

PLANNING APPLICATIONS COMMITTEE

16 July 2015

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P0211	15/01/2015
Address:	2-6 High Street Colliers Wood, London SW19 2AG	
Ward	Colliers Wood	
Proposal	Demolition of the existing buildings (including 802 square metres of B8 and B2 floor space) and erection of a mixed use development of three, four and six storey buildings comprising 34 flats (14 one bedroom, 18 two bedroom and 2 three bedroom), 388 square metres of office floor space (Use Class B1a), 11 car parking spaces accessed from Waterfall Cottages, cycle parking, refuse storage and alterations to the rear access road.	
Drawing No's	6336-2P03D; 2P04B; 2P05B; 2P06B; 2P07B; 2P08B; 2P09B; 2P10B; 2P11B; 2P12B; Design and Access Statement; Planning Statement; Supplementary statements received on the 16.04.2015 and 01/06/2015; Desk Study Report (Ground Contamination); Daylight, Sunlight and Overshadowing Report; Environmental Noise and Vibration Assessment; Energy Statement, Transport Statement; Code for Sustainable Homes Assessment; Archaeological Desk Based Assessment; Flood Risk Assessment; Compensatory Flood Storage Statement.	
Contact Officer	Tony Ryan (020 8545 3114)	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions and a S106 legal agreement.

CHECKLIST INFORMATION.

- S106: affordable housing and restriction on parking permits.
 - Is an Environmental Statement required: No
 - Conservation Area – No
 - Archaeological Priority Zone – Yes
 - Area at Risk from Flooding – Yes (two thirds of the site is in Zone 2 with areas along the north east boundary in Zone 3).
 - Trees – Trees are present but are not the subject of tree preservation orders.
 - Controlled Parking Zone – Yes (Zone CW)
 - Development Plan designation – None (now outside Colliers Wood Urban Centre).
 - Design Review Panel consulted – No
 - Site notice – Yes
 - Press notice – Yes
 - Number of neighbours consulted – 131
 - External consultations – Network Rail, Historic England, Environment Agency, Transport for London and the Police Crime Prevention Design Advisor.
 - PTAL: level 5 (TFL Planning Information Database)
 - Density – 89 habitable rooms, area of 0.24h - 370 habitable rooms per hectare.
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1. INTRODUCTION

- 1.1 This application is brought before Committee for Members' consideration as it is a significant site in a prominent location and as a result of the public interest in the proposal.

2. SITE AND SURROUNDINGS

- 2.1 The application site (2461 square metres /0.24 hectares) is located at the northern end of High Street Colliers Wood (A24). The designation of the site as within the Colliers Wood 'Urban Centre' in the Unitary Development Plan was removed with the adoption of an amended smaller 'Urban Centre' boundary in the adopted Sites and Policies Plan (July 2014).
- 2.2 The high street typically consists of commercial uses at ground floor level with residential accommodation on the upper floors in buildings of between 2 and 5 storeys in height along this transport corridor. A railway line providing services between Haydons Road and Tooting railway stations is located adjacent to the north east (side) boundary of the application site, with this railway line also marking the boundary with the London Borough of Wandsworth.
- 2.3 The south west site (side) boundary is shared with a concrete drilling business (Use Class B2) fronting Waterfall Cottages and a residential building at 8 High Street. The residential building at 8 High Street is set back 7 metres from the back edge of the pavement in the high street with the provision of an off street car parking area. This building provides 4 flats located on three floors and a basement.
- 2.4 The nearby building at 10 to 12 High Street Colliers Wood provides residential accommodation over three floors and within the building roof space. This building is also set back by 7 metres from the front boundary behind an off street car parking area. The land to the rear of 10 to 12 Collier Wood High Street provides industrial floor space with access from Waterfall Cottages.
- 2.5 The building at 14 Colliers Wood High Street is set back by 2 metres from the front boundary. This building provides retail floor space at lower ground and upper ground floor level with residential accommodation on the upper floors and a linked warehouse building at the rear. On the opposite side of High Street Colliers Wood is the River Graveney that runs within an enclosed area of land that includes a number of mature trees.
- 2.6 The application site consists of land at no's 2, 4 and 6 High Street Colliers Wood which is currently divided into the two separate plots known as 2 and 4-6 High Street. The land at 2 High Street Colliers Wood (1273 square metres) is a vacant scaffolding yard (Storage and Distribution - planning use class B8) immediately adjacent to the railway line. The applicant has stated that the land at 2 High Street includes offices and storage covering 95 square metres and that the land was in use as a scaffolding yard up until May 2011. An area of unregistered land outside the application site boundary separates the front boundary of 2 High Street from the pavement in the high street.

- 2.7 The land at 2 High Street Colliers Wood is screened from the high street behind two externally illuminated 48 sheet advertisement hoardings and includes a sharp drop in ground level from the pavement. The vehicle and pedestrian access to the site is only from the rear in Waterfall Cottages. Two storey terraced residential properties in Acre Road are located adjacent to the rear site boundary and part of the side boundary is shared with the rear gardens of the adjoining two storey residential properties at 11 to 17 Waterfall Cottages.
- 2.8 The whole of the site at 6 High Street and the front section of 4 High Street (1188 square metres) is currently occupied by a business that manufactures and mixes paint for the screen printing industry (General industrial use - planning use class B2). The open land to the rear of 4 High Street (fronting Waterfall Cottages) is not included within the current application site boundary. The Council are the freeholder of this land which is used for car parking by a leaseholder. The land at 4 High Street is screened from the high street by an externally illuminated 48 sheet advertisement hoarding. The corrugated metal building on the site is set back by 10 metres from the front boundary and similar to 2 High Street there is a sharp drop in ground level from the pavement ground level in the high street.
- 2.9 The land at the front of 6 High Street is currently occupied by a brick commercial building. This building has a painted brick front façade that is level with the pavement in the high street and set back 2 metres from the front boundary. The land also includes a warehouse building. The vehicle access to 4 and 6 High Street is provided from the rear in Waterfall Cottages, and whilst it appears currently unused, pedestrian access is available to 6 High Street from the front elevation.
- 2.10 The front of the application site has a Public Transport Accessibility Level rating of 5 and the rear part of the site a rating of 3 (On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility). Colliers Wood High Street forms part of the Transport for London Road Network (Red Route) with double red line parking restrictions along the site frontage. The cycle superhighway route CS7 runs past the front of the application site. The vehicle access to the site is along Waterfall Cottages which is located in a Controlled Parking Zone with on street marked bays available for permit holders or for 'pay and display' between 8.30am and 6.30pm. The application site is within the designated safeguarding area for Crossrail 2.
- 2.11 The majority of the application site is in flood risk zone 2 [between a 1 in 100 and 1 in 1000 probability of flooding from rivers in any one year] with areas along the north east boundary in flood risk zone 3 [where there is a 1 in 100 year or greater of flooding from rivers in any one year]. The site is also located in an archaeological priority area.

Table 1: Standard of the proposed accommodation

Flat number / Architect annotation	Floor	Internal layout (Sq. M)					Amenity space (Sq. M)			
		Bedrooms	Bed spaces	Habitable rooms	Gross Internal Area	London Plan Standard	Garden	Balcony	Shared	Sites and Policies Plan standard
1.	Ground	1	2	2	51	50	46	-	6	6
2.	Ground	2	3	3	91	61	69	-	6	5
3.	Ground	2	3	3	86	61	94	-	7	5
4.	Ground	2	3	3	84	61	30	-	10	5
5.	Ground	3	5	4	93	86	107	-	7	5
6.	Ground	3	5	4	92	86	119	-	5	6
7.	Ground	3	5	4	91	86	119	-	8	7
8.	Ground	3	5	4	97	86	98	-	9	5
9.BG07	Upper Ground	2	3	3	67	61	-	6		6
10.BG08	Upper Ground	1	2	2	53	50	-	6		5
11.CG03	Upper Ground	2	3	2	61	61	-	7		6
12.CG04	Upper Ground	3	5	4	89	86	-	10		8
13.AF01	First	2	3	3	64	61	-	7		6
14.AF02	First	1	2	2	51	50	-	5		5
15.AF03	First	2	4	3	73	70	-	8		7
16.BF09	First	2	4	3	74	61	-	9		7
17.BF10	First	1	2	2	51	61	-	8		5
18.BF11	First	2	3	3	67	61	-	6		6
19.BF12	First	1	2	2	53	50	-	6		5
20.CF05	First	2	3	3	61	61	-	7		6
21.CF06	First	3	5	4	89	86	-	10		8
22.AS04	Second	2	3	3	64	61	-	7		6
23.AS05	Second	1	2	2	51	50	-	5		5
24.AS06	Second	2	4	3	73	61	-	8		7
25.BS13	Second	2	4	3	74	61	-	9		7
26.BS14	Second	1	2	2	51	50	-	8		5
27.BS15	Second	2	3	3	67	61	-	6		6
28.BS16	Second	1	2	2	52	50	-	5		5
29.BS17	Second	1	2	2	51	50	-	5		5
30.BT18	Third	2	4	3	74	61	-	9		7
31.BT19	Third	1	2	2	51	50	-	8		5
32.BT20	Third	2	3	3	67	61	-	6		6
33.BF21	Fourth	2	3	3	65	61	-	10		6
34.BF22	Fourth	2	3	3	66	61	-	28		6

3 CURRENT PROPOSAL

- 3.1 The current proposal involves the demolition of the existing buildings and structures on the application site. The planning application form states that existing buildings currently provide 1,020 square metres of employment floor space. The proposal includes construction of three, four and six storey buildings laid out in three new blocks annotated on the submitted plans as blocks A, B and C. The development will provide 34 flats [14 one bedroom, 12 two bedroom, 6 two bedroom and 2 three bedroom] and 388 square metres of office floor space [Use Class B1a].
- 3.2 The table on the preceding page provides information on the internal sizes of the proposed residential accommodation and external amenity space with a comparison with the current minimum standards set out in the Development Plan.
- 3.3 Block A fronting the high street is four storeys in height and provides office floor space [Use Class B1a] at lower ground and ground floor level. The office floor space is provided with pedestrian access from the high street to the upper ground floor level of the building. This pedestrian access is by a walkway to account for the drop in ground level from the pavement in the high street to the main part of the site. All servicing and delivery access to the commercial floor space is provided from the rear in Waterfall Cottages. The upper two floors of block A provide residential accommodation
- 3.4 Block B is at the northern part of the high street frontage and adjacent to the railway line. Block B is six storeys in height and has residential accommodation at lower ground floor level, upper ground floor level and on four upper floor levels. Block C is also located alongside the railway line and is four storeys in height at the front of the site behind block B and three storeys at the rear. The access to the residential accommodation in all three blocks is provided from the rear in Waterfall Cottages.
- 3.5 The development includes 11 residential car parking spaces accessed from Waterfall Cottages. The development currently provides 38 residential cycle parking spaces, 4 spaces attached to the office use and 2 visitor spaces. Refuse storage for the residential accommodation is provided within the new buildings with freestanding storage for the office accommodation.

4. PLANNING HISTORY.

- 4.1 The planning history associated with the application site is provided below. The planning history for adjacent sites is also provided below as this is considered relevant.

Application site

- 4.2 The application site planning history includes various planning applications associated with commercial operations on the site including a planning permission in May 1992 [92/P0223] involving removal of an existing corrugated steel fence and the erection of 2.4 metre high boundary brick wall.

- 4.3 In November 1989 an application for outline planning permission was refused [89/P0939] for the erection of 4 light industrial units with loading bays and car parking. With a subsequent appeal to the Secretary of State dismissed the reasons for the refusal of planning permission were as follows:

“The proposed development would result in increased traffic generation and an exacerbation of existing on street parking congestion in the locality prejudicial to general traffic conditions and the quality of the environment contrary to Policy M.18 of the Draft Revised Merton Borough Plan.

The proposed access arrangements are unsatisfactory in that they would create hazardous conditions both for pedestrians and vehicles entering and leaving the site and would be detrimental in terms of safety to neighbouring residential properties, particularly Waterfall Cottages.

The proposed development is considered to be an undesirable form of development which would result in an over intensive use of the site detrimental to the amenities enjoyed by residents in the locality by reason of increased noise disturbance and inconvenience”.

Neighbouring sites

Site at 14 High Street Colliers Wood

- 4.4 Planning permission was approved in August 1984 [MER342/84] for the erection of a new warehouse building at the rear of the premises for storage of tyres including the change of use of the existing basement from storage to office/canteen services and provision of 5 car parking spaces. In April 1985 planning permission was approved [MER62/85] for the change of use of a ground floor shop with ancillary office to a cafe.
- 4.5 Planning permission was refused on the 20 December 2012 [12/p2556] for the construction of four storey extensions [basement and three floors] to the side and rear of the existing building and the change of use of the existing residential accommodation [1 one and 1 two bedroom flats] and ground floor and basement commercial space [Use Class A1 Retail] to provide 9 one bedroom flats and 2 two bedroom flats together with the partial demolition alterations and reorientation of the freestanding commercial building at the rear of the site [Use Class B8 Storage] to provide a new entrance from the rear in Waterfall Cottages. The reasons for refusal were as follows:

“The proposed extensions, by reason of size, massing, bulk and design would fail to achieve a high standard of design that would enhance the character of the area and would be detrimental to the visual amenities of the area; the extensions would be overly dominant and visually intrusive to the detriment of the outlook of neighbouring occupiers; and result in a poor quality environment for future occupiers arising from poor outlook to habitable rooms, contrary to policies HS.1, BE.15, BE16 and BE23 of the Merton Unitary Development Plan (2003)”.

“The proposals would result in the loss of employment land, that has the potential to detract from the long term viability and attractiveness of nearby industrial and commercial uses, and be harmful to the aims of safeguarding employment opportunities in the Borough, contrary to the wider objectives of policies E.1 and E.7 of the Merton Unitary Development Plan (2003) and CS.12 of the Merton LDF Core Planning Strategy (2011)”.

“The proposed development would generate additional pressure on education facilities in the area and, in the absence of a legal agreement securing a financial contribution towards education facilities locally, the proposal would be contrary to policies C13 of the Adopted Unitary Development Plan (October 2003) and Supplementary Planning Guidance: Planning Obligations (2006)”.

“The proposed development would fail to contribute to meeting affordable housing targets and, in the absence of a legal undertaking securing a financial contribution towards the delivery of affordable housing off-site, would be contrary to policy CS.8 of the Merton LDF Core Planning Strategy (2011)”.

- 4.6 Planning permission was refused on the 27 March 2015 (15/P0432) for the demolition of the existing building providing 80 square metres of retail Use Class A1 floor space and 2 flats [1 one bedroom and 1 two bedroom] and the construction of a replacement building over five floors providing 9 flats [8 one bedroom and 1 two bedroom] with front light wells linked to the basement floor space. The reasons for refusal were as follows:

The proposed development by reason of its design, appearance, proportions, bulk and massing would represent an overbearing and visually intrusive feature when viewed from neighbouring properties and their rear gardens which would be detrimental to residential amenity contrary to policies 3.5 in the Further Alterations to the London Plan 2015 [March 2015], policy CS14 of the Adopted Core Strategy [July 2011], Policy DM D2 of the Sites and Policies Plan [July 2014] and advice in the Council's Supplementary Planning Advice on New Residential Development

The development due to the lack of external amenity space provision for the majority of the proposed flats would fail to provide an adequate standard of residential accommodation for future occupiers contrary to policies 3.5 in the Further Alterations to the London Plan 2015 [March 2015], policy CS14 of the Adopted Core Strategy [July 2011] and Policy DM D2 of the Sites and Policies Plan [July 2014].

- 10-12 High Street and land to the rear known as Unit 4 Waterfall Cottages.
4.7 Planning permission was refused on the 3 October 2011 [11/p1919] and again on the 2 March 2012 [11/P3314] for the demolition of existing storage units/warehouse at the rear of 10 - 12 high street and the erection of 4 three

bedroom houses. The reasons for refusal of planning permission were as follows:

The proposals would fail to provide future occupiers with a satisfactory environment by reason of inadequate garden space, where the area is identified as being deficient in open park provision in the UDP, proximity to existing residential buildings resulting in overlooking, where the height and position of neighbouring commercial buildings would create an undesirable sense of enclosure, and with the potential for noise nuisance from the comings and goings and activity associated with neighbouring commercial uses. The proposals would be contrary to policies HS.1 and BE.15 of the Adopted Unitary Development Plan 2003.

The proposals would result in the loss of employment land, for which the applicant has failed to demonstrate that there is no demand, or that it is unsuitable or financially unviable for any employment or community use, to the detriment of safeguarding employment opportunities in the Borough, and would be contrary to policy E.6 of the Adopted Unitary Development Plan (2003) and the wider objectives of policy 4.4 of the London Plan (2011).

- 4.8 Planning permission was refused on the 2 March 2012 [11/P3314] for the demolition of existing storage units/warehouse at the rear of 10 - 12 High Street and the erection of 4 three bedroom houses. An appeal made against the Council's refusal of planning permission was dismissed in January 2013. The Council's reasons for refusal of planning permission were as follows:

The proposals would fail to provide future and existing occupiers with a satisfactory living environment by reason of proximity to existing residential buildings resulting in overlooking and a lack of privacy, would suffer from a sense of enclosure by reason of the proximity, height and position of neighbouring commercial buildings, and would have the potential to suffer from noise nuisance and disturbance from the comings and goings of vehicles and activity associated with neighbouring industrial uses. The proposals would be contrary to policies HS.1 and BE.15 of the Adopted Unitary Development Plan 2003.

The proposals would result in the loss of employment land and introduce a noise sensitive uses in close proximity to non-residential employment generating uses, with the potential to generate noise, thereby detracting from the long term viability and attractiveness of such sites for industrial and commercial uses, harmful to the aims of safeguarding employment opportunities in the Borough, and contrary to the wider objectives of policies E.1 and E.7 of the Merton Unitary Development Plan (2003) and CS.12 of the Merton LDF Core Planning Strategy (2011).

- 4.9 Planning permission was approved at 10 - 12 High Street Collier's Wood on the 29 November 2001 [reference 01/P2167] for the conversion of the existing building to provide 2 class B1 units and 5 self-contained flats involving the erection of a front and rear dormer and 3 storey rear extensions.
- 4.10 Planning permission was approved at 10 - 12 High Street Collier's Wood on the 13 August 2002 [reference 02/P1607] for the conversion of the existing building to provide 2 class B1 units in the basement and 7 self-contained flats on the ground, first, second and third floors involving the erection of a front and rear dormer and 3 storey rear extensions (amendments to planning permission ref: 01/p2167).

5. **CONSULTATION**

- 5.1 The submitted planning application was publicised by means of a site notice, a press notice and individual consultation letters sent to 131 local addresses.
- 5.2 As a result of this public consultation three letters (including a letter on behalf of the seven residential occupants of Edco House at 10-12 High Street) have been received objecting to the proposal. The objections to the development were made on the following grounds:

5.3 **Employment uses**

- The development would harm the operation of the adjoining industrial units that have been present for 28 years;
- The introduction of residential accommodation is likely to result in noise complaints concerning the existing industrial use;
- Insufficient consideration has been given to the loss of the existing employment uses.

5.4 **Design and scale**

- The building design is not "...uniformed with the surrounding areas and will look disproportionate".
- The design is very poor and is not of sufficient quality for this 'gateway to the borough';
- The proposed building line does not conform to the existing street frontage and appears disjointed;
- The proposal represents overdevelopment;

5.5 **Car parking and traffic**

- The development will worsen the existing local traffic congestion;
- The development will increase the existing high demand for on street car parking space;
- The neighbouring industrial use has delivery vehicles including heavy goods vehicles parked in the street and this will restrict access to the new development.
- The on-site car parking that is proposed is insufficient.

5.6 **Nuisance and amenity**

- The construction phase will cause nuisance to local residents in terms of “...a lot of obstruction and noise in the surrounding area”.
 - The building will overshadow adjoining buildings;
- 5.7 **Transport for London** as the highway authority for High Street Colliers Wood there is no objection to the proposal subject to the following:
- Future residents are excluded from applying for in street car parking permits;
 - A minimum of 54 residential cycle parking spaces are provided for the residential floor space and a minimum of 4 spaces for the office use, in an accessible, convenient and secure location;
 - The submission and approval of a Construction Logistics Plan through a planning condition;
 - The submission and approval of a Delivery and Servicing Plan through a planning condition;
 - The footway and carriageway on the A24 High Street Colliers Wood remaining clear during the construction period;
 - All vehicles only parking or stopping at permitted locations and within the time periods permitted by existing on-street restrictions;
 - No skips or construction materials shall be kept on the footway or carriageway at any time.
- 5.8 **London Underground Infrastructure Protection** The application site is located within the designated Crossrail2 safeguarding area and in these areas the Council are required to seek the views of London Underground Infrastructure Protection. There is no objection to the development on the basis that a planning condition is attached to any planning permission that requires the applicant to submit detailed design and method statements for approval in writing by the local planning authority with the development proceeding in accordance with the approved information. An informative is also recommended advising the applicant to contact London Underground.
- 5.9 **Network Rail** There is no objection to the development on the basis that the developer ensures that the proposal, both during construction and after completion of works on site, does not:
- encroach onto Network Rail land
 - affect the safety, operation or integrity of the company’s railway and its infrastructure
 - undermine its support zone
 - damage the company’s infrastructure
 - place additional load on cuttings
 - adversely affect any railway land or structure
 - over-sail or encroach upon the air-space of any Network Rail land
 - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future
- 5.10 **Metropolitan Police Crime Prevention Design Advisor** It is recommended that Secured by Design should be incorporated as a minimum standard for security in this development. Many of the SBD principles mentioned in the

Design and Access Statement appear to have been incorporated into the scheme.

- 5.11 **Environment Agency** There is no objection to the development on the basis that planning conditions are attached to any planning permission that require the submission and approval of a surface water drainage scheme, the submission and approval of information relating to the investigation and remediation of any site contamination; no infiltration of surface water drainage into the ground; piling or any other foundation designs using penetrative methods and that the development is constructed in accordance with the submitted Flood Risk Assessment.
- 5.12 **Historic England (formerly known as English Heritage)** There are no objections to the submitted proposal in relation to archaeological considerations on the basis that any planning permission is subject to a planning condition to require further evaluation to clarify the nature and extent of surviving remains which would be followed if necessary, by a full investigation.

6 POLICY CONTEXT

London Plan 2015

- 6.1 The further alterations to the London Plan were published on the 10 March 2015. The relevant policies in the London Plan (2015) 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); 3.3 (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); 3.12 (Negotiating affordable housing); 4.1 (Developing London's economy); 4.2 (Offices); 4.3 (Mixed use development and offices); 4.4 (Managing industrial land and premises); 5.2 (Minimising carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.7 (Renewable energy); 5.10 (Urban greening); 5.13 (Sustainable drainage); 5.15 (Water use and supplies); 6.5 (Funding Crossrail); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking); 7.1 (Building London's neighbourhoods and communities); 7.2 (An inclusive environment); 7.3 (Designing out crime); 7.4 (Local character); 7.5 (Light pollution); 7.6 (Architecture); 7.15 (Reducing noise and enhancing soundscapes); 7.19 (Biodiversity and access to nature); 8.2 (Planning obligations).

Merton Sites and Policies Plan (adopted July 2014)

- 6.2 The relevant policies within the Sites and Policies Plan are as follows: DM.D1 (Urban design and the public realm); DM.D2 (Design considerations and the public realm); DM.E1 (Employment areas in Merton); DM.E3 (Protection of scattered employment sites); DM.E4 (Local employment opportunities); DM.EP2 (Reducing and mitigating against noise); DM.EP4 (Pollutants); DM.F2 (Sustainable drainage systems (SuDS) and; Wastewater and Water Infrastructure); DM.H2 (Housing mix); DM.H3 (Support for affordable housing); DM.O2 (Nature conservation, trees, hedges and landscape

features); DM.P1 (Securing planning obligations); DM R2 (Development of town centre type uses outside town centres); DM.T1 (Support for sustainable travel and active travel); DM.T2 (Transport impacts from development); and DM.T3 (Car parking and servicing standards).

Merton Supplementary Planning Guidance

- 6.3 The key supplementary planning guidance relevant to the proposals includes New Residential Development (1999); Design (2004) and Planning Obligations (2006).

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

- 6.4 The relevant policies within the Council's Adopted Core Strategy (July 2011) are; CS.1 (Colliers Wood); CS.8 (Housing choice); CS.9 (Housing provision); CS 12 (Economic development); 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).

National Planning Policy Framework (March 2012)

- 6.5 The National Planning Policy Framework (NPPF) is a key part of central government reforms '*...to make the planning system less complex and more accessible, and to promote sustainable growth*'.
- 6.6 The NPPF supports 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, and not to hinder or prevent development.
- 6.7 The NPPF states that 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.
- 6.8 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. Local planning authorities 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.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the principle of development in terms of the loss of the existing employment floor space; the introduction of residential accommodation, the design, scale, layout and appearance of the proposed buildings, the standard of the residential accommodation including potential ground contamination, the standard of the proposed commercial floor space, the impact on residential amenity including privacy daylight and sunlight and the potential impact on car parking and traffic generation.

Loss of the existing employment use

- 7.2 The application land is a 'scattered employment' site which is defined as an employment site outside a designated town centre or a designated employment area. Advice on the loss of employment uses on such sites is provided by policy DM E3 of the adopted Sites and Policies Plan. This policy aims to ensure that there is a diverse mix of size, type, tenure and location of employment facilities in the borough which can support a range of employment opportunities and the creation of balanced mixed-use neighbourhoods. Policy DM E3 lists three situations where the loss of a scattered employment site would be acceptable and these are considered below:

a) The site is located in a predominantly residential area and it can be demonstrated that its operation has had a significant adverse effect on local residential amenity;

- 7.3 It is considered that the application site is not located within a predominantly residential area and there is no evidence to suggest that the previous use (2 High Street) or the existing employment use (4-6 High Street) have had any adverse impact on amenity. With the railway line and other adjacent commercial uses, only around a quarter of the application site boundary is shared with residential/ sensitive land uses.
- 7.4 It is the Council's policy to direct storage and distribution (use class B8) or general industrial uses (use class B2) to the Council's designated industrial areas (Sites and Policies DM E1). These designated industrial areas are considered more suitable for these uses as they are highly accessible by different forms of transport; they provide space to allow for the expansion of business; they allow similar businesses to locate together and ensure that neighbouring uses are more compatible with each other.
- 7.5 Whilst the absence of neighbouring sensitive land uses could make the site more attractive for employment use, it is highlighted that the only vehicle access available to both sites is past a number of residential properties in Waterfall Road and Waterfall Cottages. It is considered that the redevelopment of the vacant site at 2 High Street for alternative employment purposes and/ or more intensive use of the currently occupied site at 4-6 High Street for employment purposes would be likely to result in future harm to residential amenity.

7.6 The application site has historically been in employment use, with the existing lawful employment use of the application site as storage and distribution (use class B8) and general industrial uses (use class B2). Whilst the existing site and buildings could lawfully be used for an alternative storage and distribution use without any need for planning permission, any new buildings for employment uses are likely to require the benefit of planning permission. As the storage and distribution and general industrial use is considered potentially damaging to residential amenity, in the event that there was a need for planning permission the Council would need to carefully consider whether new buildings to facilitate the continued or intensification of the use would be appropriate given the potential impact on amenity from these uses.

b) The size, configuration, access and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use;

7.7 The application site forms part of a larger area of land that is bordered by High Street Colliers Wood, Waterfall Road, Waterfall Cottages and the railway line. In addition to residential uses, and the scaffolding yard and screen printing supplies use, the land also includes a concrete drilling services business and carpet and furniture premises.

7.8 The application site has been vacant for some time and it is considered by officers that significant investment would be required in the land and buildings to provide storage and distribution floor space (Use Class B8) to a modern standard. As set out earlier in this report there would also be potential residential amenity issues with the continued use of the site for storage and distribution uses.

7.9 Employment uses that are within the business class (use class B1) are considered by definition appropriate in residential areas. A development of B1 floor space on the application site would as a result be likely to be acceptable in principle. Whilst the principle of a development of business floor space would be acceptable, the experience of other similar sites in the borough has been that this necessary investment is unlikely to be forthcoming. This is due to the uncertainty of attracting future commercial tenants, with the location of the site, potential issues with the vehicle access and the proximity of the site to residential accommodation.

c) It has been demonstrated to the Council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing.

7.10 The applicant has stated that site at 2 High Street has been marketed for 'a commercial use for a period of 30 months.

7.11 This marketing consisted of the following:

- 600 flyers sent out by the current freeholder of the site to their customers over a five month period. The freeholder is a scaffolding supply business based in the London Borough of Bexley.
- The site details for a storage and distribution use (use class B8) at 2 High Street was posted on the South London Business partnership website in

September 2011 with the freeholder advised in June 2012 that the site details would remain on the website.

- 7.12 In terms of the responses received as a result of the marketing, the applicant has advised that there was one expression of interest from a company providing motorcycle skills training. This company decided not to pursue the interest in 2 High Street. In addition to the marketing details, the applicant has submitted a letter from an estate agent that has stated that in their opinion the application site is not suitable for 'modern day business' due to the existing condition of the buildings and the location.
- 7.13 In assessing the loss of a scattered employment site, policy DM E3 requires evidence to show that there is no realistic prospect of an employment or community use being attracted to this site in the future. The policy suggests that full and proper marketing is one way of providing this evidence.
- 7.14 Whilst there are limitations to the marketing and evidence submitted by the applicant, officers are satisfied that there is no realistic prospect of a suitable alternative employment use being attracted to the application site. The submitted proposal is considered in line with Development Plan policy policy DM E3.

Proposed alternative commercial floorspace

- 7.15 Sites and Policies Plan policy DM E1 states that the Council will support proposals for the redevelopment of vacant and underused existing employment land and floor space for employment use (B use classes).
- 7.16 In circumstances where an applicant has failed to demonstrate that an alternative employment or community use could occupy a scattered employment site that is to be lost through redevelopment, policy DM E3 states that the Council will seek measures to mitigate against this loss of employment land. The policy states that these measures 'may' include providing alternative employment floorspace as part of the redevelopment proposal.
- 7.17 Policy DM E1 states that large offices (between 280 and 1,000 square metres) will be supported in town centres or in areas with good access to public transport (PTAL 4 and above) and within close proximity to additional services for employees and workers. The submitted proposal includes 388 square metres of business floor space (Use Class B1a) provided at lower ground and upper ground floor levels within Block A.
- 7.18 The application site benefits from good access to public transport and is within walking distance of the additional services available within Colliers Wood 'Urban Centre' and is therefore considered a location where new office floor space is supported in line with policy DM E1. The application site was previously located within the Colliers Wood 'Urban Centre' prior to revisions in the Sites and Policies Plan (July 2014).

- 7.19 Core Strategy policy CS 12 states that the Council will support the development of a diverse local economic base by encouraging increased provision in the overall number and range of jobs available particularly in the business sector. Core Strategy policy CS 12 states that the Council will encourage and support the provision of employment that results in higher levels of productivity, gross values added and remuneration. The Council will also support the rationalisation of employment land where it will fulfil these policy aims.
- 7.20 Whilst the current proposal involves the loss of a large employment site (2,461 square metres), the land at 2 High Street (1,273 square metres) does not currently support any employment. The information submitted by the applicant states that the site at 2 High Street has not supported any employment since 2011. The applicant advises that the site at 4-6 High Street currently supports 6 jobs and the proposed new floorspace has the potential to support 32 jobs.
- 7.21 The current application involves the redevelopment of the existing general industrial floor space and a vacant scaffolding yard with the provision of new modern business floor space. Whilst the overall level of floor space will be reduced, it is considered that the proposed development will potentially increase the overall number of jobs that are supported on this site. In accordance with policy CS 12 it is considered that the proposal will enable higher levels of productivity, gross values added and remuneration. The proposal will allow more efficient use of the land on the application site that is located in a sustainable location with a high level of access to public transport.
- 7.22 The current proposal will remove general industrial and storage and distribution uses from the application site which is located outside a Strategic Industrial Locations and Locally Significant Industrial Sites in line with policy DM E1. The application site benefits from good access to public transport and is within walking distance of the additional services within Colliers Wood centre and is therefore considered in line with policy DM E1, to be a location where new office floor space is supported.
- Need for additional housing and residential density.**
- 7.23 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.
- 7.24 Policy 3.3 of the London Plan (March 2015) states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in policy CS. 9 of the Core Strategy.
- 7.25 Core Strategy policy CS8 states that based on a need for a total of 4,800 homes between 2011 and 2026 a minimum of 500 to 600 homes will be required in this period within the Colliers Wood South Wimbledon sub area.

The Core Strategy states that that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including development in 'sustainable brownfield locations' and "...ensuring that it is used efficiently". (Supporting text to policy CS9). The application site is on brownfield land and is in a sustainable location adjacent to other existing residential properties. The site benefits from very good access to public transport and good access to other local facilities within Colliers Wood Urban Centre without the need to use a car.

7.26 The London Plan states that in urban areas such as the application site with a Public Transport Accessibility Level of 5, residential density should be within a range of 200 to 700 habitable rooms per hectare. With the application site covering a site area of 0.2 hectares and provision of 128 habitable rooms the residential density of the development is 370 habitable rooms per hectare.

7.27 The residential density of the proposed development is in the middle of the recommended density range set out in the London Plan. With the consideration of other matters such as design, bulk, scale and layout, the standard of accommodation and the impact on amenity this residential density is considered acceptable. The proposed development in this sustainable location will also 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

7.28 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.

7.29 The application site is located in an area, where there is currently a mixture of housing types with terraced houses nearby to the site on Waterfall Road and Waterfall Cottages and flats on the upper floors of buildings on the opposite side of High Street Colliers Wood. The current application provides 34 residential units consisting of 14 one bedroom, 12 two bedroom, 6 two bedroom and 2 three bedroom flats.

7.30 It is considered that the proposed accommodation will increase the variety of residential accommodation available locally. It is considered that the current proposal will contribute towards the creation of a socially mixed and sustainable neighbourhood in accordance with Core Strategy policy CS8.

Building layout

7.31 The footprint of the proposed development forms an 'L' shape with a front block across the High Street frontage with a wing extending to the rear of the site on the north eastern site boundary. The building wing at the front of the site provides the commercial floor space at lower ground and ground floor levels with servicing and delivery access from the rear. Access to the residential accommodation is provided from the rear in Waterfall Cottages.

- 7.32 There is no defined building line along this section of the high street with buildings at 8 to 12 High Street set back 7 metres from the pavement and the building at 14 High Street set back by 2 metres from the pavement. It is considered that the proposed layout successfully addresses the High Street frontage with a building that is set back between 4 and 10 metres from the back edge of the pavement. It is considered that the layout of the proposed building makes efficient use of this site, whilst maximising other land that is available for amenity space. The buildings have also been positioned to reduce any potential impact on residential amenity.

Building design and materials

- 7.33 The 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.
- 7.34 The existing buildings on the application site are of poor quality and are considered to detract from the appearance of the local area. As a result and subject to the design and appearance of a replacement building it is considered that the loss of the existing buildings will enhance the character of the local area.
- 7.35 In terms of references for the design and appearance of a replacement building, there is some variety in building design present in the local area. The design of the front elevation of the proposed building fronting High Street Colliers Wood is considered appropriate in this location and would provide a rhythm that reflects that of nearby buildings.
- 7.36 The submitted design and access statement lists and application form list the proposed facing materials for the new building. The proposed facing materials include a London Stock buff brick, with a grey Fiber cement cladding with aluminium windows and doors. The proposed materials are considered in keeping with the surrounding area whilst also reflecting the contemporary design of this development.
- 7.37 It is considered that the design and appearance of the proposed building respects and enhances the character of the surrounding area and the development is in keeping with the surrounding area.

Building scale and massing

- 7.38 The application site is located at the end of High Street Colliers Wood with the railway line immediately to the north east. The predominant height of development along the High Street is buildings of two and three storeys with pitched roofs, however the nearby development at the corner of the High

Street with Robinson Road is five storeys high (3 High Street Colliers Wood providing 33 flats).

- 7.39 Whilst the drop in ground level from the pavement to the application site of over one building storey is highlighted, in views from the High Street the proposed development will be seen as a three storey flat roofed building to the southern half of the site frontage. This three storey building is a metre higher than the roof ridge of the adjacent residential building at 8 High Street. The proposed building on the northern half of the site frontage steps up to 5 storeys in height when viewed from the street. In views from the rear, the buildings at the front of the site will be four storeys and six storeys in height. The buildings alongside the railway line will step down to four storeys then three storeys in height.
- 7.40 It is considered that the proposed building makes reference to the height of this adjacent three storey building and makes efficient use of the land on this site which is in a sustainable location and immediately adjacent to the railway line. It is considered that the proposed building will be in keeping with the scale and massing of the proposed building on the adjacent site and the area generally.

Neighbour amenity

- 7.41 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.
- 7.42 The closest residential accommodation to the application site is located at 8 High Street with other nearby residential accommodation at 17 Waterfall Cottages, 82-86 Acre Road and Douglas Court on the opposite side of the railway line.

8 High Street

- 7.43 The residential building at 8 High Street immediately adjoins the existing commercial building on the application site (6 High Street). The building at 8 High Street is three storeys high with a pitched roof, with the front elevation of this building set back by 7 metres behind the front elevation of the existing commercial building at 6 High Street which is single storey with a pitched roof.
- 7.44 The proposed building in this location will be three storeys high and separated from the side elevation of 8 High Street by a distance of 1.5 metres. The main elevation of the proposed building will protrude 4.5 metres forward of the front elevation of 8 High Street at ground floor level with balconies at first and second floor level extending further forward. Whilst the commercial building at 6 High Street currently extends along the entire length of the rear amenity space to 8 High Street, this building will be removed as part of the proposed development.
- 7.45 It is considered that due to the orientation of the proposed building to the north of the existing adjacent residential building, the existing building layout and the separation distance between the buildings the proposed development

is acceptable in terms of 8 High Street and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.

17 Waterfall Cottages

- 7.46 The blank side elevation of the two storey property at 17 Waterfall Cottages faces towards the application site. At the closest point, a distance of 22 metres will separate the rear elevation of 17 Waterfall Cottages from the closest proposed three storey building.
- 7.47 It is considered that due to the orientation of this adjacent property and the separation distance between the buildings the proposed development is acceptable in terms of at 17 Waterfall Cottages and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.

82-86 Acre Road

- 7.48 The properties at 82 to 86 Acre Road are located in two terraced buildings to the west (rear) of the application site. At the closest point, a distance of 43 metres will separate the rear elevation of 86 Acre Road from the rear elevation of the closest proposed three storey building.
- 7.49 It is considered that due to this the separation distance between the buildings the proposed development is acceptable in terms of 82 to 86 Acre Road and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.

Douglas Court Kenlor Road

- 7.50 Douglas Court is a two storey residential terrace on the opposite side of the adjacent railway line. At the closest point, a distance of 30 metres across the railway line will separate the rear elevation of Douglas Court from the side elevation of the proposed building.
- 7.51 It is considered that due to this the separation distance between the buildings the proposed development is acceptable in terms of Douglas Court and matters relating to daylight, sunlight, visual intrusion, privacy and overlooking.
- 7.52 In support of the application the applicant has also conducted a detailed daylight and sunlight assessment following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'. The submitted proposal was found to pass this detailed assessment in relation to the potential impact on neighbouring properties.

Standard of residential accommodation - internal layout and room sizes

- 7.53 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.
- 7.54 Policy 3.5 of the London Plan (July 2015) states that housing developments should be of the highest quality internally and externally. The London Plan

states that boroughs should ensure that new development reflects the minimum internal space standards as set out as gross internal areas in table 3.3 of the London Plan.

- 7.55 The table provided in section 3 of this current report sets 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.

Standard of residential accommodation - external amenity space

- 7.56 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. The standard within the Sites and Policies Plan states that in accordance with the London Housing Design Guide, there should be 5 square metres of external space provided for one and two person flats with an extra square metre provided for each additional bed space.

- 7.57 The proposed flats are each provided with private rear garden space with this amenity space provided as either garden space at ground floor level or balconies on the upper floor levels. The proposed flats would also have a communal amenity space. 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.

Standard of residential accommodation - lifetime Homes standards.

- 7.58 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.

- 7.59 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.

Car parking

- 7.60 The application site has a public transport accessibility level (PTAL) of 5 (On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility). This PTAL level indicates that the site has a good level of access to public transport services, it is highlighted that the site is within a reasonable walking distance of Colliers Wood underground station and various buses servicing Colliers Wood Urban Centre. The application site benefits from access to the day-to-day facilities in Colliers Wood Urban Centre including shops, places of employment and recreational uses. The site is located within a controlled parking zone (Zone CW) that operates 0830hrs to 1830hrs Monday to Friday. There are ten marked on street parking bays located at the rear of the site in

Waterfall Cottages that controlled by permits when the controlled parking zone is in operation.

- 7.61 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. Car parking standards are set out within the London Plan at table 6.2 and require a 'maximum' of one of street space for dwellings with one or two bedrooms and a 'maximum' of 1.5 spaces for three bedroom dwellings.
- 7.62 The development includes the provision of 11 off street car parking spaces, including three disabled bays and this provision is considered in line with the maximum standards set out in the London Plan. 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. The application site is located within a controlled parking zone and a planning obligation is recommended that will prevent future occupants of the proposed accommodation from obtaining on street parking permits.

Trip generation and vehicle access

- 7.63 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.
- 7.64 The applicant has submitted a transport statement in support of the current planning application. This statement has been considered and it was found that the trip generation from the proposed development can be easily and safely accommodated on the existing road network.
- 7.65 In order to ensure that traffic and vehicles associated with the construction phase do not impact upon the public highway a planning condition is recommended seeking the submission of a Construction Logistics Plan.
- 7.66 The submitted plans show facilities for servicing and deliveries to both the commercial and residential uses to the rear of the site accessed from Waterfall Cottages. These arrangements are considered acceptable in principle however a planning condition is recommended to seek further detailed drawings to ensure a suitable design and layout for pedestrians and vehicles including provision of a shared surface. A further planning condition

is recommended to seek the submission and approval of a Delivery and Servicing Plan.

Refuse storage and collection.

- 7.67 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.
- 7.68 The submitted application drawings show refuse and recycling storage areas for the new flats and an area for the commercial floorspace. 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.

Cycling

- 7.69 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.
- 7.70 The submitted application drawings show cycle storage areas for the new flats and an area for the commercial floorspace. These storage locations are considered acceptable in principle and a planning condition is recommended to seek further details of this storage, to ensure suitable provision (54 residential spaces and 4 commercial), to ensure that the storage is subdivided into smaller storage areas for security purposes and to ensure that these facilities are provided and retained for the benefit of future occupiers.

Crossrail 2 safeguarding area

- 7.71 Crossrail 2 is a significant new rail line planned to run underground across London between Wimbledon and New Southgate. Safeguarding is a statutory process that sets out the boundaries of the land within which the new infrastructure could be built. The safeguarded area includes both the possible route of the tunnels as well as land at ground level that may be used for the construction of the tunnels, stations and ventilation and emergency access shafts.
- 7.72 The application site is within the safeguarding area and consultation has taken place with Transport for London. Transport for London have confirmed that they have no objection in principle to the planning application subject to the inclusion of a planning condition that requires the submission of detailed design and method statements for all of the foundations, basement and ground floor structures.

Potential ground contamination.

- 7.73 The London Plan (Policy 5.21) indicates that the Mayor supports bringing contaminated land into beneficial use. Sites and Policies Plan policy 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.

- 7.74 A desktop assessment submitted with the planning application concluded that the site level of risk of contaminated would not impact upon the site value and the site would not meet the designated contaminated land definition. 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.

Sustainable design and construction.

- 7.75 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. With the commercial floor space less than 500 square metres in accordance with Core Strategy policy CS15 there is no sustainability standard applicable to the proposed commercial floor space.
- 7.76 On 25 March 2015 the Government issued a statement setting out steps it is taking to streamline the planning system. The changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations are relevant to the current application. The Deregulation Act was given Royal Assent on 26 March 2015. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 7.77 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with requirements above a Code level 4 equivalent. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.
- 7.78 In light of the government's statement and changes to the national planning framework it is recommended that conditions are not attached requiring full compliance with Code Level 4 but are attached so as to ensure the dwelling is designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.

Archaeology

- 7.79 The application site is in an Archaeological Priority Zone and the current application is supported by an Archaeological Desk Based Assessment commissioned by the applicant. Historic England (formerly known as English Heritage) have not raised objections to the proposal on the basis that any planning permission is subject to a planning condition. This planning condition should require further evaluation to clarify the nature and extent of surviving remains which if necessary, be followed by a full investigation.

Risk from Flooding

- 7.80 Policy CS. 16 within the Council's Core Planning Strategy [July 2011] states that the Council will work with the Environment Agency and developers to manage and reduce flood risk from all sources of flooding including surface water, ground water flooding and critical drainage.
- 7.81 The majority of the application site is in flood risk zone 2 [between a 1 in 100 and 1 in 1000 probability of flooding from rivers in any one year] with areas along the north east boundary in flood risk zone 3 [where there is a 1 in 100 year or greater of flooding from rivers in any one year]. The site is also located in an archaeological priority area.
- 7.82 In support of the planning application the applicant has provided a flood risk assessment. The Environment Agency have confirmed that they have no objection to the proposed development subject to the use of planning conditions. These conditions require the submission and approval of a surface water drainage scheme, the submission and approval of information relating to the investigation and remediation of any site contamination; no infiltration of surface water drainage into the ground; piling or any other foundation designs using penetrative methods and that the development is constructed in accordance with the submitted Flood Risk Assessment.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The area of the application site is below 1 hectare and as a result the site falls outside the scope of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for a screening opinion or for an Environmental Impact Assessment as part of this development.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Lev

- 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. The Mayor of London Community Infrastructure Levy charge that would be payable for the proposed development would be based on the charge of £35 per square metre.

London Borough of Merton Community Infrastructure Levy

- 9.2 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.
- 9.3 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.

- 9.4 The London Borough of Merton Community Infrastructure Levy charge that would be payable for the proposed development would be based on the charge of £220 per square metre.

Planning Obligations

- 9.5 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.

- 9.6 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.

Provision of affordable housing and other off site financial contribution towards the provision of affordable housing.

- 9.7 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.

- 9.8 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. The applicant has confirmed that 14 of the proposed new units will be provided as affordable housing which is in accordance with policy CS. 8.

Restriction for future occupants from obtaining on street car parking permit.

- 9.9 In order to encourage public transport use a planning obligation is recommended to prevent future occupants from obtaining on street car parking permits.

Monitoring and legal fees

- 9.10 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fees would be calculated on the basis of 5% of the monetary contribution (to be agreed). 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 incorporating a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. 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.

S106 Heads of terms:

1. The provision of affordable housing
2. A restriction preventing future occupants from obtaining on street car parking permits.
3. The developer agreeing to meet the Council's costs of drafting the Section 106 Obligations (£ to be agreed).
4. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations (£ to be agreed).

And the following conditions:

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 and 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: 6336-2P03D; 2P04B; 2P05B; 2P06B; 2P07B; 2P08B; 2P09B; 2P10B; 2P11B; 2P12B; Design and Access Statement; Planning Statement; Supplementary statements received on the 16.04.2015 and 01/06/2015; Desk Study Report (Ground Contamination); Daylight, Sunlight and Overshadowing Report; Environmental Noise and Vibration Assessment; Energy Statement, Transport Statement; Code for Sustainable Homes Assessment; Archaeological Desk Based Assessment; Flood Risk Assessment; Compensatory Flood Storage Statement Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Standard condition (Timing of construction work) No demolition or 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. Non-standard condition (Demolition dust and noise) Prior to the commencement of development (including demolition) measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with

these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2. This information is required prior to works commencing as any works on the site could potentially impact upon amenity through the generation of dust and noise.

5. Amended standard condition (Construction phase impacts) Prior to the commencement of development (including demolition) 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 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. This information is required prior to works commencing as any works on the site could potentially impact upon amenity.
6. Amended standard condition (Construction Logistics Plan) Prior to the commencement of development (including demolition), 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. This information is required prior to works commencing as any works on the site could potentially impact upon amenity and vehicle and pedestrian safety.
7. Non-standard condition (Land contamination – site investigation) Prior to the commencement of development (including demolition) 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 the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination. This information is required prior to works commencing as any works on the site could potentially impact upon any contamination that may be present.
8. 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. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination. This information is required prior to works commencing as any works on the site could potentially impact upon any contamination that may be present.

9. 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. For the protection of Controlled Waters. The site is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination.
10. Non-standard condition (Land contamination – validation) Prior to first occupation of the proposed new dwellings or commercial floorspace 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. For the protection of Controlled Waters. The site

is located over a Secondary Aquifer, within Source Protection Zone 2 (SPZ2) and it is understood that the site may be affected by historic contamination.

11. Restriction to B1a Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the approved commercial unit shall only be used for purposes within Use Class B1 and for no other purpose. Reason for condition: The Local Planning Authority wish to retain control over any further change of use of these premises in the interests of safeguarding the amenities and function of the area and to ensure compliance with Development Plan policies DM R2 and EP2 of Merton's Sites and Polices Plan 2014.
12. Non-standard condition (Surface water drainage scheme) Prior to the commencement of development (including demolition) a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall have been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm plus 30% climate change will not exceed the lower discharge rate of 4.03l/s, as detailed on section 5.2 of the Flood Risk Assessment (FRA) prepared by Nimbus Engineering Consultants, dated November 2014. The scheme shall include a clearly labelled drainage layout plan showing pipe networks, incorporating the SuDS techniques proposed with details of the surface water discharge control system as noted on page 15 of the FRA All measures therefore will need to incorporate a high level overflow to the existing sewer network. Reason for condition: To reduce the risk of flooding to the proposed development, its future users and third parties in accordance with with Sites and Polices policy DM F1. This information is required prior to works commencing as any works on the site could impact upon the drainage system.
13. Non-standard condition (Flood Risk Assessment) Prior to first occupation of the proposed new dwellings or commercial floor space the mitigation measures set out in the approved Flood Risk Assessment (FRA) shall have been fully implemented including the provision of compensatory flood storage as detailed on the compensatory storage report - document number: C1354B; Finished floor levels set no lower than 14.67m above Ordnance Datum (AOD). As detailed in section 8.3 of the FRA. With the development proceeding in full accordance with the FRA. Reason for condition: To prevent the increased risk of flooding to occupiers and the surrounding area. in accordance with with Sites and Polices policy DM F1
14. Non-standard condition [No infiltration of surface water drainage] No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, this consent may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details. Reason for

condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy with Sites and Polices policy DM EP4 and to protect controlled waters as the infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

15. Non-standard condition [Foundation design] Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. 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 infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy with Sites and Polices policy DM EP4 and to protect controlled waters as the infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.
16. Non-standard condition (Crossrail 2) Prior to the commencement of development (including demolition) detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall have been submitted to and approved in writing by the local planning authority. The development shall only proceed in accordance with the approved method statement and all structures and works that are required by the method statements shall be in place before the building is first occupied and shall be retained permanently thereafter. Reason for condition: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2011 Table and 'Land for Industry and Transport' Supplementary Planning Guidance 2012. This information is required prior to works commencing as any works on the site could impact upon the matters that this condition seeks to protect.
17. Amended standard condition (External materials) Prior to the commencement of development details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, (notwithstanding any materials specified in the application form and/or the approved drawings), shall have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason for condition To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015,

policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014. This information is required prior to works commencing as any works on the site could impact upon the matters that this condition seeks to protect.

18. Amended standard condition [Archaeology - commencement] Prior to the commencement of development [including demolition] the applicant (or their heirs and successors in title) shall have secured the implementation of a programme of archaeological investigation that is in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority with the development [including demolition] proceeding in full 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. This information is required prior to works commencing as any works on the site could impact upon the matters that this condition seeks to protect.
19. Amended standard condition [Archaeology - occupation] Prior to first occupation of the proposed new dwellings or commercial floorspace 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
20. Amended standard condition (Delivery and Servicing Plan) Prior to first occupation of the proposed new dwellings or commercial floorspace a Delivery and Servicing Plan (the Plan) shall have been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented in accordance with the approved plan. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use. Reason for condition: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.
21. Amended standard condition (Delivery, Servicing and pedestrian access) Prior to first occupation of the proposed new dwellings or commercial floor space service arrangements shall be in place that are in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These details shall include service access arrangements from Waterfall Cottages and shall include provision of the turning head as part of a shared surface and suitable pedestrian access arrangements. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use. Reason for condition: To ensure the safety of pedestrians

and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

22. Non-standard condition (Details of walls and fences) Prior to first occupation of the proposed new dwellings or commercial floorspace and notwithstanding what is shown on the submitted drawings walls and fences or other means of enclosure 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 walls and fences or other means of enclosure retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with Sites and Policies Plan policies DM D1, DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
23. Amended standard condition (Landscaping) Prior to first occupation of the proposed new dwellings or commercial floorspace landscaping shall be in place that is in accordance with a landscaping scheme that has previously been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on a plan, full details of the size, species, spacing, quantities and location of plants, and measures to increase biodiversity together with any hard surfacing and means of enclosure. 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.
24. Non Standard Condition (Landscape Management Plan) Prior to first occupation of the proposed new dwellings or commercial floorspace a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for open space within the site and all communal and incidental landscaped areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The landscape shall be managed in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority. Reason for condition To enhance the appearance of the development and the amenities of the area in accordance with policy CS13 of the Adopted Core Strategy (July 2011).
25. Non Standard Condition (Commercial plant/machinery soundproofing) Noise from any new plant/machinery associated with the relevant commercial floor space shall not increase the background noise level by more than 2dB (A) L 90 (5 minute measurement period) with no increase in any one-third octave band between 50 Hertz and 160Hertz. Reason for condition To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with Development Plan policies: policies 7.14 and 7.15 of the London Plan 2015, policy CS7 of Merton's Core Planning Strategy 2011 and policies DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

26. Non-standard condition (Sustainability) Prior to first occupation of the proposed new dwellings evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1) (105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies 5.2 of the Adopted London Plan 2015 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
27. Amended standard condition (Lifetime homes) Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy (July 2011).
28. Amended standard condition (Screening of external amenity areas) Prior to first occupation of the proposed new dwellings screening to the proposed external amenity areas above lower ground floor shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with the approved screening maintained permanently thereafter. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies Plan policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
29. Non-standard condition [Car parking spaces] Prior to first occupation of the proposed new dwellings or commercial floorspace details of how the car parking spaces are allocated to individual residential units or the commercial floorspace and details of electric vehicle charging points in accordance with the London Plan, shall be submitted to and approved in writing by the Local Planning Authority with the car parking spaces shown on the approved drawing to serve the development and the charging points provided and thereafter kept free from obstruction and retained for parking purposes 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 policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan
30. Non-standard condition (Cycle storage and parking) Prior to first occupation of the proposed new dwellings or the commercial floor space cycle storage for occupiers or users and cycle parking for visitors for the relevant floor space 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).

31. Non-standard condition (Refuse and recycling facilities) Prior to first occupation of the proposed new dwellings or the commercial floor space refuse and recycling facilities shall be in place for the relevant floor space 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).

32. Amended standard condition (External Lighting) Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition In order to safeguard the amenities of the area, the occupiers of neighbouring properties and wildlife using the green corridor at the rear of the site and to ensure compliance with Sites and policy DM D2 and policies CS13 and CS14 of the Adopted Merton Core Planning Strategy 2011.

INFORMATIVES:

- a) The applicant is advised that 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.
- b) The applicant is advised that details of Lifetime Homes standards can be found at www.lifetimehomes.org.uk
- 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 to contact Network Rail (AssetProtection@networkrail.co.uk) prior to any works commencing on site. Network Rail strongly recommends that the developer agrees an Asset Protection Agreement to enable approval of detailed works with more information available at www.networkrail.co.uk/asp/1538.aspx.
- e) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If

bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).

- f) The applicant is reminded of the need to comply with the Control of Asbestos Regulations 2012 in relation to the demolition of the existing buildings on the application site, with further advice available at the following link: <http://www.hse.gov.uk/asbestos/regulations.htm>.
- g) The applicant is advised that archaeological written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs. Archaeological monitoring of geotechnical investigations would be a suitable initial method of evaluating deposit survival on the site. The findings will inform the requirement for further evaluation. Should significant archaeological remains be encountered, mitigation comprising further archaeological fieldwork is likely to be necessary.
- h) The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of the final design and associated method statements that are required by a condition, in particular with regard to: demolition; excavation and construction methods. The method statements should include: details on all structures; accommodate the location of the existing London Underground structures and tunnels; accommodate ground movement arising from the construction thereof; and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.
- i) The applicant is advised that the footway and carriageway on the A24 High Street Colliers Wood should remain clear during the construction period; that all vehicles should only park or stop at permitted locations and within the time periods permitted by existing on-street restrictions and that no skips or construction materials should be kept on the footway or carriageway at any time.