"**
- 2. "The proposals by reason of siting, scale, density, in relation to the site's public transport accessibility, and height, and location in relation to both neighbouring development and Metropolitan Open Land would: a) fail to achieve a high standard of design that would complement the character and local distinctiveness of the adjoining townscape; b) be visually intrusive and mar the backdrop of views from the nearby Metropolitan Open Land, namely Mitcham Common; and would be contrary to policy 3.4 of the London Plan (2011), policy CS.8 of the Merton LDF Core Planning Strategy (2011), policies NE 2, and BE.22(ii) of the Merton Unitary Development Plan (2003)".**
- 4.12 An appeal submitted to the Secretary of State against the Council's refusal of planning permission was dismissed in November 2013, with the planning inspector's decision letter attached to this report. The table on the following page provides a comparison between the development previously refused by the Council and the current amended proposal.
- 4.13 In May 2014 planning permission was approved under delegated authority (14/P1071) for the construction of a front extension to the existing vacant retail unit (increasing floor space from 372 to 558 square metres) on the ground floor of Meadow Lodge that is located immediately adjacent to the application site in Commonsides East. The application included the subdivision of the approved floor space into three separate retail units; installation of a new shop front to the front and side elevations of the building and installation of a new satellite dish on the roof of Meadow Lodge. In May 2014 advertisement consent was approved (14/p1075) for an internally illuminated double sided projecting sign fixed at a height of 3.2 metres on the frontage of Meadow Lodge.

Table 3: Current proposal and earlier refused proposal comparison.

Proposal and comparison measure	Proposal previously refused under reference 13/P0051	Current proposal submitted under reference 14/p0561
Building height	Part three, part four, part five storeys	Part three, part four storeys
Total number of dwellings	23 (19 flats and 4 houses)	20 (16 flats and 4 houses)
1 bedroom flats	2	2
2 bedroom flats	10	9
3 bedroom flats	6	4
4 bedroom flats	1	1
3 bedroom houses	4	4
Car parking spaces	34 (ratio of 1:1.5)	34 (ratio of 1:1.7)
Cycle parking spaces	22	22
Residential density	343 habitable rooms per hectare (site area of 0.23 hectares, provision of 79 habitable rooms)	317 habitable rooms per hectare (site area of 0.23 hectares, provision of 73 habitable rooms)

5. CONSULTATION

- 5.1 The planning application was publicised by means of a site notice displayed in the vicinity of the application site, together with individual letters to 144 nearby addresses.
- 5.2 In response to this public consultation, 11 letters have been received objecting to the planning application on the following grounds:

Transport, access and traffic

- Although the Council are providing more on street spaces this will not be enough to meet demand;
- The development will lead to an increase in traffic with greater potential for accidents;
- The development provides inadequate off street parking that will lead to extra on street parking pressure;
- The impact on traffic and parking will be made worse by the presence of a local school.

Impact on amenity and design

- The development will be imposing on the local area due to its height;
- The existing development is already a blight on the area and the current proposal will make it more unattractive;
- This site was set aside for business use.

- There is no reason why this site should have residential use apart from the greed of the owners;
- The development will put a strain on local services such as doctors, schools, buses and transport;
- The development will worsen existing fly tipping and rubbish problems;
- Development of this nature is not appropriate next to the common, 'which fundamentally is a conservation area'.
- The residential density is too high for this location;

Mitcham Common Conservators.

- 5.3 The Conservators have considered the amendments that have been made, however consider that the original concerns expressed in relation to the previous application have not been resolved. There is an objection to the application on the following grounds:

Site access

- 5.4 The only vehicular access and the main pedestrian access to the application site is from Commonsides East and the land on either side of this access is owned and regulated by the Conservators and is registered common land. The existing 4.5 metre wide vehicular access to the site is inadequate in terms of providing free flowing and safe passage for vehicles and pedestrians. The access would compromise public safety due to queuing traffic at peak times and as a result the proposal is contrary to policy CS.20 of the Council's Core Strategy. The applicant is aware of the need to obtain a licence from the Conservators for any widening of the access.

Amenity space

- 5.5 The development does not meet minimum space standards set out in policy HS.1 of the Unitary Development Plan. The proposed development fails to provide sufficient external amenity space and the space that is provided, in the form of a roof terrace, is located at the top of the building and therefore it is doubtful that it will be used.

Impact on Mitcham Common

- 5.6 The development will lead to increased pressure on Mitcham Common due to the inadequate provision of on site external amenity space. The proposed development will lead to an increase in the problems that have resulted from the completed Meadows development including new pedestrian desire line paths' and increased littering. The development is likely to worsen the existing problem of car parking on common land that has led to the need for expensive enforcement action that has put a further strain on the already limited maintenance budget of the Mitcham Common Conservators.

Former local ward councillor Richard Williams.

- 5.7 Whilst the revised proposal addresses a number of previously stated concerns including the provision of affordable housing it is considered that the application should be turned down on the basis that it is not compatible with Merton's planning policies on a range of grounds including the following:

Loss of employment land

- 5.8 The proposals are incompatible with planning policies CS 12 c) iii Economic Development: 'Facilitating new employment by protecting and improving scattered employment sites for small and growing businesses or community uses' and E 6: development will only be considered where 'the size, configuration, access arrangements or other characteristics of the site make it unsuitable and financially unviable for any employment or community use as confirmed by full and proper marketing of the site for 5 years for employment or community purposes.'
- 5.9 The site is the remaining part of a much larger site, which is now primarily used for housing. This site was previously light industrial, which supported local employment. The previous planning application was refused by the Council but upheld on appeal. Part of the grounds for the success of the appeal was that the employment land was retained through the provision of office space (albeit that office space was not the Council's preferred means of reprovisioning the employment land). The pre-application advice makes clear the tests that will be applied.
- 5.10 The applicant claims that there has been 'active and on-going marketing' of the proposed business accommodation. This should not be sufficient to meet the test set out in Merton's planning policies on two grounds: Firstly the evidence provided in the application does not support a claim of 'active and on-going marketing'. I would have expected to see much more significant activity; certainly there has been no approach to ward councilors or the local community as to whether there might be any identifiable interest in the use of the land for community purposes.
- 5.11 Secondly and particularly important is the disclosure hinted at by the applicant that the site has been successfully rented for employment use within the last five years. The site was used as a storage yard by 777 Demolition for some time subsequent to demolition work being completed on the site and its neighbour. While in part this was related to the demolition, the extended usage would point to this being a broader use.

Appropriateness of design, scale and positioning of the development

- 5.12 The applicant proposes a five-storey development in place of the existing permission for a three-storey office building. Planning policies CS 14

and BE.22 would apply here and should lead to the application being rejected.

- 5.13 The previous permission for the site was opposed locally on the grounds of bulk and massing, especially in relation to dominating the surrounding Common. This was mitigated in that no part of the development would be taller than the previous chimney stack on the site and that the taller blocks would be to the rear and centre of the site. By proposing a tall block on the edge of the former Windmill site that looks toward neighbours and is surrounded by common land, this is an inappropriate scale and design of development.

Increased density of use and parking problems

- 5.14 It is also noted that Commonside East is a quiet residential road with common land on one side for all of its length. The scale of the development is likely to worsen existing parking problems caused by the previous development, particularly given the number of properties proposed.

- 5.15 While the ratio of off street car parking spaces to dwellings is higher, the number of spaces is still likely to be insufficient given that the overall number of units is only being reduced from 23 to 20. With the existing parking problems in the area the additional pressure on car parking would create "...unacceptable density issues locally". The previous permission recognised this given the balance of use between residential and employment land and their different patterns of parking. The continued failure of the applicant to engage with local residents prior to this further application shows contempt for them.

Friends of Mitcham Common

- 5.16 The Friends of Mitcham Common object to the current planning application. There is already too much housing in the area and inadequate infrastructure. The provision of more housing is going to make existing parking problems worse. The Council should insist that the land is used for business and if this is not possible then the land should be used for car parking, a community centre or a children's play area. The Secretary of State should never have allowed the original Meadows development and the current application will worsen the problems that this development has caused.

LB Merton Transport Planning.

- 5.17 No objection to the proposal on the basis that planning conditions are attached to any approval of planning permission to ensure that the off street parking spaces are retained, in relation to the vehicle access, cycle parking, a parking management strategy and maintaining to ensure that the access gate in the southern boundary of the site is maintained.

- 5.18 Merton Council has introduced double yellow lines in the area close to the application site and this helps to maintain the free flow of traffic by restricting on street parking to one side of the road and to protect the junctions with local residential roads.
- 5.19 Under national guidelines the trip generation from the new units is not calculated to be severe and the parking provision (1 per unit plus 5 visitor spaces including disabled bays) is more than satisfactory in this location. They have included cycle parking provision. The provision of 34 car parking spaces (including 6 disabled parking spaces) for 20 dwellings is more than adequate to cater for the parking demand generated by such a development. A parking management plan condition should be included to ensure that the spaces are allocated efficiently.
- 5.20 The plans show an access width of 4.5 – 4.6 metres at the narrowest point of entry to the site. This is sufficient to accommodate simultaneous vehicle movements from cars and details will be secured through a planning condition.
- 5.21 In order to encourage permeability through the site the access gate, connecting to the remainder of the residential development, should remain open at all times. This should be secured via a condition. The flats will need to be provided with undercover and secure cycle parking facilities. The provision of the spaces will also need to be secured through a planning condition.

LB Merton Tree and Landscape Officer

- 5.22 No objection to this development on arboricultural grounds including in terms of any potential impact on the trees covered by a Tree Preservation Order subject to planning conditions on tree protection, site supervision and implementation of the landscaping works set out on the submitted drawings.

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 The framework advises “planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 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.
- 6.7 The National Planning Policy Framework states that local authorities should normally approve planning applications for change to residential use from commercial buildings where there is an identified need for additional housing in that area, unless there are not strong economic reasons why such development would be inappropriate.
- The London Plan (July 2011).**
- 6.8 The relevant policies in the London Plan (July 2011) are 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); 3.8 (Housing choice); 3.9 (Mixed and balanced communities); 3.11 (Affordable housing targets); 4.1 (Developing London's Economy); 4.4 (Managing industrial land and premises); 5.1 (Climate change mitigation); 5.2 (Minimising carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.7 (Renewable energy); 5.10 (Urban greening); 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); 6.11 (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); 7.21 (Trees and woodlands) and 8.2 (Planning obligations).

Mayor of London Supplementary Planning Guidance

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

Policies within the Merton LDF Core Planning Strategy (adopted July 2011)

- 6.10 The relevant policies within the Council's Adopted Core Strategy (July 2011) are CS.8 (Housing choice); CS.9 (Housing provision); CS.13 (Open space; nature conservation; leisure and culture); CS.14 (Design); CS.15 (Climate change); CS.18 (Active transport); CS.19 (Public transport); and CS.20 (Parking; servicing and delivery).

Policies within Merton Sites and Policies Plan (adopted July 2014)

- 6.11 The relevant policies within the adopted Sites and Policies Plan are as follows: DMD1 (Urban Design and the Public Realm); DMD2 (Design Considerations and the Public Realm); DME1 (Employment Areas in Merton); DME3 (Protection of scattered employment sites); DMEP2 (Reducing and mitigating against noise); DMEP4 (Pollutants); DM T1 (Support for sustainable travel and active travel); DM T2 (Transport impacts from development); and DMT3 (Car parking and servicing standards).

Merton Supplementary Planning Guidance

- 6.12 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 loss of potential employment use, the need for additional housing; the design, massing and siting of the proposed buildings; the impact of the development on

neighbour amenity; the impact of the development on trees and the adjacent neighbour amenity the standard of the proposed residential accommodation, potential issues relating to transport, parking and cycling; and matters relating to sustainability.

Loss of employment floor space

- 7.2 The Secretary of State appointed Inspector who considered the original appeal against the Council's refusal of planning permission for 'The Meadows' development accepted the loss of the majority of the employment land that was originally provided within Windmill Trading Estate. The appointed Inspector concluding that '*...in quantitative terms the loss of the majority of the employment floor space would not cause any significant harm*'.
- 7.3 The extant planning permission for the redevelopment of Windmill Trading Estate granted by the appointed Inspector includes a new three-storey building providing 2,932 square metres of business floor space. This part of the planning permission has not been implemented but this building could be constructed now without any need for further planning permission. The Inspector considered that this replacement business floor space (that will be lost as part of the current application) was suitable compensation for the loss of the employment land within Windmill Trading Estate as a whole. The Inspector stating that the appellant was correct to note that the new business floor space '*...is likely to provide as much, if not more employment potential as the existing site*'.
- 7.4 In light of these conclusions and the loss of the employment floor space currently proposed the Council's employment planning policies need to be considered as part of the current planning application.
- 7.5 The provisions of national legislation govern the change of use of buildings and land (The Town and Country Planning (General Permitted Development) Order 1995 (as amended by the 2005 Order)). The approved three-storey building provides business floor space within Planning Use Class B1 and the building if constructed could be used as office accommodation, for light industry or for research and development uses without any requirement for further planning permission. The suitability of providing these uses in this location is considered in the following sections of this report.

Office accommodation

- 7.6 Policy CS 12 of the Council's Adopted Core Strategy (July 2011) states that the Council will seek to ensure that there is an adequate supply of viable and appropriate sites and premises for employment use in locations which minimise the need to travel by private car, whilst meeting the needs of business by directing 'town centre type uses' especially retail, office and

leisure development that generate a large number of trips towards the Major Centre (Wimbledon) and District Centres (Mitcham; Morden, and Colliers Wood).

- 7.7 In terms of protecting their vitality and viability the Sites and Policies Plan (policy DM R2) directs town centre type uses such as new office accommodation to town centre locations. Without the public transport accessibility that is available in these town centre locations it is considered that the majority of journeys made to employment uses to locations such as the application site outside town centres are likely to be made by private car.
- 7.8 The original appeal decision includes a planning condition stating that individual future occupiers of office floor space can only occupy a maximum of 200 square metres of floor space. It is considered that whilst this condition would be unlikely to reduce the overall impact of the building in terms of traffic movements from multiple individual units, the condition would make the building less attractive to prospective future occupiers. It is considered that due to the location outside a town centre and with the poor access to public transport 1b (On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility) the application site is an inappropriate and unsustainable location for office floor space of this size.

Other alternative business uses.

- 7.9 Whilst the provision of office accommodation would not be supported in this location and is contrary to adopted planning policies, the possibility of other business uses (within Planning Use Class B1) occupying the floor space also needs to be considered.
- 7.10 The adopted Sites and Policies Plan (policy DM E3) provides a detailed framework for assessing whether a site outside the main industrial areas should be released from general employment use. This policy states that the loss of employment land will only be permitted where it can be demonstrated that the size, configuration, access arrangements or other characteristics of the site make it unsuitable for employment or community uses. In order to illustrate this unsuitability the applicant would need to demonstrate a lack of demand for the site for employment or community uses following an active, full and proper programme of marketing of the site at a reasonable price.
- 7.11 The applicant has submitted a marketing report that seeks to assess the demand for this site for employment use. This report includes evidence of the marketing that has been carried out of the site including the agents that were used, the time frame and the responses that have been received. The applicant has said that the marketing that has been conducted since 2007 consisted of on site marketing boards, a marketing

- brochure, a direct mailing campaign; online marketing that included the South London Business Website and press adverts. This report also sets out the terms on which the site was offered to the market, as a cleared site providing a development opportunity either for sale or to let and as suitable for other employment uses subject to separate planning permission.
- 7.12 The information supplied by the applicant shows that the 5 of the 13 responses to marketing up until November 2012 related to a residential development on the application site, with other responses relating to non-residential institution uses (4) and general investment opportunities (3). There was a single response in relation to a proposed business use within Planning Use Class B1, with this party seeking a larger office building and who decided not to pursue an interest in this site due to the poor access to public transport. In response to a press notice in the Estate Gazette in November 2012 there were 18 responses, with 17 responses relating to potential residential development on the application site and a response from a utility company seeking a storage compound for vehicles.
- 7.13 The use of the application site by a demolition contractor has been put forward in consultation responses as evidence of a demand for employment use. A demolition contractor and the construction contractor used the application site on a temporary basis for parking vehicles and for storage whilst they were directly engaged in works associated with the redevelopment of adjacent land. The application site was used for this purpose to reduce potential impact on the road network and so that the adjacent development could be completed with greater efficiency.
- 7.14 The temporary use of the site by demolition contractor and the construction contractors (storage or distribution - Use Class B8) as it was associated with the adjacent development would not have required separate planning permission. With the direct link to adjacent land this is not considered evidence of demand for continued employment use. It should be noted that the application site located immediately adjacent to residential accommodation is not considered a suitable location for storage or distribution uses and the use of this site for these purposes would also be contrary to Sites and Policies Plan policy DM E1 that directs such uses to designated employment areas.
- 7.15 It is highlighted to members that the loss of the employment floor space was not cited as part of the earlier decision to refuse planning permission by the Planning Committee and there is no new evidence that would justify a change in this view. Whilst the appeal was dismissed, the loss of the employment floor space and the principle of providing residential accommodation on the application site was considered acceptable by the

appeal Inspector in the decision made in November 2013 (paragraph 16 of the attached appeal decision letter).

Relaxation of permitted development legislation.

- 7.16 On the 30 May 2013 the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 came into force as part of the Growth and Growth and Infrastructure Act 2013.
- 7.17 Class J of the Order permits office accommodation (Planning Use Class B1 (a)) subject to certain conditions to convert to residential accommodation without the need for planning permission. One of these conditions is that the building was used as office accommodation prior to 30 May 2013. As the building on the application site has not currently been constructed this new legislation would not apply.
- 7.18 In conclusion the application site is considered an inappropriate and unsustainable location for office floor space of this size with poor access to facilities and public transport. The applicant has conducted marketing of the site for other business uses and this has been unsuccessful in finding an occupier for the building. It is considered that the loss of the employment use on this site is acceptable and in line with Sites and Policies Plan policies DM E2, DM E3 (July 2014) and policy CS 12 of the Council's Adopted Core Strategy (July 2011)

Need for additional housing, housing mix and affordable housing

Need for additional housing

- 7.19 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.
- 7.20 Policy CS. 9 within the Council's Adopted Core Strategy (July 2011) and policy 3.3 of the London Plan (July 2011) state that the Council will work with housing providers to provide a minimum of 4,800 additional homes (320 new dwellings annually) between 2011 and 2026. This minimum target that should be exceeded where possible includes a minimum of 1550 to 1850 additional new homes in the Mitcham sub area where the proposal site is located.
- 7.21 The Core Strategy states that the Council will encourage housing in 'sustainable brownfield locations'. The Core Strategy states that that it is expected that the delivery of new housing in the borough will be achieved in various ways including the development of 'windfall sites'. The current application site is a 'windfall site' and is located on brownfield land.

7.22 The provision of residential development on this site is considered acceptable in principle subject to other considerations including matters of design, bulk, scale and layout, the standard of accommodation and the impact on amenity. The proposed development will assist in addressing the need for new residential accommodation in the borough that is identified in the London Plan and the Core Strategy.

Housing mix

7.23 London Plan policy 3.8 that seek to ensure new housing development provides a good mix of accommodation. 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.

7.24 The majority of new housing in the area surrounding the application site including the residential accommodation on the adjacent site (7 houses and 205 flats) has provided accommodation in the form of flats. The majority of other established local residential accommodation is provided as housing. It is considered that the current proposal that will provide 16 flats and 4 houses will contribute to the mix of new housing types and sizes in the local area and help create a socially mixed and sustainable neighbourhood.

Affordable housing

7.25 London Plan policy 3.12 states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential schemes. 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 tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector. Policy CS.8 states that for developments providing ten or more residential units 40% of the new units should be provided as affordable housing.

7.26 The development will provide a total of 20 new dwellings and the applicant has stated that this will consist of 12 general market dwellings (7 two bedroom, 4 two bedroom and 1 four bedroom flats); 4 social rented dwellings (4 three bedroom houses) and 4 intermediate dwellings (2 one bedroom and 2 two bedroom flats). This provision is considered acceptable and to address the first reason for the refusal of the planning application under reference 13/P0051.

Layout, building design, scale, bulk, massing and residential density

7.27 Policy CS8 within the Council's Adopted Core Strategy (July 2011) states that the Council will require redevelopment proposals to be well designed.

- 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. Policy CS14 advises that this should be achieved in various ways including promoting high quality design and providing functional spaces and buildings.
- 7.28 Policy 3.5 of the London Plan states that housing design should enhance the quality of local places taking into account physical context, local character and density. London Plan policy 7.4 requires buildings, streets and open spaces to provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in terms of orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including that they should be of the highest architectural quality, they should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and buildings should have details that complement, but not necessarily replicate the local architectural character.
- 7.29 Sites and Policies Plan policy DM D1 states that development must impact positively on the character and quality of the public realm including the maintenance and enhancement of identified important local views and their settings. Sites and Policies Plan policy DM D2 states that to achieve high quality design within the borough proposals for all development will be expected to meet various criteria that includes relating positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns and using appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.
- Design, layout, building scale, bulk and massing
- 7.30 In terms of local character and massing, the application site has the strongest relationship to the recent completed residential blocks known as The Meadows. The land on the application site is the remaining undeveloped corner plot within the site that originally provided Windmill Trading Estate
- 7.31 To the south west of the application site is a 5 storey high building called Reed Lodge (22 flats) that is located within The Meadows development. This building is directly next to adjacent common land in Windmill Road. To the south west of the application site is a 3 storey high building called Meadow Lodge (vacant retail use on the ground floor with 18 flats above) and also the end property in a terrace of 7 four-storey houses. The remaining residential blocks within this development including blocks are 4 and 5 storeys high.

- 7.32 Along the Commonsides East frontage the proposed development provides 4, three-storey houses with a four-storey building along the Windmill Road frontage. It is considered that the scale of development is in keeping with adjacent development that consists of an existing 3 storey high building (Meadow Lodge) on the Commonsides East frontage and a five-storey building adjacent to the site on Windmill Road (Reed Lodge).
- 7.33 The previously approved three-storey employment building on the application site provided business accommodation, and as a result and in order to accommodate necessary services, the floor to ceiling heights were higher than adjacent residential buildings. The employment building was also designed with a pitched roof in contrast to the flat roofs provided on the constructed adjacent residential blocks. As accepted by the appeal inspector (paragraph 8 of the appeal decision), this combination of factors would have resulted in a building of an equivalent height to a four storey residential block.
- 7.34 The adjacent completed residential building in Windmill Road is five storeys in height and the proposed development will be a storey lower along Windmill Road and two storeys lower along the Commonsides East frontage. In the majority of views of the new building, it will be seen against the backdrop of existing taller residential buildings.
- 7.35 The residential building currently proposed is of a lower height and has a smaller footprint than the employment building that forms part of the extant planning permission for this site. The building currently proposed is also set further away from the Commonsides East and Windmill Road frontages of the application site.
- 7.36 It is considered that the scale, bulk and massing of the development that will be seen in the context of existing adjacent buildings of the same scale is acceptable and in keeping with the character of the area. The layout of the development has been designed to take account of adjacent buildings and the trees protected by a Tree Preservation Order that are along the two road frontages of the site.
- 7.37 The Council refused planning permission for The Meadows development on several grounds, including in terms of the design and appearance of the development, however following the granting of permission by the appeal inspector it has now to be accepted that the completed development now forms part of the character of this area. The site of The Meadows is surrounded by common land and has a weak relationship with other nearby buildings. In this context it is considered the right design approach has been taken that provides a building that is in keeping with adjacent buildings within The Meadows development.

- 7.38 In conclusion the design, scale, layout and appearance of the proposed development is considered in keeping with the local context and respects the local pattern of development in accordance with policy CS14 of the Core Strategy, policies 3.5, 7.4 and 7.6 of the London Plan and Sites and Policies Plan policies DM D1 and DM D2.

Residential density

- 7.39 Policy 3.5 of the London Plan states that housing design should enhance the quality of local places taking into account physical context, local character and density. Policy 3.4 of the London Plan states that after taking account of local context and character, design principles and public transport capacity development should optimise housing output within the relevant density range. The relevant density range for the application site in a suburban location is between 150 and 200 habitable rooms per hectare.
- 7.40 The residential density of the completed development called The Meadows is 403 habitable rooms per acre. Whilst the development called The Meadows was refused planning permission by the Council for matters that included density, the Secretary of State appointed planning inspector overturned this decision and considered that this residential density was appropriate in this location.
- 7.41 The development on the current application site that was previously refused planning permission provided 343 habitable rooms per hectare (site area of 0.23 hectares, provision of 79 habitable rooms). The current proposal reduces this density to 317 habitable rooms per hectare (site area of 0.23 hectares, provision of 73 habitable rooms). Whilst it is accepted that the density of the current proposal is above the standard set out in the London Plan, in the context of The Meadows development it is of more importance that the proposed building reflects the scale of adjacent development rather than this density standard

Neighbour amenity.

Daylight and sunlight, privacy and visual intrusion

- 7.42 To minimise the impact of new development on the privacy of existing dwellings the Council's Supplementary Planning Guidance on 'New Residential Development' (1999) sets out minimum separation distances between habitable room windows. This guidance states that there should be a minimum separation distance of 20 metres provided between directly opposing residential windows.
- 7.43 The closest existing residential properties to the proposed new building are within Reed Lodge (16 metres separation) and Meadow Lodge (13 metres separation). Whilst the design of the proposal incorporates balcony

screening a planning condition is recommended seeking further details of measures to protect privacy including use of obscured glazing and the permanent retention of these features. Other established residential development in Commonsides East is separated from the application site by a distance of 100 metres. With the separation distances from the nearest residential accommodation it is not considered that the proposed development will not have any impact on daylight and sunlight provision.

- 7.44 It is considered that the separation distances from adjacent existing residential accommodation will ensure that the development does not give rise to visual intrusion or result in loss of daylight or sunlight. In views from adjacent common land the proposed development will be seen in the context and against the backdrop of existing buildings that are of a similar height.

Standard of residential accommodation.

- 7.45 Policy DM D2 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 CS8, 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.

Internal layout and room sizes

- 7.46 Policy 3.5 of the London Plan (July 2011) 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 as gross internal areas in table 3.3 of the London Plan.

- 7.47 The tables provided in section 3 of this report set out the gross internal areas for the proposed residential accommodation. The tables show that the proposed accommodation provides good levels of internal floor space that complies with the London Plan standards. The internal layout of the accommodation is considered to make good and efficient use of the space that is available with an appropriate internal layout and good provision of natural light to all habitable rooms.

External amenity space

- 7.48 Sites and Policies Plan policy DM D2 states that developments will be expected to ensure appropriate provision of outdoor amenity space which accords appropriate minimum standards and is compatible with the character of the surrounding area.

- 7.49 The standard within the Sites and Policies Plan (adopted in July 2014) states that in accordance with the London Housing Design Guide, there should be 5 square metres of external space provided for one and two

bedroom flats with an extra square metre provided for each additional bed space and 50 square metres for a house of any size. The proposed houses are each provided with private rear garden space with amenity space for the flats provided as either garden space at ground floor level or balconies on the upper floor levels. This provision is in accordance with the Sites and Policies Plan.

- 7.50 In conclusion it is considered by officers that the proposed residential accommodation is of a good general standard and makes efficient use of the land available on the site.

Lifetime Homes standards.

- 7.51 Planning policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards. As part of the planning application the applicant has confirmed that the development aims to meet Lifetime Home Standards.

- 7.52 A planning condition is recommended to ensure 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.

Traffic, transport, trip generation, car parking, servicing and access

- 7.53 The application site is located towards the northwest edge of Mitcham Common and to the south east of Mitcham town centre. The site is at the junction of Windmill Road and Commonsides East. The borough boundary with the London Borough of Croydon is 1,000 metres to the south east of the site. The London Borough of Sutton boundary is 750 metres to the south of the site. Mitcham town centre is 1,300 metres to the north west of the site. The site has a public transport accessibility level (PTAL) of 1b (On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility).

Car parking

- 7.54 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. Policy CS20 of the Core Strategy (July 2011) states car parking should be provided in accordance with current 'maximum' car parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.

- 7.55 Car parking standards are set out within the London Plan at table 6.2 and these set out a 'maximum' of one of street parking space for dwellings with one or two bedrooms, a 'maximum' of 1.5 spaces for three bedroom dwellings and a 'maximum' of 2 spaces for four bedroom dwellings. The

- proposed development provides 11 one and two bedroom units (11 spaces), 4 three bedroom units (6 spaces) and 5 four bedroom units (10 spaces).
- 7.56 The proposed development provides a total of 34 off street car parking spaces that includes 6 spaces designed for people who have a disability. Whilst this provision is contrary to the maximum car parking standards set out in the London Plan (as it exceeds the maximum standard of 26 spaces) it is considered acceptable in this location with the car parking issues that have occurred locally that are linked to the adjacent development of The Meadows. Planning conditions are recommended to seek the submission of a parking management strategy to ensure that the proposed car parking spaces are allocated efficiently, and to ensure that the off street parking that is provided is retained for the benefit of occupiers and visitors to this development.
- 7.57 In order to reduce carbon dioxide emissions and promote sustainable transport choices the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan states that new car parking provision should include facilities to charge electric vehicles (a requirement of 20% of total spaces). A planning condition is recommended to ensure that these facilities are provided.
- 7.58 Any car parking issues that may have arisen from the adjacent Meadows development do not provide grounds to refuse the current planning application, especially in the context of overprovision of off street parking space as part of the current proposal. Whilst not considered grounds to refuse permission it is highlighted that the various measures are in progress to seek to reduce the car parking problems in this area.
- 7.59 These measures include highways works for the provision of dedicated parking spaces on Commonside East, a new footway along the entire frontage of the site and double-height kerbs adjacent to the common land within the vicinity of the junction of Commonside East and Windmill Road to prevent indiscriminate parking. Notting Hill Housing Association, managers of the Meadows development, also plan to reorganise the layout on this site to provide an additional 13 off street car parking spaces.
- Trip generation and vehicle access
- 7.60 Policy CS20 of the Core Strategy (July 2011) states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect safety and traffic management; and 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.

- 7.61 In order to ensure that traffic and vehicles associated with the construction phase do not impact upon the public highway, planning conditions are recommended seeking the submission of a construction logistics plan and a construction working method statement.
- 7.62 The layout plan submitted as part of the application demonstrates that there is adequate space provided on the site for vehicles to manoeuvre and to avoid the need for vehicles to reverse on to the public highway. The proposed development site has an existing vehicular access on to Commonsides East. This access was in use as part of the former trading estate and accommodated a range of vehicles that were associated with the former uses of the site. The plans submitted with the current planning application show the vehicle access with a width of 4.5 metres at the narrowest point. It is considered that this existing access is sufficient for the access required to the development however a planning condition is recommended to request the submission and approval of further details of the proposed vehicular access.
- 7.63 After assessment of the submitted proposal the Council's transport planning officer has concluded that the trip generation from the proposed development can be safely accommodated on the existing road network and that adequate off street car parking has been provided.

Refuse storage and collection.

- 7.64 Policy CS20 of the Core Strategy (July 2011) states that the Council will require developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.
- 7.65 The proposed houses each have individual refuse storage areas, with an internal area shown on the submitted plans for the refuse bins associated with the proposed flats. These storage locations are considered acceptable in principle and a planning condition is recommended to seek further details of this storage and to ensure that these facilities are provided and retained for the benefit of future occupiers.
- 7.66 Subject to attaching suitable conditions to any planning permission it is considered that the proposed development is acceptable in terms of the impact on trip generation, car parking, servicing and access and has been designed with adequate access and servicing arrangements in line with Policy CS20 of the Core Strategy (July 2011).

Cycling and pedestrian access

- 7.67 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 infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities. Policy CS20 of the Core Strategy (July 2011) states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect pedestrian and cycle movements.
- 7.68 Cycle parking standards are set out within the London Plan at table 6.2 and these set out a 'minimum' of one cycle parking space for dwellings with one or two bedrooms and a 'minimum' of 2 cycle parking spaces for each larger unit. The proposed development provides 11 one and two bedroom units (11 spaces), and 9 larger units (18 spaces).
- 7.69 The proposed development includes cycle parking within the rear gardens of the proposed houses and cycle parking for the flats in an internal area at ground floor level. Whilst a total of 22 cycle parking spaces are provided this provision is below the minimum requirement in the London Plan. A planning condition is recommended to ensure that cycle parking is provided in accordance with minimum standards for the benefit of future residents and that this parking is retained.
- 7.70 In order to encourage sustainable transport choices and increase permeability the pedestrian and cyclist access gate that is shown connecting the current application site to the remainder of The Meadows development is welcomed. A planning condition is recommended seeking further details in relation to future management and the detailed design of this access.

Trees, landscaping and the adjacent open land.

- 7.71 The grass verges that separate the application site from Windmill Road and Commonside East on the north east and north west boundaries form part of Mitcham Common. These strips of land are part of a green chain and are maintained by Mitcham Common Conservators.
- 7.72 The strip of land along the Windmill Road site frontage (but not Commonside East) is designated in the Sites and Policies Plan as Metropolitan Open Land. A further parcel of common land located on the opposite side of Commonside East is designated as Metropolitan Open Land and a Site of Importance for Nature Conservation (SINC).

- 7.73 Adopted Core Strategy (2011) policy CS13 states that development adjacent to green corridors will be expected to enhance the nature conservation value of the land and must not adversely affect the amenity, quality or utility of the open space. Policy CS.13 within the Adopted Core Strategy (2011) states that the Council will protect and enhance Metropolitan Open Land. Sites and Policies Plan policy DM 01 states that development in proximity to and likely to be conspicuous from Metropolitan Open Land or designated open space will only be acceptable if the visual amenities of the land will not be harmed by reason of siting, materials or design.
- 7.74 The application site is broadly rectangular in shape and located at the busy road junction of Windmill Road and Commons East. The two application site boundaries without a road frontage adjoin the five storey building called Reed Lodge to the south west and the three storey Meadow Lodge to the south east that form part of The Meadows development.
- 7.75 It is considered that the proposed development appropriately reflects the design and appearance of the existing buildings within The Meadows development that now form the existing character of this area. The proposed part three, part four storey development that will infill a corner within The Meadows development will be seen from areas of Metropolitan Open Land against the backdrop of these adjacent buildings that are three and five storeys in height. In the context of the existing adjacent development it is considered that the current proposal will not harm adjacent areas of Metropolitan Open Land and is in line with Sites and Policies Plan policy DM 01.

Trees

- 7.76 Sites and Policies Plan policy DM 02 states that development will not be permitted if it would damage or destroy trees which have significant amenity value as perceived from the public realm area unless either removal is necessary in the interest of good arboricultural practice, or the reason for the development outweighs the amenity value of the trees.
- 7.77 There are no trees located within the application site. A Tree Preservation Order was introduced in November 2011 that protects 17 Lime trees that are located along the grass verges of the two road frontages of the proposal site. The layout of the proposed building has sought to reduce any potential impact on these trees.
- 7.78 The potential impact of the development on these trees has been assessed by the Council's Tree officer and no objection has been raised to the development subject to planning conditions relating to protection and site supervision to prevent damage during construction work.

Site contamination and archaeology

- 7.79 The London Plan (Policy 5.21) indicates that the Mayor supports bringing contaminated land into beneficial use. Sites and Policies Plan policy DM EP4 states that developments should seek to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on human or environment health.
- 7.80 In light of the commercial uses on the application site there is a potential for the site to suffer from ground contamination. Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.
- 7.81 The application site is located within an archaeological priority area as designed by the Sites and Polices Plan. The archaeological priority zones are designated heritage assets and policy DM D4 of the Sites and Policies Plan aims to conserve and enhance these features. It is acknowledged that the ground would have been disturbed by buildings previously on the site however planning conditions are recommended that seek further investigation into the presence of possible archaeological remains under the site.

Sustainable design and construction.

- 7.82 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. All new development comprising the creation of new dwellings will be expected to achieve Code 4 Level for Sustainable Homes.
- 7.83 Planning conditions are recommended to seek the submission of a design stage assessment and post construction certification to show that that Code for Sustainable Homes Level 4 is achieved together with a minimum improvement in the dwelling emissions rate in accordance with current policy requirements.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The application site is less than 0.5 hectares in area and therefore falls outside the scope of Schedule 2 development under the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for an Environmental Impact Assessment as part of this planning application.

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. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.

- 9.2 The Mayor of London Community Infrastructure Levy charge that would be payable for the proposed development would provisionally be £64,050. This is based on the charge of £35 per square metre and information provided by the applicant that states that there will be additional floor space of 1,830 square metres. This figure is subject to future reassessment prior to commencement of development.

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, 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 provisional London Borough of Merton Community Infrastructure Levy charge that would be payable for the proposed development would be £210,450. This is based on the charge of £115 per square metre and on the information provided by the applicant that states that there will be additional floor space of 1,830 square metres. This figure is also subject to future reassessment prior to commencement of development.

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.

Financial contribution towards education provision;

- 9.8 Funding towards education provision is now provided from the Merton Community Infrastructure Levy.

Financial contribution towards open space;

- 9.9 Funding towards open space is now provided from the Merton Community Infrastructure Levy.

Financial contribution towards provision of affordable housing;

- 9.10 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 tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector.

- 9.11 Having regard to characteristics such as site size, site suitability, financial viability issues and other planning contributions Core Strategy policy CS 8 states that affordable housing provision on developments of ten or more residential units should include a minimum of 40% of new units on the site as affordable housing. Within this affordable housing provision, 60% of the units should be provided as social/affordable rented and 40% as intermediate accommodation.

- 9.12 The development will provide a total of 20 new dwellings and the applicant has stated that this will consist of 12 general market dwellings (7 two bedroom, 4 two bedroom and 1 four bedroom flats); 4 social rented dwellings (4 three bedroom houses) and 4 intermediate dwellings (2 one bedroom and 2 two bedroom flats). This provision is considered acceptable and to address the first reason for the refusal of the planning application under reference 13/P0051.

Monitoring and legal fees

- 9.13 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fee would be £250. Legal fees for the preparation of the S106 agreement would need to be agreed at a later date.

10. CONCLUSION

- 10.1 The proposed development represents an effective and sustainable use of this brownfield site providing additional residential units and incorporates a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. It is considered that the proposals overcome the grounds for refusal on the earlier scheme. Accordingly, it is recommended that planning permission be granted subject to the planning conditions and planning obligations set out below.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a Section 106 Agreement and planning conditions.

1. Provision of not less than 40% on-site affordable housing.
2. The developer agreeing to meet the Council's costs of preparing (including legal fees) the Section 106 Obligations (to be agreed).
3. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations.

And the following conditions:

1. Standard condition (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. Amended standard condition (Approved plans) The development hereby permitted shall be carried out in accordance with the following approved plans: (Csa/2090/100A; A10691-D0001-P1; D0100-P1; D0101-P1; D0102-P1; D0103-P1; D0104-P1; D0110-P1; D0200-P1; D0201-P1; D0202-P1; Design and Access Statement; Arboricultural Report and Landscape and Visual Appraisal. Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Standard condition (Timing of construction work) No construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays to Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with Sites and Policies policy DM D2.

4. Amended standard condition (Construction phase impacts) Prior to the commencement of development a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
5. Amended standard condition (Construction Logistics Plan) Prior to the commencement of development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority and all works shall take place be in accordance with approved plan Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of local residents to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
6. Amended standard condition (Archaeology - commencement) Prior to the commencement of development the applicant (or their heirs and successors in title) shall have secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing with the development proceeding in accordance with the approved Written Scheme of Investigation Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2.
7. Amended standard condition (Archaeology - occupation) Prior to first occupation of any of the proposed new dwellings the site investigation and post investigation assessment shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under the preceding planning condition and provision made for the analysis, publication and dissemination of the results and archive deposition secured. Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2.
8. Non standard condition (Land contamination – site investigation) Prior to the commencement of development a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved by the Local Planning Authority with the agreed measures

in place prior to first occupation of any residential unit. Reason for condition: In order to protect controlled waters as the site is located over a Secondary Aquifer and may be affected by historic contamination.

9. Non standard condition (Land contamination – site investigation) The submitted scheme to deal with the risks associated with contamination of the site shall include 1) a preliminary risk assessment identifying all previous uses and potential contaminants, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination. 2) A site investigation scheme, based on 1 providing information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment including an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4 and to protect controlled waters as the site is located over a Secondary Aquifer and may be affected by historic contamination.
10. Non standard condition (Land contamination – construction phase) If during development further contamination is encountered which has not previously been identified and considered the Council's Environmental Health Section shall be notified immediately and (unless otherwise agreed in writing with the Local Planning Authority) no further development shall take place until remediation proposals (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation) have been submitted to and approved by the Local Planning Authority and the approved remediation measures/treatments implemented in full. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4 and to protect controlled waters as the site is located over a Secondary Aquifer and may be affected by historic contamination.
11. Non standard condition (Land contamination – validation) Prior to first occupation of any of the proposed new dwellings a verification report shall be submitted to and approved, in writing, by the local planning authority demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation The report

shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4 and to protect controlled waters as the site is located over a Secondary Aquifer and may be affected by historic contamination.

12. Amended standard condition (Code for Sustainable Homes Pre-Commencement - New build residential) Prior to the commencement of development a copy of a letter shall be submitted to and approved in writing by the Local Planning Authority from a person that is licensed with the Building Research Establishment (BRE) or other equivalent assessors as a Code for Sustainable Homes assessor confirming that the development is registered with BRE or other equivalent assessors under Code For Sustainable Homes and a Design Stage Assessment Report shall be submitted demonstrating that the development will achieve not less than Code for Sustainable Homes Level 4, together with a minimum improvement in the dwelling emissions rate in accordance with the most up to date London Plan policy. 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 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
13. Amended standard condition (Code for Sustainable Homes Pre-Occupation- New build residential) Prior to first occupation of any of the proposed new dwellings a Building Research Establishment or other equivalent assessors Final Code Certificate shall be submitted to, and acknowledged in writing by the Local Planning Authority providing confirmation that the development has achieved not less than a Code 4 level for Sustainable Homes together with confirmation that a minimum improvement in the dwelling emissions rate has been achieved in accordance with the most up to date London Plan policy. Reason for condition: To ensure that 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 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
14. Amended standard condition (Tree Protection) Prior to the commencement of development an Arboricultural Method Statement and

Tree Protection Plan, drafted in accordance with the recommendations and guidance set out in BS 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority and the approved measures and details put fully in place. The details and measures as approved shall be retained and maintained, until the completion of all site operations. Reason for condition: To protect and safeguard the existing retained trees in accordance with policy CS13 of the Adopted Merton Core Planning Strategy 2011.

15. Standard condition (Tree Site Supervision) The measures outlined in the submitted 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 for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
16. Amended Standard condition (Landscaping Implementation) Prior to first occupation of any of the proposed new dwellings the landscaping shown on drawings Csa/2090/100A shall be in place. Any landscaping which within a period of 5 years from the completion of the development die, is removed, becomes seriously damaged or diseased or is dying shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
17. Amended standard condition (New vehicle access) Prior to first occupation of any of the proposed new dwellings further details of the vehicular access to serve the development shall have been submitted to and approved in writing by the Local Planning Authority and the approved works completed in full. Reason for condition: In the interests of the safety of vehicles and pedestrians and to comply with policy RN.3 of the Adopted Merton Unitary Development Plan 2003.
18. Amended standard condition (Parking management strategy) Prior to first occupation of any of the proposed new dwellings a Parking Management Strategy shall be submitted to, and approved in writing by the Local Planning Authority with the approved measures fully implemented prior to first occupation of the proposed new dwellings. The approved measures

shall be maintained for the duration of the use. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.

19. Amended standard condition (Car parking spaces) Prior to first occupation of any of the proposed new dwellings, the car parking spaces shown on the approved drawing to serve the development shall have been provided and shall thereafter be kept free from obstruction and retained for parking purposes for users of the development and visitors and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
20. Non standard condition (Facility for charging electric vehicles) Prior to first occupation of any of the proposed new dwellings facilities for charging electric vehicles shall be provided on site in accordance with London Plan standards. These facilities shall thereafter be kept free from obstruction and retained for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.
21. Non Standard condition (Pedestrian and cycle access) Prior to first occupation of any of the proposed new dwellings further details of the pedestrian and cycle access link between the proposed development and the adjacent completed development called The Meadows shown on drawing A10691 D0100 P1 shall have been submitted to and approved in writing by the Local Planning Authority. These measures shall include details of the future management of this access including lighting. Prior to first occupation of the proposed new dwellings the pedestrian and cycle access link shall be provided in accordance with the approved plans and permanently retained and managed in accordance with the approved details. Reason for condition: To ensure that the development provides suitable opportunities for cycle and pedestrian movement between the site and the neighbouring residential development in accordance with promoting the principles of good urban design and promoting sustainable travel in line with policies CS18 and CS19 of the of the Adopted Merton Core Planning Strategy 2011.
22. Non-standard condition (Cycle storage and parking) Prior to first occupation of any of the proposed new dwellings, cycle storage for occupiers and cycle parking for visitors shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage and parking retained in accordance with the approved details permanently thereafter. 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).

23. Non-standard condition (Refuse and recycling facilities) Prior to first occupation of any of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with details that 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 Adopted Core Strategy (July 2011).
24. Amended standard condition (Lifetime homes) Prior to first occupation of any 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).
25. Amended standard condition (Protection of privacy – obscured glazing) Prior to first occupation of flat B3 [first floor level]; flat C3 [second floor level]; and flat D3 [third floor level] the windows to the south elevation of these flats shall be fitted with obscured glass and fixed shut and maintained as such permanently for the lifetime of the development. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
26. Amended standard condition (Protection of privacy – screening) Prior to first occupation of flat B4 [first floor level]; flat C4 [second floor level]; and flat D4 [third floor level] further details of the design, appearance and extent of the privacy screening to external amenity areas above ground floor level shall be submitted to and approved in writing by the by the Local Planning Authority. The approved measures shall be in place prior to first occupation of these proposed new dwellings and maintained permanently thereafter for the lifetime of the development. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
27. Amended standard condition (Protection of privacy – box windows) Prior to first occupation of house H4 further details of the design and appearance of the box windows to the east elevation of house H4 shall be submitted to and approved in writing by the by the Local Planning

Authority. The approved measures shall be in place prior to first occupation of this house and maintained permanently thereafter for the lifetime of the development. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.

28. Standard condition (Removal of permitted development - extensions) 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 extension, enlargement or other alteration of the dwelling houses other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority. Reason for condition: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development to comply with Sites and Policies policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
29. Standard condition (Removal of permitted development - windows and doors) 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 window, dormer, roof light or door other than those expressly authorised by this permission shall be constructed without planning permission first obtained from the Local Planning Authority. Reason for condition: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development to comply with Sites and Policies policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.

INFORMATIVES:

- a) The applicant is advised that details of Lifetime Homes standards can be found at www.lifetimehomes.org.uk
- b) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

- c) The applicant is advised to contact the Council's Highways team on 020 8545 3151 before undertaking any works within the Public Highway in order to obtain the necessary approvals and/or licences.
- d) The applicant is advised that the written scheme of investigation in relation to archaeology will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.

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