

PLANNING APPLICATIONS COMMITTEE
13 August 2015

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P1750	11/05/2015
Address:	8A The Drive West Wimbledon SW20 8TG	
Ward	Raynes Park	
Proposal	Demolition of Blossom House School (Use Class D1 - 2252 square metres) and all associated buildings and structures and redevelopment of the site with the construction of 13 houses (8 four bedroom and 5 five bedroom) with private and communal amenity space, 28 car parking spaces, 52 cycle parking spaces and associated landscaping.	
Drawing No's	BMD.15.008.DR.P001 rev B; 00925_S01 rev PL02; 00925_X_02 rev PL02; HT1_01 rev PL01; HT2_01 rev PL02; HT3_01 rev PL01; HT4_01 rev PL01; HT5_01 rev PL01; HT6_01 rev PL01; HT7_01 rev PL01; Planning Statement; Design and Access Statement; Addendum (July 2015); Construction Method Statement Daylight and Sunlight Report; Statement of Community Engagement; Energy Report, Sustainability Statement; Preliminary Ecological Appraisal; Transport Statement; Heritage and Archaeological Assessment; Parking, Delivery and Servicing Management Plan; Arboricultural Assessment and Method Statement and Flood Risk Assessment.	
Contact Officer	Tony Ryan (020 8545 3114)	

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

CHECKLIST INFORMATION.

- S106: restriction on parking permits;
 - Is an Environmental Statement required: No;
 - Conservation Area: Yes (West Wimbledon Conservation Area);
 - Archaeological Priority Zone: No;
 - Area at Risk from Flooding: No;
 - Trees: North east corner tree is protected by a Tree Preservation Order;
 - Controlled Parking Zone: Yes (Zone RPe);
 - Development Plan designation – No other formal designation;
 - Design Review Panel consulted – Yes;
 - Site notice: Yes;
 - Press notice: Yes;
 - Number of neighbours consulted:77;
 - External consultations: Residents Association of West Wimbledon, Wimbledon Society and the Police Crime Prevention Design Advisor;
 - PTAL: level 1b (TFL Planning Information Database);
 - Density: 91 habitable rooms, area of 0.55h – 165 habitable rooms per hectare.
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1. INTRODUCTION

- 1.1 This application is brought before committee for Members' consideration as a result of the public interest in the proposal.

2. SITE AND SURROUNDINGS

- 2.1 The application site was previously occupied by Blossom House School. The site covers an area of 0.55 hectares and is located on the west side of The Drive at the point where The Drive bends sharply. The site is occupied by a number of two storey buildings and a two storey sports hall which all have pitched roofs.
- 2.2 There is a notable fall in ground level across the application site from the north east corner to the south west corner, with a series of hardstanding terraces reflecting this gradient. There is an open grassed area along the west boundary. A large London Plane tree is located in a prominent position in the north east corner of the site.
- 2.3 The area surrounding the application site is residential in character. A three storey residential development called Regency Place (8 The Drive) is located to the north of the site. To the west of the site are two storey residential properties in Hampton Close. The site has a small (10 metre) frontage on to The Drive with the majority of the frontage (58 metres) on to a private road ('Lane End'). This private road also provides access to the two storey residential properties at 10, 12 and 14 The Drive. These properties are all owned by the school proprietor (applicant) with no.14 previously used as a nursery in connection with the school and no's 10 and 12 are in residential use and occupied by the applicant and extended family.
- 2.4 The site is located within West Wimbledon Conservation Area. The building at 16 The Drive located to the east of the site is on the local non-statutory list of historically important buildings. The property is described as a two and a half storey detached building which dates from 1902. Its design uses classical details. The materials used include brown brick with red brick stone and terracotta detailing, and roof tiles. The property at 18 The Drive is also on the local list of historically important buildings described as a two and a half storey detached building which dates from 1906. The materials used include pebbledash and a tiled roof. The design of the building does not relate to that of others in the vicinity.
- 2.5 The application site has a Public Transport Accessibility Level rating of 1b (On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility). The site is located in a controlled parking zone, (Zone RPE) that operates between Monday to Friday 0830hrs to 1830hrs. The site is not located in an Archaeological Priority Zone and is not located in an Area at Risk from Flooding.

3 CURRENT PROPOSAL

- 3.1 Blossom House School provides specialist and independent day school education for children aged between the ages of 3 and 19 years who have speech, language and communication difficulties. The school is predominately publicly funded with the majority of school pupils enrolled following referral from local authorities. The school provides full time structured education to these children within a supported learning environment.
- 3.2 The buildings on the current application site originally provided an old peoples home, with Blossom House School moving onto the application site in 2005. Blossom House School previously occupied the adjacent site at 8 The Drive (now Regency Place) with this adjacent building subsequently converted to residential accommodation
- 3.3 With the lack of space available for expansion on the current application site and a planning condition restricting the number of pupils (150 pupils - see planning history) the school found an alternative school site adjacent to Motspur Park Railway Station. A planning notice dated 3 February 2014 confirmed that the Council had granted prior approval [13/P3973] for the use of the vacant office building called Abbott Court, Station Road as a school. The use of this building by Blossom House School has now commenced. The school is set to expand as part of the relocation starting with 160 pupils and 100 staff with a future capacity of up to 300 pupils and 180 staff.
- 3.4 In order to facilitate the relocation and expansion of the school the current proposal involves the demolition of all the existing buildings on the site at 8A The Drive and the residential development of this site. The redevelopment of the application site for residential use is necessary to finance the expansion of the school. This finance has been necessary to meet the costs relating to the lease of the new school building, the adaption of the building from the former office use and general relocation expenditure.
- 3.5 The current proposal involves the demolition of all the existing buildings (2252 square metres of floorspace Use Class D1 – non-residential institution use) and a residential development of 13 houses (8 four bedroom and 5 five bedroom houses). The layout of the development has been designed around a central shared amenity area. The proposed facing materials include red brick, yellow buff brick, stone with slate roofs and metal railings. All of the proposed houses are provided with large rear gardens. Refuse storage for the residential accommodation is also provided within the new buildings. The development includes 28 off street car parking spaces.
- 3.6 The table on the following page provides information on the internal size of the proposed residential accommodation and external amenity space and compares the space that is provided with the current relevant minimum standards set out in the Development Plan.

Table 1: Standard of the proposed accommodation

Plot number	Internal layout (Sq. M)					Amenity space (Sq. M)			Off street car parking
	Bedrooms	Bed spaces	Habitable rooms	Gross Internal Area	London Plan Standard	Garden	Terrace	Sites and Policies Plan standard	
1.	4	8	6	167	133	167	5	50	2
2.	4	8	7	241	133	119	4	50	2
3.	5	10	7	261	153	105	4	50	2
4.	5	10	7	261	153	150	4	50	2
5.	4	8	7	241	133	160	4	50	2
6.	4	8	9	195	133	95	2	50	2
7.	4	8	7	237	133	184	-	50	2
8.	5	10	9	289	153	160	-	50	2
9.	4	8	5	234	133	111	-	50	2
10.	5	8	7	274	153	106	-	50	2
11.	5	10	7	274	153	106	-	50	2
12.	4	8	5	234	133	107	-	50	2
13.	4	7	8	246	123	68	5	50	2

- 3.7 The development provides buildings with residential accommodation on three and four levels with the top floor of buildings provided within the building loft space and the bottom floor at basement level. Plot 1 is a detached property to the north of the site entrance with two off street car parking spaces located adjacent to the central amenity area. The accommodation is arranged over three levels with the top floor within the roof space of the building. Plots 2 to 5 are arranged in a terrace with accommodation over four floors with the top floor within a mansard roof. All of these four houses have 2 off street car parking spaces and these spaces include garages for plots 3 and 4.
- 3.8 Plot 6 is a detached property with accommodation over four levels. The top floor of the building is within the roof space and the bottom floor a semi basement. With the fall in ground level the front elevation of the building will appear as two storey with additional accommodation within the roof. The property is provided with 2 off street car parking spaces. Plots 7 and 8 are semi-detached properties. The accommodation is arranged over four levels with the top floor within the roof space of the building and the bottom floor within a semi basement. The properties are provided with 2 off street car parking spaces which include a garage attached to plot 8.

- 3.9 Plots 9 to 12 are arranged in a terrace with accommodation over four levels however with the change in ground level and the semi basement the buildings will appear as two storeys with a mansard roof to the front elevation. All of the four houses have 2 off street car parking spaces and these include garages for plots 10 and 11. Plot 13 is a detached property to the north of the site entrance. The accommodation is arranged over three levels with the top floor within the roof space of the building.
- 3.10 Plot 13 is a detached property to the south of the site entrance with two off street car parking spaces located adjacent to the central amenity area. The accommodation is arranged over four levels with the top floor within the roof space of the building and the bottom floor within a semi basement.

4. PLANNING HISTORY.

- 4.1 The planning history for the application site at 8A The Drive and for the site at Abbott Court, Station Road, Motspur Park; New Malden is considered relevant to the current planning application and is provided below.

8A The Drive, SW20 8TG

- 4.2 The most relevant entries in the planning register for the application site are provided below:
- 4.3 In April 2008 planning permission was approved for the erection of a single storey building with a first floor extension to an existing building (LBM reference 07/p3660).
- 4.4 In April 2006 planning permission was approved for the erection of a new sports hall (LBM reference 06/p0335). This was a modification to the previously approved development that was approved under reference 04/p2812. The description of the earlier proposal was for the erection of a new sports hall and kitchen extension and a new entrance extension.
- 4.5 In April 2005 planning permission was approved (LBM reference 04/P1740) for the change of use of 8A The Drive from an elderly persons care home (Use Class C2) to a special education needs school (Use class D1). This approval involved the relocation of the special educational needs school use that was at 8 The Drive (now the residential building called Regency Place).
- 4.6 The following restrictive planning condition is attached to the school use on the application site at 8A The Drive: ***“The number of pupils attending the school shall not exceed 150 children at any one time unless otherwise agreed in writing by the Local Planning Authority”***. The reason for the condition was to ***“prevent over-intensive use of the site and parking congestion in surrounding streets which would be harmful to the amenities of adjoining residential occupiers, the free flow of traffic and pedestrian and highway safety”***.

Abbott Court, Station Road, Motspur Park; New Malden, KT3 6JJ.

- 4.7 On the 3 February 2014 a notice was issued (LBM reference 13/p3973) that gave the 'Prior Approval' of the Council in respect of the change of use of the

office space (Planning Use Class B1) within this building to provide a state funded school (Planning Use Class D1). This application was submitted by Blossom House School. The school has expand as part of the relocation starting with 160 pupils and 100 staff with a future capacity of up to 300 pupils and 180 staff.

5. **CONSULTATION**

5.1 Prior to the submission of the current planning application the applicant carried out pre-application consultation with adjoining residents.

5.2 A consultation event held on the application site on the 17 March 2015 was publicised with 150 leaflets sent to neighbouring addresses and invitations sent to ward councillors, members of the planning committee and the Wimbledon Society.

5.3 The consultation event was attended by 15 residents and the following comments were given on three feedback forms:

- Proposed buildings on the northern boundary were too tall, especially in terms of the relationship with properties in Hampton Close;
- The development predominantly uses stone and buff brick and it was suggested that alternative materials be used to 'liven up' the development.

5.4 The submitted planning application was publicised by means of a site notice, a press notice and individual consultation letters sent to 77 local addresses. As a result of the original public consultation six letters (including two letters from 5 Hampton Close and one letter on behalf of the properties at 1-4 Regency Place) were received objecting to the proposal. The objections that have been raised are summarised below:

5.5 **Former school use and proposed residential accommodation**

- The application site is suitable for a replacement school and should be retained for education use;
- The development is for more executive homes in an area already full of these houses;

5.6 **Layout and appearance**

- The use of 'yellow' coloured brick is out of keeping with the local area that consists of red brick buildings;
- The proposal is considered over development;

5.7 **Impact on amenity**

- The development will result in visual intrusion due to the proximity of proposed buildings to the boundary, the height of proposed buildings and the short neighbouring gardens;
- Whilst it is noted that the nearest proposed building is "*offset and not directly to the rear*" the development will still to a loss of privacy and overlooking to properties in Hampton Close;
- The development will lead to a loss of privacy for residents of Regency Place;

- The proposed tree planting will lead to “visual impact” and “overshadowing”.
 - The proposed buildings will lead to overshadowing of neighbouring properties;
 - The development will lead to a loss of daylight and sunlight;
 - The development will lead to noise disturbance;
- 5.8 **Further public consultation** Following the comments received from adjoining residents the applicant met with residents on the 14 July 2015 to discuss their concerns.
- 5.9 Following this meeting revised plans were received that sought to address the concerns of adjoining residents. These plans have been the subject of additional public consultation with further letters sent to adjoining residents.
- 5.10 The following changes have been made to the proposal:
- The houses at plots 4 and 5 and their front gardens have been lowered by 1.65 metres, with the roof ridge of the building lowered from 11.35 metres to a height of 9.7metres.
 - The buildings have been moved a metre further away from the boundary by re-designing the room above the garage to plot 3.
 - The houses at Plots 2 to 5 have been moved a metre further away from the boundaries with nos. 4 and 5 Hampton Close and Regency Place.
- 5.11 **Merton Green Party** There is an objection to the application on the basis that the development does not provide any affordable housing contrary to the adopted Core Strategy and that the mix of dwelling sizes does not meet adopted requirements.
- 5.12 **LB Merton Environmental Health** There are no objections but a planning condition is recommended will ensure that the submitted construction method statement is followed.
- 5.13 **LB Merton Tree and Landscape Officer** There are no objections to the proposed development subject to the inclusion of planning conditions relating to tree protection and site supervision.
- 5.14 **LB Merton Transport Planning** There are no objections to the proposed development subject to a planning obligation to prevent future occupants from receiving on street permits and inclusion of planning conditions relating to car parking provision; submission of details of cycle parking and implementation and submission of a parking management strategy.
- 5.15 **LB Merton Highways** There are no objections to the proposed development subject to the inclusion of planning conditions relating to construction deliveries and wheel washing and informatives relating to the construction of a new vehicular access; the licences required to carry out work on the public

highway and liaison with the London Borough of Merton, Network Coordinator.

- 5.16 **LB Merton Children, Schools and Families** With the responsibility of providing sufficient school places in the borough, an assessment has been carried out of the suitability of the application site to provide a 420 pupil school based on the size of the application site and Department for Education space recommendations. After this assessment it is concluded that the Council in its executive roll would not wish to purchase the Blossom House school site for school purposes. It should also be noted that the latest projections for school places indicate a plateauing of demand for primary school places over the next few years.
- 5.17 **LB Merton Lead Local Flood Authority.** There are no objections to the proposed development that is located in a Critical Drainage Area subject to the inclusion of planning conditions relating to Surface Water Drainage and Finished Floor Levels:
- 5.18 **Metropolitan Police Crime Prevention Design Advisor** There are no objections to the development subject to the points raised at a meeting with the architect being incorporated into the design (page 27 of the submitted Design and Access Statement) It is recommended that Secured by Design should be incorporated as a minimum standard for security in this development.
- 5.19 **East Surrey Badger Protection Society.** Whilst badgers may not be living on the application site there is evidence that badgers are active in the area and that they use the application site. The presence of badgers on the site is a material planning consideration and the Local Planning Authority should consider the use of appropriate planning conditions to protect them.
- 5.20 **Design Review Panel.** The proposal was considered by the Design Review Panel at the pre application stage on the 17 March 2015. The comments from the panel are provided below:
- 5.21 *“Whilst the Panel did not find any fundamental issues with the proposals, it did question various aspects of the design.*
- 5.22 *The layout seems sensible and rational. It was felt that the formal Georgian garden square had little relevance to the surrounding character of the conservation area. This was much more loosely laid out with buildings either sited for views or following road lines. The Panel were therefore keen to see elements of informality and individuality brought into the layout, such as location of the houses on the plots and incorporation variations in the design to all the houses.*
- 5.23 *It was felt that the layout needed to better respond to the location, views and topography. The Panel was not advising the applicant to completely redesign their approach. However they were clear that the applicant needed to aspire*

to high quality contemporary architecture rather than the mundane aspirations of high-end residential development.

- 5.24 *The Panel felt that the character was 'anywhere' and it needed to loosen up and be given some 'attitude' to move it away from its current well-mannered blandness. The applicant might wish to refine the rather chunky porches and to show the boundary treatments and levels around the site where it adjoins other properties. The Panel also questioned the design and quality of the central green space. This seemed to have been encroached upon by the needs of vehicles and was in danger of becoming a 'token' space.*
- 5.25 *Overall, the Panel were clear that the architect must have the confidence to design their own scheme and develop a set of sensible and rational decisions into a scheme with a real sense of place. VERDICT: AMBER*

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); 3.8 (Housing choice); 3.9 (Mixed and balanced communities); 3.11 (Affordable housing targets); 3.12 (Negotiating affordable housing); 3.18 (Education facilities); 5.1 (Climate change mitigation 5.2 (Minimising carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.7 (Renewable energy); 5.10 (Urban greening); 5.13 (Sustainable drainage); 5.15 (Water use and supplies); 6.3 (Assessing effects of development on transport capacity); 6.5 (Funding Crossrail); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing traffic flow and tackling congestion) 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); 7.6 (Architecture); 7.15 (Reducing noise and enhancing soundscapes); 7.19 (Biodiversity and access to nature); 7.21 (Trees and woodlands) 8.2 (Planning obligations).

Mayor of London Supplementary Planning Guidance

- 6.2 The key supplementary planning guidance relevant to the proposals is on 'Housing' (2012).

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

- 6.3 The relevant policies within the Council's Adopted Core Strategy (July 2011) are; CS4 (Raynes Park); CS.8 (Housing choice); CS.9 (Housing provision); CS.13 (Open space; nature conservation; leisure and culture); CS.14 (Design); CS.15 (Climate change); CS.18 (Active transport); CS.19 (Public transport); and CS.20 (Parking; servicing and delivery).

Merton Sites and Policies Plan (adopted July 2014)

- 6.4 The relevant policies within the Sites and Policies Plan are as follows: DM C2 (Education for children and young people); DM.D1 (Urban design and the public realm); DM.D2 (Design considerations and the public realm); DM D4

Managing heritage assets; 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.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

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

National Planning Policy Framework (March 2012)

- 6.6 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*'.
- 6.7 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.
- 6.8 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.
- 6.9 The NPPF states that heritage assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the principle of development in terms of the loss of the existing buildings located in a conservation area and the change of use from education to residential use. Other considerations include the design, scale, layout and appearance of the proposed buildings, the standard of the residential accommodation, the impact on residential amenity including privacy daylight and sunlight and the potential impact on car parking and traffic generation.

Principle of development

- 7.2 The principle of the proposed development needs to be considered in the context of the loss of the existing buildings on the application site and the proposed change of use of the land from education to residential use.

Change of use from education to residential use.

- 7.3 Policy 3.18 of the London Plan states that proposals that result in the net loss of education facilities should be resisted. Policy DM C2 of the Sites and Policies Plan aims to ensure that there are sufficient school places of a suitable modern standard to meet statutory requirements, while also ensuring sufficient choice of school places.
- 7.4 Whilst the proposal involves the change of use of the existing site to residential use; the proposal will not result in a net loss of education facilities. With the previously vacant office floor space in Motspur Park now brought back into beneficial use as the relocated and expanded school, the proposal will result in an increase in the number of school places available in the borough.
- 7.5 The expanded school proposals will double the number of Special Education Needs school places (150 to 300 spaces) for which there is a local need. With the specialist nature of the education provided at the school the proposal will also increase the choice of school places that are available in accordance with Policy DM C2 of the Sites and Policies Development Plan
- 7.6 As set out later in this report there is a demand for new housing in the borough and it was only possible to release the application site for residential use with the relocation of the school. The land value released by the provision of new housing on the application site is necessary to finance the school relocation. These costs include the repayment of loans used to purchase the former office building in Motspur Park and the costs of adapting this building to provide modern education floor space. In this context the school relocation and the provision of new housing form a single proposal.
- 7.7 Notwithstanding the circumstances of the school relocation that has been outlined above, it is acknowledged that there is a general need for additional school places in the borough. In response to this need the suitability of the application site for continued education use has also been investigated. The Council's Children, Schools and Families section have the responsibility of ensuring that there are sufficient school places available in the borough.
- 7.8 The Children, Schools and Families section have carried out an assessment of the suitability of the application site to provide a 420 pupil school based on the size of the application site and Department for Education space recommendations. After this assessment the Children, Schools and Families section concluded that the Council in its executive roll would not wish to purchase the Blossom House school site for school purposes. The Children, Schools and Families section also noted that the latest projections for school places indicate a plateauing of demand for primary school places over the next few years.
- 7.9 Planning permission was granted for the school use on the application site in April 2005 (LBM reference 04/P1740). After assessment of the potential impact of the school, a planning condition was used to restrict the number of

pupils on the site to 150. The reason for the condition was to “*prevent over-intensive use of the site and parking congestion in surrounding streets which would be harmful to the amenities of adjoining residential occupiers, the free flow of traffic and pedestrian and highway safety*”.

- 7.10 The buildings on the application site were originally constructed as an old people’s home, with the buildings adapted and extended as part of the school use. It is considered that the existing site has significant limitations for future use for education purposes due to the layout of the existing buildings with awkward arrangement of rooms and corridors and the nature of the land with the significant fall in ground level across the site.
- 7.11 In conclusion, the redevelopment of the application site will facilitate the relation of the school that will double the number of available Special Education Needs school places. The redevelopment of the application site will provide the necessary funding for the school relocation and releasing the existing site to provide residential accommodation. It is considered that the proposal involving the relocation of the school and the change of use of the application site from education to residential use is acceptable.

Loss of existing buildings

- 7.12 Sites and Policies Plan policy DM D4 states that to conserve and where appropriate enhance Merton’s heritage assets and distinctive character. Development proposals affecting a heritage asset or its setting will be required to be in accordance with Merton’s published conservation area character appraisals. The development will be expected to demonstrate, how the proposal conserves and where appropriate enhances the asset in terms of architectural or historic interest and setting.
- 7.13 The application land is located within the West Wimbledon Conservation Area; however the existing buildings on the application site are not included either in the national statutory list or the local non-statutory list of historically important buildings.
- 7.14 A conservation area character appraisal was carried out in 2004 when the school buildings were in their previous use as a home for older people. The character appraisal found that the existing buildings on the application site had a neutral impact on the conservation area. The character appraisal describes the application site, which has a narrow frontage to The Drive, as containing single and double storey buildings of a modern, plain inconspicuous design. The buildings on the application site have been extended following the character appraisal as part of an earlier expansion of the school including the addition of a new sports hall.
- 7.15 The existing buildings on the application site are of a simple contemporary design that the character appraisal described as having a neutral impact on the conservation area. In this context the loss of the existing buildings on the application site is considered acceptable subject to the assessment of the standard of the proposed replacement buildings.

Loss of open space

- 7.16 Policy DM O1 of the Sites and Policies Plan aims to protect and enhance open space and to improve access. The policy quoting from the National Planning Policy Framework states that existing designated open space should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 7.17 The application site currently has open space on sloping ground located to the south and west of the existing school buildings. The open space consists of terraced hardstanding areas to the south of the school and a grassed area along the rear (western) site boundary.
- 7.18 The current proposal involves the relocation of the existing school, with the new site providing replacement outdoor space. The application site is not located in an area deficient in access to publically accessible open space. The existing designated open space is not visible from the public realm and is limited in scale. The existing designated open space is on private land and has never provided any public access.
- 7.19 In conclusion and following the above assessment and the wider benefits provided by the proposal, (such as increased education provision and new housing) the submitted proposal is considered acceptable and in this instance a departure from policy DM O1 of the Sites and Policies Plan and the National Planning Policy Framework would be acceptable..

Need for additional housing, residential density and dwelling mix.

- 7.20 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.
- 7.21 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.
- 7.22 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 Wimbledon sub area where the application site is located. 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.

- 7.23 The London Plan states that in urban areas such as the application site with a Public Transport Accessibility Level of 1b, residential density should be within a range of 150 to 200 habitable rooms per hectare. With the application site covering a site area of 0.55 hectares and provision of 91 habitable rooms the residential density of the development is 165 habitable rooms per hectare.
- 7.24 The residential density of the proposed development is within 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 in this location. The proposed development 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.
- 7.25 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.
- 7.26 As set out in the supporting text to policy CS. 8, the Strategic Housing Market Assessment identified a need for more homes of all types and sizes in the borough. The assessment of historical provision also indicates a disproportionately greater delivery of smaller units with 84% of dwellings between 2004 and 2009 consisting of 1 and 2 bedroom units. The current proposal includes the provision of 13 houses (8 four bedroom and 5 five bedroom) and in the context of a need for all housing sizes and historical provision this dwelling mix is considered acceptable and in line with Core Strategy policy CS8.

Building layout, design and materials

- 7.27 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.
- 7.28 Sites and Policies Plan policy DM D4 states that to conserve and where appropriate enhance Merton's heritage assets and distinctive character. Development proposals affecting a heritage asset or its setting will be required to be in accordance with Merton's published conservation area character appraisals. The development will be expected to demonstrate, how the proposal conserves and where appropriate enhances the asset in terms of architectural or historic interest and setting.
- 7.29 The proposed development of detached and terraced residential buildings is laid out around a central shared amenity space, with this open space

designed to provide a focal point. The proposed layout of the proposal has been influenced by various factors. These factors include the need to maximise the separation distances from neighbouring residential properties. The application site has a small frontage on to The Drive which is dominated by a large London Plane tree. A further important factor influencing the layout was the desire to retain and protect the root structure of this tree which is covered by a Tree Preservation Order.

7.30 The development was considered by the Design Review Panel at the pre-application stage and achieved an 'Amber' rating. The panel described the layout of the development as *"...sensible and rational" but also wished "...to see elements of informality and individuality brought into the layout, such as location of the houses on the plots and incorporation variations in the design to all the houses"*.

7.31 In response to the comments from the design panel the proposed development has been revised with the location of new buildings altered and the design of individual properties amended. All of the proposed properties are now of different designs but also share architectural details that relate to the character of the West Wimbledon Conservation Area. The design and layout of the central open space has also been improved following the comments from the panel.

7.32 There is some variation in the facing materials used on nearby building and this is evident in the descriptions given of the nearby locally listed buildings at 16 and 18 The Drive. On 16 The Drive the materials used include brown brick with red brick stone and terracotta detailing, and roof tiles. On 18 the Drive the materials used include white pebbledash and a tiled roof. The proposal includes two detached houses at the entrance to the development (plots 1 and 13), with these two houses forming a gateway to the site. These two houses and the central detached house at the end of the central garden are constructed in red brick with stone detailing and a slate roof. The terraced houses facing each other across the central open space (plots 2 to 5 and 9 to 12) and the houses in the south west corner (plots 7 and 8) are constructed with a buff brick with a slate mansard roof and stone.

7.33 In the context of the various material present on nearby buildings the choice of construction materials is considered appropriate. The Design Review Panel also found the choice of materials acceptable in this location.

Building scale and massing

7.34 The general scale and massing of buildings close to the application site is of large prominent buildings providing accommodation over three levels with the top floor in many cases provided within the loft space. The locally listed buildings at 16 and 18 The Drive are described as being two and a half storeys in height. The main adjacent building directly to the north of the application site at 8 The Drive (Regency Place) three storeys without accommodation in the loft space. The character appraisal considers that this building at 8 The Drive makes a positive contribution to the conservation area.

7.35 With the change in ground level across the application site the development will consist of two and three storey buildings with further accommodation within the loft space and at basement level. With the constraint caused by the significant drop in ground level across the application site and the need to make efficient use of the land it is considered that the scale and massing of the development is appropriate for this location. An assessment of the development in relation to residential amenity is provided later in this report.

Neighbour amenity

7.36 Policy DM D2 states that proposals for development will be expected to ensure, quality of living conditions, and appropriate levels of privacy to adjoining gardens. In order to minimise the impact of new development on the privacy of existing dwellings Supplementary Planning Guidance sets out minimum separation distances. This guidance states that there should be a minimum separation distance of 20 metres provided between any directly opposing habitable residential windows located on upper floor levels.

7.37 In terms of neighbouring residential development a three storey residential development called Regency Place at 8 The Drive is located to the north of the application site. To the west there are two storey residential properties in Hampton Close. To the south of the site are the two storey residential properties at 10, 12 and 14 The Drive and properties in Durrington Avenue and Durrington Park Avenue.

4 Hampton Close

7.38 The property at 4 Hampton Close is a large detached two storey pitched roof house at the north west corner of the application site. The rear elevation of this property faces south east at angle of 40 degrees to the boundary with the application site. The property has large outbuilding in the rear garden adjacent to the rear boundary with the application site.

7.39 A large hardstanding car parking area provided for school staff and the school sports hall is currently located to the rear of 4 Hampton Close. The proposed development includes the demolition of the sports hall (6.5 metres high) and the construction of a terrace of residential properties that will be 9.7 metres and in a similar location.

7.40 The main habitable room windows to the rear of the existing property at 4 Hampton Close face south east with the detached house annotated as plot 6 the closest in terms of direct line of sight. After considering the relationship between buildings, the development will not result in a loss of privacy or overlooking as the main habitable room windows of the proposed building face east and away from the rear of 4 Hampton Close. A planning condition is recommended to ensure that windows on the side elevations of new buildings above ground level are fitted with obscure glazing.

7.41 The rear elevation of 4 Hampton Close faces south east and in terms of direct line of sight a distance of 17 metres separates the rear of 4 Hampton Close from the rear corner of plot 6. At the closest point a distance of 13

metres separates the rear corner of 4 Hampton Close from the side elevation of plot 5. With these separation distances and after considering proposed ground levels and building orientation it is not considered that the development will be overbearing or lead to visual intrusion to these properties or their rear gardens.

7.42 After consideration of ground levels, separation distances and a site visit to this neighbouring property the development is considered acceptable in relation to the daylight and sunlight and the relationship with 4 Hampton Close. In support of the application a detailed daylight and sunlight assessment has been submitted following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'.

7.43 The submitted proposal was found to pass this detailed assessment which concluded that all windows that could be potentially affected by the development would either meet or exceed the daylight and sunlight standards within BRE guidelines.

5 Hampton Close

7.44 The property at 5 Hampton Close is a large detached two storey pitched roof house also at the north west corner of the application site. The rear elevation of this property faces east and along the northern boundary of the application site. The rear garden boundary of 5 Hampton Close is 10 metres in width, with 8 metres of this boundary shared with the application site. The rear garden of 5 Hampton Close is relatively short (between 4 and 6 metres in length) compared to the large size of the dwelling.

7.45 A large hardstanding car parking area provided for school staff and the school sports hall is currently located to the rear of 5 Hampton Close. The proposed development includes the demolition of the sports hall (6.5 metres high) and the construction of a terrace of residential properties in a similar location (9.7 metres high).

7.46 The front and rear elevations of the proposed terrace at plots 2 to 5 are orientated to face away from the existing windows of the property at 5 Hampton Close and as a result there are no directly opposing windows. The rear elevation of the proposed terrace is also at an angle of 70 degrees from the rear elevation of 5 Hampton Close.

7.47 When viewed directly to the rear a distance of 26 metres will separate the rear elevation of 5 Hampton Close from the closest proposed building which is the side elevation of the two storey garage block linked to as plot 4. When the new development is viewed at the closest point from 5 Hampton Close (across the large existing outbuilding in the rear garden of 4 Hampton Close) there is a separation distance of 15 metres.

7.48 After considering the layout of the new buildings and the position of neighbouring buildings it is considered that the proposal will not lead to a loss of privacy or overlooking to the property at 5 Hampton Close. With separation

distances and building orientation it is not considered that the development will be overbearing or lead to visual intrusion to the property at 5 Hampton Close or the rear garden of this property.

- 7.49 The development is considered acceptable in relation to the daylight and sunlight and the relationship with 5 Hampton Close. In support of the application the applicant has 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 which concluded that all windows that could be potentially affected by the development would either meet or exceed the daylight and sunlight standards within BRE guidelines.

Regency Place 8 The Drive

- 7.50 Regency Place is a prominent three storey pitched roof building to the north of the application site that provides 4 residential units. At the closest point a distance of 15 metres separates Regency Place from the existing school buildings, with the staff car park located adjacent to the site boundary in this location. The footprint of Regency Place forms an 'L' shape with the rear elevations of plots 1 to 3 at an angle of 30 degrees from the boundary of the application site.

- 7.51 At the closest point a distance of 23 metres will separate the rear elevation of the new building (plot 2) from the rear elevation of unit 1 Regency Place. A distance of 27 metres separates the rear elevation of plot 3 from the rear elevation of unit 2 Regency Place. With these separation distances the development will not lead to a loss of privacy or overlooking to the properties at Regency Place and the development is in accordance with adopted policy and supplementary planning guidance.

- 7.52 The terrace of properties annotated as plots 2 to 5 provide accommodation on four levels including accommodation within the loft space, plots 2 and 3 will be 11.7 metres high and plots 4 and 5 that include a semi basement will be 9.7 metres high. With the separation distances outlined above it is not considered that the development will be overbearing or lead to visual intrusion to these nearby properties or their gardens.

- 7.53 The development is considered acceptable in relation to the daylight and sunlight and the relationship with units 1-4 Regency Place. A detailed assessment has been submitted in support of the application following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'. With Regency Place considered as 'building 4' within the report the submitted proposal was found to pass this detailed assessment which concluded that all windows that could be potentially affected by the development would either meet or exceed the daylight and sunlight standards within BRE guidelines.

Durrington Avenue

7.54 The semi-detached properties at 2 and 4 Durrington Avenue that have pitched roofs are located to the east of the application site. Distances of between 10 and 16 metres separate the side elevation of the proposed semi-detached building annotated as plot 7 from the rear elevation of 2 Durrington Avenue.

7.55 Plot 7 provides accommodation on four levels including the loft space and a basement. The proposed building will be 9 metres high on the closest west building elevation. With the orientation of the existing and proposed buildings and the building separation distances it is considered that the development is acceptable in terms of privacy, overlooking, visual intrusion, daylight and sunlight and the properties at 2 and 4 Durrington Avenue

Durrington Park Road

7.56 The detached two storey pitched roof properties at 16 and 18 Durrington Park Road are located at the south west corner of the application site. The proposed semi-detached properties annotated as plots 7 and 8 are located closest to the existing properties at 16 and 18 Durrington Park Road.

7.57 The 28 metre long rear boundary of 18 Durrington Park Road is shared with the application site. In terms of direct line of sight a distance of 25 metres will separate the rear elevation of 18 Durrington Park Road from the house annotated as plot 7, with the rear elevation of plot 7 angled to face away from this neighbouring property. The property at 16 Durrington Park Road is separated by a distance of 47 metres from the nearest proposed building.

7.58 The occupier of 16 Durrington Park Road has highlighted that the rear boundary of this property was incorrectly shown on the originally submitted ordnance survey site location plan. It has been advised that a 25 metre long section of the southern application site boundary is actually shared with 16 Durrington Park Road rather than with the site at 12 the Drive as shown on the submitted plan. The application has been assessed on this basis.

7.59 With the orientation of the existing and proposed buildings and the building separation distances it is considered that the development is acceptable in terms of matters of privacy, overlooking, visual intrusion, daylight and sunlight and the properties at 16 and 18 Durrington Park Road.

10 and 12 The Drive

The two storey properties at 10 and 12 The Drive are located to the south of the application site. With a separation distance of 26 metres from the proposed new houses it is considered that the development is acceptable in terms of matters of privacy, overlooking, visual intrusion, daylight and sunlight and the properties at 10 and 12 The Drive.

16 the Drive

7.60 The large prominent building at 16 The Drive is located to the east of the application site with the side elevation of this building set back from the side garden boundary. The two houses at plots 1 and 13 are closest to 16 The Drive and these proposed houses have accommodation over three levels

including the loft space (9 and 11 metres high).

7.61 Whilst the side elevation of 16 The Drive faces towards the proposed detached houses annotated as plots 1 and 13, the majority of this existing elevation will overlook the proposed access road. The two houses at plots 1 and 13 are also orientated with the main habitable room windows facing away from 16 The Drive. A distance of 15 metres will separate the secondary windows on the side elevation of the proposed house at plot 1, from the secondary windows in the side elevation of the existing house with the detached garage also located between the buildings. A planning condition is proposed that seeks the provision of obscured glazing to the secondary windows to the side of plots 1 and 13 above ground floor level.

7.62 After considering the orientation of the existing and proposed buildings and the building separation distances it is considered that the development is acceptable in terms of matters of privacy, overlooking, visual intrusion, daylight and sunlight and the property at 16 The Drive.

Standard of residential accommodation - internal layout and room sizes

7.63 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.

7.64 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.

7.65 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

7.66 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, there should be 50 square metres of external space provided for new houses. The proposed houses are each provided with private rear garden space in excess of these minimum standards. The proposed houses would also the communal amenity space covering 167 square metres within the proposed central square.

7.67 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.

7.68 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.

7.69 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

7.70 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. These standards require a 'maximum' of two off street space for dwellings with 4 or more bedrooms. Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling walking and public transport use.

7.71 The application site has a public transport accessibility level (PTAL) of 1b (On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility). This PTAL level indicates that the site has a low level of access to public transport services, one level higher than the lowest zone 1a. The application proposes a total of 28 car parking spaces with 26 spaces attached to the proposed dwellings and two visitor spaces. This provision is considered acceptable and appropriate in this location with a low level of access to public transport. A planning condition is recommended to seek the submission of a parking management strategy in relation to the two visitor car parking spaces.

7.72 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 to charge electric vehicles are provided. The site is located in a controlled parking zone, a planning obligation is recommended that will prevent future occupants of the proposed accommodation from obtaining on street parking permits.

Trip generation, servicing and vehicle access

7.73 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.

7.74 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. The traffic generation would also be substantially below that associated with the school use.

7.75 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 and for measures to reduce potential impact on the public highway.

7.76 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. A planning condition is recommended to ensure that adequate facilities are provided for refuse storage and collection and retained for the benefit of future occupiers.

Cycle storage

7.77 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.

7.78 The applicant has confirmed that the development will provide storage for 4 cycles for each of the proposed houses. A planning condition is recommended to seek further details of this storage, to ensure suitable provision, and to ensure that these facilities are provided and retained for the benefit of future occupiers.

Trees, wildlife and landscaping

7.79 Sites and Policies Plan policy DM O2 states that development will not be permitted if it will damage or destroy any tree which is protected by a tree preservation order; is within a conservation area; or has significant amenity value unless the benefits of the development outweighs the tree's amenity value.

7.80 The development will result in the loss of existing trees on the application site, with the layout of the development designed to ensure the retention of the prominent London Plane tree at the entrance to the site. Whilst the loss of these trees is regrettable it is considered that the benefits from the development such as the education school places and additional residential

units outweigh the amenity value of these trees. The Council's tree and landscape officer has been consulted and has raised no objection to the development. Planning conditions are recommended to ensure the protection of trees retained on the site and for adequate site supervision during construction works to prevent tree damage.

7.81 The majority of the application site is currently either buildings or areas of hardstanding that provided play areas as part of the school. The proposed development will provide large areas of open ground in the form of rear gardens which would increase the wildlife supported by the site. A planning condition is recommended to seek the submission of further details of new landscaping for approval and for this landscaping to be in place prior to the occupation of the proposed new dwellings or the first planting season following occupation. A second planning condition is recommended to seek the submission of a landscape management plan for approval and for implementation of this plan.

7.82 Policy CS.13 within the Adopted Core Strategy (2011) states that development should seek to integrate new or enhanced habitat or design and landscaping that encourages biodiversity. Sites and Policies Plan policy DM D2 states that Proposals for all development will be expected to conserve and enhance the natural environment, particularly in relation to biodiversity and wildlife habitats and gardens.

7.83 As part of the consultation on the current planning application a concern has been expressed by the East Surrey Badger Protection Society that whilst badgers may not be living on the application site there is evidence that badgers are active in the local area. A planning condition is recommended to ensure that a survey is carried out at the appropriate time of year and prior to work commencing with the submission and approval of appropriate protection measures.

Sustainable design and construction.

7.84 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. The application site is currently covered in either buildings or hardstanding manoeuvring space. As part of the current application large areas of open garden space will be introduced at ground floor level with the building also providing living (brown/green) roofs.

7.85 On 25th March 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 26th March. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.

- 7.86 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.
- 7.87 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 conditions are used to ensure that dwellings are designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.
- 7.88 The application site is not located in an area at risk from flooding but is located within a Critical Drainage Area. A Critical Drainage Area is a designated area where the flood risks from surface water run-off are likely to be most significant. In this context planning conditions are recommended relating to Surface Water Drainage and Finished Floor Levels.
- 7.89 With the change in ground level across the site the submitted proposal includes the provision of basements and semi basements for individual properties. In accordance with adopted Sites and Policies Plan the submitted application includes a construction method statement.

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 Core Strategy policy CS 8 states that affordable housing provision on developments of ten or more residential units should include a minimum of 40% of new units on the site as affordable housing. Within this affordable housing provision, 60% of the units should be provided as social/affordable rented and 40% as intermediate accommodation.

9.9 In terms of affordable housing policy CS. 8 within the Council's Adopted Core Strategy (July 2011) also states at paragraph (e) that in seeking affordable housing provision the Council will have regard to site characteristics such as economics of provision such as financial viability issues and other planning contributions. In accordance with this policy the Council follows a procedure that has been used for some time whereby information submitted by applicants in relation to financial viability is subject to the necessary robust scrutiny by a third party.

9.10 In accordance with policy CS. 8 in this case the applicant has submitted detailed financial information relating to the redevelopment of the application

site for residential use. As the application site has only become available for residential development through the relocation of the school, the viability assessment has considered the costs of relocating the school including the purchase and adaptation of the new school building. After independent third party review of the submitted viability appraisal it is concluded that the development of the current application site cannot support any affordable housing. The development is considered in line with policy CS. 8.

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

- 9.11 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

- 9.12 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 incorporates a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. 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. A restriction preventing future occupants from obtaining on street car parking permits.
2. The developer agreeing to meet the Council's costs of drafting the Section 106 Obligations (£ to be agreed).
3. 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: BMD.15.008.DR.P001 rev B; 00925_S01 rev PL02; 00925_X_02 rev PL02; HT1_01 rev PL01; HT2_01 rev PL02; HT3_01 rev PL01; HT4_01 rev PL01; HT5_01 rev PL01; HT6_01 rev PL01; HT7_01 rev PL01; Planning Statement; Design and Access Statement; Addendum (July 2015); Construction Method Statement Daylight and Sunlight Report; Statement of Community Engagement; Energy Report, Sustainability Statement; Preliminary Ecological Appraisal; Transport Statement; Heritage and Archaeological Assessment; Parking, Delivery and Servicing Management Plan; Arboricultural Assessment and Method Statement and Flood Risk Assessment.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 or vehicle and pedestrian safety.
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 vehicle and pedestrian safety.

7. 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 Polices Plan 2014. This information is required prior to works commencing as the Council would need to be satisfied that the materials are acceptable prior to construction work commencing.
8. Non Standard condition (Surface Water Drainage – part 1) Prior to the commencement of development a detailed scheme for the provision of surface water drainage shall have been implemented in accordance with details that have been previously submitted to and approved in writing by the local planning authority. The final drainage scheme shall be designed in accordance with the submitted Flood Risk Assessment (RPS ref: HLEF3578/001R dated May 2015) and will dispose of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer. Reason for condition To ensure satisfactory measures for surface water drainage and to comply with the following Development Plan policies for Merton: policies 5.12 and 5.13 of the London Plan 2015. This information and implementation is required prior to works commencing as the Council would need to be satisfied that the adequate measures including potential groundworks are acceptable prior to construction work commencing.
9. Non Standard condition (Surface Water Drainage- part 2) Where a sustainable drainage scheme is to be provided in accordance with the preceding condition, the submitted details shall: i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site at a maximum rate of 3.11l/s and provide a volume of attenuation no less than 92.3m³. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters; ii .include a timetable for its implementation; and iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by a public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Reason for condition To ensure satisfactory measures for surface water drainage_and to

comply with the following Development Plan policies for Merton: policies 5.12 and 5.13 of the London Plan 2015. This information and implementation is required prior to works commencing as the Council would need to be satisfied that the adequate measures including potential groundworks are acceptable prior to construction work commencing.

10. Non Standard condition (Finished Floor Levels) Prior to the commencement of development a scheme to ensure the finished floor levels of the ground and lower ground floors of the proposed residential units are set no lower than 300mm above surrounding ground levels, as specified in the submitted Flood Risk Assessment (RPS ref: HLEF3578/001R dated May 2015), shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority. Reason for condition To ensure a satisfactory standard of living accommodation and in accordance with policies DM F1, DM F2 of Merton's Sites and Polices Plan 2014. This information and implementation is required prior to works commencing as the Council would need to be satisfied that the adequate measures are in place prior to construction work commencing.
11. Non-standard condition (Badger survey and protection) Prior to the commencement of development (including demolition) a badger survey shall be carried out with the results of the survey and appropriate measures to ensure the protection of badgers submitted to and approved in writing to the Local Planning Authority with the approved measures in place and 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 any badgers that are present.
12. Non-standard condition (Trees – protection) The submitted Arboricultural Assessment and Method Statement (May 2015 ref JSL2315_775A) and the Tree Protection Plan (Ref 702 Rev A) should be strictly followed in relation to the measures for the protection of retained trees including the specified sequence of actions with protection measures retained until the completion of all site operations. Reason for condition To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Polices Plan 2014.
13. Non-standard condition (Trees – supervision) Prior to the commencement of development details of the supervision of site works to ensure the protection of trees shall be submitted to and approved in writing by the local planning authority and these measure shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than fortnightly the status of all tree works and tree protection measures throughout

the course of the demolition and site works. The works shall be carried out strictly in accordance with the approved measures. Reason for condition To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Polices Plan 2014.

14. 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.
15. Amended standard condition (Landscaping) Prior to first occupation of the proposed new dwellings 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.
16. Non Standard Condition (Landscape Management Plan) Prior to first occupation of the proposed new dwellings 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).
17. 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.

18. 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).
19. Amended standard condition (Obscure glazing) Before the development hereby permitted is first occupied, the windows above ground floor level in the side elevations facing the site boundaries shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter. Reason for condition: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.
20. Non-standard condition (Car parking spaces) Prior to first occupation of the proposed new dwellings details of how the visitor car parking spaces are to be used 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 all 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
21. Non-standard condition (Cycle storage and parking) Prior to first occupation of the proposed new dwellings cycle storage for occupiers or users and cycle parking for visitors shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage and parking retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy (July 2011).
22. Non-standard condition (Refuse and recycling facilities) Prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Adopted Core Strategy (July 2011).

23. 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 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).
- d) 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>.
- e) The applicant is advised that it is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
- f) The applicant is advised to contact the Council's Highways team on 020 8545 3700 to obtain the necessary approvals and/or licences required to carry out works within the Public Highway. Please be advised that there is a further charge for this work. As the application site is within a Controlled Parking Zone there are further costs involved and necessary processes may take between 6 to 12 months.
- g) The applicant is advised that any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New

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

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