PLANNING APPLICATIONS COMMITTEE
18 July 2013

UPRN APPLICATION NO. DATE VALID
13/P1132 26/04/2013

Address: 61 High Path, Colliers Wood, SW19 2JT

Ward: Abbey

Proposal: Change of use from a light industrial use (Planning Use Class B1c) to provide a Hindu Cultural Centre (class D1) with addition of an entrance lobby to the east elevation and minor internal alterations, to provide a prayer hall/temple, day care centre for the elderly, a youth centre, restaurant and ancillary residential use in the form individual 'priest rest rooms' for ten priests

Drawing No's: 8658-PP-030 [proposed elevations]; 8658-PP-022 [proposed second floor]; 8658-PP-020 [proposed ground floor]; 8658-PP-021 [proposed first floor]; 8658-EX-001 [site location plan]; Transport Assessment and Design and Access Statement

Contact Officer: Tony Ryan [020 8545 3114]

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

CHECKLIST INFORMATION.
- S106: financial contribution towards improving the local on street parking environment.
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes [Major application]
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 75
- External consultations: Transport for London, EDF, Merton Priory Homes; Siobhan McDonagh MP and Sadiq Khan MP.
- Public Transport Accessibility Level: 4 [TFL Planning Information Database]
- Density: N/A
- Number of jobs created: 25 [22 full time and 3 part time] jobs with 5 jobs provided by the current employment use.
1. INTRODUCTION

1.1 This application is brought before the Planning Application’s Committee following a request from Councillor Henry Nelless and due to the level of interest in this proposal.

2. SITE AND SURROUNDINGS

2.1 The detached application building currently provides a total of 1,750 square metres of employment floor space on a site of 1,715 square metres [0.17 hectares]. At the rear of the ground floor is a double height open plan workshop/warehouse area providing 1,000 square metres of light industrial [Use Class B1] floorspace. This building is constructed with a concrete portal frame with external facing material of red brick and a shallow pitched roof.

2.2 At the front and side of the workshop building is a part two, part three-storey building extension constructed of block work with a render finish at ground floor level with metal cladding on the upper floors and with a flat roof. This floorspace provides ancillary office floorspace with linked toilets and kitchen areas.

2.3 There are entrances in the front and side building elevations with the side entrance providing access from the adjacent external yard. This external yard provides 12 car parking spaces with vehicular access from High Path. The yard includes an open undercroft storage area located underneath the overhanging upper floors of the application building. A secondary access/fire escape is provided to the first floor by an external staircase accessed from the undercroft area.

2.4 The applicant has stated that a company manufacturing envelopes [Tompla UK Ltd] currently occupies the application building with the office floorspace occupied by five ‘core staff’ and the warehouse space only occasionally used for storage. The applicant has stated that the existing company is seeking to relocate to alternative premises or to move workload to Spain where the parent company is based.

2.5 The application site is located on the south side of High Path between the junctions with Pincott Road and Merantun Way at the edge of a predominantly residential area located to the north. The existing development along High Path is of mixed character both in terms of land use and the size and shape of buildings. To the east of the application site is a two storey former industrial building that has been converted to a place of worship and is currently used by Elim Pentecostal Church. To the west of the application site is a detached Council owned building called the High Path Community Resource Centre. This building provides day services for adults with learning disabilities and is also used by a number of local agencies, and community and voluntary groups.

2.6 On the opposite side of High Path is a single storey residential garage court providing 43 domestic garages. A 12 storey residential building
(Marsh Court) providing 66 flats and a single storey commercial building at 25 High Path that provides commercial floor space [Wisepress Ltd] adjoin these garages. Further to the west are the Trafalgar Public House at 23 High Path, Merton Abbey Primary School and St John the Devine Church and Church Hall. To the south of the site is Merantun Way, part of the Transport for London Road Network, with the Merton Road Industrial Estate [designated industrial area] located beyond.

2.7 The site has a Public Transportation Accessibility Level [PTAL] of 4 [where 1a represents the least accessible areas and 6b the most accessible]. The site is within an Archaeological Priority Zone. The site is not located in an area at risk from flooding or a conservation area and there are no protected trees on the site.

2.8 The application site is not located in a Controlled Parking Zone, however zone SW [operational Monday to Saturday 8.30am to 6.30pm] covers roads to the east of the application site [Croft Road, Meadow Road, Dane Road and Abbey Road] but excluding Station Road. Controlled Parking Zone S1, S2 [operational Monday to Saturday 8.30am to 6.30pm] and S3 [operational Monday to Friday 8.30am to 6.30pm] cover roads to the west of Morden Road and north of Merton High Street.

2.9 High Path is a local access road that serves as a link between Merantun Way [A24] and Merton High Street [A219] along Pincott Road. As it exists Merantun Way is relatively heavily trafficked with a constant flow throughout the course of the day. There are restrictive parking measures in place for the majority of High Path with the exception of one stretch of road on the South side of High Path adjacent to the application site.

3 CURRENT PROPOSAL

3.1 The Hindu Cultural Centre previously occupied a three-storey building at 180-186 Upper Tooting Road in the London Borough of Wandsworth. This building in a town centre location was occupied for 16 years and provided floor space of 3,579 square metres. The Sivayogam Trust ran the Hindu Cultural Centre and they were evicted from these premises on the 22 May 2012.

3.2 The cultural centre is currently using temporary premises at 2A Elmwood Road in the London Borough of Croydon. The Sivayogam Trust has stated that the Hindu Cultural Centre serves a geographical area covering Merton, Croydon, Tooting, Mitcham, Bromley and Wandsworth. Following a committee resolution planning permission was refused on the 22 February 2013 for the use of the building at 10 Lyon Road as a new replacement Hindu Cultural Centre and following that decision the current planning application has been submitted for this alternative site.
3.3 The current application involves the change in the use of the existing building from this general industrial/storage use [Planning use classes B2 and B8] to provide a Hindu Cultural Centre [Planning use class D1]. The cultural centre aims to provide a centre to promote and popularise Hindu Culture, Hindu Religious Education and Carnatic Music [vocal and instrumental, Indian dance, drama and literature].

3.4 A large section of the ground floor of the building will be used as an open plan prayer hall and temple space to host the faith’s festivals and celebrations. Other areas of the ground floor provide a dining area, a day care facility for the elderly and the youth, storage space and toilets. The submitted plans show the existing first floor office floor space converted into classroom space, a meeting room, storage space and a restaurant. The second floor of the building will be converted into 9 rooms providing accommodation for up to ten priests.

3.5 The information submitted with the planning application shows that the use will employ 22 full time staff and 3 part time staff, including 6 priests, 2 musicians, 2 security staff, and 2 receptionists. The use is intended to operate 7 days a week throughout the year between 08.00hrs and 21.30hrs.

3.6 The proposed centre will accommodate festivals at various points in the calendar and outside these festivals the use will accommodate a variety of religious and community activities. These uses of the building are outlined below with two tables providing predicted visitor numbers during festival and non-festival periods.

Non festival days

3.7 A ‘Pooja’ is a religious ritual performed by Hindus as an offering to various deities, distinguished persons, or special guests. It is intended that Pooja’s will take place at the centre, seven days a week throughout the year at 09.00hrs, 12.00hrs and 19.30hrs. The building will also provide an ‘elders centre’ for up to 30 people over the age of 65 that will operate between 08.00hrs and 17.00hrs. The youth centre will accommodate up to 25 people between 18.00hrs and 21.00hrs. The youth centre and the elders centre’ will only operate outside festival periods on a Monday, Wednesday and Thursday.

3.8 A breakdown of the predicted number of visitors to the centre when operating normally outside the proposed festival periods is provided in the table below. This information is taken from the applicant’s transport assessment and design and access statement. The applicant has reported that during the period that the centre has operated from temporary premises in Croydon people have found alternative places to worship as a result attendance levels at the temporary premises have fallen. Officers consider that it is probable that visitor numbers will rise back to historic levels when the new centre opens, and as a result the higher visitor numbers have been shown in the following table. Where
applicable the reported fall in historic visitor numbers is shown in italics within the table.

3.9 It is highlighted that the attendance levels shown for the youth centre and elders centre are the maximum possible attendance levels and all information is for the summer months and there is typically a reduction in attendance during the winter months.

Table 1: Predicted staff and visitor numbers on non festival days.

<table>
<thead>
<tr>
<th>Day</th>
<th>Pooja visitors</th>
<th></th>
<th>Youth centre visitors [6pm to 9pm]</th>
<th>Staff [Daily estimate of staff numbers]</th>
<th>Others [Community groups, school parties and researchers]</th>
<th>Daily Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>9am</td>
<td>12</td>
<td>7.30 pm</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sunday</td>
<td>15</td>
<td>25</td>
<td>20 [-5]</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Monday</td>
<td>10</td>
<td>15</td>
<td>10</td>
<td>30</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>Tuesday</td>
<td>25</td>
<td>70</td>
<td>100 [-25]</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Wednesday</td>
<td>10</td>
<td>15</td>
<td>10</td>
<td>30</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>Thursday</td>
<td>10</td>
<td>20</td>
<td>20</td>
<td>30</td>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>Friday</td>
<td>25</td>
<td>100 [-25]</td>
<td>150 [-50]</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Saturday</td>
<td>15</td>
<td>70</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>105</td>
<td>285</td>
<td>255</td>
<td>90</td>
<td>75</td>
<td>105</td>
</tr>
</tbody>
</table>

Festival days

3.10 The applicant has stated that in addition to three daily Pooja’s held at the centre it is intended to hold four multi day festivals and five single day festivals throughout the year. In total these festivals will take place over a period covering 6 weeks of the year. It is highlighted that the number of proposed festivals taking place at the cultural centre has been reduced from the previous planning application.

3.11 The proposed multi day festivals include the following events:
- Annual Main Festival in April or May [first part 15 days];
- Annual Main Festival in April or May [second part 5 days];
- Navarathiri Festival in September or October [9 days]; and
- Kanda Shasti Festival in October or November [6 days].
3.12 The proposed one-day festivals are as follows:
- English New Year;
- Tamil New Year;
- Varalakshmi Viratham;
- Diwali, and
- Kethara Gowrri Viratha Pooja.

3.13 The Annual Chariot festival was previously held at Figges Marsh and attracted about 8,000 people with a procession from the previous site in Tooting High Street to Figges Marsh. The applicant has confirmed that this event will not take place in the future, as the applicant considers that it is not possible to use the chariot from the application site.

3.14 The following table provides predicted visitor numbers during the proposed multi day festivals and the single day festival periods at the Hindu Cultural Centre.

**Table 2: Predicted staff and visitor numbers on festival days**

<table>
<thead>
<tr>
<th>Day</th>
<th>Pooja visitors</th>
<th>Elders centre visitors [8am to 5pm]</th>
<th>Youth centre visitors [6pm to 9pm]</th>
<th>Staff [Daily estimate of staff numbers]</th>
<th>Others [Community groups, school parties and researchers]</th>
<th>Daily Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Main Festival part 1</td>
<td>75</td>
<td>75</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Annual Main Festival part 2</td>
<td>40</td>
<td>75</td>
<td>60</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Navarathiri Festival</td>
<td>25</td>
<td>75</td>
<td>50</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Kanda Shasti Festival</td>
<td>25</td>
<td>75</td>
<td>50</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>English New Year [8am to 9pm]</td>
<td>300</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>20</td>
<td>335</td>
</tr>
<tr>
<td>Tamil New Year [8am to 9pm]</td>
<td>300</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>20</td>
<td>335</td>
</tr>
<tr>
<td>Varalakshmi Viratham</td>
<td>200</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>20</td>
<td>235</td>
</tr>
<tr>
<td>Kethara Gowrri Viratha Pooja.</td>
<td>200</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>20</td>
<td>235</td>
</tr>
<tr>
<td>Diwali</td>
<td>200</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>20</td>
<td>235</td>
</tr>
</tbody>
</table>
4. **PLANNING HISTORY.**

4.1 The relevant planning history for the current application site is provided below together with relevant details of the permission for the neighbouring site at 59 High Path [Elim Pentecostal Church] and the earlier refused planning application for the alternative premises at 10 Lyon Road.

**Application site at 61 High Path**

4.2 Planning permission was approved in June 1985 [LBM reference MER86/85] for the use of the building as a wholesale warehouse. Planning permission was approved in September 1987 [LBM reference 87/p0820] for the use of the building as a warehouse with a single storey warehouse extension and a two-storey office/showroom extension.

4.3 In July 1991 [LBM reference 91/P0303] planning permission was approved for the use of the premises as a printing works with ancillary storage. Planning permission was approved in May 2000 [LBM reference 00/P0820] for the construction of a three-storey extension to the existing office building and provision of a mezzanine floor area.

4.4 Outline planning permission was refused in June 2010 [LBM reference 10/P0489] for the demolition of the existing building and the construction of a part three, part four storey building providing ground floor B1 floorspace and 28 residential units on the upper floors. The reasons for refusal were as follows:

The proposed flats would fail to provide a satisfactory standard of residential accommodation by reason of cramped accommodation, and unsatisfactory levels of outlook, privacy, daylight and sunlight, and amenity space and to the detriment of the residential amenities of future occupiers. The proposed development would be contrary to policy HS.1 and BE.15 of the Council's adopted Unitary Development Plan (October 2003).

The proposal would result in the loss of employment floor space, for which the applicant has failed to demonstrate that there is no demand, or that it is unsuitable or financially unviable for any employment or community use, to the detriment of providing and safeguarding employment opportunities in the Borough contrary to policy E.1 and E.6 of the Adopted Unitary Development Plan (October 2003).

**Site adjacent to the application site at 59 High Path**

4.5 Planning permission was approved in November 2006 [LBM reference 06/P2148] for the change of use of the building from a printers workshop (Use Class B1) to church and community centre (Use Class D1), including alterations to elevations to provide entrance porch, with vehicle (14 spaces and 1 disabled bay) and cycle (20 spaces) parking, retaining vehicle and pedestrian access from High Path.
Site at 10 Lyon Road

At the Planning Applications Committee meeting on the 14 February it was resolved that planning permission [LBM reference 12/P3265] be refused for the change of use of the building at 10 Lyon Road from industrial/storage use (Use Class B2 and B8) to provide a Hindu cultural centre, comprising prayer hall, elders centre, youth centre and 15 individual 'priest rest rooms' (Use Class D1) for the following reasons:

The proposal would result in the loss of existing employment generating floor space in a Strategic Industrial Location that recent reviews of employment land have shown is of a good standard and has the potential to continue to provide a good standard of employment floor space including for general industrial use. The proposal would therefore be contrary to policy E.1 of the Adopted London Borough of Merton Unitary Development Plan [October 2003]; policy CS 12 of the adopted Core Strategy [July 2012]; policies 2.17, 4.1 and 4.4 of the London Plan [July 2011] and the National Planning Policy Framework [Chapter 1: Building a Strong, Competitive Economy] [March 2012].

The proposal fails to demonstrate that the development would not adversely affect highway safety and traffic management; and would lead to conflict between vehicle movements and on street parking generated by the development and commercial vehicles, deliveries and servicing associated with existing adjacent commercial uses to the detriment of the attractiveness of surrounding land and buildings for purposes appropriate to this Strategic Industrial Location. The proposals would therefore be contrary to policies CS 18 and CS 20 of the adopted Core Strategy [July 2012 policies 2.17, 4.1 and 4.4 of the London Plan [July 2011] and the National Planning Policy Framework [March 2012].

The proposal would result in the introduction of a noise sensitive land use in close proximity to other employment land uses, appropriate to an identified Industrial Employment Area including industrial and warehouse uses, to the detriment of the future operation of those neighbouring uses and the attractiveness of the land for redevelopment for uses that would otherwise be appropriate to an identified Industrial Employment Area contrary to policy PE.2 of the Council’s Unitary Development Plan [October 2003] and policy 7.15 of the London Plan [July 2011].

The proposal fails to demonstrate that there are no alternative sites available for the proposed use that are located within a town centre location or in an edge of a town centre location contrary to the sequential approach set out in policy 4.6 and 4.7 of the London Plan [July 2011] and contrary to policy L.12 of the Unitary Development Plan.
5. CONSULTATION

5.1 The planning application was publicised by means of a site notice displayed in the vicinity of the application site, press notice together with individual letters to 75 neighbouring properties.

5.2 In response to this public consultation 52 representations [7 representations from within the borough] and a petition of 198 signatures [21 signatures from within the borough] from the temple congregation have been received expressing support for the planning application for the following reasons:

- Please support the religious needs of the Hindu community;
- Planning permission is required to enable the temple to serve many devotees, charities, youth, the elderly, and cultural, religious and spiritual organisations;
- The temple will engage the younger generation involving them in religious activity;
- The temple will help the wider community.

5.3 In response to public consultation 22 representations [14 representations from residents in the borough living in Mitcham, Morden, Merton Park, Wimbledon and New Malden] have been received including from users of adjacent community buildings objecting to the planning application for the following reasons:

**Impact on employment**
- Loss of employment space;
- The community would benefit more from an employment use in this building bring enterprise to this location;
- The Council should be encouraging local business;

**Impact on amenity**
- The use will cause noise pollution from the use itself and associated activity.
- The use will be disruptive to the community facilities that take place within nearby buildings.

**Impact on traffic, transport, car parking and access**
- The proposed use will lead to parking and traffic problems in the local area that already has significant parking issues;
- The surrounding area is currently crowded with social housing, three active churches, a school, a pub, family centre, a probation office, a children’s soft play area and a community centre;
- What happens if several uses have events at the same time?
- Having a Hindi Centre in the hear of the community is of no benefit to the community, there should be more emphasis on bringing cultures together not isolation;
The use will operate Monday to Sunday am to late pm and as there is not a Hindu culture in the local community this use will attract traffic to this area from outside the borough.

Other issues
- Public safety - it is safer not to crowd local areas;
- What benefit will the centre have for local communities?

Trustee and former treasurer and administrator of the Sivayogam Trust

5.4 The previous temple was open daily with approximately 300-400 visitors per day and 1000 visitors on festive days. The temple had 12 priests and 6 assistants.

5.5 In addition to religious services the temple also provides cultural and community services to the public including weddings as well as social and cultural events especially focussing on the youth and the elderly.

5.6 The temple is currently sponsoring many orphanages, schools and a home for the elderly in Sri Lanka. The premises were also used by organisations providing advice on common health problems such as heart disease.

5.7 The applicant has asked that it be clarified that the circumstances surrounding the eviction of the temple from the previous premises in Tooting High Street have been incorrectly reported in the press and that the eviction was part of a wider dispute with the owner of the building.

Elim Pentecostal Church 59 High Path.

5.8 Whilst there is sympathy for this communities need for a place of worship it is considered an unsuitable location and would reduce the effectiveness of adjacent community buildings.

5.9 With the proposed use serving a community that covers a large geographical area, it is considered that the use would worsen an existing car parking problem that has in the past disrupted community projects and activities.

5.10 There is a concern in relation to the noise generated by the proposed use and the possible disruption to local residents and users of nearby community buildings.

Chair of Abbey Safer Neighbourhood Police Panel, Vice Chair of High Path Residents Association and local resident.

5.11 There is an objection to the proposal on the following grounds:
- The use would result in an increase in vehicular traffic in this busy thoroughfare that includes pedestrians using Merton Abbey School as visitors would come from a wide area;
- The use would worsen existing problems with local on street parking;
The use could impact upon emergency service access to nearby high-rise tower blocks.

**LB Merton Transport Planning**

5.12 The application site has a public transport accessibility level of 3-4. The site is not located in a Controlled Parking Zone, although there are Controlled Parking Zones in the vicinity of the site around the South Wimbledon area and immediately east of the site from the junction of High Path and Merantun Way.

5.13 In order to mitigate the impact of the development on the local road network a planning obligation is recommended seeking a financial contribution towards improving the local on street parking environment and planning conditions. These planning conditions relate to the submission and approval of travel plans for both festival periods and for non-festival periods, the provision of vehicle parking, details of cycle parking and submission of a delivery and servicing plan. Informatives are also recommended highlighting the requirement to contact the highways authority in relation to any works on the public highway and offering the services of the sustainable travel plan officer.

**LB Merton Environmental Health**

5.14 There are no objections to the proposal, however planning conditions are recommended to reduce the potential impact on the local area of the large number of people attending the facility.

**Transport for London**

5.15 The application site is accessed from High Path; however the A24 Merantun Way is to the rear of the site. Merantun Way forms part of the Transport for London Road Network (TLRN) for which Transport for London is the highway authority.

5.16 Transport for London has assessed the application and given that there is no direct access from the TLRN and the opportunity for parking within the site and in the surrounding area the impact of the development can be accommodated on the TLRN. Transport for London strongly recommends that a travel plan be implemented secured by condition, to promote sustainable travel to and from the site and at least one electric vehicle charging point installed.

**Metropolitan Police**

5.17 There are no objections to the location of the proposed building or the proposed change of use. The applicant is advised that the security of the building should be enhanced due to the presence of icons and deities, and as religious buildings are currently subject to attack anti-arson measures should also be installed.
Councillor Andrew Judge

5.18 An objection is made to the current planning application on the following grounds:

- Whilst it is appreciated that there is a need for the applicant to find a new building, it is considered that they have not conducted a suitably rigorous enquiry into finding a more suitable site.
- It is anticipated that the proposal will lead to an exacerbation of current on-street car parking problems on roads close to the High Path Estate that will inconvenience local residents and be detrimental to road safety [particularly on Friday evenings outside the time of the Controlled Parking Zone];
- A reasonable conclusion is that most if not all of the 16 off street car parking spaces will be used by resident priests, staff members and parking for the minibus;
- It is anticipated that the proposal will lead to a significant increase in the existing high number of vehicle manoeuvres on local roads; increased by the distance that users have to travel. This will inconvenience local residents and be detrimental to road safety with a current street management objective being to reduce these traffic levels;
- The nearby Merton Abbey Primary School is currently subject to an expansion proposal, and the increase in traffic will impact upon children walking and cycling to and from this school.
- The applicant relies on a survey of the existing congregation to assess traffic impact and it is considered that this survey is unlikely to provide accurate information.

Councillor Henry Nelless

5.19 An objection is made to the current planning application on the following grounds:

- Whilst it is understood that there is a need for the applicant to find a new building, there are concerns about the appropriateness of this site;
- The submitted information says that there will regularly be over 40 worshippers at the centre and on several occasions throughout the year the congregation size will rise to several hundred;
- There are grave concerns about the traffic impact of the proposal on neighbouring residents in terms of excessive traffic movements and parking demands.

Rt. Hon Sadiq Khan MP

5.20 The submitted planning application includes a letter of support from the Rt. Hon Sadiq Khan MP [Member of Parliament for Tooting]. The letter states that the Member of Parliament for Tooting has known the temple for a number of years and on several visits was impressed by the warm and friendly welcome.

5.21 It is stated that the Temple played an important part in contributing to the positive and inclusive atmosphere within the wider Tooting
community. The festivals held at the temple were always ‘well attended’ and strong links were forged with other community organisations.

Siobhan McDonagh MP

5.22 The submitted planning application includes a letter of support from Siobhan McDonagh MP [Member of Parliament for Mitcham and Morden]. The letter states that it is hoped that the planning application is given ‘compassionate consideration’ as the community are desperate for an alternative place of worship.

6. POLICY CONTEXT
National Planning Framework [March 2012]

6.1 The National Planning Policy Framework [NPPF] was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. The NPPF document is a key part of central government reforms ‘…to make the planning system less complex and more accessible, and to promote sustainable growth’. 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.

6.2 The NPPF reaffirms the status of the local development plan as the starting point for making decisions on planning applications. The NPPF advises, “Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise”.

6.3 In this instance the local development plan consists of the London Plan [July 2011] published by the Greater London Authority, the Council’s Core Strategy [July 2011] and saved policies with the Council’s Unitary Development Plan [October 2003]. The Council’s Core Strategy and the London Plan both adopted in July 2011 are considered up to date, in line with the National Planning Policy Framework and providing a sound basis on which to make decisions on planning applications.

Policies within the Adopted Core Strategy [July 2011]

6.4 The relevant policies within the Council’s Adopted Core Strategy [July 2011] are CS.1 [Colliers Wood and South Wimbledon sub Areas]; CS 7 [Centres]; CS11 [Infrastructure]; CS 12 [Economic Development]; CS.13 [Open space; nature conservation; leisure and culture]; CS.14 [Design]; CS.15 [Climate change]; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

The London Plan [July 2011].

6.5 The relevant policies in the London Plan [July 2011] are 2.17 [Strategic industrial locations]; 3.16 [Protection and enhancement of social infrastructure]; 4.1 [Developing London’s economy]; 4.4 [Managing industrial land and premises]; 4.6 [Support for and enhancement of
arts, culture, sport and entertainment provision]; 4.10 [New and emerging economic sectors]; 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]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tacking congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.3 [Designing out crime]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes]; 7.21 [Trees and woodlands] and 8.2 [Planning obligations].

Merton Supplementary Planning Guidance

6.6 The key supplementary planning guidance relevant to the proposals includes Design [2004] and Planning Obligations [2006].

Policies retained in Adopted Unitary Development Plan [2003]

6.7 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE3 [Development Adjacent to a Conservation Area]; BE16 [Urban design]; BE22 [Design of new development]; BE25 [Sustainable development]; C1 [Location and access of facilities]; E1 [General employment policy]; E2 [Access for disabled people]; E3 [Land uses in industrial areas]; F2 [Planning obligations]; HS1 [Housing layout and amenity]; L2 [Walking Routes]; L14 [Community and religious meeting places], NE2 [Development in Proximity to MOL]; NE6 [Local Nature Reserves and Sites of Importance for Nature Conservation]; PE7 [Capacity of water systems]; PE.9 [Waste minimisation and waste disposal]; PE.11 [Recycling points]; PE.12 [Energy generation and energy saving]; RN3 [Vehicular access]; and Schedule 6: [Parking standards].

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations include assessing:

- the need to provide religious and cultural facilities in the borough and the suitability of the application site for this use;
- the need to ensure that there is sufficient land in suitable locations to provide an adequate supply of viable and appropriate sites and premises for employment use [including industrial employment uses];
- the need to ensure that noise sensitive land uses are located in suitable locations [including assessing the relationship to existing, or potential future sources of disturbance such as noise, additional traffic and air pollution];
- the need to assess the impact of the proposal in terms of traffic, parking, and access.

Need to provide religious and cultural facilities

7.2 The spatial vision for the borough set out in the adopted Core Strategy and supported by the Community Plan [2009-2019] states that the Council will support community life. This support will be through
facilitating education and employment opportunities, cultural and sporting assets, community services; healthcare; recreational activities and other infrastructure that meets local needs.

7.3 In conclusion, the relocation of the Hindu Cultural Centre to the borough would provide a valuable new local community and a religious meeting place that will support community life.

Site selection

7.4 Adopted planning policies [CS.1] in the adopted Core Strategy encourage the location of community, religious and cultural facilities in town centre locations. Policy 4.6 of the London Plan states that cultural development should be located on sites where there is good access to public transport and be accessible to all sections of the community including the disabled and older people.

7.5 The applicant has stated that the basic search criteria for new premises include the following:
- A requirement that the property is freehold;
- The floorspace must be at least 15,000 square feet [1,394 square metres];
- The main space in the building must be at least 18 metres by 24 metres;
- The ceiling height needs to be at least 4.9 metres for religious ceremonies;
- There is a requirement for subsidiary spaces suitable as a dining area and a youth club and elders centre;
- There needs to be suitable space that can be converted to accommodation for priests and religious workers;
- There is a requirement for 6 to 8 car parking spaces;
- The site must be as close to Tooting as possible.

7.6 The applicant has stated that following the Council’s decision to refuse the earlier planning application for the site at 10 Lyon Road; a further site search has been carried out. This site search included considering the following sites:
- St. Barnabas Church Hall, Thirsk Road, CR4: This building was found to be unsuitable as it had no dedicated parking and no subsidiary space to the main hall;
- 149 Merton Road, Wandsworth, SW18: This building was found to be unsuitable as it was too small;
- Church at Ashridge Way, Morden, SM4 This building was found to be unsuitable as it had only four dedicated parking spaces and no subsidiary space to the main hall;
- **Milton House, Gloucester Road, CR0**
  This building was found to be unsuitable as it was too large and outside the applicant’s financial budget;

- **374 Brigstock Road, Thornton Heath, CR7**
  This building was found to be unsuitable as it had only two dedicated parking spaces, the height in the main hall was not sufficient and there was no subsidiary space to the main hall.

7.7 In addition to the sites listed above the applicant also visited Morden Hall Park House with Councillor Andrew Judge. This building located on the edge of Morden Town Centre was found to be unsuitable as it did not meet the height requirements for the main hall, and was also outside the Trust’s financial budget.

7.8 The Council’s adopted planning policies encourage religious facilities to locate in town centres and one of the reasons is the good access to public transport. The applicant has provided evidence that they have considered other sites including a building on the edge of Morden Town Centre however this building was considered unsuitable. The site also has a good Public Transport Accessibility Level of 4 [where 1a represents the least accessible areas and 6b the most accessible]. The site is also located 200 metres from Colliers Wood Urban Centre [that includes the building at 3 Pincott Road] and as a result there is the potential for linked trips by the users of the proposed facility.

7.9 In conclusion, the relocation of the Hindu Cultural Centre to the borough would contribute to the areas social infrastructure and provide a religious meeting place. The applicant has set out the requirements of the cultural centre and has demonstrated that a site search has been conducted that has considered a number of alternative buildings with the application building found to be the only building suitable for the proposed use.

**Loss of employment land.**

7.10 Paragraph 22 of the National Planning Policy Framework [March 2012] advises “Planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed”. In line with the National Planning Policy Framework the employment land allocations within the borough have been subject to several recent reviews as part of the preparation of the evidence base for both the Council’s Core Strategy and the London Plan. Following these land reviews the application site has remained outside any designated industrial area and outside the policy restrictions on the loss of employment land that operate in these areas.

7.11 Retained policy E.6 of the Council’s Unitary Development Plan [October 2003] considers the loss of employment uses on land outside
designated industrial areas that are on scattered employment sites such as the application site. Policy E.6 states that outside the designated industrial areas, development that will result in the loss of employment land will only be acceptable in certain circumstances, one of these circumstances is where the land is in a predominantly residential area and the proposal will provide a local community or cultural facility.

7.12 In seeking to demonstrate that that there is no reasonable prospect of continued employment use on the application site the applicant has submitted details of marketing for employment purposes. The applicant has advised that that the premises have been advertised for an alternative occupier since August 2011. This advertising has been through the use of an advertising board on the site; an internet listing on the estate agents website and the Estates Gazette website, through targeted mail shots to local estate agents and by offering targeted viewing to parties who have viewed similar buildings. There has been no meaningful response to this marketing involving a continued employment use.

7.13 In conclusion the applicant has submitted marketing details that provide evidence to show that there is limited prospect of a continued employment use in this building. The application proposal is in an area that is predominantly residential and the proposed use will provide a cultural and religious facility and in these circumstances the use of the application building as a cultural centre is considered acceptable in principle subject to other policy considerations. The application site is on a ‘scattered employment site’ but outside a designated industrial area where there is much greater protection for the retention of employment floorspace. The earlier refused planning application site at 10 Lyon Road is in a designated industrial area.

Trip generation, parking, walking, cycling, servicing and access

7.14 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect pedestrian and cycle movements, safety, the convenience of local residents or on-street parking and traffic management.

7.15 Retained policy L.14 of the adopted Unitary Development Plan states that the Council will consider applications for the development of community and religious meeting places favourably having regard to several factors including the adequacy of access and parking facilities the accessibility of the site by public transport, walking and cycling.

Vehicle trip generation

7.16 High Path is a local access road that along with Pincott Road serves as a link between Merantun Way [A24] and Merton High Street [A219]. Merantun Way has a relatively heavy level of traffic with a constant flow throughout the course of the day.
7.17 In seeking to predict the number of visitors to the cultural centre that will arrive by car, a survey of the congregation that visited the cultural centre in its former location in Tooting Town Centre was carried out. The applicant has confirmed that those responding to the survey were answering a specific question about their choices in travelling to an alternative cultural centre location, rather then the former facility in Upper Tooting Road. The survey found that just under 20% of respondents [76 people] would plan to travel by private car to an alternative site as either a car driver or as passengers in a car.

7.18 It is highlighted that the former location of the cultural centre was in a town centre location with visitors benefiting from, and accustomed to a good level of access to public transport. When respondents to the survey stated that they would travel to an alternative cultural centre location without the use of a private car it is accepted by the applicant that they would not have known what this journey by public transport [62% of survey responses and 243 people], walking [18% - 70 people], or cycling [0.2% - 1 response] would entail, for example the timing of buses and the location of bus stops.

7.19 The previous site in Tooting Town Centre had a Public Transport Accessibility Level of 6a [where 1a represents the least accessible areas and 6b the most accessible]. The Transport for London Planning Information Database shows the application site with a Public Transport Accessibility Level of 4. It is considered by officers that visitors to the current application site would benefit from levels of public transport accessibility that are comparable to the previous cultural centre location in Tooting.

7.20 With the improvement in the accessibility to public transport from the previous proposed alternative site [at 10 Lyon Road] it is considered more likely that the responses to the survey would be accurate in terms of use of public transport by centre visitors. It is also considered possible that survey respondents who stated that they would travel by car conversely in the future may choose to use public transport in light of the short supply of off street parking on the application site.

7.21 The proposed centre will be open between the hours of 8am to 9pm. In normal operation outside a festival period the busiest attendance in the morning would be up to 30 people attending the proposed elders centre that starts at 8am on a Monday, Wednesday and Thursday.

7.22 In normal operation outside a festival period on a Tuesday and Friday up to 25 people are predicted to attend the Pooja taking place at 9am with travel to the centre taking place in the peak period. It is predicted that up to 100 people would attend the Pooja at 7.30pm on a Tuesday and 100 people [current level of 75 people] would attend the Pooja at midday on a Friday and 150 people [current level of 100 people] would attend the Pooja at 7.30pm on a Friday evening.
7.23 The busiest festival periods at the proposed centre would be the single day festivals of English New Year and the Tamil New Year when up to 300 people would attend the proposed centre. This festival would take place between 8am and 9pm. In terms of the first 15 days of the Annual Main Festival 250 people would attend the centre including 75 people for the Pooja starting at 9am.

7.24 The daily peak period for traffic movements on the road network is between the hours of 8am and 9am and as a result any additional daily traffic movements generated by the proposed use would have the greatest impact during this time. With school closing times and the end of office hours staggered the evening peak between 5pm and 6pm generates less traffic then the morning peak. As a result of the 8am start the vehicle trips generated by centre staff; those visiting the elder’s centre and the English and Tamil New Year festivals would be outside the peak period for traffic on the road network. Travel to the Pooja at 9am would be within the peak traffic period.

7.25 In assessing the potential traffic impact of new development on the road network, the traffic generated by the existing permitted use of buildings operating at full capacity is used as a starting point. It has been calculated that the legal employment use at 61 High Path when operating at capacity has the potential to generate a total of 335 daily trips [to or from the site] and of these trips 50 would be made by car.

7.26 After assessing the likely traffic generation from the proposed use it is concluded in the applicant’s transport statement that the proposed use would be likely to lead to a small overall increase in the number of vehicle trips throughout the day. It is also concluded that within this overall increase there would be a decline in vehicle trips during the afternoon peak period between 5pm and 6pm.

7.27 After consideration of the transport statement by officers its conclusions have been found to be accurate. It is considered by officers that with suitable planning conditions the additional traffic movements generated above the current permitted use can be safely accommodated on the local road network and would not damage highway safety. Planning conditions are recommended to ensure the submission and adherence to a set of travel plans for festival and non festival time periods.

7.28 Merantun Way is part of the Transport for London Road Network and Transport for London are the highways authority for his road. Transport for London have confirmed that the proposal is unlikely to result in significant impacts for road safety and that they have no objection to the proposal. Transport for London have also assessed the application and recommend travel plans as the best method of mitigation.
Car parking demand.

7.29 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling, walking and public transport use. Policy CS20 of the Core Strategy [July 2011] states that car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.

7.30 In order to encourage the use of public transport the off street parking standards in the London Plan are set at maximum levels rather than minimum levels. There is no off street parking standard provided for a ‘Place of Worship’ provided within the London Plan. The closest standard is for a leisure use. In terms of a leisure use, the London Plan advises that where a proposed leisure site has a Public Transport Accessibility Level of 4 to 6, off street parking provision should be limited to operational needs, parking for disabled people and space required for deliveries and servicing. The current application site has a Public Transport Accessibility Level of 4.

7.31 There are several controlled parking zones covering streets close to the application site including zone SW that covers roads to the east [Croft Road, Meadow Road, Dane Road and Abbey Road]. Controlled Parking Zone S1, covers roads on the opposite [west side] of Morden Road with zone S2 and S3 covering roads on the opposite [north side] of Merton High Street. The hours of control within zones SW, S1, S2 are from 8.30am to 6.30pm Monday to Saturday. Zone S3 operates 8.30am to 6.30pm Monday to Friday.

7.32 The application site is located on High Path and nearby roads including Hayward Close, Rowland; Nelson Grove Road; Pincott Road, Station Road and Downham Close are not located in a controlled parking zone. There is also unrestricted on street parking on High Path between Merton Abbey Primary School and the junction with Merantun Way and again from the Merantun Way junction to the junction with Station Road. Other parts of High Path have single and double yellow line parking restrictions. There is further unrestricted parking along Station Road and along other local roads outside the controlled parking zones.

7.33 The submitted plans show the provision of 16 off street car parking spaces within the open yard of the application site. This car parking includes 2 spaces designed for people with disabilities. The applicant has stated that experience of the use at the original site, has shown that 8 off street spaces would be sufficient for the proposed use. It has been confirmed that the resident priests or religious workers will not have cars and therefore would not require car parking spaces. In order to encourage sustainable transport the applicant has stated that the use would provide a minibus for certain events and activities, although the applicant does not currently own a minibus. The applicant has
advised that the minibus can be accommodated on the site whilst maintaining the 16 car parking spaces.

7.34 The applicant has stated that most of those attending the previous site in Tooting came to the site on foot or by public transport. When compared to the application for 10 Lyon Road, the current application site is closer to the original site in Tooting and also benefits from improved public transport accessibility.

7.35 The evidence submitted by the applicant has been assessed and has been found to be broadly accurate. However, as the information provided relates to predicted traffic choices it is recommended that Travel Plans be requested from the applicant. These travel plans requested by a planning condition would cover festival and non-festival periods separately and would be used to encourage and support sustainable travel.

7.36 In order to manage on street parking demand, that is likely to be higher due to the proximity of South Wimbledon Underground Station several controlled parking zones have been introduced on nearby roads. The nearby controlled parking zones operate between 8.30am to 6.30pm Monday to Saturday with Zone S3 not operating on a Saturday.

7.37 With the operational hours of the controlled parking zones and the likely attendance figures for the proposed use the highest demand for local on street parking would be related to the Pooja taking place at 7.30pm on a Tuesday [100 people] or the Pooja at 7.30pm on a Friday [historically 150 people]. In order to address any potential adverse impact on parking in the area it is recommended that a planning obligation be sought from the applicant for a financial contribution to improve local on street parking provision. This contribution would include potential consultation and implementation of changes to the existing controlled parking zones involving potentially increasing the operational hours or expanding the area that the zone covers.

Walking and cycling

7.38 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and encouraging design that provides, attractive, safe, covered cycle storage.

7.39 The submitted plans show the provision of 12 cycle parking spaces that are in a good location that is sheltered from the weather and adjacent to the main entrance to the building. A planning condition is recommended to ensure that this cycle parking is provided before the use commences and maintained for the duration of the use.
The application site has good access for pedestrians with easy access for visitors on foot who have alighted from buses on Merton High Street and in Morden Road and who are travelling from South Wimbledon Underground Station and Morden Road Tram Stop. With pedestrians coming from further away there is easy access across main roads with signal-controlled junctions.

Servicing and access

Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.

The proposal includes the formation of a new porch and entrance in the side elevation of the application building providing pedestrian access from the car parking area. There is a secondary entrance in the front elevation of the building and two fire escapes at ground floor level. An external staircase from the car parking area provides a fire escape from the first floor.

The submitted plans show the provision of refuse storage within the car parking area of the site. A planning condition is recommended to seek further details of the refuse storage shown on the submitted plans and to ensure that this storage facility is provided before the use commences and is maintained.

In conclusion it is considered that the proposed development has been designed with adequate access and servicing arrangements in line with Policy CS20 of the Core Strategy [July 2011].

Neighbour Amenity.

Retained policy PE.2 of the adopted Unitary Development Plan states that developments that would have a significantly adverse effect on nearby occupiers or the amenity of the locality by reason of noise generation and disturbance will not be permitted. Retained policy L.14 of the adopted Unitary Development Plan states that the Council will consider applications for the development of community and religious meeting places favourably having regard to several factors including impact on the amenities of adjoining properties.

The detached application building currently provides a light industrial use (class B1c). The building is located between the Elim Pentecostal Church and the High Path Community Centre. Merantun Way is located to the rear of the site with domestic garages located opposite the site in High Path. The closest residential use is in Marsh Court on the opposite side of High Path and 27 metres to the north east.
7.47 With the nature of adjacent uses and the distance from noise sensitive residential accommodation it is considered that the use is unlikely to harm residential amenity. In consultation responses concerns have been expressed about disturbance to the users of adjacent premises. In order to avoid noise nuisance a planning condition is recommended stating that no music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent building.

Design and scale.

7.48 Policy CS8 within the LDF Core Strategy [2011] states that the Council will require redevelopment proposals to be well designed. Policy CS14 within the Council’s Adopted Core Strategy [2011] states that development should respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings.

7.49 The only external changes proposed to the building are the construction of an entrance lobby to the main entrance from the car park within the undercroft area. The entrance lobby will constructed of block work with a render finish to match the existing building. The proposed entrance lobby is unlikely to have a significant or adverse impact on the appearance of the building and is considered to comply with the relevant adopted policy.

Standard of accommodation.

7.50 Policies CS 8, CS9 and CS14 within the Council’s Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed. Policy 3.5 of the London Plan [July 2011] states that housing developments should be of the highest quality internally and externally.

7.51 The submitted planning application drawings show the conversion of second floor office space within the application building into 9 individual rooms providing residential accommodation for 10 priests. The accommodation consists of shared toilet and shower facilities on the same floor with dining facilities on the first floor linked to the ground floor use. This new residential accommodation is provided with external windows providing natural light and the floorspace is considered of a sufficient size for the intended use.

7.52 The accommodation would be linked to the ground floor use and occupied on a short-term basis. The organisation that would run the proposed temple have an existing building in Wembley, North London and similar accommodation on this site is occupied on a temporary basis not exceeding 12 months.

7.53 Whilst the proposed residential accommodation provides small rooms they are intended to house priests on a temporary basis in connection with the ground floor use. In these circumstances it is not considered
necessary to apply normal residential standards in terms of internal layout, amenity space or affordable housing provision and no objection is raised to this aspect of the application.

8. ENVIRONMENTAL IMPACT ASSESSMENT

8.1 The proposals are on a site of less than 0.5 hectares and therefore fall outside the scope of Schedule 2 development under the Town and Country Planning [Environmental Impact Assessment] Regulations 1999. There is no requirement for an Environmental Impact Assessment in this instance.

9. LOCAL FINANCIAL CONSIDERATIONS

9.1 The proposed extension to the application building to provide an entrance lobby is less than 100 square metres in area and as a result will not be liable to pay the Mayoral Community Infrastructure Levy.

Planning Obligations:

9.2 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

9.3 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. An assessment of potential planning obligations is set out below.

Financial contribution towards improvements to the operation and functioning of local off street parking local play space provision and open space maintenance;

9.4 Policy CS 20 Parking, Servicing and Delivery states that the Council will seek to implement effective traffic management by: Seeking planning obligations to mitigate the impact of development proposals and provide improvements to the highway network/public realm. Adopted planning policies [CS.1] in the adopted Core Strategy encourages the location of community, religious and cultural facilities in town centre locations.

9.5 In support of the planning application the applicant has submitted the results of a visitor survey as evidence that the proposed use will not result in additional local on street parking demand. Notwithstanding the survey the applicant is unable to provide guarantees that the visitors will use the method of transport that they indicated as part of this survey. The development plan recommends the location of community, religious and cultural facilities in town centre locations in order to encourage linked trips and due to the
high public transport accessibility [PTAL 6 in Tooting High Street] and this site is located outside a town centre.

9.6 In order to mitigate the impact of the development and to make it acceptable in planning terms a planning obligation is recommended in the form of a financial contribution towards improving the provision and function of local on street parking. It is considered that a contribution of £15,000 is fairly and reasonably related in scale and kind to the development and would reflect costs associated with the above.

The developer agreeing to meet the Council’s costs of preparing and monitoring the Section 106 Obligations;

9.7 As set out in the Council’s adopted SPG monitoring fees for a s106 with a single non monetary head of term would be £250. Legal fees would also need to be agreed at a later stage.

10. **CONCLUSION**

10.1 In conclusion the relocation of the Hindu Cultural Centre to the borough would provide a new social infrastructure and a religious meeting place in the borough.

10.2 The proposal to change the use of the premises, which is in close proximity to the High Path Estate, is in accordance with adopted UDP policies. These seek to enhance community facilities within predominantly residential areas, on previously developed employment sites, which are outside designated industrial areas.

10.3 Subject to suitable planning conditions and planning obligations it is considered that the operation of the use could be managed in such a way as not to have a harmful impact on the amenities of the local area including parking and traffic generation.

**RECOMMENDATION**

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

1. Financial contribution towards improvements to the functioning and operation of on street parking in the vicinity of the application site (£15,000).
2. The developer agreeing to meet the Council’s costs of preparing [including legal fees] the Section 106 Obligations [£to be agreed].
3. The developer agreeing to meet the Council’s costs of monitoring the Section 106 Obligations [£250].

**And the following conditions:**

1. **Standard condition** [Time period] The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. **Reason for condition:** To comply with Section 91 (as amended) of the **Town & Country Planning Act 1990.**
2. **Amended standard condition [Approved plans]** The development hereby permitted shall be carried out in accordance with the following approved plans: 8658-PP-030 [proposed elevations]; 8658-PP-022 [proposed second floor]; 8658-PP-020 [proposed ground floor]; 8658-PP-021 [proposed first floor]; 8658-EX-001 [site location plan]; Transport Assessment and Design and Access Statement. **Reason for condition:** For the avoidance of doubt and in the interests of proper planning.

3. **Non standard condition [Car parking spaces]** Prior to the commencement of the use hereby permitted the car parking spaces shown on the approved drawing including on site facility for charging electric vehicles to serve the development shall be provided and thereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. **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.

4. **Standard condition [Restriction on Music/Amplified Sound]** No music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent building. **Reason for condition:** To protect the amenities of local residents and ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

5. **Amended standard condition [Cycle parking facilities]** Prior to the commencement of the use hereby permitted details of secure cycle parking facilities for the occupants of, and visitors to, the development shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the commencement of the use and thereafter retained for the duration of the use. **Reason for condition:** To ensure satisfactory facilities for cycle parking are provided and to comply with policy CS18 of the Adopted Merton Core Planning Strategy 2011.

6. **Amended standard condition [Refuse and recycling facilities]** Prior to commencement of the use hereby permitted further details of the refuse and recycling facilities shown on the submitted plans shall be submitted to and approved in writing by the Local Planning Authority with the approved facilities in place prior to the commencement of the use and retained 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 BE.15 and PE.11 of the Adopted Merton Unitary Development Plan 2003.

7. **Amended Standard Condition [Delivery and Servicing Plan]** Prior to the commencement of the use hereby permitted a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local
Planning Authority. The measures within the approved Delivery and Servicing Plan shall be maintained, for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation. Reason for condition: In the interests of the safety of pedestrians and vehicles and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.

8. **Amended Standard Condition [Travel Plan for non festival periods]**
Prior to the commencement of the use hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current ‘Travel Plan Development Control Guidance’ issued by Transport for London and shall include: Targets for sustainable travel arrangements; Effective measures for the ongoing monitoring of the Plan; A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development; Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development. The development shall be implemented only on accordance with the approved Travel Plan. Reason for condition: To promote sustainable travel measures and comply with policies CS18 and CS19 of the Adopted Merton Core Planning Strategy 2011.

9. **Amended Standard Condition [Travel Plan for festival periods]** Prior to the commencement of the use hereby permitted, a ‘Festival and Events Travel Plan’ shall be submitted to and approved in writing by the Local Planning Authority. The ‘Festival and Events Travel Plan’ shall include estimated visitor numbers and trip generation for each of the events scheduled to be held within the first year of operation. The Plan shall follow the current ‘Travel Plan Development Control Guidance’ issued by Transport for London and shall include: Targets for sustainable travel arrangements; A plan for the safe drop off and pick up procedure for visitors avoiding stopping on the public highway; Effective measures for the ongoing monitoring of the Plan including submission of updated information after the first year; A commitment to delivering the Plan objectives for a period of at least 6 years from the first occupation of the development; Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development. The development shall be implemented only on accordance with the approved Travel Plan. Reason for condition: To promote sustainable travel measures and comply with policies CS18, CS19 and CS20 of the Adopted Merton Core Planning Strategy 2011.

10. **Non Standard condition [Residential accommodation]** The proposed residential accommodation shall only be occupied by priests or religious workers associated with the use as a Hindu Cultural Centre and shall not provide self contained living accommodation. Reason for condition: The residential accommodation is of an unsuitable standard to be used as self-contained residential accommodation and to comply with retained policy HS.1 of the Adopted Merton Unitary Development Plan 2003.
11. **Amended Standard condition** [Timing of construction work] No construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays - 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 policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

12. **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:** To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

**INFORMATIVES:**

a) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the applicant is advised that 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 in relation to the conditions relating to travel plans [conditions 8 and 9] the Council can provide assistance in the creation of travel plans, and this assistance can be obtained by contacting the Sustainable Travel Plan Officer on 020 8545 3872.
GENERAL NOTES

All work to be carried out in strict accordance with the current Building Regulations and its latest amendments, and to the complete satisfaction of the Local Authorities Building Control.

Contractors are responsible for complying with all relevant BS etc., and checking that Building Control and Environmental Health Departments are satisfied with the scope and content of all work on completion and obtain any necessary certificates.

All existing construction levels and dimensions to be checked prior to construction, especially where new construction levels and dimensions are to match existing.

All site dimensions and site levels must be checked on site.

This drawing is not to be used for construction unless issued for construction.

This drawing should be read in conjunction with all relevant Engineer's and specialist drawings.
Deity Locations

Existing partitions and doors removed
Existing door opening blocked up
Existing wall removed
Existing door opening blocked up
New partition and door opening formed
New partition and door opening formed
New door opening formed (door opening to be centred on temple)

MAIN ENTRANCE
ENTRANCE LOBBY/SHOE STORAGE

12 Cycle parking spaces

BIN STORE
DROP-OFF/PICK-UP AREA

General Notes
All work to be carried out in strict accordance with the current Building Regulations and its latest amendments, and to the complete satisfaction of the Local Authorities Building Control.
Contractors are responsible for complying with all relevant BS etc., and check that Building Control and Environmental Health Departments are satisfied with the scope and content of all work on completion and obtain any necessary certificates.
All existing construction levels and dimensions to be checked prior to construction, especially where new construction levels and dimensions are to match existing.
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Sivayogam Trust
61 High Path
South Wimbledon

Proposed Ground Floor Plan
1:100@A1
March 2013 FE JS
8658-PP-020 -
New retractable partitions installed
New kitchen formed
to serve restaurant.
(existing kitchen retained as store)
Existing partitions removed
New windows installed
GENERAL NOTES

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NOTE:-

South Elevation view is inaccessible and obscured.

New aluminium framed glazed double door
Proposed signage zone (subject to separate application)
New blockwork walls (rendered to match existing)

Scale 1:100

Proposed North Elevation

Proposed East Elevation

Proposed West Elevation