

Merton Council
Planning Applications Committee
26 April 2023
Supplementary agenda

13 Modifications Sheet

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Planning Applications Committee

26 April 2023

Supplementary Agenda

Modifications Sheet.

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ITEM 5 (WIM CHASE STATION, KINGSTON ROAD & 45 – 48 ROTHESAY AVENUE, RAYNES PARK, SW20 8JT)

3. CURRENT PROPOSAL (Page 9)

Para 3.1.4 - omit “and 239.5sqm of amenity space on the top floor”. This is incorrect, the top floor would not be an amenity space.

Para 3.1.7 - omit “A platform lift is provided on the top floor” - this has been removed from the proposals.

Omit “a shared amenity space of 239.5sqm is provided on the roof”.

5. CONSULTATION (Page 17)

1 additional objection (from an objector who has raised objection previously), raising the following issues:

Possible condition: no building works shall commence until a feasibility study into the safeguarded Chase Side Avenue tunnel is received.

Also in the conclusion “the scheme would suitably safeguard future step free access arrangements”. This is misleading and should be removed.

Since there are references to mirroring the Sandringham loading bay along with transport comments about not repeating the same mistakes....

This 2012 consultation was published with shortened loading bay and a bigger build out at the Kingston/Sandringham junction.

The reason given was “The changes are necessary to improve visibility and the safety for all road users”

It is unclear why this was never implemented but this later plan should be the minimum requirement given proximity to bus stop, and proposal to remove bike stands which are to be allocated for dockless cycles

Another question to note: where will be the alternative location for dockless cycles?

https://www.merton.gov.uk/system/files?file=1402_pdf-kingston_rd_formal_cons_-_jan_12.pdf

loading bay and servicing:

I note the comments of the Transport Officer which address elevated road danger due to obstructed sight lines as well as plans to allocate the existing bike parking for dockless cycles.

This is a busy transport interchange as well as a local shopping parade and a major through route for school children.

Road danger is a material planning concern and instead of these comments being “outweighed” by Merton’s failure on land supply the loading bay should be removed.

Para 7.2.8 in the report pack is a bit of a stretch. “Whilst step-free access is not proposed as part of this application, the proposal demonstrates how step-free access could be achieved”.

The four options in the feasibility study have been rejected by the railway companies and there has been no demonstrable investigation of the “safeguarded” 5th option.

I attach some photos of proposed tunnel location since there are none in any of the documents.

democracy.merton.gov.uk

7.2.7	The scheme would replace the existing station entrance. The new station entrance would have modern lighting and materials, with upgrades to the Public Announceme System and CCTV. The design of the station introduces a new rear entrance which can be used as a secondary access for passengers to the station platforms during th construction of the step free platform access.
7.2.8	Whilst step free access is not proposed as part of this application, the proposal demonstrates how future step-free access could be achieved
7.2.9	The proposed replacement of the station entrance, with upgraded lighting, materials, PA systems and CCTV is a benefit of the proposal and is welcomed in policy terms.

Residential



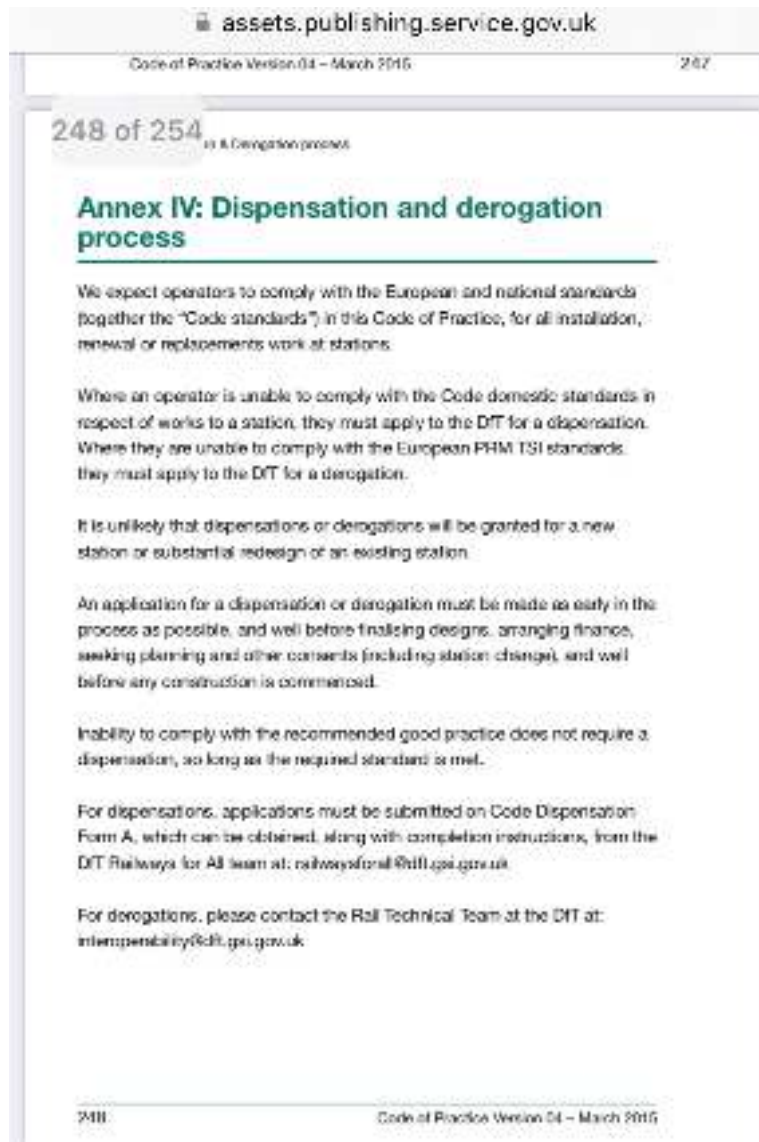
FOI letter as appendix.

I would like to place the following FOI response on record.

https://www.whatdotheyknow.com/request/949363/response/2277662/attach/4/FOI202300291%20Response.pdf?cookie_passthrough=1

Notably, there have been no applications for no dispensation or derogation from the “code standards” on accessible railways (as published by the Department of Transport).

I direct your attention in particular to annex IV which states that “An application for a dispensation or derogation must be made as early in the process as possible, and we’ll before finalising designs, arranging finance, seeking planning and other consents...and well before any construction is commenced”. From this we can infer that all public areas of the station will be fully accessible save for access to the platform which is not provided within the application.



[Accessible railway stations: design standards](#)

Note also that there are no further updates to the feasibility study to cover the "safeguarded" option (favoured by Network Rail and Govia Thameslink) to tunnel from the narrow footway on Chase Side Avenue, nor has work on the detailed design stage been undertaken.

Until it can be shown that the "safeguarded" option is feasible and can be delivered safely and without undue disruption to residents and servicing of Chase Side Avenue this application should be REFUSED.

However, if the committee is minded to overlook all the other shortfalls in this application - such as inappropriate bulk and massing, below standard delivery of affordable housing, and dangerous location of the proposed loading bay - I would like to see a condition attached that building works should not commence until the appropriate funding, planning and work schedule has been put in place.

I note the officer report sets out Merton's Tall Building Policy (7.5.21 and 7.5.22) and reasons why it could be ignored (these arguments seem fairly applicable to other sites - such

as Mitcham Gasworks although presumably that has lower PTAL than 3 but certainly will be subject to considerable regeneration).

7.5.23 quotes Merton Tall Buildings Paper with a specific reference to Wimbledon Chase as neighbourhood which should be mid-rise and not significantly taller than surroundings and should not significantly alter the skyline.

Officer comment:

The proposed development does not purport to provide step free access. A method by which step free access could be provided is suitably safeguarded by the proposed development as the main passenger concourse would be adjacent to the location where the tunnel would be created whereas currently it is adjacent to back of house facilities. Therefore, the proposal would allow for future step free access. At such time that step free access is proposed then further applications may be required. However, this does not affect the planning merits of this application, which should be considered on the basis of not providing step free access, but allowing for it in the future.

The visual impact of the proposed development and the site's suitability for a tall building is a matter for consideration by Members.

Additional Agent comments:

- Confirmation that all the affordable rent units will be at social rent level.
- The agent confirms that they would accept the provision of an on-street disabled parking bay in Chaseside Avenue if required by the committee (in response to a Member suggestion that an additional space be provided).
- The agent has offered options as to how the concerns of the Transport planning section could be overcome:

Alternative option for servicing - omit the proposed loading bay and use the existing layby to the east. In conjunction with a condition limiting delivery times and length of delivery vehicles.

In order to overcome the concern in relation to the width of disabled bays – an alternative solution could be a financial contribution towards accessible transport initiatives in the borough as opposed to the provision of the on-street disabled spaces.

In addition, the applicant's transport consultant has responded to the concerns of the Transport Planning section as follows:

Parking / Carriageway Width

- As the number of proposed residential units has dropped to 74, we are only required to provide 2 disabled car parking bays to be compliant with the London Plan (3% from the outset). This will save 6.6m of kerbside space on Rothesay Avenue to allow additional space for vehicles to pass each other.

- We are proposing to extend the existing parking bays on Rothesay Avenue to ensure no net loss of car parking as a result of the scheme and the introduction of the disabled car parking. This includes the two bays proposed to be removed by the loading bay on Kingston Road and the two existing on-street bays to be relocated on Rothesay Avenue as a result of the new Network Rail Access.
- The two existing parking bays on Kingston Road are restricted to a maximum stay of 1 hour (no return in two hours) Monday to Saturday. They do not mirror the residential car parking restrictions on Rothesay Avenue. As such, they could be converted to improve the local residential capacity. The local residential car parking restrictions allow permit holders parking only between 08.30 to 18.30 Monday to Friday.
- It is common practice in other London Boroughs that in lieu of providing on-street disabled car parking bays, a £10,000 contribution is made by the Developer (for each space) to allow the Council to provide on-street disabled car parking within the local area when demand requires.
- The extended car parking bays along the western side of the Rothesay Avenue carriageway are proposed to mirror the width of the existing bays found along the road (including the proposed disabled car parking bays). The carriageway width would not be less than other residential streets in the local area with a similar arrangement. The development wins back kerb side space through the removal of three existing vehicle crossovers (accesses) into the site.
- It is common practice for on-street disabled car parking bays to mirror the width of the existing on-street parking bays. Examples of this can be found on Sandringham Avenue, Chatsworth Avenue and Chaseside Avenue. The Traffic Signs Manual Chapter 3 (13.6.2 a) states that “A bay reserved for disabled badge holders (whether or not reserved for other users) must have a length of at least 6600 mm. The width of the bay must be at least 2700 mm (or at least 3000 mm when placed in the centre of the carriageway) except in a case where, on account of the nature of traffic using the road, the overall width of the carriageway is insufficient to accommodate a bay of that width”. Two metres is not specified as a minimum width that must be achieved.
- It is not proposed to remove, relocate or change the size of the existing motorcycle parking area on Rothesay Avenue.

Servicing

- With regards to the proposed loading bay on Kingston Road, it is proposed to introduce a buildout at the Rothesay Avenue/Kingston Road junction to mirror that at the Sandringham Avenue/Kingston Road junction.

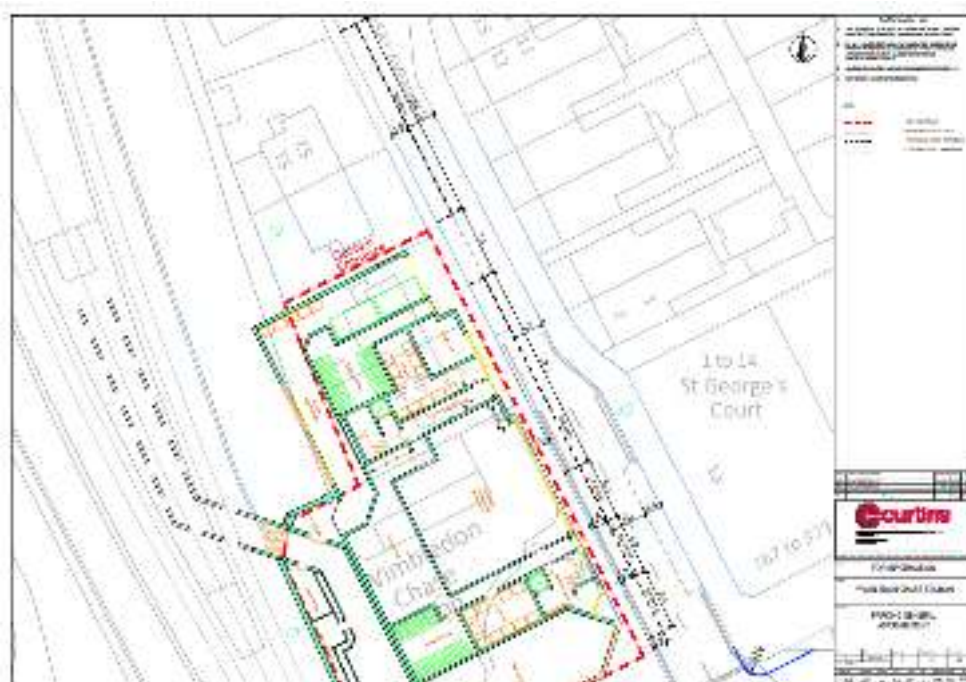
- The proximity of the loading bay to the side road and the visibility for vehicles exiting the side road, would be exactly the same as the arrangement at Sandringham Avenue. The applicant has commissioned an independent Stage 1 Road Safety Audit for the proposed loading bay and no safety issues were raised with regards to the visibility for vehicles exiting Rothesay Avenue. Historical road accident data at the Sandringham Avenue/Kingston Road junction has also been interrogated and no significant correlations have been identified in the data that suggests the existing arrangement at Sandringham Avenue is unsafe.
- No evidence has been presented to demonstrate that existing arrangement at the Sandringham Avenue/Kingston Road junction is unsafe. We are also not aware any plans to change the existing arrangement.
- Servicing is currently permitted on Kingston Road to the west of Rothesay Avenue on the existing double yellow lines during certain times (10.00 until 16.00 and 19.00 to 07.00 Monday to Saturday and without a restriction on a Sunday). This will have an influence on visibility similar to the proposed formalised loading bay arrangement, arguably worse. In addition, there are no servicing restrictions along the double yellow lines on Rothesay Avenue.
- It is considered feasible that the proposed development could be serviced from the existing servicing bay on Kingston Road to the east of Rothesay Avenue. This is approximately 50m from the proposed development, however, the proposed retail unit is only small in size and could have the size of the servicing vehicle restricted by planning condition if required. This arrangement would result in an additional 17.6m of clear kerb line being available on Rothesay Avenue (including the removal of one disabled car parking space so that only two are provided). This could be increased further if the disabled car parking were to be dealt with by way of a financial contribution. This would keep the existing highways arrangement on Kingston Avenue.

Officer comment

The servicing requirements for the proposed units would be limited due to its modest size. The scheme would not result in the overall loss of any parking bays. If concerns remain in relation to the proposed loading bay it would be entirely feasible for the development to utilise the existing loading bay. This would allow for the retention of a further two on-street parking bays on Kingston Road.

Officers advise that a revised servicing plan could be secured by way of condition, to be discharged in conjunction with the Council's Transport Planner and Highway Authority, along with TfL if necessary.

For info, the parking/servicing layout proposed is below:



Housing Officer comments 14/04/2023):

Regarding this further update, it is understood that the previous affordable housing offer was for 24% by units (30% by hab rooms) with a tenure mix of 45% social rented and 55% intermediate . This updated offer proposes a reduction by 10% to 20% affordable housing provision (hab rooms) in comparison to the previous offer. It is however also noted that the tenure mix proposed with this updated offer is 50% affordable rented and 50% intermediate, whilst this still remains inconsistent with the statutory development plan affordable tenure mix requirement supported by Merton's Housing needs Study (SHMA 2019) of 60% affordable rented and 40% intermediate housing, the updated proposal represents an improvement on the previous offer in terms of the affordable rented element. It is also recognised that the provision of social rented tenure can represent a more challenging tenure to deliver viably than London Affordable Rent, but more closely addresses identifies local housing needs. You are advised to determine from the applicant what proportion of the 50% affordable rented element proposed will be social rented. The Council's preference is that the majority / all of this should be social rented and were this to be the case, that may be a factor for your planning balance judgement in your consideration of the overall reduction in affordable housing proposed by the updated offer in comparison to the previous one and your consideration of the applicant's supporting viability evidence.

It is advised that you seek confirmation from the applicant on whether a Registered Provider has been secured to partner with for the delivery of the proposed affordable homes and if so to provide contact details of the secured Registered Provider for this scheme and to request that the applicant provides written evidence of the proactive engagement they have undertaken with an extensive selection of Registered Providers to secure a Registered Provider development partner for the delivery of the proposed affordable homes. This evidence can include copies of e-mails / letters etc. of the applicant's requests to Registered Providers together with the responses received to the applicant's requests.

The applicants state that:

In addition to the above, we are also proposing to offer up a pre-implementation viability review, using the agreed benchmarks within the viability reports, given that the residential element of the scheme will not start on site for 24 months from a decision, which will capture any improvement in market conditions. I understand from The Council's s.106/CIL Officer that this is a standard clause concerning early reviews so have no further comments to make on this point.

I would also advise that Merton currently does not have a five-year supply of deliverable housing. It is therefore advised that members should consider this position as a significant material consideration in the determination of planning applications proposing additional homes. Where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, relevant decisions should apply the presumption in favour of sustainable development. This means that for planning applications involving the provision of housing, it should be granted permission unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse effect of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

The scheme would therefore make a valuable contribution towards the Council's housing stock.

I trust that these comments will assist your considerations of the planning balance you apply having regard to all material planning factors to inform your recommendation on this planning application.

Officer comment:

The applicant has agreed all of the affordable rent units at social rent level.

The applicant has outlined engagement with the following RP's:

- *London & Quadrant (L&Q), we spoke to Angie Hooper*
- *Peabody, we spoke to Angela Wood*
- *Network, we spoke to Paul Haines*
- *Notting Hill Genesis, we spoke to James McPherson*
- *Hyde, we spoke to Tracey Bradwell (Interim Development Manager)*
- *Metropolitan Thames Valley, we spoke to Tim Preston*
- *Wandle (Nick Williams who is acting Development Manager)*

The applicant has set out that the basis of the approach is twofold, firstly to just take the S106 units from the development and, secondly taking the entirety of the residential development.

Urban Design Officer comments 19/04/2023:

The comments below in bold are in response to the revised information (March 2023). The case officer comments are then in italics.

Building heights / massing.

The applicant has revised the scheme. The proposal now steps from 9 storeys towards Kingston Road to 3 storeys to the north creating a better relationship with the to neighbouring 2 storey houses.

A building of 9 storeys would be considered a tall building as per the London Plan and the emerging Merton Local Plan definition which is '*a minimum of 21m from the ground level to the top of the uppermost storey*'. Currently the proposal is circa 29m from ground level. The emerging Merton Local Plan does not allocate this site as 'appropriate for tall buildings' and it is important to note that an optimised development does not always necessitate a tall building. However, given the site uniquely forms part of Wimbledon Chase Station and is located on a major corridor there is potential to achieve an high density scheme that is taller than its surroundings.

Although the overall height of the building has not changed, the amended material pallet are supported. The change of material and massing between the 'head' and 'body' of the proposal creates a more visually slender building towards Kingston Road.

Due to the scale and height of the building in this specific context the proposal will be viewed from all angles. The applicant has clearly acknowledged that the primary view of the building is from Kingston Road marking Wimbledon Chase entrance, however the proposal when viewed from the north takes on an entirely different character that is boxier in its articulation and feels heavier and dominant in its appearance. It is clear that the character of the building, particularly the 'head', has taken influence from the art deco style of neighbouring buildings and proposes a contemporary interpretation of this which is supported. The 'body'

and rear of the proposal would have benefited from using architectural elements that have been implemented on the 'head' of the scheme, such as brick detailing, to create more consistency across the development whilst allowing them to take complementary characters.

- **The applicant has added further brick detailing to the 'body' of the building which is supported. However, the overall massing of the 'body' remains the same and could be further softened, in particular the north facing elements. Views from the north looking south demonstrates that the boxier massing feels dominant due to its bulky volume. The orientation of the building also means that it will always be in shadow, therefore will always draw visual emphasis.**
- *The visual impact will be a matter for members to balance against the benefits of the development.*

The softening of the form, revised material pallet and brick detailing has improved many of the views, however the view looking north-east along Kingston Road still feels too long and slab like which creates an overbearing appearance. A slightly reduced massing to the rear of the top two levels would have been beneficial to allow the top of the building to appear more settled and less dominant.

- o **No changes have been made to the massing to reduce the overbearing appearance caused by the continuous length of the building.**
- o *The visual impact will be a matter for members to balance against the benefits of the development.*

Character and quality.

The applicant has made significant changes to the internal lay-outs of the homes which is supported that previously had separated kitchens with no access to natural light.

The proposed building arrangement of a linear block with double-loaded corridor results in a high percentage of single aspect homes. As per London Policy D6, housing development should maximise the provision of dual aspect homes. Although the applicant has used step backs to improve outlook in the homes, this does not constitute a 'dual aspect' home, as per the draft London Housing Design Standards LPG that states '*A dual aspect dwelling is one with opening windows on two external walls, which may be on opposite sides of the building or on adjacent sides of a dwelling where the external walls of a dwelling wrap around the corner of a building... The design of the dual aspect dwelling should enable passive/natural ventilation across the whole dwelling. The provision of bay windows, stepped frontage, shallow recesses, or projecting facades does not constitute dual aspect.*'

- o **The applicant has not made any further amendments.**
- o *The standard of accommodation will be a matter for members to balance against the benefits of the development.*

The plans show social rent and shared ownership all accessed from north core which could assist with managing these homes effectively. The design of the shared circulation has a single lift for both south and north core, and a door that connects the two cores. Can the applicant confirm that the door between cores will remain openable at all times to ensure free movement of travel by residents in case of a broken down lift and for all residents to use shared communal spaces?

- o **The applicant has clarified that the door between both cores will enable access 'in the event of lift failure' only. Both cores have access to outdoor communal space which is supported. As previously mentioned below these spaces are**

indicative only and further detail is require to ensure that they are well designed.

This could potentially be dealt with by a condition. However, the applicant has set out that fob access will allow residents to access between the cores, but they are required to remain shut for fire safety. However, both cores have access to communal terraces, so it is probably likely that will access the terrace associated with each core.

As per the Housing SPD 2016, homes entered from the eighth storey and above should be served by two lifts. However, the eighth and ninth floor are currently served by one lift. It is unclear whether the amount of lifts are appropriate given the height and rate of occupancy expected in this development. As per the London Plan Policy E5, the Design and Access Statement should include an inclusive design statement, however this is not included.

- o **The ‘inclusive design’ section of the DAS Addendum is welcome, however it does not demonstrate or justify that a single lift would suffice for the 9 storey element of the building. Can the applicant provide further clarity, such as an assessment, that demonstrates that a single lift can effectively accommodate the amount of homes within the 9 storey element.**
- *The applicant’s fire consultant has confirmed that the approach is compliant with the relevant fire regulations.*

Providing communal roof terraces are welcomed as they provide much needed spaces for resident to meet and socialise and the opportunity to provide biodiverse planting. The plans have indicative lay-outs only. I suggest that the landscape design of all communal spaces is a condition to ensure the quality of these spaces.

The revised material pallet and detailing is welcomed. In particular the horizontal banding that flows between brick detailing, balustrade design and window transom is supported. I suggest that a mock up panel of the façade that shows the brick cladding and detailing, glazing with aluminium panels and balustrade detailing is reviewed as a condition to ensure the quality of the architecture reflects the ambitions of the application.

- o **Also little information is provided on the appearance and material of the balcony privacy screens, particularly the ones on the tower element – the solid ones facing onto Kingston Road and the one that separates S7.05 amenity with the communal roof terrace. All privacy screens should be seen as an integrated part of the design and avoid adding to visual clutter.**
- o *This is intended to be dealt with by condition, to include specific balconies and parts of the communal roof terraces.*

The route to the bike store for the south core is convoluted and would benefit from direct access from the street similar to the north core arrangement. Cyclists using the south core store are expected to negotiate 4 different doors and turns and push bicycles through the lobby and passed the lift to store their bicycles. On a wet day this would create a hazard. Bicycle stores should be located to be as convenient as possible.

- o **The applicant has removed one door. As suggested above, a bicycle store that has access directly from the street is preferred and will assist with the management of the lobby.**
- o *There is some conflict here in that the Designing Out Crime Officer had raised concern over just one door to the bike store, in case that door fails – therefore, a balance must be struck here, so the arrangements are considered acceptable overall.*

Station and retail unit

The new station entrance is well integrated with the building design which is supported. The canopy that spans from the station entrance through to Rothesay Avenue is particularly successful in creating a prominent station approach from the east that leads you directly to the entrance.

The signage design needs further exploration. In terms of graphic hierarchy, the bold green 'Wimbledon Chase Station' can create confusion and misdirect you to the corner of Kingston Road and Rothesay as the 'Thameslink' sign is less bold and currently lost on the pale brick. A more uniform approach may be more suitable.

- o **The applicant has amended the signage which is supported. Have they also engaged with ThamesLink?**
- o *The applicant has set out that they "have discussed the signage with GTR who have been involved throughout and they are happy with what is being shown."*

If the scheme is approved there are several rounds of design process that will need to be gone through with GTR and Network Rail to refine the proposal to ensure it meets with all of their requirements, including signage".

Furthermore, the applicant has not provided any information on how signage for the retail store is to be implemented. [Merton's Shop Front Guidance SPD](#) provides best practice approach for shop front design. Careful consideration must be given to ensure that the different signs do not compete with each other and instead complement each other with a clear visual language.

The retail unit appears shallow with no area for storage or commercial waste. Does the applicant have an operator in mind to take on this space? The applicant has provided no information on servicing, delivery or waste strategy for this retail unit.

- o **The applicant has not made any further amendments.**
- *The applicant has confirmed it is likely to be a café or convenience shop and have agreed a condition to restrict a supermarket type use.*

The applicant has not provided any information on what the communal facilities are for residents on the ground floor.

- o **The applicant has not made any further amendments.**
- *This is intended to be dealt with by condition. The applicant has set out that the space would be used as a gym, or a shared workspace (or similar).*

The applicant has provided a report to show how step-free access could be accommodated in the future, however does not commit to providing it within this proposal. With the significant increase in density, step-free access would have been acknowledged as a much needed public benefit.

Whilst this would be a benefit, the cost would be too high to reasonably impose on this development.

The applicant has provided a report to show how step-free access could be accommodated in the future, however does not commit to providing it within this proposal. Considering the proposed significant uplift of density from 4 dwellings per ha to 83 dwellings per ha, it is expected that there is a level of public benefit such as step-free access to the station, however this has not included as part of this application.

Additional plans and documents

Additional plans have been submitted: ground floor plan, 1st floor plan, 2nd floor plan, 3rd floor plan, layout of pavement along Kingston Road and a document which seeks to respond to some of the queries raised by Members prior to the committee meeting.

These plans show the location of the proposed affordable units. A higher proportion of the affordable housing is provided as dual aspect including the three and four bed social rent units.

Amendment to Heads of Terms

Additional heads of terms:

- Up to £45,600.00 contribution towards consultation and implementation of CPZ extension

Additional conditions:

- Two Network Rail spaces to be EV parking
- Details of landscaping and play equipment.
- Final details of servicing to be secured by condition.
- Further details of overheating and ventilation measures.
- Prior to the first occupation of the development hereby approved, further acoustic details shall be submitted in relation to the outdoor ASHP units on flats adjacent, including mitigation measures if necessary. The additional mitigation measures shall be installed and operational prior to the first occupation of the affected flats.
- Condition relating to use of shared communal space at ground floor level.
- Potential condition - Notwithstanding submitted plans, the on-street disabled parking bays shall be a minimum of 2.0m in width.
- Potential condition – details of doors between cores being opened. (Although fire regulations may not allow for this).

Amended condition:

- Drawing numbers condition

Member queries:

Q: It would be helpful to have some advice on whether the point on accessible station design is material for planning purposes, and whether a condition along the lines he suggests is possible (I would assume not, as it's similar in terms to the question I asked on whether affordable housing could be secured by condition)?

A: Yes, all of the station would be step free except access to the platforms.

Q: With regard to the affordable rent/intermediate rent, how does this work?

A: The London Plan (paragraphs 4.6.4; 4.6.5 and 4.6.8;) provides a explanation in answer to the above question as follows:

*(Para 4.6.4.) **London Affordable Rent and Social Rent homes** are for households on low incomes where the rent levels are based on the formulas in the Social Housing Regulator's Rent Standard Guidance. The rent levels for Social Rent homes use a capped formula and London Affordable Rent homes are capped at benchmark levels published by the GLA. Rents for both are significantly less than 80 per cent of market rents, which is the maximum for Affordable Rent permitted in the NPPF*

Intermediate rent products include **London Living Rent** and **Discounted Market Rent**. Paragraphs 4.6.5 and 4.6.8 of the London Plan advise that:

*(Para 4.6.5) **London Living Rent (LLR)** offers Londoners on average incomes a lower rent, enabling them to save for a deposit. The Mayor is introducing LLR as an intermediate affordable housing product with low rents that vary by ward across London. Where funded by the Greater London Authority, LLR will be a Rent to Buy product, with sub-market rents on time-limited tenancies, which will help households on average income levels to save for a deposit. As London Living Rent can be a step to homeownership, it can be considered as an affordable homeownership product*

(Para 4.6.8) Currently all intermediate rented products such as London Living Rent and Discounted Market Rent should be affordable to households on incomes of up to £60,000.

Q: Do the Council have 100% nomination rights to these flats?

A: The Interim Head of Housing Needs and Strategy at Merton has confirmed that Merton would normally have 100% nom rights on first let and them usually 75% on relets.

Q: Will these flats fall under Right To Buy?

A: There is no right to buy as this only exists where the Council is the owner.

Q: What I'm interested in, is how many of these flats are going to benefit people on Merton's large housing waiting list?

A: Yes, they would be handled in the same way as other affordable housing in the borough.

The Interim Head of Housing Needs and Strategy at Merton has confirmed that any affordable rent properties would benefit the housing waiting list.

Q: At 3.1.7, can you confirm that disabled residents or visitors who cannot manage stairs will have access to the roof top shared amenity space from the ground floor?

A: The rooftop would be solely for ASHP, solar panels and the biodiverse roof, so would not form part of the amenity space.

Q: At 3.1.21

1. Given the criticisms of the Applicant's FVA (pp42) has the council commissioned a report from BNP Paribas as suggested to assess the Applicant's FVA.

A: 3.1.21 – The Council has commissioned a report from another third party viability assessor, it was not PNB Paribas as suggested by the planning policy officer (as their fee was considerably higher than other consultants).

Q: what will the cost of "intermediate rent" be as compared to "affordable rent", and does this mean only 6 (or 8? at 5.7.23) flats will be for rent at a level affordable to people on low incomes.

A: This review relates to an alternative offer (which sought to provide 30% affordable housing, if CIL monies could be offset). However, that is not the current offer, the current offer is 20% as set out in the report. To confirm, 6 units would be social rent.

The RP would deal with any affordable rent calculation and this is not something the housing team has had a historical involvement in setting.

Q: What is the Applicant's justification for 10.7% of the development being social rented units (as opposed to 13.3% shared ownership) or, to use different figures from 5.7.23, 8 affordable rent, 13 shared ownership, in contravention of Merton's Housing Needs Study, which requires a 60/40 split in favour of social rented housing, given that they have been able to adjust from 0 to 21 affordable units notwithstanding their FVA

A: A direct justification is not offered. However, the affordable housing offer is above and beyond what would be financially viable and is a planning benefit.

Q: How does this meet the statement at 3.1.33 that 30% of the 74 new homes will be affordable (or is this premised on 24 units of affordable housing in total of which 12 are for "affordable rent", or are the correct figures 21 affordable units of which 8 will be for social rent (I make this 28.4%)?

A: This is superseded by further amendments. The applicant had hoped to provide 30% but this was on the basis of being able to offset the CIL contributions, which is not possible. Therefore, the offer has reduced.

Q: Is there now an inclusive design statement as required by the London Plan policy E5

A: Inclusive design statement – this is included within the DAS (see section 8 – page 61).

Q: Is the single lift access to the 9th floor compliant with the Fire Statement requirements

A: The applicant has confirmed that their fire consultant has stated it is compliant but no further specific details offered.

A: How many of the flats are single aspect, and why is this considered acceptable in breach of the Local Plan

Q: This is included within the report at para 7.7.3:

7.7.3 The proposed development would include 30 fully dual aspect units, 44 single aspect, with an additional step back to allow for dual aspect to the balcony and no fully single aspect units. There are no north facing single aspect units. The side returns to allow more light, whilst not classified as dual aspect, would provide a reasonably good level of internal lighting.

The London Plan sets out there should be no north facing single aspect units, which there are not. 5 units are single aspect south facing (with a return balcony)

The policy requirement is to 'maximise' dual aspect homes within developments, but there is no specific minimum target. The policy also recognises the challenges of providing dual aspect accommodation within higher density schemes such as this one, particularly where there is a higher proportion of smaller homes. This position has been supported by recent appeal decisions. Smaller homes are challenging to provide as dual aspect because of core arrangements and meeting other policy requirements. There are no north facing single aspect homes.

Q: Of those single aspect flat, how many face towards each compass point and what shade is provided for those facing predominantly South

A: East facing – 28 single aspect units with balcony returns.
West facing – 20 single aspect units with balcony returns.
South facing – 5 single aspect units with balcony returns.

Overheating will be controlled by a combination of building fabric measures (glazing specification), mechanical ventilation, provision of blinds and comfort cooling to all apartments. Some shading will be provided to bedroom and living rooms due to them being beneath balconies from the above floors. The energy demand from the comfort cooling will be delivered through photovoltaics and excess heat from that process will be utilised by the on-site CHP. The mechanical ventilation will provide eight air changes per hour.

Q: At 5.6.3-5.6.5

Given that parking on Rothesay Avenue is already described as "a nightmare at the best of time" (5.6.6) how are the problems identified by LBM Transport Planning going to be addressed

Q: The scheme will not result in the loss of spaces and would provide three on-street disabled spaces and a loading bay. The removal of the existing access into the site creates more kerbside space for parking.

A: All units will be restricted from access to parking permits.

Q: At 5.6.6

Where will the council's waste lorries be able to turn (turning circle of 18m required)

A: The scheme does not affect where refuse vehicles would turn. It's possible they can turn further down Rothesay Avenue, or may need to reverse in currently. The situation would not change as a result of the proposal.

Q: At 5.6.7 and 5.6.11

A: Where has the applicant demonstrated that the single aspect flats will be adequately ventilated in order to not overheat, particularly the single aspect south facing flats, and where is the additional sample of a south facing flat for the overheating assessment? I note it now passes the overheating assessment DSY1 without blinds (whereas previously it did not), how is this going to be achieved?

A: The Climate Change Officer stated:

Overheating - An overheating analysis has been carried out in order to assess performance of the proposed development against CIBSE TM59 defining criteria of thermal comfort, and CIBSE TM49 urban climate projections. A sample of the expected worst performing residential units were modelled. DSY1, 2 and 3 were tested and the applicant is proposing to mitigate the risk of overheating using passive ventilation and MVHR. The applicant has tested the top floor south/west corner unit and 2 top floor single aspect west facing units. Please can the applicant clarify why they have not tested the single aspect south facing units to test the worst case scenario? And has the overheating assessment factored in heat losses from the communal heating system? Would these losses be highest on the 4th floor closest to the communal heating system?

However, there are 5 south facing single aspect units, further info from the applicant is needed to identify the carbon offset contribution.

Overheating will be controlled by a combination of building fabric measures (glazing specification), mechanical ventilation, provision of blinds and comfort cooling to all apartments. Some shading will be provided to bedroom and living rooms due to them being beneath balconies from the above floors. The energy demand from the comfort cooling will be delivered through photovoltaics and excess heat from that process will be utilised by the on-site CHP. The mechanical ventilation will provide eight air changes per hour.

Q: Has the Applicant now carried out a detailed noise assessment, compliant with GLA guidance, and taking into account factors such as the need to close windows on the railway and road sides of the development?

A: A noise assessment was always part of the application. Where windows may need to be closed, means of ventilation is considered.

The noise conditions of the site mean that many flats will not have openable windows, which is typical for a site in such a location next to a railway and busy road. Acoustic glazing will be used where required to ensure acceptable standard of accommodation is provided. Acceptable living conditions can be delivered through the use of mechanical ventilation and comfort cooling.

Q: At 5.6.11

Has the Applicant carried out an acoustic impact assessment for the 4th floor flats identified as being affected the proposed air source heat pumps,
And could this be conditioned

A: The Officer comment within para 5.6.11 sets out:

“Have potential noise impacts been considered for units located next to these CAHV units? It looks like the 2B4P flat next to this roof space is single aspect which will limit passive ventilation in that unit. And noise may affect the neighbouring unit which has windows onto that roof space. The applicant has provided some information about the proposed heating system but please can they provide all the supplementary information set out in section 10.9 of the GLA’s guidance on preparing energy assessments. “

The applicant has clarified that the Acoustic impact of the outdoor units on flats facing the roof space will be assessed by a suitably qualified acoustic consultant and necessary measures will be taken, which may include acoustic enclosure for the outdoor units, triple glazed high acoustic performance windows and additional mechanical ventilation to prevent overheating. This assessment should be carried out and supporting evidence provided at this stage to confirm that the final design has mitigated any noise and overheating impacts, as this may affect the final design.

This could be conditioned.

Q: At 5.7.21

The need for a secondary door to the North Core Cycle Store is a recurrent theme, from the perspective of both cycle users and the prevention of crime. Has this been designed-in, and if not could it be conditioned?

A: There are already two accesses into the cycle store, which is considered sufficient. The Urban Design Officer prefers a single door for ease of use, so a balance must be struck between security issues and ease of use.

Q: Could we condition the adjustments recommended by designing out crime at pp49/50, as recommended?

A: There will be a need for a final certificate, so the measures proposed will need to satisfy the designing out crime officer. A number of factors suggested are already proposed, such as fob controlled access, CCTV, controlled lighting, management plan. In terms of things being thrown out of windows, the separation distance to the railway lines is such that this would not be a concern.

Q: Does the Local Plan and Sites Allocation currently with planning inspectors, resolve the 5 year land supply issue, if approved by the inspectorate and adopted by Merton?

A: Await policy comments on this.

ITEM 6 (THE WHITE HART, 144 KINGSTON ROAD, WIMBLEODN, SW19 1LY)
5. CONSULTATION (Page 158)

Additional representations:

No additional representations have been received but it is noted that the comments of the Wimbledon Society were not explicitly separated out in the committee report. For clarity, the comments of the Wimbledon Society are below:

The Society has been brought into the pre-application discussions by the scheme architects, and this positive approach is much to be welcomed. It would have been helpful to have had an opportunity to comment in more detail before the actual submission, but our comments are as follows.

The principal issue is one of height. With predominantly 2 storey development in both Kingston Road and Rutlish Road, the 6 storeys being proposed will be seen as a significant mass. One way of handling this would be to set the building back from both roads.

But whilst the 2 storey housing in Rutlish Road is set back with small front garden spaces, the proposals (4, 5 and 6 storeys high) opposite them go virtually up to the site edge. This will inevitably appear intrusive.

The Kingston Road frontage at 6 storeys faces onto a 2 storey shopping terrace (with only one of the dozen properties at 3 storeys). Whilst set back a little, it would have been highly desirable to have at least matched the general set back of the building lines of the properties to the east: this was one of the principal points made by the Society, & the development would sit better in its site were this now to be done.

The overall impression therefore is that this will be seen as a significantly higher & more dominant building in the area, which raises issues with the Local Plan policy D12.2E requiring “appropriate scale, height, mass”. Also, the north-west corner is taken to full height, to respond to the wish that there should be some kind of ‘corner celebration’ (7.6.5) as the Council has suggested. Whilst this design concept is understood, this full height dominance actually worsens the ‘height problem”. Accordingly, we feel it is essential to set the top floor back at this corner, to match the rest of the top floor.

The creation of a feature at (perhaps both) corners could be achieved by elevational changes to floors 1 - 4, possibly omitting the glazing, using curves, or (student?) sculpture or other means, without increasing height. The effect on the topmost floor plan might be to reduce the proposed four rooms to perhaps two.

Trees: some existing trees on site are to be lost, so it is important that the development provides replacement trees to compensate. The Society view is that replacements should at minimum follow the ‘Luckhurst principle’, where the trunk girths of the new trees exceed the girths of those lost.

The internal courtyard is quite narrow at 13m, & some 17m high, so the trees & other vegetation would need to reflect that, as well as make a contribution to nature, noting Local Plan policy D12.2Y “maximising green infrastructure”.

It would seem that, from the ground floor plan, students would pass through the porter’s lodge, then go outside to access the three ‘lift & stair cores’. Should there be some kind of weather protection built in?

It is presumed that there would be a need for formal dedication of some land to public highway, both to the Kingston Road & to the narrow public footpath leading to the Tram stop. This would allow the present quite narrow kerb-to-kerb measurements to be increased, perhaps to match the c9m width to the east. This could then allow defined cycle lanes to be introduced (it is recognised that this is a matter for the Council). Similarly, widening the tram-side footpath could allow for the later introduction of a cycle path.

The provision of a significant rooftop solar panel array is welcomed

Officer comments:

The visual impact is a matter for assessment. Officers conclude that the proposal is acceptable in this regard.

The possibility of a cycle path could be considered but further investigation is needed to see if this is feasible and practicable.

Agent comments:

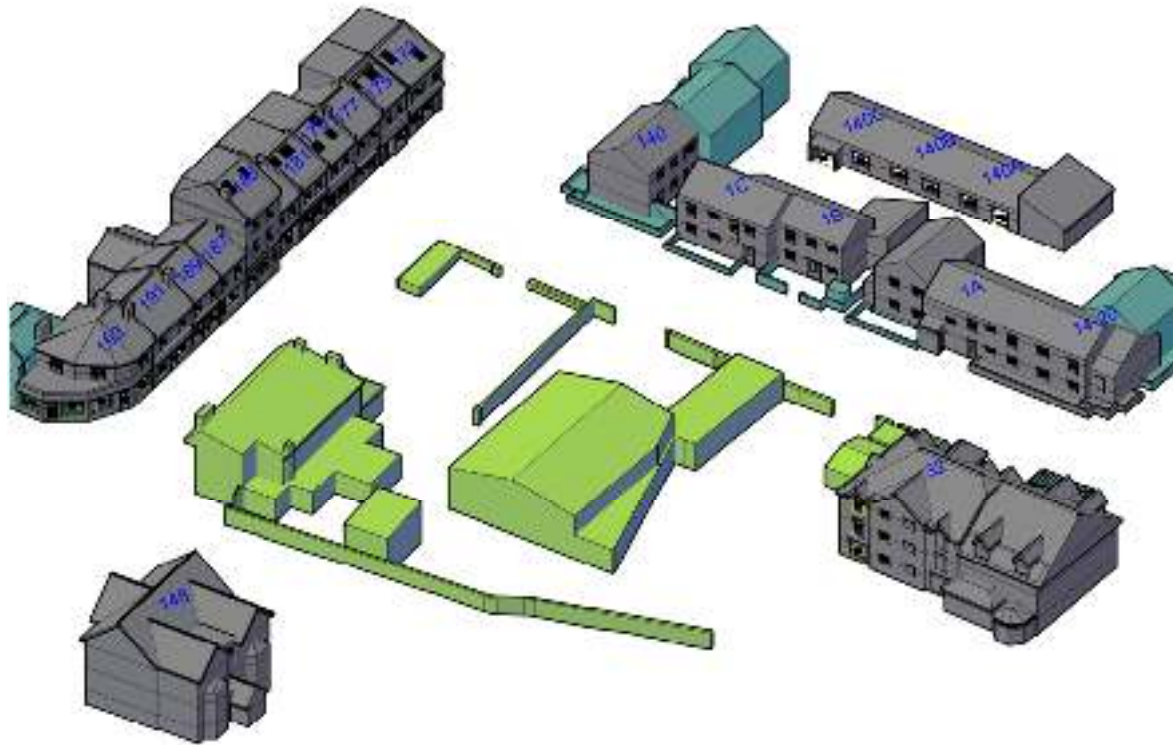
- A brief "layman's" summary of findings of the Daylight & Sunlight Assessment has been provided.
- A "birds eye" image of the existing massing on the site (Drawing No. TWH2022-02-1001); a "window map" drawing (Drawing No. TWH2022-001-02-3010 to 3019) showing the location of the various windows tested in our report; the "proposed" building (Drawing No. TWH2022-02-1004) this model has been taken from the software used to undertake the assessment so is more of a mathematical model but hopefully should be sufficient.
- A revised Vertical Sky Component (VSC) Table in which we have amended the seventh column to show the percentage VSC retained rather than the percentage reduction and have also added an additional eighth column which shows where the effect will meet the BRE recommendations of a residual VSC value in excess of 27% VSC or experience a reduction in the current VSC value of no more than 20% of its present value. As we discussed yesterday strict adherence to the BRE targets is inappropriate in the present circumstances due to the starting point of an open site and the fact that a reasonable VSC target for London is somewhere in the order of mid-teens rather than 27% VSC. As such a further column has been added to show all of the residual VSC values above mid-teens except for the windows labelled W1 in 32 Rutlish Road, but they are the windows that are in the frosted flank elevation and clearly do not serve habitable rooms and therefore do not fall within the BRE Daylight or Sunlight Criteria.

In answer to Officers' query on the previous planning consents where losses in excess of the BRE Guidelines, and residual VSC values of mid-teens were accepted; all five of those examples were granted consent at committee and below are the relevant planning reference numbers with the wetransfer link containing the DLSL reports, Committee reports and Decision Notices:

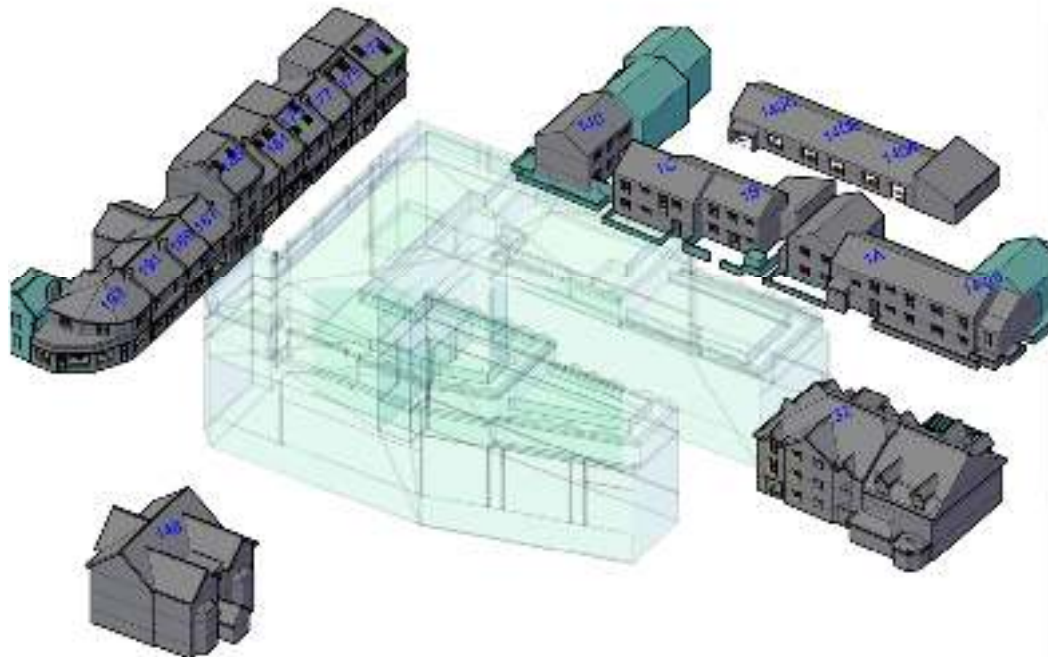
- 63 Staines Road (P/2020/4048), London Borough of Hounslow
- Norbury Trading Estate, Craginsh Avenue (19/00305/OUT), Croydon Council
- Eagle Wharf, Peckham Hill Street (19/AP/2087), London Borough of Southwark
- Hartley Centre, Barking Road (20/02264/FUL), London Borough of Newham
- Belgrave & Grosvenor Road (17/06392/FUL), Croydon Council

<https://we.tl/t-K7wKsrjwey>

Existing model:



Proposed model:



Agent comment on daylight/sunlight:

Note on Daylight and Sunlight – Impact of Proposals

The existing site has an open and undeveloped character consisting of large areas of car parking and low density, mainly single storey, buildings, and this has been the longstanding established character of the site for many years. The existing neighbouring buildings therefore presently receive exceptionally high levels of natural daylight and sunlight under existing conditions and can experience a greater percentage change in natural lighting conditions before there will be any material effect or demonstrable harm to the amenity of those neighbouring dwellings.

Any meaningful development on the Site will have some degree of inevitable impact on Daylight & Sunlight, but the results of the Daylight & Sunlight Analysis show that the height and massing of the proposed scheme will leave all of windows serving habitable rooms in the neighbouring dwellings, with adequate, and in most cases, good residual levels of daylight and sunlight. Given the location and character of the Site within the borough, and London in general, absolute residual readings of daylight around mid-teens VSC values is an appropriate threshold of daylight to be expected and in this development, all habitable rooms in all the neighbouring dwellings will continue to receive natural daylight levels above this level confirming that adequate daylight will continue to be received.

The results of the Sunlight tests show virtually full compliance with BRE targets and good levels of sunlight will also continue to be received.

It can therefore be concluded that the impact of the proposed development on neighbouring amenity is considered to be acceptable.

Climate Change Officer comments:

Apologies for the delay, please see proposed condition wording below. The carbon offset contribution of £71,429 will also need to be captured in the S106 agreement. Please note that the water use improvements are captured through the BREEAM requirements. Please note, you will need to amend the trigger point of the BREEAM condition if you're happy for this to be provided within 12 months of occupation (see pink highlight below).

CONDITION: Non-residential CO2 reductions

'Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence demonstrating that the development has achieved CO2 reductions in accordance with those outlined in the energy statement (dated 19th January 2023), has been submitted to and acknowledged in writing by the Local Planning Authority.'

INFORMATIVE:

Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; **AND**
- A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction; **AND**
- A BREEAM post-construction certificate demonstrating that the development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good'

AND, where applicable:

- MCS certificates and photos of all installed renewable technologies.

REASON:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy SI2 of the London Plan 2021 and policy CS15 of Merton's Core Planning Strategy 2011.

CONDITION: 'Be Seen' energy monitoring

In order to demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and all in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy non-compliance.

- a. Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.

- b. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

- c. Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

Reason: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan.

In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner should use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with

the Local Planning Authority. The measures approved by the Local Planning Authority should be implemented by the legal Owner as soon as reasonably practicable.

CONDITION: BREEAM

'Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Excellent' has been submitted to and acknowledged in writing by the Local Planning Authority.'

INFORMATIVE:

A BREEAM post-construction certificate demonstrating that the development has achieved a BREEAM rating of not less than the standards equivalent to 'Excellent'

REASON:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy CS15 of Merton's Core Planning Strategy 2011.

Additional heads of terms/conditions:

Amended Condition 24:

Unless otherwise agreed in writing by the Local Planning Authority, within 12 months of the first occupation of the development hereby approved, a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Excellent' shall be submitted to and acknowledged in writing by the Local Planning Authority.

Amended Condition 42:

Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence demonstrating that the development has achieved CO2 reductions in accordance with those outlined in the energy statement (dated 19th January 2023), has been submitted to and acknowledged in writing by the Local Planning Authority

Additional condition 43:

In order to demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and all in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy non-compliance.

- a. Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.

- b. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.
- c. Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

Member queriers:

Q: At 7.4.15, where on the Kingston Road do you find buildings of a similar scale to that proposed?

A: At the junction of Palmerston Road and Kingston Road there is a residential building, 5 storeys in height. This building is 187m from the site. This is 5 residential storeys and is approximately equivalent to 6 storeys of student accommodation and has much less of a set back from the pavement than the proposed scheme. On Kingston Road taller buildings also include the Telephone Exchange at the junction with Kingswood Road and 185 Hartfield Road both of which are located in close proximity to the site.



Q: How will parking work at the beginning and end of term, when many parents will be loading and unloading their children's possessions simultaneously? Is there anything that can be done to improve this, for example temporary parking in the courtyard at the beginning and end of term?

A: A booking system would be in place to ensure that student arrivals and drop offs are staggered. The area of double yellow lines along Rutlish Road can be used for drop offs and pick ups.

Q: Will there be open access to the courtyard from the back, and if not, can we condition hedgehog tunnels?

A: This could be conditioned, the applicant is amenable. However, it is noted that the applicant does not own the existing fence to the south of the site and therefore linking up any hedgehog tunnel with other gardens may be difficult. In addition, given the level of footfall in the courtyard, it is unlikely to form a habitat suitable for hedgehogs.

Q: A key issue is the lack of any disabled parking. A concern was that this would potentially prevent a disabled person taking up residence and could be viewed as discrimination. The possibility of a space on the highway be provided was mentioned. Can you outline how the lack of any disabled parking would not disbenefit any disabled occupiers?

A: The applicant has responded as follows: UAL are committed to Equal Opportunities and Access and welcome accommodation bookings from students with disabilities or medical and other support needs.

The experience of the University is that wheelchair users occupying rooms in halls of residence in London make use of public transport or ride hailing apps, such as Uber, instead of owning a private car and therefore there is no demand for disabled parking spaces. This is likely to be the case with 144 Kingston Road given its close proximity to the WCA campus and excellent transport links (with a PTAL 6b – the highest level) adjoining Merton Park tram stop (which is entirely step free) and with a bus stop on Kingston Road within a few meters of the site.

In the unlikely event however, that a student was to require a blue badge parking space a dedicated bay can be implemented on-street along Rutlish Road without resulting in any loss of car parking spaces. This can be secured within the s106 agreement should the need arise

Q: Leading on from that comment was a query as to whether there is provision for the parking of mobility scooters that a disabled occupier (who does not have space to park a car) may then require. I indicated there may be space for this in the internal bike store but are you able to clarify this? A further query relating to whether there would be e-bike (and mobility scooter) charging facilities in the bike store and if there was intended to be, whether this affected the fire safety measures required in this part of the building. Are you able to provide any further information on this point?

A: The applicant has responded as follows: Parking for a mobility scooter and associated charging point can be made within the internal cycle store and can be secured via planning condition. Charging points for e-bikes can also be provided should the need arise. This is not anticipated to result in any fire safety implications but will be fully assessed by the approved inspector as part of the building regulations compliance process.

Q: The affordable housing offer was welcomed but the Chair did query the reasoning for it hitting the 35% - was this simply to be policy requirement, or is there a chance it could be secured at a higher amount? I appreciate that the university is committed to providing affordable rent levels across the board and the aim is to provide more than 35% if possible but could a brief summary of the affordable housing provision and the reasoning behind it be provided (I will also go through the application documents to have a response ready but your input would be useful).

A: The applicant has responded as follows: UAL are committed to as many students as possible benefitting from access to lower priced accommodation. After the provision of 35% of the rooms at the very low GLA affordable rent it wouldn't be viable for all of the remaining rooms to be provided at the same heavily discounted rate. Therefore the University takes the view that rather than heavily discounting a further small number of rooms, with the remaining rooms then being at a much higher rate to compensate, it would prefer to keep all of the remaining rooms at the lowest possible sustainable level which will still be significantly below the average private sector room rate across London.

It is worthwhile noting that UAL offers a completely different service to the private sector and its running costs are therefore significantly higher. This includes providing a greater range of services for students including more comprehensive cleaning; bigger and better amenity facilities (common room/study rooms/homework project rooms); and far greater pastoral care to support the mental health and wellbeing of students. There is also a more comprehensive and higher level of maintenance and repair and staff are on full time contracts receiving the London Living Wage.

Q: Another question that I said I would come back on is the plan for what happens in the holiday periods – i.e.. is the building rented out for other uses or are the facilities used by other groups, and then what the potential impact of this could be in terms of traffic movements and general levels of activity and noise. Could you outline what the plan is for the building in the holiday periods?

A: The applicant has responded as follows: The accommodation is likely to be let on a mix of 40 and 50 week tenancies with the latter being more attractive for international students. Holiday income can be helpful for keeping rents in term time at the lowest possible level and where there are rooms available outside of term time the opportunity may be taken to let these rooms which could include university summer schools or local language schools. All of the rules for the running of the hall of residence as set out in the management plan submitted as part of the planning application (e.g. on noise disturbance and the scheme being car free) will apply to any lettings outside of term time.

Q: I have been informed that some Cllrs will speak on the application and are likely to back the idea of a new bit of cycle lane to the site frontage. I note your comments about the point at which the cycle lane would need to merge back into the road and that this would create a conflict point but it is likely that this matter will come up at committee. My suggestion has been that perhaps officers could be left to investigate this with best endeavours to see if there is a solution, rather than imposing it on the development.

A: The applicant has responded as follows: UAL and Hollybrook would be very happy to work with officers to explore whether there is potential to include a section of cycle lane within the widened pavement on Kingston Road and/or a dedicated bicycle filter lane at the tramline traffic lights on Kingston Road to improve safety for cyclists. This can be secured within the s106 agreement.

- Q: Can the Applicant ignore the statement from Merton's Highway Officer restricting reversing from Kingston Rd?
- A: The applicant has set out an approach that would involve reversing in from Kingston Road. The Highway Authority and Transport Planner have raised concern with this approach. A condition will ensure that a revised CLP is submitted to ensure that the chosen approach is supported by the Highway Authority and Transport Planner. However, it would not be reasonable to resist planning permission, provided a solution can be reached, as otherwise it would unreasonably fetter the development of the site.
- Q: As Kingston Rd is part of the Strategic Road Network (SRN) being the A238, does it need TfL Highways to determine the status of this proposal, as they have overarching responsibility of the efficient and safe running of the SRN?
- A: TfL has been involved in the development of the site since the pre-application enquiry stage. They have provided comments on the application and raise no objection.
- Q: Isn't it essential to deal with this now than leaving it to formally reviewing a Construction Logistics Plan (CLP) as part of a Planning Condition after approval has been given?
- A: In order for the site to be developed there would need to be construction works. Usually this would be addressed through conditions. In this case the issue has been flagged up so that the applicant can consider an alternative approach. The condition will be a pre-commencement condition so control would be retained by the Council.
- Q: On a similar but separate highways issue regarding parking after development of the building, it is noted that the Applicant is providing 14 no. Accessible Units for wheelchair users. Isn't it likely that they will require a road vehicle to move them and their wheelchair around on the back of a Blue Badge Parking Permit and will require parking spaces in Rutlish Rd or the surrounding roads? As the development is being highlighted as "Car Free", using various criteria, nothing is being provided on the site leading to parking problems in the neighbourhood. I understand, and the Applicant has stated, that those eligible for a Blue Badge will be able to obtain a Parking Permit from Merton (if they haven't already obtained one based on their physical requirements).
- A: The applicant has responded as follows: UAL are committed to Equal Opportunities and Access and welcome accommodation bookings from students with disabilities or medical and other support needs.
The experience of the University is that wheelchair users occupying rooms in halls of residence in London make use of public transport or ride hailing apps, such as Uber, instead of owning a private car and therefore there is no demand for disabled parking spaces. This is likely to be the case with 144 Kingston Road given its close proximity to the WCA campus and excellent transport links (with a PTAL 6b – the highest level) adjoining Merton Park tram stop (which is entirely step free) and with a bus stop on Kingston Road within a few meters of the site.
In the unlikely event however, that a student was to require a blue badge parking space a dedicated bay can be implemented on-street along Rutlish Road without resulting in any loss of car parking spaces. This can be secured within the s106 agreement should the need arise.

- Q: Do you agree that there could be a parking problem which isn't being addressed in the application?
- A: The development would be car free and as part of the students' leases they are not able to have a car on campus, so there should not be parking problems as a result of the development.
- Q: Do you think that Disabled people will be allowed to rent one of these units, obtain a Parking Permit and seek a parking space in the street?
- A: Yes, disabled people would be able to obtain a parking permit – this can be included in the legal agreement.