

Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)
Najeeb Latif (Vice-Chair)
Philip Jones
Andrew Judge
Laxmi Attawar
Peter Southgate
Geraldine Stanford
Stephen Crowe
David Dean
Jerome Neil

Substitute Members:

Joan Henry
Daniel Holden
John Sargeant
John Bowcott

A meeting of the Planning Applications Committee will be held on:

Date: 22 June 2017

Time: 7.15 pm

**Venue: Council chamber - Merton Civic Centre, London Road, Morden
SM4 5DX**

This is a public meeting and attendance by the public is encouraged and welcomed. If you wish to speak please see notes after the list of agenda items. For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3356

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Planning Applications Committee

22 June 2017

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- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 10
- 4 Town Planning Applications
- 5 5-6 Alt Grove, Wimbledon, SW19 4DZ 11 - 20
Application Number: 17/P1095 Ward: Hillside
Recommendation: GRANT Planning Permission subject to Section 106 Obligation or any other enabling agreement
- 6 34 Cottenham Park Road, West Wimbledon, SW20 0SA 21 - 30
Application Number: 16/P3531 Ward: Village
Recommendation: GRANT Planning Permission subject to and conditions.
- 7 10-12 Leopold Road, Wimbledon, SW19 7BD 31 - 42
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- 8 17 Merton Hall Road, Wimbledon SW19 1BQ 43 - 54
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- 9 Haslemere Industrial Estate, Ravensbury Terrace, Wimbledon Park 55 - 124
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Recommendation: GRANT Planning Permission subject to S106 agreement and conditions.
- 10 223 Streatham Road & 1 Ridge Road, Mitcham CR4 2AJ 125 - 158
Application Number: 17/P1537 Ward: Graveney
Recommendation: GRANT Planning Permission subject to S106 agreement and conditions.
- 11 Planning Appeal Decisions 159 - 164
Officer Recommendation:
That Members note the contents of the report.

Officer Recommendation:

That Members note the contents of the report.

Declarations of Pecuniary Interests

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

Declarations of Pecuniary Interests – Members of the Design and Review Panel (DRP)

Members of the Planning Applications Committee (PAC), who are also members of the DRP, are advised that they should not participate in an item which has previously been to DRP where they have voted or associated themselves with a conclusion reached or recommendation made. Any member of the PAC who has also sat on DRP in relation to items on this PAC agenda must indicate whether or not they voted in such a matter. If the member has so voted they should withdraw from the meeting.

Human Rights Implications:

The applications in this Agenda have been considered in the light of the Human Rights Act 1998 and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family Life).

Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report.

Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

Order of items: Applications on this agenda are ordered alphabetically. At the meeting the Chair may change this order to bring forward items with the greatest number of public speakers. The new order will be announced by the Chair at the start of the meeting.

Speaking at Planning Committee: All public speaking at Planning Committee is at the discretion of the Chair. The following people may register to speak:

Members of the Public who have submitted a written representation objecting to an application. A maximum of 6 minutes is allowed for objectors. If only one person registers they will get 3 minutes to speak, a second person will also get 3 minutes. If further people want to speak then the 6 minutes may be shared between them

Agents/Applicants will be able to speak but only if members of the public have registered to speak in opposition to the application. Applicants/agents will get an equal amount of time. If an application is brought to Committee with an Officer recommendation for Refusal then the Applicant/Agent will get 3 minutes to speak.

All Speakers MUST register in advance, by contacting The Planning Department no later than 12 noon on the day before the meeting.

PHONE: 020-8545-3445/3448

e-mail: planning@merton.gov.uk)

Ward Councillors/Other Councillors who are not members of the Planning Committee may also register to speak and will be allocated 3 minutes each. Please register with Development Control Administration or Democratic Services no later than 12 noon on the day before the meeting

Submission of additional information before the meeting: Any additional information relating to an item on this Agenda should be sent to the Planning Department before 12 noon on the day before the meeting (using email above).

Please note:

There is no opportunity to make a visual presentation when speaking at Planning Committee

That the distribution of any documents by the public during the course of the meeting will not be permitted.

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Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

25 MAY 2017

(7.15 pm - 11.05 pm)

PRESENT Councillor Linda Kirby (Chair),
Councillor Laxmi Attawar, Councillor Stephen Crowe,
Councillor David Dean, Councillor Philip Jones,
Councillor Andrew Judge, Councillor Najeeb Latif,
Councillor Peter Southgate and Councillor Geraldine Stanford
and Joan Henry

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Uddin, who was substituted by Councillor Henry.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

In the interest of openness and transparency Councillor Dean declared that the applicant of Item 11 was a friend and therefore he would not participate in that item.

In the interest of openness and transparency Councillor Latif declared that he had been involved in negotiations relating to item 12 and that he would not participate in that item

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

Councillor Attawar raised an issue with reported voting for Item 7. This was checked, with the clerk after the meeting and changed to: A vote was taken on the motion, with 6 members voting for the motion and 3 members not voting

RESOLVED: That the minutes of the meeting held on 20 April 2017 are agreed as an accurate record, with the above change being made.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: A list of modifications for agenda items 6, 7, 8, 9, 10, 12, 13, and 14 were published as a supplementary agenda.

Order of the Agenda – The Chair amended the order of items to the following: 9, 8, 13, 14, 10, 7, 5, 12, 11 and 6

5 4 AND 4A COTTENHAM PARK ROAD, WEST WIMBLEDON, SW20 0RZ (Agenda Item 5)

Proposal: Demolition of 2 x existing houses and erection of 3 detached 5 bedroom houses arranged over 4 floors

The Committee noted the officer's report and presentation

The Objector raised residents' concerns, including:

- The proposed houses would not match the townscape character of the area, they are identical, square and are inconsistent with other buildings in the area
- A new Church Hall, close to application site, has been required to match the local character in terms of height and gables.

The Agent made points including:

- The application site is not in a Conservation Area, and there are a variety of building styles in the area
- The height of the proposed houses has been reduced during the application process

In answer to Members questions the Planning Officer explained that the architect had taken local character into account with the design and that there were a variety of styles in the area.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

6 32 FLORENCE AVENUE, MORDEN, SM4 6EX (Agenda Item 6)

Proposal: Demolition of existing bungalow and erection of four terrace houses

The Committee noted the officer's report and presentation. The Development Control Manager asked the Committee to note that a previous application for this site had been refused and that the applicant had submitted an appeal against this refusal, but that the result of this appeal was not yet known. This previous scheme was higher than the current proposed scheme

The Ward Councillor, Stephen Alamabritis raised residents' concerns regarding the proposed development. Before speaking he declared that he and his wife owned a property on Florence Road. The Ward Councillor made reference to a petition signed by 70 residents against this development on the grounds that it was dominant and overbearing and would result in the loss of a bungalow. He also felt that the current proposal had not addressed the previous reasons for refusal.

Members asked officers about the previous refusal and noted that if the appeal allowed the previous scheme, and the committee allowed the current proposed scheme, it would be up to the applicant to decide which they built, but it would be unlikely that they would start one scheme and then change to the other.

Members noted the officer view that it was not unusual to get different sized houses in this area and so the design of the fourth house on the current scheme was acceptable

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

7 1 HADLEIGH CLOSE, MERTON PARK, SW20 9AW (Agenda Item 7)

Proposal: Erection of a two storey side extension

The Committee noted the officer's report and presentation and information in the Supplementary Agenda

In response to Members comments, officers said that the proposed extension followed good design principles and was sufficiently subservient to the main house to give no reasons for refusal.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

8 HATTON HOUSE, 81 HARTFIELD ROAD, WIMBLEDON, SW19 (Agenda Item 8)

Proposal: Application for change of use of commercial spaces on lower ground floor only to classes D1 (non-residential institutions) and D2 (assembly and leisure) for the provision of gymnasium

The Committee noted the officer's report and presentation and information in the supplementary agenda.

The Objector raised residents' concerns including:

- This is an entirely residential area, and Hatton House is opposite a Conservation Area.
- Possible security issues linked to the disabled access
- The Gym will cause a noise nuisance and disturbance for residents
- The original use as offices would have resulted in much shorter times of usage than the 6am -8pm, 7 days a week usage of the gym in this proposal

The Agent raised points including:

- This has been a difficult site to market as there is no natural daylight
- The proposal is not for a fully functional gym and would create limited footfall
- Signage will be restricted in size

The Ward Councillor, Michael Bull raised points including:

- A large number of residents have objected to this application
- The Gym will cause noise and disturbance from early in the morning until late in the evening, and the disabled access is a security risk to residents
- There are parking issues in this area, there is a CPZ and it is some distance from the town centre car parks
-

In answer to Members questions the Planning Development Manager explained:

- There had been no interest in the site whilst it had been marketed as offices
- Members could decide to restrict the opening hours by condition
- Members could ensure, by condition, that there is controlled entry to protect the security of residents– this would be relevant to the disabled access.
- There are conditions to control noise
- If noise is a nuisance to residents and they believe noise conditions are being breached then Environmental Health could be called upon to conduct a survey to collect quantitative evidence of this breach

RESOLVED

The Committee voted to GRANT Planning Permission subject to the conditions in the Officers report and also two additional conditions:

1. The applicant must implement a controlled entry scheme for disabled users so as not to compromise the security of residents
2. The opening times for all activities shall be 7am – 8pm on a Monday to Saturday and 9am – 8pm on a Sunday.

9 162 - 164 HARTFIELD ROAD, WIMBLEDON, SW19 3TQ (Agenda Item 9)

Proposal: Demolition of a two semi-detached dwellings and erection of a three storey building (with basement) comprising 4 x 2 bedroom flats and 3 x 1 bedroom flats and 1 x studio flat together with associated landscaping.

The Committee noted the officer's report and presentation and additional information in supplementary agenda

The Objector raised residents' concerns including:

- The Victorian houses on the site should not be demolished
- The proposed scheme is overdevelopment

- It does not respect the character of the road
- The new development will have an adverse affect on neighbours
- There are no family units in the proposed development
- The basements are inappropriately large
- There are vibration issues with the road outside
- The developer has made amendments during the planning process,

The Agent made points including:

- We have made reductions to the scale and massing
- Objectors have misinterpreted the application and its amendments
- Hartfield Road includes a variety of styles of housing.
- This design is modern but sympathetic to the Victorian style, did not want to design a poor quality copy of a Victorian building
- Other houses have been extended to be larger that the proposed development
- The basement flats are large enough to be classed as family units

The Ward Councillor made points including:

- The proposed design is inconsistent with this central section of Hartfield Road
- It is overdevelopment
- The development would lead to the loss of family homes
- The development would lead to the loss of parking for residents
- Concern with process and amendments made

The Development Control Manager reminded Members that the Victorian houses on the site have no protection as they are not listed or in a Conservation Area. In reply to Member questions about applying policy DMD4 to declare the buildings as a heritage asset, he cautioned that this would still not give them adequate protection to justify a refusal.

In reply to Member questions, the DC manager commented:

- That in relation to potential loss of daylight the applicant had replicated the wing of neighbouring properties.
- The Structural Engineers have approved the basement
- Late objections were received (detailed in the supplementary agenda)
- The drawings shown at the meeting are the most up-to-date versions

- Engineers have done work to resolve the vibration issues on the road
- Two bedroomed basement flats are not ideal as family units but they are generously sized and do have access to gardens
- The dormer design is acceptable

Members of the Committee commented that this part of Hartfield Road does have a distinctive character and uniformity and that any redevelopment should respect this character, they felt that this development did not respect this character. A Motion to refuse on the grounds that the development does not meet the requirements of policy DMD2 and does not respect the character of the surrounding properties

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reason:
The design of the application is out-of-character with the surrounding properties, and does not respect the scale and materials of the surrounding properties. The application does not meet the requirements of policy DMD2
2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

10 7 LAMBOURNE AVENUE, WIMBLEDON PARK, SW19 7DW (Agenda Item 10)

Proposal: Demolition of existing detached house and erection of 2 x two storey detached houses with accommodation at basement and roof level .

The Committee noted the officer's report and presentation and information in the Supplementary Agenda

The Objector raised residents' concerns including:

- This new scheme still presents a very wide street frontage and is still twice the depth of the existing house

The agent explained how the new scheme now consisted of two houses with the stepping down clearly shown, in response to the Inspectors comments

The Planning Officer explained that the appeal on refused scheme was dismissed on grounds of over dominance on the streetscene. She asked members to note that the inspector did not express any concern about the impact on neighbours of the refused scheme.

In response to members questions the Planning Officer explained that the houses in Lambourne Avenue were generally wider than those proposed but not to a degree that the proposal was considered to be out of character.

Members requested that low vibration piling be conditioned.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

11 91 THE QUADRANT, WEST WIMBLEDON, SW20 8SW (Agenda Item 11)

Proposal: Erection of a single storey rear extension plus erection of a single storey self-contained dwelling to side of existing house

The Committee noted the officer's report and presentation

The Objectors raised residents' concerns including:

- Loss of privacy resulting from move of the front door to the side of the proposed property
- Proposal does not meet requirements of 'Designing out Crime' officer
- Proposal does not meet minimum planning space standards
- Proposal will compromise security of neighbouring property

The applicant raised points including:

- There is already permission to build a similar property.
- The change to the position of the front door has been approved by planning officers
- There is currently no security on this side access. The proposal will improve security

In response to objectors comments the Development Control Manager explained that 'secured-by-design' is not an issue for a one person dwelling. This scheme already has permission, but with the front door in a different position. The floorspace is less than standards require for a one bedroomed flat but is well above the floorspace required for a one person studio.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

12 8 ST MARY'S ROAD, WIMBLEDON SW19 7BW (Agenda Item 12)

Proposal: Application for variation of Conditions 2 (Approved Plans) and 14 (Landscaping) attached to LBM Planning Permission Ref.15/P3969 (Dated 25/02/2016) relating to the demolition of existing dwelling and erection of a new four storey dwelling house comprising a basement level and landscaping (Amendments to approved scheme comprising additional oval window to front elevation, revisions to design of dormer windows, removal of rear lantern light, revisions to fenestration, roof light to rear bedroom omitted and roof light facing 10 St Mary's Road omitted and roof light facing 6 St Mary's Road repositioned, together with revisions to landscaping scheme).

The Committee noted the officer's report and presentation and information contained in the supplementary agenda.

The Objectors raised residents' concerns including:

- Loss of privacy from windows installed without obscure glazing
- Many changes have been made by the developer, after permission was granted

Officers commented that issues raised by objectors relating to boundaries were not covered by the scope of this application.

Members asked officers to ensure that there was no infringement of privacy caused by the lack of obscured glass in the windows.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

13 23 STREATHAM ROAD, MITCHAM, CR4 2AD (Agenda Item 13)

Proposal: Demolition of existing building and erection of a single storey Lidl foodstore with associated car parking, cycle parking and landscaping.

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda.

The Objector raised residents' concerns including:

- Do not object to the principle of a Lidl store on this site but object to the position of this proposal as it is only 6m away flats in Tudor House
- This proximity would cause noise and pollution nuisance for residents and would affect the right to light of residents
- Pity that Lidl did not engage with residents by following up on original consultations

The Agent made comments including:

- This is an opportunity to redevelop a Brownfield site and is important for the local community
- Changes have been made to the application to improve the movement of vehicles, and a right turn lane from Streatham Road is part of the proposal
- The application contains landscaping to retain TPO trees, add 10 new trees, a green living wall and bird boxes to retain the feel and biodiversity of the current site
- It will provide 40 retail jobs

In answer to Members questions the Planning Officer explained:

- The Previous appeal in 1998 is a material consideration, but Officers do not know how much weight it would carry now.
- Officers were satisfied that the proposal will not have an impact on natural light to Tudor House
- Hours of servicing and deliveries could be further controlled by more detailed conditions. This could include specific requirements for chiller lorries

Members made comments including:

- There is no objection to the principle of a Lidl Store on this site
- The design and siting of this proposal is unneighbourly to Tudor House
- If accommodation had been incorporated into this design it would have softened the connection with Tudor House.
- The amount of parking could be reduced to encourage sustainable forms of transport to be used
- The traffic in this area can be very heavy
- If the building was moved forward on the site it would have less impact on residents in Tudor House and Graham Avenue
- Don't understand why there needs to be so much parking at the front of the development
- Loading Bay is in the wrong place – it could be in the middle of the site

A recommendation to Refuse was proposed and seconded, for the reasons of the design and siting of this proposal is unneighbourly to Tudor House and does not respect the streetscene of Streatham Road.

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reason:

The application by its siting and design, does not present an active frontage to Streatham Road, it does not maintain the rhythm and existing pattern of Streatham Road and it unduly affects the outlook from Tudor House and Graham Avenue.

2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

14 WELLINGTON HOUSE, 60-68 WIMBLEDON HILL ROAD, SW19 7PA
(Agenda Item 14)

Proposal: Refurbishment of the existing commercial building including the recladding of the exterior of the building, erection of one additional floor and infilling of the surface level car park to create an additional 1,795sqm Gross Internal Area (GIA) (1,935sqm Gross External Area (GEA)) of office use (Class B1). Amalgamation of two ground floor class A2 units into a single class A2 unit. Reduction in the number of on-site car parking spaces from 34 to 7 and reduction in number of on-street parking bays currently located outside Mansel Court on Mansel Road from 4 to 3. Terrace to be located at level 4.

The Committee noted the officer's report and presentation and information in supplementary agenda.

Members were pleased to note that the DRP (Design Review Panel) had given this new scheme a green light rating as it would make huge improvements to the current building. They were also pleased to see that their reasons for refusing the previous application had been acknowledged by the developers in this new scheme. The Committee noted that the revisions to the existing parking bay arrangement would result in two full sized parking bays.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

15 PLANNING APPEAL DECISIONS (Agenda Item 15)

The Committee noted the report on recent Planning Appeal Decisions

16 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 16)

The Committee noted the officers report on Enforcement cases, and one member asked about the progress of enforcement action in Cedars Avenue. The Development Control Manager said he would report back to the Councillor on this matter.

PLANNING APPLICATIONS COMMITTEE 22 JUNE 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P1095	13/03/2017
Address/Site	5 – 6 Alt Grove, Wimbledon SW19 4DZ
(Ward)	Hillside
Proposal:	ERECTION OF A SINGLE STOREY RESIDENTIAL UNIT
Drawing Nos	714 P001, 714 P002, 714 P003 rev A, 714 P005 rev A
Contact Officer:	Arome Agamah (8545 3116)

RECOMMENDATION

GRANT Planning Permission subject to Section 106 Obligation or any other enabling agreement

CHECKLIST INFORMATION

- Heads of agreement: no
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- Yes
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 11
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No

1. INTRODUCTION

- 1.1 This application has been brought to the Planning Applications Committee due to the number of objections received.

2. SITE AND SURROUNDINGS

2.1 The application site comprises of land, currently designated as car parking, to the rear of a detached three storey former office building located on the southwest side of Alt Grove in Wimbledon. The main building is currently undergoing conversion from offices to 9 residential dwellings under prior approval under planning reference 16/P1303. Access to the site is through a driveway leading off Alt Grove that appears to be used by number 5 to 6 and 51 to 53 St George's Road.

3. **CURRENT PROPOSAL**

3.1 The application is for the erection of a self-contained single storey 1 bedroom residential unit, to the rear of 5 to 6 Alt Grove utilising the space currently used as car parking.

The unit will be a detached single storey flat roofed building and will adjoin the rear boundaries of numbers 13 to 17 Tabor Grove. The building will have a maximum height of 2.9 metres and it will be constructed in brickwork to match the existing building, with a band of sand/cement render at door/window head level with colour to match the stonework of the main building.

3.2 There will be a secured storage area on the east flank in between the unit and the main building, which will accommodate recycling and general refuse storage along with semi vertical storage for up to 10 bicycles. No specific car parking provision has been proposed in this scheme.

3.3 The floorspace of the unit compares to the London Plan standards as follows:

- London Plan Space standards
Minimum GIA for 1 bedroom, 1 person/ 1 storey dwelling: 39 m2.
- Proposal
Ground floor: 42 m2.

3.4 The occupiers of the flat will have access to 18 m2 of outdoor amenity space to the rear of the unit, which is abutted by the single storey flank wall of 4a Alt Grove. It is accessed from the unit by sets of doors from the living area and bedroom.

3.5 A decked outdoor amenity area has been formed between the side (south facing) of the unit and abutting the single storey flank wall of 4a Alt Grove, with an area of 15 m2. A replacement tree has been proposed for the rear of the site, in the gap between the buildings and adjoining the rear boundary. A timber decked area has also been provided as amenity for a ground floor studio flat comprising the main building. The amenity areas are separated by a low wall and planting for privacy.

4. **PLANNING HISTORY**

17/P0766 – Application for non-material amendments to planning application 16/P1839 relating to external alterations to existing building including

replacement of window, replacement front door, installation of balconies and railings. Granted 12/04/2017.

16/P3152 – Erection of a single storey residential unit. Refused 03/03/2017.
Reasons:

- The proposed scheme does not provide sufficient information with respect to the existing planting beds on the site and the nearby protected trees in relation to the site, in order for the arboricultural impact to be adequately assessed, contrary to policy DM O2 [Nature conservation, trees, hedges, and landscape features] in the adopted Merton Sites and Policies Plan 2014 and CS13 - [Open space, nature conservation, leisure and culture] of Merton's adopted Core Planning Strategy (July 2011).
- The proposed scheme does not indicate a landscaping/planting scheme comprising of suitable replacement planting to compensate for the loss of the existing trees to the rear of the site that are considered to be of local amenity value, contrary to policy DM O2 Nature conservation, trees, hedges, and landscape features in the adopted Merton Sites and Policies Plan 2014 and CS13 - [Open space, nature conservation, leisure and culture] of Merton's adopted Core Planning Strategy (July 2011).

16/P1839 – External alterations to existing building including replacement of windows, replacement front door, installation of balconies and railings.
Granted 23/06/2016.

16/P1303 – Prior approval in respect of the proposed change of use from existing office space (class B1a) to residential (class C3) creating 9 flats.
Prior approval granted 02/06/2016.

92/P0310 – Display of 1 non-illuminated logo sign, 1 illuminated logo sign and wall mounted flagpole. Refused 23/06/1992.

88/P1198 – Erection of two three storey office buildings and five three storey town houses (variation of previously approved scheme) involving stopping up of existing pedestrian right of way. Granted 03/11/1988.

MER1190/72(O) – Outline – flat over warehouse. Granted 30/11/1972.

MER471/74 – Outline application – 2 storey building 1900 sq ft. warehouse and office accommodation. Refused 15/08/1974.

MER298/75 – Change of use from warehouse to office purposes. Granted 26/06/1975.

5. **CONSULTATION**

5.1 The proposal has been publicised by means of standard site notice procedure and individual letters of notification to adjoining properties.

Six objections have been received from neighbours on the following grounds:

- Loss of trees on site
- Overlooking of the backs of properties on Tabor Grove from Alt Grove flats

- Reduced security due to wall height
- Depreciation on house values
- Overdevelopment on site
- Pest problems arising from the usage of timber decking

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

CS 8 (Housing Choice)
 CS 9 (Housing Provision)
 CS 14 (Design)
 CS 15 (climate Change)
 CS 20 (Parking, Servicing and Delivery)

6.2 Sites and Policies Plan (July 2014)

DM D2 Design Considerations in all developments
 DM H2 Housing Mix
 DM O2 Nature conservation, trees, hedges and landscape features
 DM T3 Car parking and servicing standards

6.3 London Plan (July 2011)

3.3 (Increasing Housing Supply),
 3.4 (Optimising Housing Potential),
 3.5 (Quality and Design of Housing Developments),
 3.8 (Housing Choice),
 5.1 (Climate Change Mitigation),
 5.3 (Sustainable Design and Construction).
 7.3 (Designing Out Crime)
 7.4 (Local Character)
 7.6 (Architecture)

7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations for this application are the principle of development, design, quality of accommodation proposed, arboricultural impacts, parking impacts and impact on neighbouring amenity.

Principle of Development

7.2 The London Plan and both the Council's adopted Core Planning Strategy (2011) and Sites and Policies Plan (2014) seek to increase housing provision where it can be shown that an acceptable standard of accommodation and a mix of dwelling types will be provided. The London Plan published in March 2016 sets Merton with a minimum ten year target of 4107 dwellings within the borough between 2015 - 2025.

7.3 The principle of a residential use is considered to be acceptable, making a modest contribution towards meeting housing choice and housing targets.

The proposed scheme comprises of a 1 bedroom flat and as it is a new build will not involve the loss of any family sized units. Its siting will also be in the context of similarly sized 1 bed or studio residential dwellings once the nearby conversion has been completed.

Quality of Accommodation Proposed

- 7.4 The floorspace of the proposed scheme is calculated at 42 m², exceeds the minimum requirements for 1 bedroom/1 person residential dwellings as outlined in the London Plan. The habitable spaces are south facing and are deemed to have adequate outlook and access to natural light. The occupiers of the unit will have access to 15 m² of outdoor amenity space to the rear of the unit, which is abutted by the single storey flank wall of 4a Alt Grove. It is not considered that this will result in an unacceptable sense of enclosure for the users of the space.

Design

- 7.5 The unit will be constructed in brickwork to match the existing building, with a course of stonework at door/window head level also to match the existing buildings. As it is a single storey structure it will be of a subordinate scale and massing to the adjoining properties and is not considered to be unduly large or dominant to its surroundings. Other than the main building the proposed unit adjoins the flank wall of 4a Alt Grove, which is a one/one and half storey structure. As such it is considered that the massing of the structure will be in keeping with that of the immediate surroundings.

Impact on Neighbour Amenity

- 7.6 The application site abuts a footway running behind the rear gardens of numbers 13 to 17 Tabor Grove, which are relatively short when compared to the adjoining gardens for 55 to 61 St. George's Road. There are no openings proposed to the flank walls. As the unit is single storey and taking into account the separation created by the footpath, it is considered that there would not be much scope for direct overlooking or intrusion on privacy to the properties at Tabor Grove from within the proposed unit.
- 7.7 With respect to rodent infestations in relation to the timber decking, there is legislation in place to address such matters in the form of the Prevention of Damage by Pests Act 1949 and as such they do not constitute a material planning consideration.
- 7.8 With respect to security, the site is separated from the rear gardens by a footway and as such there is no direct link between them. The site has been assessed previously by Secure by Design officers who did not express specific concerns with respect to security or the level of natural surveillance of the area.
- 7.9 The proposed unit will be opposite a ground floor studio unit forming part of the main building, and the proposed bin and cycle storage will be adjacent to the external double windows. The setback between the buildings is 3.8 metres and the proposed bin and cycle storage will have a height of 1.9

metres at its highest point. As such it is not considered that there would be an unacceptable sense of enclosure to the occupiers of the main building studio. The outdoor area will be retained as a timber decked amenity space with an area of 15 m², and will be separated from the new unit amenity area by a low wall and planting screen.

Arboricultural Impacts

- 7.10 At the rear of the proposed site there was formerly a row of Leylandii trees that screened the adjoining properties at 13 to 17 Tabor Grove. The trees were not subject to a Tree Preservation Order (TPO) and have since been cut down. There are also two trees just outside the proposed site area which are both subject to a Tree Preservation Order (TPO). A replacement tree has been proposed for the rear of the site, in the gap between the unit and adjoining the rear boundary.
- 7.11 Conditions will be added if permission is granted in respect to site supervision and implementation of the submitted tree protection measures.

Parking and Traffic Impacts

- 7.12 No parking spaces have been proposed as part of the current scheme. However the application site is within a very high PTAL rating area (6b) and as such it is expected that future occupiers would have direct access to a number of alternative public transport options.
- 7.13 The site is located within a Controlled Parking Zone ref W1 and the applicant has signed a unilateral undertaking to maintain the scheme as parking permit free. It is therefore considered that the proposal would have no undue impact upon existing highway and traffic conditions. The proposed cycle parking provision meets the requirements of the dwelling size as specified within the London Plan.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

9. CONCLUSION

- 9.1 The concerns of neighbours have been noted, particularly with respect to the loss of the unprotected trees to the rear of the site which do not create ideal conditions around the site.
- 9.2 The proposed scheme is of a modest scale and is not considered to in itself create a significant adverse impact due to its massing or vantage point on the amenity or security of neighbours. In terms of its design and visual impact the building is acceptable in planning terms and with the unilateral undertaking

signed by the applicant, there are no additional impacts expected with respect to parking pressures.

9.3 Accordingly it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

and subject to the following conditions:-

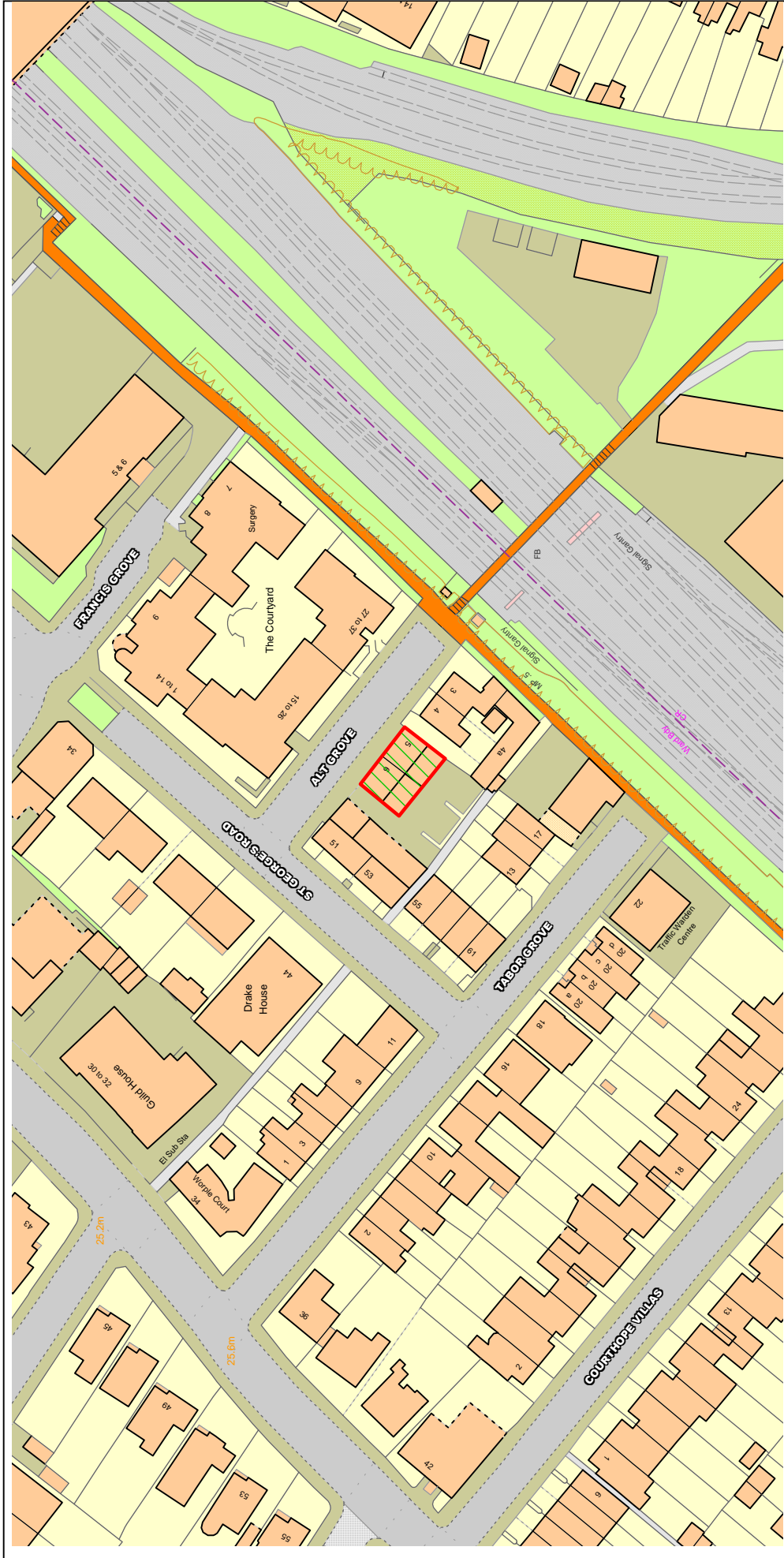
1. A.1 Commencement of Development
 2. A.7 Approved Plans
 3. B.3 (External Materials as Specified)
 4. B.5 (Details of Walls/Fences)
 5. C.1 (No Permitted Development – Extensions)
 6. C.2 (No Permitted Development – Windows and Doors)
 7. C.8 (No Use of Flat Roof)
 8. D.10 (External Lighting)
 9. F.5 (Tree Protection)
 10. F.8 (Site Supervision – Trees)
 11. H.9 (Construction Vehicles)
 12. L.2 (Code for Sustainable Homes – Pre-Commencement [New build residential])
 13. L3 (Code for Sustainable Homes – Pre-Occupation [New build residential])
-

[Click here](#) for full plans and documents related to this application.

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NORTHGATE SE GIS Print Template



Text Details **5-6 Alt Grove**

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PLANNING APPLICATIONS COMMITTEE 22 JUNE-2017

APPLICATION NO.
16/P3531

DATE VALID
05/09/2016

Address/Site 34 Cottenham Park Road, West Wimbledon SW20 0SA

(Ward) Wimbledon Village

Proposal: Demolition of the existing detached dwelling and the erection of a semi-detached pair of 5 bedroom dwellings including basement accommodation for both dwellings.

Drawing Nos 1512/01 rev C, 1512/201 rev D, 1512/401 rev B

Contact Officer: Arome Agamah (8545 3116)

RECOMMENDATION

GRANT Planning Permission subject to conditions

CHECKLIST INFORMATION

- Heads of agreement: no
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 16
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: Yes

1. **INTRODUCTION**

1.1 This application has been brought to the Planning Applications Committee due to the number of objections received.

2. **SITE AND SURROUNDINGS**

The application site is a two storey detached 5 bedroom dwelling, situated on a large plot on the north side of Cottenham Park Road. The surrounding area

is predominantly residential, with several detached properties of a similarly large scale. The application site is not in a conservation area but closely adjoins the Wimbledon West conservation area.

3. **CURRENT PROPOSAL**

- 3.1 The application is for the demolition of existing detached dwelling and the erection of two semidetached 5 bedroom dwellings, each with basement accommodation. The buildings will be basement and two storeys, with further accommodation in the loft space.
- 3.2 The current scheme comprises various amendments to the previously refused proposals. The new dwellings are proposed as a semi detached pair with additional setbacks from the adjoining plots on either side of the site, with 2.4 metres from the boundary with number 36 Cottenham Park Road and 2.6 metres from number 32.
- 3.3 The roof form for both properties will be mansard shaped with slopes of 70 degrees and following amendments to the scheme to reduce the scale of the loft level bedrooms, the mansard form will be used on all sides. At the front elevation the single driveway serves both properties and leads to the integrated garages at lower ground level, with the existing upward sloping driveway levelled for access accordingly.
- 3.4 The ground floor/entrance level of the properties will be the same as the existing property. A patio will be formed to the front of the properties above the lower ground level garages. The buildings make use of the topography of the site which lopes upwards towards Copse Hill at the rear. The internal layouts of each of the units are exactly mirrored.
- 3.5 The existing point of access at the front boundary will be retained and a single driveway will serve the two dwellings, as opposed to the previous proposal which had the formation of two separate plots with their own points of access.
- 3.6 Further amendments have been made to the proposals to reduce the massing of the buildings at second floor/loft level by reducing the size of the bedrooms in the loft space and replacing the full size balconies with Juliette balconies.

4. **PLANNING HISTORY**

- 4.1 16/P0943 – Demolition of existing house and erection of two new detached five bed roomed dwelling houses with basement level. Refused 29/06/2016. Reasons:
- 1) The proposed dwelling, by reason of its bulk, massing and siting would be an overly dominant and un-neighbourly form of development, and leading to visual intrusion, overshadowing and overlooking of neighbours, which is contrary to policies DM D2 Design Considerations in all developments, and CS14 - Design of Merton's adopted Core Planning Strategy (July 2011).

- 2) The creation of the two large driveways leading to the property, with the potential loss of trees and reduction in soft landscaping within the front curtilage, is considered to result in an adverse impact on the visual amenity and streetscape of the immediate area, contrary to policy DM D2 Design Considerations in all developments in the adopted Merton Sites and Policies Plan 2014 and CS14 - Design of Merton's adopted Core Planning Strategy (July 2011).
 - 3) It is considered that the proposed scheme would not provide acceptable outdoor amenity spaces for the occupiers to the rear of the building, due to the limited depth, site levels in relation to the boundary and overshadowing brought about by the bulk of the proposed buildings, contrary to policy DM D2 Design Considerations in all developments in the adopted Merton Sites and Policies Plan 2014 and CS14 - Design of Merton's adopted Core Planning Strategy (July 2011).
- 4.2 05/P1067 – Erection of a single storey side/front extension with roof terrace above. Granted 20/07/2005.
 - 4.3 87/P0746 – Erection of a side extension to dwelling house at first floor level over existing garage. Granted 03/09/1987.
 - 4.4 MER961/72 – Single storey rear extension. Granted 12/10/1972.
 - 4.5 MER854/72 – Alteration to existing access. Granted 19/09/1972.
 - 4.6 MER187/72 (O) – Outline application for single storey rear extension. Refused 14/04/1972.
 - 4.7 WIM1738 (D) – Erection of one dwelling house. Granted 14/07/1954.
 - 4.8 WIM1738 (O) – Outline application for erection of one detached dwelling house. Granted 20/01/1954.
 - 4.9 WIM1677 – Outline erection of 5 new houses within the grounds on 113 Copse Hill, SW20. Granted 02/11/1953.

Planning history also includes applications for various tree works.

5. **CONSULTATION**

- 5.1 The proposal has been publicised by means of standard site notice procedure and individual letters of notification to adjoining properties.

Eight representations have been received, comprising of two general comments requesting further information with respect to lower ground works,

one statement of support and six objections. The objections are on the following grounds:

- Inaccurate information on plans
- Inadequate provision of outdoor amenity space
- Potential adverse impact on the existing tree planting line on property boundaries
- Adverse impact on amenity of neighbouring property in terms of overshadowing and loss of outlook
- Overlooking and intrusion on privacy of properties to the rear of the site
- Visual intrusion for the properties to the rear
- Creation of an overbearing structure with respect to neighbouring properties to rear and side of site
- Unacceptable increase in bulk and massing
- Unacceptable increase in ridge height
- Erection of building that is not in keeping with the local context
- Overdevelopment of the site and of the surrounding area.

Tree and Landscape officer comments:

- 5.2 The principles as set out in the arboricultural report are acceptable at this stage. Conditions have been recommended to clarify the landscaping scheme in terms of trees and natural features to be retained or replaced, and to ensure that new planting would include species that would be beneficial for existing wildlife on the site.

Flood Risk Management Officer Comments:

- 5.3 The ground investigation was carried out on 14 February 2017. The ground investigation comprised two windowless sampler boreholes drilled to depths of 4.00-5.45m. Groundwater was noted standing in the borehole WS 1. After 2 hours the water level was 1.98m bgl, and after 4 hours it had risen slightly to 1.96m bgl. The report does not appear to make reference to a return visit at a later date to obtain a standing water level.
- 5.4 No groundwater was observed in WS SA 1. The soakaway test was carried out in this hole, and very slow outflow rates were recorded, with a fall from the fill level of 1.53m bgl to 1.76m bgl taking just over 4 hours before the test was abandoned. The soakaway test data is presented in Appendix A, along with the test interpretation, which indicates a calculated infiltration rate of 1.9×10^{-8} m/sec. This is well below the recommended lower threshold of 1×10^{-6} m/sec for suitability of soakaways, and hence soakaway drainage is not feasible on the site.
- 5.5 The findings of borehole WS 1 indicate a groundwater level of around 2m below current front garden level, and higher groundwater levels are likely to occur towards the rear of the property due to the rise in ground levels, and across the site as a result of seasonal variations.
- 5.6 The proposed sheet pile wall around the basement is expected to provide adequate groundwater control during the excavation work, but in the

permanent case the basement impact assessment report has identified a concern that existing groundwater flowpaths could be disrupted by the basement structure. In order to prevent this occurring, which could cause groundwater to 'bank up' against the upstream (north) side of the basement; it is recommended that a drainage layer is provided at the back of the permanent retaining wall and beneath the raft/floor slab to enable groundwater to divert around the structure. A geocomposite fin-type drainage layer could be used, as mentioned by the report. Drainage provision is also recommended behind any landscape retaining structures proposed.

Biodiversity Officer Comments:

5.7 The timing of the survey undertaken and methodology used is acceptable.

I would recommend the following planning conditions:

- 1) A suitably worded condition requiring the burrows identified on the site to be dug back in the presence of a suitably qualified ecologist. This is in accordance with recommendations in section 6 of the submitted badger report and to ensure the safety of mammals during the re-development of the site.
- 2) A suitably worded condition ensuring that all new fencing should be designed to include access holes for badgers, as agreed by a suitably qualified ecologist. This is to ensure that mammals can continue to move through the site and to be in accordance with the recommendations in section 6 of the submitted badger report.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

The relevant policies within the Merton Adopted Core Planning Strategy (July 2011) are CS 9 (Housing Provision), CS 14 (Design) and CS 15 (Climate Change).

6.2 Sites and Policies Plan (July 2014)

The relevant policies within the Merton Adopted Core Planning Strategy (July 2011) are CS 9 (Housing Provision), CS 14 (Design) and CS 15 (Climate Change).

7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations related to this application are the principle of development, design, impact on the existing street scene and the impact on neighbour amenity.

Principle of Development

- 7.2 With respect to pattern of development, the area is primarily residential, with comparable plot sizes comprising of large detached properties or semi detached properties. The current scheme will be in keeping with previously permitted developments on Cottenham Park Road with permissions granted for the replacement of single dwellings on similarly sized plots with semi detached properties or short terraces. As such the proposals are not considered to constitute overdevelopment.
- 7.3 The London Plan and both the Council's adopted Core Planning Strategy (2011) and Sites and Policies Plan (2014) seek to increase housing provision where it can be shown that an acceptable standard of accommodation and a mix of dwelling types will be provided. The London Plan published in March 2016 sets Merton with a minimum ten-year target of 4107 dwellings within the borough between 2015 - 2025. The principle of a residential use is considered to be acceptable, making a modest contribution towards meeting housing choice and housing targets. As the proposed scheme is for the formation of 2 dwellings as a replacement of the existing single unit, there would be no net loss of any family sized dwellings, which are defined in Merton policy as 3+ bedroom units.
- Design and Impact on Streetscape
- 7.4 There is no prevailing architectural style or formal consistency that typifies Cottenham Park Road as a whole. The dwelling presently on the site dates from the 1950s and is not of particularly remarkable architectural style or of significant historical interest. Although the proposed scheme is of a different design to the original dwelling, such variance will be consistent with the varied character of the surrounding area.
- 7.5 The single point of access will be retained in the same position as the existing building and there are no proposed additional access points or driveways. It is also indicated on the plans that the front boundary landscaping will be largely retained with no removal of significant trees. The new dwellings will also retain a setback from the front boundary. As such it is not expected that the proposed scheme will have an unduly adverse impact on the street scene and the verdant character of the road will be largely preserved.
- 7.6 The section of Cottenham Park Road hosting the application site has a gently upward slope in the western direction, with the more dramatic upward slope occurring to the rear of the site towards Copse Hill. The proposal makes use of the rear sloping site to embed the lower ground level of the development and maintain a comparable building height with the neighbouring properties.
- 7.7 The ridge height of the proposed scheme is slightly higher than that of the existing building. However, the additional height is not considered to be excessive considering the setting whereby there are variable roof forms on the road. The mansard shaped roof reduces the bulk and massing at the roof level, and the setback from the front boundary will minimise the visual impact on the street scene. Notwithstanding the additional height of the ridge, the proposed dwellings remain at a lower height than the buildings on the

adjoining plots on either side. As such it is deemed that the building height is acceptable.

Impact on Neighbour Amenity

- 7.8 The proposed scheme as a semidetached pair of dwellings has a more compact bulk and massing than previous proposals. The amended mansard roof form is expected to further reduce the bulk and massing of the buildings. The compact form of the buildings also results in a greater setback from the property boundaries with the immediate adjoining plots at numbers 32 and 36 Cottenham Park Road, with minimum distances of 2.6 metres and 2.4 metres respectively. Taking these into consideration, it is therefore considered that the buildings will not create an unduly adverse impact nor be overbearing or create an unacceptable sense of enclosure.
- 7.9 The bedrooms on the first floor are provided with rear facing external balconies with obscured glass screens installed on the flanks to a height of 2 metres. As proposed, the screening is expected to significantly reduce the possibility of overlooking from the terrace to the rear gardens of neighbouring properties on either side.
- 7.10 The proposed dwellings will largely keep to the rear building line as established by the existing house. As such the setbacks to the rear properties, currently at a minimum of 23 meters, will be largely retained. Given the local topography the rear properties will be at a relatively higher elevation than the application site and as such it is expected that the impact of the development in relation to those rear properties will be acceptable given that level change.

8. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

9. **CONCLUSION**

- 9.1 The current scheme has improvements over the previous refusal with respect to the design, massing and impact on the visual character of the area. The concerns of the neighbours have been noted; however it is considered that sufficient measures have been included in the design, along with subsequent amendments to the scheme to reduce adverse impacts of the scheme on the amenity of neighbours.
- 9.2 A number of conditions have been recommended to mitigate impacts on wildlife and preserve the natural features on the site.
- 9.3 Accordingly, it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

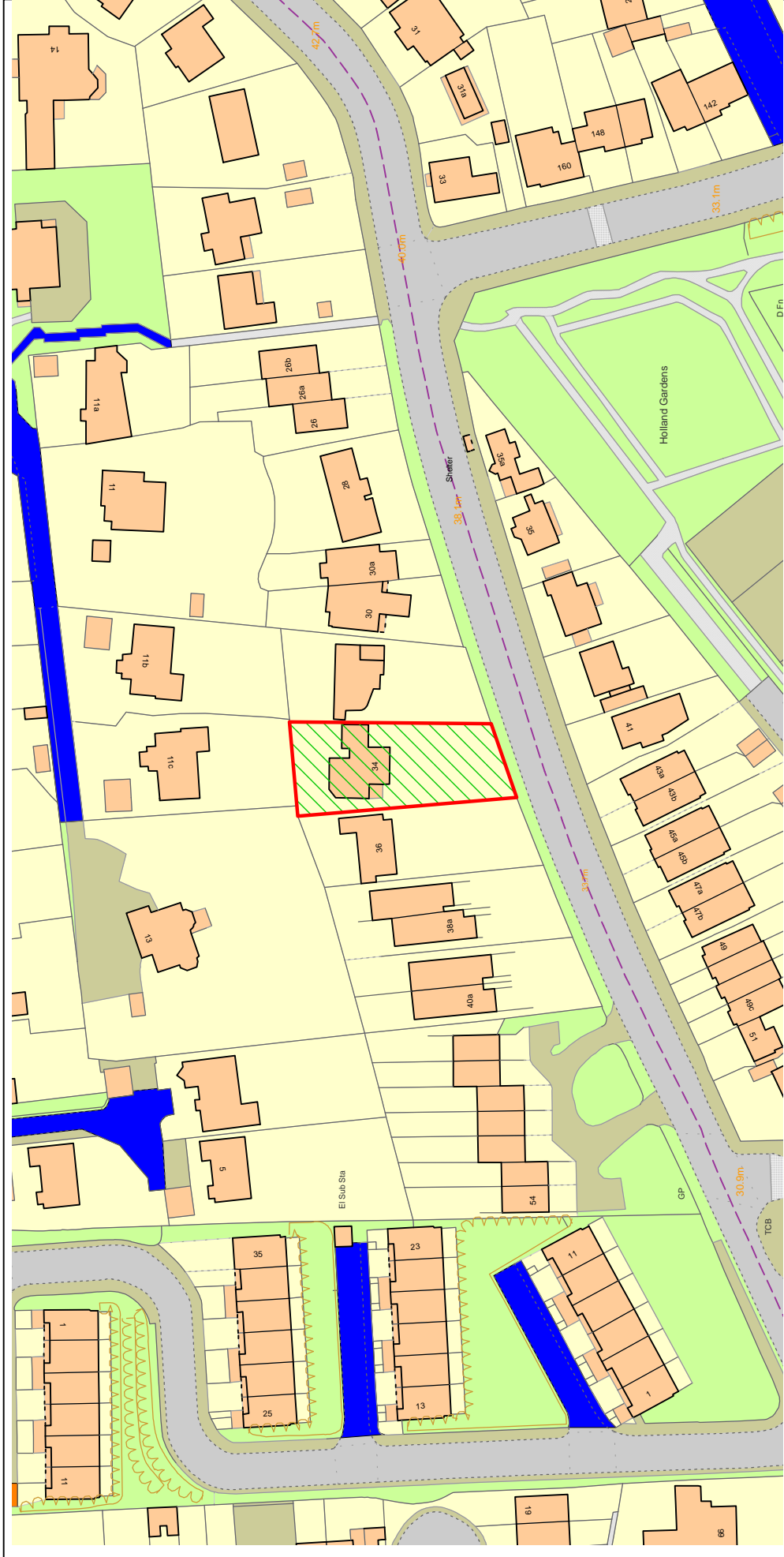
and subject to the following conditions:-

1. A.1 Commencement of Development
2. A.7 Approved Plans
3. B.3 (External Materials as Specified)
4. C.7 (Refuse & Recycling - Implementation)
5. B.5 (Boundary Treatment)
6. Non Standard Condition (Boundaries)
7. C.2 (No Permitted Development Doors/Windows)
8. F.1 (Landscaping/Planting Scheme)
9. F.2 (Landscaping - Implementation)
10. F5. (Tree Protection)
11. F8. (Site Supervision – Trees)
12. Non Standard Condition (Site Supervision – Ecology)
13. H.4 (Provision of vehicle parking – including approved garage)
14. H.09 (Construction Vehicles)
15. H.12 (Delivery and Servicing Plan)
16. H.17 (Sustainable Urban Drainage)
17. L.2 (Code for Sustainable Homes – Pre-Commencement [New build residential])
18. L3 (Code for Sustainable Homes – Pre-Occupation [New build residential])

[Click here](#) for full plans and documents related to this application.

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PLANNING APPLICATIONS COMMITTEE 22 JUNE 2017

APPLICATION NO.
17/P1297

DATE VALID
23/03/2017

Address/Site: 10 – 12 Leopold Road, SW19 7BD

Ward Wimbledon Park

Proposal: Change of use of No. 10 Leopold Road from retail use (Use Class A1) to restaurant (Use Class A3) and internal alterations in order to merge No. 10 Leopold Road with the existing restaurant that operates at Nos. 12 and 14 Leopold Road.

Drawing No's: Design and Access Statement dated 23rd March 2017 and Drawing Numbers MAP/1609/01, MAP/1609/02, MAP/1609/03 and MAP/1609/04.

Contact Officer: Pedro Rizo (0208 545 3297)

RECOMMENDATION

GRANT Permission subject to Conditions

CHECKLIST INFORMATION

- Heads of Agreement: None
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 15
- External consultations: No
- Controlled Parking Zone: Yes (P1)

1 INTRODUCTION

This application is being brought to the Planning Applications Committee for determination due to the number of objections received.

2 SITE AND SURROUNDINGS:

- 2.1 The application site relates to two ground floor planning units within a three-storey terrace, located on the northern side of Leopold Road, Wimbledon Park. No. 10 Leopold Road is currently a vacant A1 shop and No. 12 is used as a restaurant (A3 use class), which extends across No 14 Leopold Road. The upper floor levels of the terrace buildings are used as flats.
- 2.2 The properties form part of a parade of shops, which are within the Leopold Road Neighbourhood Parade. The rear of the properties are accessed via an alley that can be accessed from Leopold Road, Waldemar Road and Strathearn Road.
- 2.3 This site is located within the Leopold Road Conservation Area and is within a controlled parking zone which operates Monday-Friday 11:00 - 15:00.

3 CURRENT PROPOSAL

- 3.1 The application seeks to change the use of No. 10 Leopold Road from A1 use to A3 use, in order to merge this planning unit with the adjoining restaurant that currently operates at Nos 12 and 14 Leopold Road.
- 3.2 The applicant has advised in writing that No. 14 Leopold Road, which is currently merged with No. 12 Leopold Road, would be separated and as such, this unit is omitted from the application. As advised, the application proposes to merge Nos. 10 and 12 Leopold Road and No. 14 would be used as a separate planning unit.
- 3.3 The existing shop front would remain as existing. However, the proposed plans include the installation of a 'cold room' at the rear, which would measure 1.703 metres in depth x 3.75 metres in width. The plans also include minor internal changes to the internal layout.

4 PLANNING HISTORY

- 4.1 17/P0044 – Part demolition of rear extensions at 14 Leopold Road and erection of new single storey rear extension at 14 Leopold Road, creating a new self-contained flat. Change of use of bar/restaurant at No. 14 to retail unit (A1). Refused on the 28/04/2017.
- 4.2 10/P3197 - Installation of new shop fronts - Grant Permission subject to Conditions 07-03-2011
- 4.3 392/P0815 - Alterations to front elevation at ground floor level - Grant

Permission (subject to conditions) 18-12-1992

- 4.4 90/P1188 - Erection of a single storey pitched roof extension at rear of premises to provide toilet kitchen and store facilities to existing public house - Grant Permission (subject to conditions) 25-04-1991
- 4.5 MER131/83 – (12 – 14 Leopold Road) - Single storey extension to restaurant to provide additional kitchen and ancillary storage space and enclosure of garden at rear. Refused on the 15/12/1983.
- 4.6 MER70/82 – (12 – 14 Leopold Road) – Change of use of ground floor from residential premises to licensed restaurant. Granted on the 15/04/1982.

5 CONSULTATION

5.1 Site notice displayed and application published in press notice. In addition, 22 letters of consultation were sent to neighbouring properties on the 18th April 2017. The consultation period expired on the 13th May 2017 and four letters of objection were received, noting the following concerns:

- The proposed change of use would substantially increase the size of the restaurant.
- A larger restaurant would cause anti-social behaviour.
- The existing restaurant is not a neighbourhood restaurant and it is not kept in a clean tidy condition.
- The restaurant would dominate the parade of shops.
- The restaurant causes a great amount of rubbish on Leopold Road.
- Application does not specify the use of No. 14 Leopold Road, which contains a Shisha lounge at the rear that harms residential amenity.
- The proposed plans label the floor plan as a 'dance floor' and a nightclub style business would be inappropriate on this location.
- The existing restaurant operates late and there is no control over opening hours.
- The potential use of the unit as a takeaway business would be inappropriate.
- The proposed plan shows an extraction system, which should be revised in that it causes no harm on amenity in terms of noise and odours.
- The proposal could affect a tree at the rear of the site.

5.2 A letter of support was also received, noting how the proposed restaurant would be a positive venue for local residents.

6 POLICY CONTEXT

National Planning Policy Framework (2012)

London Plan (March 2015)

- 4.8 Supporting a Successful and Diverse Retail Sector
- 4.9 Small Shops
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

Core Planning Strategy (July 2011)

- CS7 Centres
- CS11 Infrastructure
- CS14 Design
- CS17 Waste Management
- CS18 Active Transport
- CS19 Public Transport
- CS20 Parking, Servicing and Delivery

Sites and Policies Plan and Policies Map (July 2014)

- DMD2 Design considerations in all developments
- DMD4 Managing heritage assets
- DMR1 Location and scale of development in Merton's town centres and neighbourhood parades
- DMR2 Development of Town Centre type uses outside Town Centres
- DMR3 Protecting Corner/Local Shops
- DMR4 Protection of shopping facilities within designated shopping frontages.
- DMR5 Food and Drink/Leisure and Entertainment Uses
- DMT2 Transport impacts of development

7 PLANNING CONSIDERATIONS

Key planning considerations:

- Principle of Development
- Design and Impact upon the Character and Appearance of the Area
- Impact upon Neighbouring Amenity
- Transport and Parking

8 PRINCIPLE OF DEVELOPMENT:

- 8.1 No. 10 Leopold Road is a vacant A1 shop and adjoins the 'Ambience'

- restaurant, which currently operates at Nos. 12 and 14 Leopold Road. The proposed change of use to No. 10 would result in merging No. 10 and 12 Leopold Road, as these two units would be used as the restaurant. No. 14 would be omitted and would therefore operate as a separate planning unit.
- 8.2 The main consideration relates to the principle of the change of use from A1 to A3. Given that the site is positioned within a neighbourhood parade, the proposal is assessed against policy DMR1 of the Merton's Local Plan (2014), which aims for residents to have an access to a range of local shops and services, which can be easily accessible. The policy seeks for a variety of businesses that enhance the viability and attractiveness of the business location.
- 8.3 The Leopold Road Neighbourhood Parade contains a variety of retail units, with 30 retail units along both sides of the parade. As noted on site, there are three vacant shops and a range of uses which comprise A1 (shops), A3 (restaurants and cafes), A5 (hot food takeaways), B1 (offices), D1 (art gallery) and sui generis use (massage centre and nail bar). The parade retains sixteen A1 shops and three of these are vacant. There are four restaurants (A3 use class) along both sides of the parade and three additional take-away businesses (A5 use class).
- 8.4 Policy DMR1 adds how the Council encourages retail shops and services, cafes, restaurants, leisure and entertainment facilities, offices and community uses in order to support growth that is appropriate to neighbourhood parades and their surrounding residential areas.
- 8.5 Given that there are only four restaurants (A3 uses) within the neighbourhood parade, it is considered that the principle of changing the use of the vacant A1 shop to a restaurant A3 use class would not affect the attractiveness and viability of the parade. It is noted that over 50% of the current uses within the parade are retained under A1 use class and the proposal would not lead to an over-concentration of A3 uses within the shopping parade.
- 8.6 Although merging No. 10 Leopold Road with No. 12 is in principle unwelcomed and policy DMR1 seeks to retain small units in order to enhance business diversity, it is noted that this policy only resists amalgamating existing units within the Wimbledon Village area and does not refer to Neighbourhood Parades.
- 8.7 The proposed integration of both units in order to form one restaurant (Ambience) would therefore not represent a reason for refusal, by reason that there are existing units within this parade that have been joined into one business (i.e. art gallery at Nos. 2 and 4 Leopold Road, nail bar at Nos. 15 and 17 Leopold Road). A precedent has already been

established. As advised in writing, No. 14 would be separated from No. 12 and would operate as a separate unit; therefore only Nos. 10 and 12 would operate as a joined business unit so the number of conjoined units in the parade would remain the same.

- 8.8 Given that the proposal would bring a vacant shop into use and the principle of an A3 use within this unit is considered acceptable and consistent with the requirements of policy DMR1 of the Merton's Local Plan (2014), the proposal raises no concerns in terms of land use.

9 DESIGN AND VISUAL IMPACT:

- 9.1 The current application does not seek permission for any external alteration to the unit, shop front, customer access or signage. Whilst the proposed front elevation shows a new fascia sign over the shop front, this feature should be addressed under a separate application for advertisement consent. An informative is therefore recommended, which clarifies that advertisement consent would be required for any advertisement at the front of the retail unit or that planning permission would be required for any material alterations to the shopfront.
- 9.2 Concerns have been raised over potential impact on a tree at the rear of the site. However, the proposed external alteration only involves the formation of a cold room at the rear, which would measure 1.7 metres in depth. Due to the minor scale of this structure and the position of the existing tree adjoining the rear boundary fence (approximately 6.00 metres setback from the rear elevation), the submission of an arboricultural report would not be required in this instance.
- 9.3 The proposed change of use raises no concerns in terms of design and visual impact on the character and appearance of the neighbourhood parade and Leopold Road Conservation Area. The proposed development therefore does not conflict with policies DMD2 and DMD4 of the Merton's Local Plan (2014).

10 IMPACT UPON NEIGHBOURING AMENITY:

- 10.1 Policy DMR1 states that proposals should not have an undue negative impact upon amenity of neighbourhood properties in terms of loss of sunlight/daylight, noise, odours, visual intrusion or general disturbance to the living conditions of neighbourhood residents.
- 10.2 The proposed plans do not show changes to the ventilation system or details of any filter equipment/ducting for discharging potential cooking odours. Whilst this point of concern has been noted in a letter of representation, it is noted that the "Proposed Section Drawing A-A" shows

an existing duct at the rear of No. 12 Leopold Road, which is shown on the “Existing and Proposed Rear Elevation”. A condition is therefore recommended, which requires details of discharging cooking odours and ventilation system, in case any new equipment is installed. As observed on site, there is an existing extractor at the rear of No. 12, which would remain unaltered (as per the drawings).

- 10.3 Moreover, concerns have been raised over how the proposed A3 use could be used as a “dance hall” (D2 use class). The proposed use refers to A3 use class as a restaurant and does not involve a D2 element (assembly of leisure). The proposed floor plans have therefore been amended, by reason of clarity. The representation also refers to the unauthorised use of the rear section of No. 14 Leopold Road as a Shisha Lounge. Although these concerns are noted, the proposal refers to Nos 10 and 12 Leopold Road only and any unauthorised activities at No. 14 should not affect the merits of the proposed use. Furthermore, no evidence of shisha smoking was gathered on site, during the site inspection.
- 10.4 Although additional concerns have been raised with reference to litter, it is noted that this matter is controllable by Environmental Health legislation. Potential problems of litter are not likely in themselves to be a sufficient reason for refusal of planning permission. In terms of the comments concerning anti-social behaviour, it is considered that in case public disorder takes place within or outside the planning unit during opening hours, then it is the responsibility of the Police to take action if problems arise accordingly and this should not be seen as a reason for considering refusing the proposed change of use.
- 10.5 In terms of opening hours, the A3 unit would operate with the existing A3 unit at No. 12 Leopold Road and would be permitted between the hours of 11:00 AM and 23:00 PM on Mondays to Sundays and all other days. The letter of objection mentions how opening hours are not clearly proposed in the application. However, this point is now clarified by condition.

11 TRANSPORT AND PARKING:

- 11.1 Core Strategy policy CS20 requires that development would not adversely affect street parking and traffic management for the convenience of local residents. The application site has PTAL level of 5 and the parking provision for the proposed restaurant is no different from the parking provision which was available for the retail unit when it was operating as an A1 shop.
- 11.2 Given that the proposal does not change the existing situation and taking into account the sustainable location of the site within close proximity to

transport links with main bus routes and Wimbledon Station, the proposed change of use would not change the current situation to the previous shop. The proposed use therefore does not raise concerns on parking grounds.

12 MERTON'S COMMUNITY INFRASTRUCTURE LEVY

- 12.1 Merton's Community Infrastructure Levy was implemented on 1st April 2014. This enables the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which developer contributions towards providing the necessary infrastructure should be collected. The development is not liable to CIL.

13 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 13.1 The proposal is for a change of use to an existing small retail unit and an Environmental Impact Assessment is not required in this instance.

14 CONCLUSION

- 14.1 Having regard to the above considerations, it is considered that the change of use of the existing vacant A1 shop would not be harmful to the vitality, viability or function of the neighbourhood parade. Furthermore, the proposal would not cause undue harm on the residential amenities of neighbouring residents or on the visual amenities of the street scene. Moreover, due to the location of the site, the proposal would not cause affect transport and highways.
- 14.2 Accordingly, it is recommended that planning permission be granted.

RECOMMENDATION:

GRANT PERMISSION

Subject to the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Plans
3. D02 Hours of Opening/Use (A3, A4 and A5 premises)

4. D06 Kitchen Ventilation Extract

Informatives:

INF2 Other permission may be required for alterations to the shop front or installation of extractor flue.

[Click here](#) for full plans and documents related to this application.

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NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 22 JUNE 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
16/P1092	11/03/2016
Address/Site	17 Merton Hall Road, Wimbledon SW19 1BQ
Ward	Dundonald
Proposal:	Retention of an outbuilding for use as a summerhouse
Drawing Nos	1305/20 Rev A.
Contact Officer:	Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: Not required.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted - No
- Number of neighbours consulted - 4
- Press notice - No
- Site notice - Yes
- External consultations: None
- Flood Zone: Flood Zone 1 (low probability)
- Conservation Area: No
- Listed Building: No
- Protected trees: No

1. INTRODUCTION

- 1.1 This application is brought before the Planning Applications Committee at the request of Councillor David Dean.

- 1.2 The application was submitted as a result of a planning enforcement investigation regarding the erection of an outbuilding at the end of the rear garden at 17 Merton Hall Road, Wimbledon which is not in compliance with the planning permission granted (application ref. 11/P1412).
- 1.3 Planning permission had been granted in July 2011 for the erection of an outbuilding. However, the outbuilding that was erected was not in accordance with the planning permission granted (see 'proposal' below for details).
- 1.4 The Outbuilding that has been erected on site does not qualify under permitted development due to its height.

2. SITE AND SURROUNDINGS

- 2.1 The site comprises is a semi-detached two-storey dwellinghouse, which is located on the northeast side of Merton Hall Road, close to the junction with Dundonald Road, with the outbuilding, as constructed, positioned towards the end of the rear garden. The rear garden of the property abuts the rear side boundary of No.96 Dundonald Road and the boundary of No.96a Dundonald Road, (a two storey yellow brick building hosting a Building Business). The application property has been extended with a loft conversion and rear single storey extensions both with planning permission.
- 2.2 The application site is located within the Dundonald ward of the London Borough of Merton and the site is not in a conservation area.

3. CURRENT PROPOSAL

- 3.1 The current proposal is for the retention of an outbuilding for use as a summerhouse. The structure is 4.8m deep and 10m wide. The structure has a parapet wall height at 3.2m and roof lights at a maximum height of 3.6m.
- 3.2 The rear wall of the outbuilding is parallel to the rear boundary of the site, with a separation distance of between 0.62m and 0.67m.
- 3.3 The side wall of the outbuilding (southeast) would stand adjacent to the boundary with No.96a, with a separation distance of between 0.47m and 0.96m.
- 3.4 There are three upstanding roof lights (0.4 in height) to the flat roof of the outbuilding. The entirety of the roof is wrapped by a parapet wall.
- 3.5 Three sets of double doors face into the garden of the application site.

- 3.6 The structure is currently used as a summerhouse incidental to enjoyment of the main house at 17 Merton Hall Road.
- 3.7 Construction materials are buff brick with a stone band detail, stone capping to the parapet wall and timber doors. The flat roof is covered in felt.
- 3.8 The key differences between application ref. 11/P1412 and the current proposal are as follows:

	Height of parapet wall	Overall height (including rooflight upstands)	Separation to boundary with No.96	Separation to boundary with No.96a	Depth	Width
11/P1412	3.225m	3.225m	0.6-1.4m	0.6m	4.8m	10m
16/P1092	3.2m	3.6m	0.62-0.67m	0.47-0.96m	4.8m	10m

- 3.9 Other notable differences are that the 2011 scheme included extensive planting to the flat roof and did not have upstanding rooflights, whereas the current scheme does not include any planting to the roof and the three rooflights proposed are upstanding.

4. PLANNING HISTORY

- 4.1 99/P0746 - Application for the erection of a single storey rear extension was granted.
- 4.2 11/P1409 – Full application for the erection of a single storey rear extension and rear roof extension was refused permission on 15/7/11.
- 4.3 11/P1412 – Full application for the provision of a single storey summer house in the rear garden was granted permission on 15/7/11.
- 4.4 11/P2093 – Full application for the erection of a single storey rear extension and roof extension was granted permission on 27/09/11.
- 4.5 13/P0602 – Full application for single storey rear extension was granted permission on 18/04/13.

4.6 ENFORCEMENT HISTORY

- 4.7 The current application has resulted from an enforcement investigation regarding the size, positioning and the insertion of rooflights as the building

is not in accordance with the 2011 approved plans (application ref.11/P1412).

5. CONSULTATION

5.1 The application was advertised by sending letters to adjoining neighbours in Merton Hall Road and Dundonald Road.

Six letters of representation have been received from occupiers at No.96 Dundonald Road, objecting on the following grounds:

- Proximity to boundary and height causing loss of sunlight, overbearing impact and visual intrusion to No.96.
- Lack of planting fails to soften appearance of the building.
- Roof detailing is not as attractive as previous permission and upstanding rooflights are not aesthetically pleasing. The building is not in keeping with the character of the area.
- Suggestion that roof height be reduced by 0.5m, the separation distance to the boundary be increased, that alternative materials are used and that some form of screening or planting be incorporated.
- A number of other applications with similar impacts on neighbouring occupiers have been refused and the current application should be refused also to be consistent with these previous Council decisions (16/P0594, 15/P4307, 15/P3175 and 15/P1007). The granting of this application would set a new and unusual precedent.

6. POLICY CONTEXT

6.1 The following policies are relevant to this proposal:

Sites and Policies Plan and Policies Map (July 2014)

DM D2 Design considerations in all developments

LDF Core Planning Strategy (July 2011)

CS 14 Design

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations are the impact on the character of the area and the impact on the amenities of neighbouring occupiers.

7.2 The principle of the erection of an outbuilding for a use incidental to the use of the main dwelling house has been established under the granting of application ref. 11/P1412. Therefore, the key consideration in this application will be whether the changes to the outbuilding as constructed are acceptable.

7.3 Visual impact

- 7.4 Policy DMD2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports this SPP Policy.
- 7.5 The outbuilding proposed under application ref. 11/P1412 was considered to be acceptable in terms of the impact on visual amenity. The outbuilding as constructed has a marginally lower eaves height but does not include any planting to the roof and does include upstanding rooflights and a different roof detailing. However, the bulk and massing of the previously approved outbuilding and the currently constructed outbuilding are similar.
- 7.6 It is noted that the outbuilding is substantial in terms of size and would almost span the width of site. However, the design and form of the outbuilding is considered to not be materially harmful to the character of the wider area.
- 7.7 It is of note that there was no requirement under application ref. 11/P1412 for the roof to be planted, as this was not controlled by way of condition and therefore was not considered to be critical to the acceptability of the scheme.
- 7.8 The upstanding rooflights result in some limited increase in visual prominence but they are not considered to be so significant as to result in material harm to the character of the area.
- 7.9 The pallet of materials and detailed design of the outbuilding is considered to be suitable having regard to the surrounding area. The rear elevation is bland but it is not considered that this would amount to a reason for refusal.
- 7.10 The proposal is considered to be acceptable in terms of its impact on visual amenity and would comply with Policy DM D2 in this regard.
- 7.11 Impact on neighbouring amenity
- 7.12 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.
- 7.13 The outbuilding as constructed has a similar height to the outbuilding approved in 2011, albeit the eaves line is slightly lower and the existing building has upstanding rooflights.

- 7.14 The impact on No.96a is considered to be no more harmful than the 2011 scheme, as the separation to the boundary is similar and the bulk, massing and height proposed are similar. It is of note that there are no windows facing towards No.96a and as with the previous application, there would be no overlooking.
- 7.15 The outbuilding would stand closer to the shared boundary with No.96, particularly at the easternmost corner of the site (at this point the separation distance of the approved application was 1.4m whereas as constructed the separation distance is 0.67m).
- 7.16 Whilst this part of the building would be closer to the shared boundary with No.96, the impact on the neighbour's amenity is not considered to be materially more harmful than the previous scheme. The rooflights are not visually prominent from ground level when viewed from the rear and whilst they may be visible from some viewpoints at No.96, it is considered that the upstanding rooflights would not result in material harm to residential amenity.
- 7.17 In terms of sunlight, the outbuilding is situated to the west of No.96. There would be some loss of afternoon sun as a result. However, this impact would not be materially more harmful than the outbuilding permitted under application ref. 11/P1141, which was marginally higher than the constructed outbuilding and also stood in close proximity to the rear boundary of the site.
- 7.18 The separation distance to the rear boundary, of 0.62-0.67m is not considered to be materially more harmful than the separation distance of 0.6-1.4m.
- 7.19 The comments of the neighbouring occupiers at No.96 have been carefully considered. However, officers conclude that the outbuilding as constructed is not materially more harmful than that granted under application ref. 11/P1418, due to its similar bulk, massing and siting.
- 7.20 There is no requirement for the applicant to carry out planting to the rear boundary of the outbuilding, as it is not considered to be more harmful than that previously approved, where no additional screening was found to be necessary.
- 7.21 The occupier of No.96 has made reference to a number of other planning applications where permission has been refused for the erection of incidental domestic outbuildings and sets out that these proposals are similar to the current scheme and should be refused due to the impact on neighbouring amenity as these other applications have been.

- 7.22 Each application is assessed on its merits depending on site circumstances. It is unlikely that any two sites will be exactly the same with the exact same surroundings and therefore it is not possible to extrapolate a 'maximum permissible height' or 'minimum permissible distance to the boundary' that can be rigidly applied to all developments from a very narrow selection of applications that have been refused. However, notwithstanding that, it is clear that three of the examples sited relate to outbuildings that were proposed to be erected directly on the site boundaries (15/P1007, 15/P3175 and 16/P0594), rather than being set in from the boundary, as is the case with the current application. The other application, 15/P4307 is not directly comparable as this related to a new dwelling, where the use of the dwelling and curtilage would have resulted in some harm to neighbouring amenity in addition to the bulk and massing of the proposed building. Therefore, this decision was not solely concerned with the bulk and massing of an incidental domestic outbuilding.
- 7.23 There are a number of examples of incidental domestic outbuildings in the borough which have been constructed in close proximity to site boundaries and which are significant in terms of height. Such examples include at 27 Landgrove Road, Wimbledon (permitted under 07/P1131 and varied under 17/P0612). It is also of note that a substantial outbuilding, with an overall height of 3.1m, a width of 9.5m, with a separation distance to the boundary of 1m, was permitted under application ref. 15/P3356 (however, it is acknowledged that this permitted outbuilding is significantly lower than at the application site, with a hipped roof, further reducing the impact).
- 7.24 The outbuilding as constructed is not considered to be materially more harmful than that granted permission under application ref. 11/P1418 as although it is sited marginally closer to the boundary, it would have a lower eaves height and the upstanding rooflights are not considered to add so significantly to the bulk of the roof as to result in material harm to neighbouring amenity.
- 7.25 It is considered that the proposal would not result in material harm to residential amenity.

8. CONCLUSION

- 8.1 The proposed retention of the outbuilding is considered to not be more harmful to the character of the area or the amenities of neighbouring occupiers than the previously granted outbuilding application ref. 11/P1418.
- 8.2 The application is recommended for approval.

RECOMMENDATION

Grant planning permission subject to the following conditions:

1. 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: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2712/10 Rev E, 2712/11 Rev F, 2712/12 Rev E and 2712/13.

Reason: For the avoidance of doubt and in the interests of proper planning

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer, rooflight or door other than those expressly authorised by this permission shall be constructed in the outbuilding hereby permitted without planning permission first obtained from the Local Planning Authority.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

4. Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

Informative

1. In accordance with paragraphs 186 and 187 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:

i) Offering a pre-application advice and duty desk service.

- ii) Where possible, suggesting solutions to secure a successful outcome.
- iii) As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- i) The applicant was offered the opportunity to submit amended plans in order to make the proposal acceptable in planning terms.
- ii) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

[Click here](#) for full plans and documents related to this application.

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PLANNING APPLICATIONS COMMITTEE 22 JUNE 2017

APPLICATION NO.
16/P2672

DATE VALID
08/07/2016

Address/Site

Haslemere Industrial Estate, Ravensbury Terrace,
Wimbledon Park

Ward

Wimbledon Park

Proposal:

Demolition of existing buildings and a phased redevelopment of site to provide; a part 4 and part 6 storey mixed use building, comprising 826 sqm GIA of commercial use and 79 residential units and a part single, part 2, part 3 and part 4 storey terrace of 50 residential units and 341.4 sqm GIA of commercial use (totaling 129 dwellings and 1,176.6 sqm commercial space within use Class B1) with the formation of a riverside park, car parking, servicing, access and landscaping

Drawing Nos

0790-LOC-01 Rev P1, 0790-S-00 Rev P7, S-01 Rev P7, S-02 Rev P7, S-03 Rev P5, S-04 Rev P6, S-05 Rev P6, S-RF Rev P5, S-10 Rev P4, S-011 Rev P5, S-012 Rev P5, S13 Rev P3, S14 Rev P2, S-15 Rev P1, 0790-GA- AB-G Rev P1, AB-01 Rev P3, AB-04 Rev P3, AB-05 Rev P3, AB-RF Rev P1, 0790-GA-CD-G Rev P1, CD-01 Rev P3, CD-04 Rev P4, CD-05 Rev P4, DC-G Rev P1, E-01 Rev P3, E-04 Rev P3, E-05 Rev P3, E-RF Rev P1, 0790-GE-AB-01 Rev P1, AB-02 Rev P1, AB-03 Rev P1, CD-01 Rev P1, CD-02 Rev P1, E-01 Rev P1, E-02 Rev P1, E-03 Rev P1, 0790-GS-01 Rev P1, GS-02 Rev P1, GS-03 Rev P1, 0790-GA-HS-01 Rev P5, HS-02 Rev P5, 0790-GA-K-01 Rev P5, K-02 Rev P6, HJ-01 Rev P6, FG-01 Rev P6, FG-02 Rev P6, FG-03 Rev P1, CU-01 Rev P1, 0790-GE-JK-01 Rev P4, H Rev 01, FG-01 Rev P4FG-02 Rev P5H-02 Rev P4, JK-02 Rev P4, CU-01 Rev P2 & 0790-GS-FK-01 Rev P1.

Contact Officer:

Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject S106 agreements and conditions.

CHECKLIST INFORMATION.

Heads of agreement: - Affordable housing, Flexible Working Commitments, Car Club, Permit Free, River Bank Enhancements, Permissive Way & Wandle Trail Contribution

Is a screening opinion required: Yes

Is an Environmental Statement required: No

Has an Environmental Impact Assessment been submitted – No

Press notice – Yes

Site notice – Yes

Design Review Panel consulted – Yes (pre-application stage)

Number of neighbours consulted – 182

External consultations – London Borough of Wandsworth, Transport For London, Environment Agency, Crossrail & Greater London Archeological Advice Service

PTAL score – 4

CPZ – 4F

1. INTRODUCTION

- 1.1 The application has been brought before the Planning Applications Committee for consideration in light of the number of objections against the proposal 49 & 36 letters of objection were received to the original and amended plans respectively.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises an existing industrial estate, known as Halslemere Industrial Estate, Ravensbury Terrace, Wimbledon Park. The application site sits within the far northern section of the Borough, adjacent to the Borough boundary with Wandsworth. Vehicle and pedestrian access is provided from Ravensbury Terrace to the west between 12 Ravensbury Terrace and 61 Haslemere Avenue. The access road also serves Rufus Business Centre to the south. The site sits parallel to the River Wandle and Railway Embankment to the west.
- 2.2 The existing buildings on the site comprises four, two storey industrial units used for storage and distribution (one of which is combined) and one unit is currently operating as a gym. A number of single storey containers and hardstanding areas make up the remainder of the site.

12 Ravensbury Terrace

- 2.3 Located to the directly to the north of the application site, this neighbour is a three storey commercial building at the entrance to the site, fronting onto the existing access road and at a right angle to Ravensbury Terrace. The building benefits from extant prior approval permission for change of use of existing office space (Class B1) on first and second floors into residential. However to date the permission has not been implemented

The Warehouse - 12 Ravensbury Terrace

- 2.4 Located to the directly to the north of the application site, attached to 12 Ravensbury Terrace, the building fronts onto the application site and at a right angle to the River Wandle. The Warehouse, 12 Ravensbury Terrace is a two storey building accommodating commercial units and a 3 bedroom upper floor flat (first floor and within roof space) accessed via an external staircase to front.

12A Ravensbury Terrace

- 2.5 Attached to the rear 12 Ravensbury Terrace, this neighbouring building is a single storey office building fronting onto Ravensbury Terrace.

Rufus Business Centre

- 2.5 To the south of the application site is Rufus Business Centre. The Centre comprises 3 separate industrial buildings with a total of 17 units and ancillary car parking areas. The industrial buildings are 2/3 storeys in height. The Rufus Business Centre is accessed from Haslemere Industrial Estate via Ravensbury Terrace.

Dawlish Avenue

- 2.6 Located to the west of the application site, neighbouring properties in Dawlish Avenue are orientated directly towards the application site. They are separated from the application site by a rear alleyway (vehicle access) serving properties in Dawlish Avenue and Haslemere Avenue. Each property has a deep rear garden of at least 24m. All properties backing onto the application site, apart from 28 Dawlish Avenue have existing rear outbuildings fronting the rear alleyway. The properties in Dawlish Avenue sit approximately half a storey above the western boundary of the application site due to the increasing ground levels to the west.

Haslemere Avenue

- 2.7 Directly to the west of the application site, 49 to 61 Haslemere Avenue, are two storey terraced houses. The properties in this section of Haslemere Avenue sit at an oblique angle to the application site, following the curve in the Haslemere Avenue highway.

Banhams

- 2.8 Located to the north of the application site, the Banhams site is situated on the other side of the River Wandle in Wandsworth. The site includes three detached buildings, one two storey building, one three storey building and one four story building with accommodation within the roof space.

Site Allocation

- 2.9 The application site is identified within the Sites and Policies Plan (2014) as site proposal 70 (Halsemere Industrial Estate) with an allocation of business/light industrial (B1) or a suitable employment led redevelopment.

Transport

- 2.10 The site provides car parking in the form of marked bays, informal parking and areas for loading and unloading. There are approximately 50 marked bays within the site.
- 2.11 A range of local shops and amenities are within a short walking distance of the site. This includes shops around Earlsfield Rail Station (400m from site access) via Ravensbury Terrace and Penwith Road to the east and also along Merton Road (465m) to the west.
- 2.12 The application site is situated close to the centre of Earlsfield and has good access to public transport. The site benefits from a Public Transport Accessibility (PTAL) rating of 4.

Buses

- 2.13 The nearest bus stops to the site are on Garratt Lane to the east, approximately 350m from the site access. Additional bus stops are available from Merton Road to the west, located approximately 500m from the site.

Underground

- 2.14 The nearest Underground station is Wimbledon Park, located approximately 1.2km (a 12 to 15 minute walk) from the site.

Rail

- 2.15 Earlsfield Rail Station is approximately 400m from the site access. South West Trains run to London Waterloo, Clapham Junction, Wimbledon, Dorking, Guildford, Hampton Court, Effingham Junction and Shepperton.

Cycling

- 2.16 National Cycle Route 20 runs from Wandsworth to Brighton and within close proximity to the site. The route includes the Wandle Trail, which is a mostly traffic-free route that follows the route of the River Wandle from Wandsworth to Carshalton.

3. **PROPOSAL**

- 3.1 Demolition of existing buildings and a phased redevelopment of site to provide; a part 4 and part 6 storey mixed use building, comprising 826 sqm GIA of commercial use and 79 residential units and a part 2, part 3 and part 4 storey terrace of 50 residential units and 341.4 sqm GIA of commercial use (totaling 129 dwellings and 1,176.6 sqm commercial space within use Class B1) with the formation of a riverside park, car parking, servicing, access and landscaping.

Layout

- 3.2 The proposed development is split into three distinctive elements which are served by a new access road through the site. The three elements include a part 4, part 6 storey mixed use building on the eastern section of the site, a part single, part 2, part 3, part 4 storey terrace on the western section and a new pocket park on the northern section of the site adjacent to the River Wandle.

Mixed Use building

- 3.3 The part 4, part 6 storey mixed use building would accommodate 826 sqm co-working office space (split into two units 375.6 sqm and 427.7sqm), plant, cycle and bin storage areas at ground floor level. At the upper levels the building would provide 79 residential units. Access points to the building are located on both the curved northern frontage via a raised entrance and entrances along the western elevation.
- 3.4 The building would have a modern design approach with brickwork facades, comprising buff and dark brickwork to the 6 and 4 storey elements respectively. The building would have a grid form with uniform brick pier widths and balcony and window sizes. The precast concrete string course at each floor offsets the strong vertical emphases of the

external balconies, fenestration, brickwork detailing and recessed balconies between vertical piers.

- 3.5 The 6 storey elements are clearly defined by into three distinctive blocks by nature of the 4 storey elements and contrasting brickwork. The four storey elements include a curved frontage on the northern end, two four storey links and a flat roof southern end. The flat roof areas of the four storey elements would provide four separate shared amenity space areas (56.2sqm, 124.6sqm, 160.6sqm and 125.3smq)

Terrace

- 3.6 The part single, part 2, part 3, part 4 storey terrace is located on the western section of the site. The terrace would accommodate a 341.4 sqm (GIA) office unit, 6 houses and 44 flats. The design approach follows on from the mixed used building on the other side of the new access road, but without the precast concrete string course between each floor.
- 3.7 The residential elements within the terrace comprise 6 houses with integral garages (stained timber doors) and 44 flats. The three storey houses, with the top floor set back, and dark brickwork elevations have a raised ground floor with rubbish store below its entrance. Amenity space is provided by private rear gardens and front terraces at second floor level. The flats within the terrace are four storeys blocks with the use of buff brickwork with the zinc top floor being set back from the frontage. Each flat would have a private recessed balconies or external terraces. The flat entrances would be at grade level, but internally floor levels would be raised due to flooding considerations on the site.
- 3.8 The commercial unit would be a flat roof, two storey building at the northern end of the terrace close to the entrance from Ravensbury Terrace. The commercial block would have the same dark brick used for the proposed houses and four storey elements of the main mixed use building. The commercial building would have similar fenestration to the residential blocks, but employed in a regular grid signifying the office use. The entrance is marked by a cantilevered section of the 1st floor.

Pocket Park

- 3.9 A new pocket park would be provided in the northern section of the site close to the frontage of the mixed use building and bank of the River Wandle. The pocket park would be 178 sqm in size with a 60 sqm play space area, provides links to the River Wandle, a potential link to the Wandle Trail and provides amenity space for new and existing residents/visitors.

Parking

- 3.10 A total of 27 car parking spaces are provided for the new development, this includes a car club bay, blue badge visitor bay and grade level residential and visitor parking. On street car parking is provided with 12 car parking space on the western section of the new access road through the site, 7 grade level parking spaces are provided to the rear of the western terrace and one integral garage for each of the 6 houses in the terrace. 13 car parking spaces will be allocated with the wheelchair units, 1 visitor parking space, 1 space for a car club, 2 spaces associated with the commercial units and 4 'first come first served' spaces.

4. **PLANNING HISTORY**

- 4.1 10/P0458 - Notification to utilise permitted development rights for the removal of 6 existing Vodafone antennas and installation of 6 replacement antennas [3 x Vodafone and 3 x O2 antennas] and the alterations to equipment within existing cabin - No Further Action - 22-03-2010
- 4.2 08/P1629 - Advertisement consent for display of a nonilluminated hanging sign – Granted - 03-07-2008
- 4.3 07/P1683 - Certificate of lawfulness for an existing use of the building as B8 warehouse, storage and distribution – Granted - 13-06-2007
- 4.4 07/P1682 - Upgrade and subdivision of existing building into three B8 (warehouse/storage) units – Granted - 20-07-2007
- 4.5 07/P1652 - Change of use of building from B8 to B1 – Granted - 19-07-2007

12 Ravensbury Terrace

- 4.6 14/P2973 - Prior approval in relation to the change of use of existing office space (Class B1) on first and second floors into residential (Class C3) – Grant - 23/09/2014
- 4.7 09/P0360 - Erection of roof extension to create additional offices (Class B1) – Grant - 09/04/2009
- 4.8 05/P0991 - Certificate of lawfulness for an existing self contained residential flat on part of first floor – Issue - 20/06/2005

12A Ravensbury Terrace

- 4.9 16/P3551 - Demolition and redevelopment of the site to provide office accommodation (318m²) on the ground floor with 24 residential units on the first, second, third, fourth and fifth floors, together with 8 car parking spaces including two disabled spaces and associated landscaping, cycle and refuse storage – Pending decision

13/P2904 - Demolition of existing buildings and erection of nine residential units (Class C3) and 6 offices (Class B1) with associated access arrangements, parking and landscaping – Grant - 31/03/2014

The Warehouse – 12 Ravensbury Terrace

- 4.10 15/P4016 - Demolition of existing building and erection of a five storey mixed use building comprising of an office unit (Class B1) use and 4 x residential units (Class C3) use – Pending decision

The Rufus Business Centre

- 4.11 The Rufus Business Centre is located at the end of Ravensbury Terrace and comprises 16 individual units. Constructed in the early 1990's, the estate collectively contains approximately 2,595 sqm of business floor space. Refus Business Centre is accessed from Ravensbury Terrace, which runs through the Haslemere Industrial Estate.

5. **CONSULTATION**

- 5.1 The application has been advertised by major site notice procedure and letters of notification to the occupiers of neighbouring properties.

- 5.1.1 In response to the consultation, 1 letters of support, 1 letter of comment and 49 letters of objection were received (original plans).

- 5.1.2 The letter of support from Merton Chamber of Commerce raises the following points

- The regeneration of the site presents a unique opportunity for local businesses, residents and for Merton's economy as a whole. In particular, the flexible co-working space afforded to the employment mix in the area – particularly given that small – and medium-sized enterprises are the largest growing business sector nationwide.
- As a body that represents hundreds of businesses within Merton, we see the development of the Haslemere Industrial Estate as a boost to the Boroughs economic future, in line with the Council Leaders aspiration for Merton to become the most business friendly borough in the UK.

5.1.3 The letter of comment from The Ramblers Greater London Forum raises the following points:

- The 78-mile Capital Ring is one of the seven strategic walks promoted by Transport for London. On its circuit around London, the Capital Ring currently passes the land covered by this application, along Garratt Lane, Penwith Road and Ravensbury Terrace.
- The new Mayor of London included in his manifesto to open up more walking routes around London and work with local authorities and TfL to improve the London Loop and Capital Ring walks.
- There seems to be a once-in-a-lifetime opportunity here, perhaps by section 106 agreement, to considerably improve the route not only of the Capital Ring, but also the Wandle Trail by:
 - a) Eliminating the so-called Earlsfield Gap on the Wandle Trail north of the Trewint Street bridge
 - b) Providing a link from the Wandle into Durnsford Road Recreation Ground.

Together, these provisions would enable the Capital Ring to go along Summerley Street, beside the Wandle and directly into the Recreation Ground.

(The proposed development makes provision for both the Wandle Trail and link to Durnsford Road Recreational Ground)

5.1.4 The letters of objection, including one from the Chair of the Haslemere Industrial Estate Committee, Wandle Valley Regional Park Trust & Wandle Valley Forum raise the following points:

Local Infrastructure

- 128 new dwellings will put too much strain on local infrastructure.

Highways

- No consideration for the increase in car traffic that will no doubt occur once the building is complete.
- Objection to building works traffic heading along Ravensbury Terrace which will cause damage to cars parked on the road and will likely lead to infrastructure damage on the properties on this street.
- Parking of only 28 parking spaces for 128 dwellings will inevitably increase pressure on parking out of restrictive hours.
- Development must be permit free.

- No spare parking capacity in surrounding streets.
- Lack of parking would lead to unauthorised parking.
- Additional traffic will pose a risk to nearby Wimbledon Park primary school.
- Although the development would be permit free this would not prevent pressure on car parking outside CPZ hours.
- Ravensbury Terrace is not a suitable road for all development traffic going back and forth and this has again not been considered with consultation with Wandsworth residents and WBC.
- Development impacts upon right of access to 12 Ravensbury Terrace. Proposal would cause concerns with congestion, creating an environment with traffic congestion and accidents are inevitable. Businesses located within the Rufus Business Centre receive deliveries at all times of the day from various vehicles types. Request that these existing delivery arrangements are maintained allowing tenants to continue to use the proposed re-aligned road and footpath to access their premises. The CMP should clearly state and have a strategy in place to ensure the access road is clear at all times to ensure that vehicle movements to the Rufus Business Centre is unrestricted at all times.
- The applicant has suggested that the proposed development would be permit free. However Rufus Business Centre has 55 car parking spaces (no parking restrictions) and visitors to the redevelopment may seek to park within the Rufus Business Centre. This would be unacceptable as these car parking spaces are in constant use by existing occupiers. It is suggested that visitor spaces should be provided within the development to meet the anticipated demand (could be provided in undercroft below the block closest to the River Wandle).
- Residents would like to understand what plans are in place for the travel network to support the increased demand from this proposal alongside the other developments in Ravensbury Terrace and the Wimbledon Stadium?

Design

- Height is not in keeping with the surrounding area as no domestic building is higher than 3 storeys. The 6 storey block and another 4 storey block will dominate the local skyline, dwarf existing housing and set a very worrying precedent. The development does not respect, reinforce or enhance the local areas. These developments should be no higher than existing local housing. Banhams building across the river in Wandsworth completely dominates the area – please don't let the Haslemere development do the same. Very poor streetscape. Ideally this road should have a roadway and pavements on the same level with the paving materials used to

distinguish different areas. There should be extensive planting. The design looks ugly, the surrounding area has so much charm and they need to make a bigger effort not to repeat the eyesores at Banham. The height and appearance does not respect, reinforce or enhance the local area as per the tall buildings background paper.

- The proposal is far too intensive
- Proposed terrace should be one storey less

Neighbour Amenity

- Antisocial behavior in the new park area
- Overshadow and buildings would loom over the houses on Dawlish Avenue
- Impact upon surrounding properties from structural works and disruption during construction
- Gardens would be overlooked by the proposed four storey properties. Noise from proposed car parking areas at back of residential gardens. Request for large trees to be planted to prevent overlooking of Dawlish and Haselemere Avenue. Result in a significant deterioration in views from the rear of existing properties with the buildings dominating the area.
- Overlooking from terraces
- Impact of right to light, no right of light report submitted with application.

Consultation

- The developers have chosen to reverse on many points raised by residents at the consultation stage with neighbours prior to the planning submission.

River Wandle

- It is vital that this development and the adjoining sites offer a seamless pedestrian route along the river. It is important that the route is in character with the area – in other words it should be an open path and not (for example) a walkway under the flats.
- Concerns with the proposed access to the River Wandle and Wandle Trail with unwanted increase in river pollution and littering attracting vermin. Has any thought been given to the bridge across the river, which would improve access to the centre of Earlsfield for both residents of the development and others locally?
- The new open space must be managed to be successful. There appears to be no plan or proposals on how this will be taken forward
- The development should have enlarged area of Riverside Park that

extends the full length of the sites frontage with the River Wandle and provides dedicated public access and appropriate interpretation.

Flooding

- Not enough thought has been put into flooding. In 2016 local sewers over flowed with raw sewage onto Halsemere and Acuba Roads. The additional dwellings will only increase the risk of this being repeated. The additional dwellings will increase the already problem of flooding. The existing drainage is not fit for purpose and whilst Thames Water are still investigating they have no plans to increase capacity.
- Changes in levels could impact on the existing levels to the Refus Business Centre or exacerbate its potential risk to flooding.

Housing

- It is important there is a minimum of 25% affordable housing in all units in this area and ideally the proportion should be closer to 35%. If necessary the Council should be willing to accept a lower CIL payment than the £2.25m proposed to allow this.
- More houses required. Merton should allow more houses even if gardens are below the Councils amenity space standard of 50 sqm,
- Density of development and balance of flats and houses is unbalanced.

Employment

- Loss of existing industrial units/business.

Future development

- Development should be considered with other developments in the area
- The proposed south-west windows would directly overlook Rufus Business Centre car park which is not within the ownership of the applicant. These could constrain any future development on Rufus (request that these are removed)
- The proposed walkup apartments to the south-west of the site could prejudice any further development on the existing Rufus Business Park car park as any proposal would need to be substantially set back from the north-west boundary to provide an appropriate distance between residential accommodation (depending on the proposed use).

Positive comments (within objection letters)

- Welcome the new Public Park and opening of inaccessible part of the Rive Wandle. Pleased to see that the riverside is being opened up and there is a small grass and play area (pocket park). I'm sure this space, though small, will be very popular given the number of families with young children in the area.
- Support the principle of the proposed employment-led redevelopment which is considered to make more efficient use of the site. Retaining the number of jobs on the site and delivering such needed residential accommodation which the Borough desperately requires.
- Consider the size, scale and proportions of the development to sit comfortably within its surroundings. The proposed detailing and high quality materials to the façade of the buildings is commended.
- Hope that Wandle Valley have the opportunity to install branding and interpretation panels at the development site to promote the rivers heritage and the Regional park.
- Complete the Wandle Trail and close the gap at Earlsfield and the Wandle Delta.
- General support for opening up of a pedestrian route linking the new development to Durnsford Recreational Ground.

Haslemere Industrial Estate Committee

- During the consultation process we were encouraged by the changes made by First Base. The interim design appeared to be moving in the right direction and reflected feedback from local residents; however, we were very disappointed by the final submission which regressed on a number of those aspects and does not meet the standards set out by Merton Council and as such is not one that we can support.
- The development backing onto Dawlish Avenue is now predominantly four stories compared to two storey local houses, some with dormer windows. It is completely out of keeping with the local area and will dwarf the houses it overlooks on Dawlish Avenue. It certainly does not respect, reinforce or enhance the local area as per the tall buildings background paper. These developments should be no higher than existing local housing. We would ask the planning committee to ensure that the development is in keeping with the local area and does not exceed 3 stories.
- The main apartment block backing onto the River Wandle and the railway is a reasonable place to locate apartments, however, the proposed height is again out of keeping with the local area (9m higher than local houses). The use of Banham's building as precedent is no reflective of the area. This building is widely

- considered to be domineering, out of place and unattractive.
- The final design altered the staggered frontage of the top floors, which has been included in the interim design. This had the benefit of reducing the visual impact of the building for existing residents. The committees view remains that the height is unnecessary, detrimental to local residents and is a dangerous precedent fundamentally changing the local area. We would ask the development is in keeping with the local area and does not exceed 4 stories, particularly in light of the additional planning applications on Ravensbury Terrace.
- The final design reverted to a single material, which is much less desirable.
- The committee is concerned about the scale of the development and the ability of the local infrastructure to support the development
- The very limited number of parking spaces places for such a large number of dwellings will inevitably increase pressure on surrounding areas irrespective of parking restrictions.
- Residents would like to understand what plans are in place for the travel network to support the increased demand from this proposal alongside the other developments in Ravensbury Terrace and the Wimbledon Stadium.

5.1.5 Following amendments to the scheme, neighbours were re-consulted on the changes. In response to consultation 36 letters of objection (including one from Haslemere Industrial Estate Residents Committee), 2 letters of comment (including one from the Wandle Valley Forum) and 1 letter of support has been received. See section 7.2 of committee report for the details of amendments.

The letters of objection reiterate the original objections and raise the additional points:

- Amendments do not overcome original objections
- To reduce parking and to provide additional dwellings will increase the existing parking problems in CPZ P3. Further provision must be made for residential parking on the site
- Further information on the Riverside Park required, but this is still a squashed in shoebox of a development not in keeping with suburbia.
- The new street will be a bottleneck with just a single entrance and exit, which will be shared with existing business. This may result in traffic problems, double- parking and cars stopping on the road or on corners on surrounding streets.
- The letter from the developer states that the redevelopment will reduce the number of HGV movements, but makes no mention of access routes for demolition, site clearance or building material

deliveries.

- Inadequate affordable housing provision.
- Height based on Banhams building. Set worrying precedent.
- Would expect 1 car parking space per dwelling. If not, then CPZ should be increased to 24 hours.
- Overlooking of Dawlish Avenue
- The loss of houses with more flats is not in keeping with the area and local needs.
- The original plans had a staggered frontage on the top floors which had the benefit of reducing the visual impact of the building for existing residents. The original design has used a variety of materials resulting in a less imposing, and domineering structure, the changes have reverted to a single materials, which is much less desirable.
- Need for co-ordination with the four other developments proposed in the area. In particular concerns regarding the construction phasing which will cause a major disruption to the local area. This project could transform the area, provide access to the Wandle and be a major attraction. The current plans are driven by commercial gain and will result in a disjointed, unattractive and unsustainable combination of developments.
- Impact upon the transport network from the development.
- Stability of neighbouring properties
- Noise generated between the new building and passing trains being transfers across to neighbouring properties.
- Overdevelopment
- Contradicts tall building policy
- Request that flank window are obscured glazed and amenity space at the fourth floor is fitted with a 1.7m high obscured glazed side screen.
- Eyesore from wider area, including Durnsford Recreation Ground

The two letters of comments raise the following points:

- Opportunity to extend the Wandle Trail. The Wandle Trail should be extended from its current terminus at Steerforth Street, under or over the railway bridge and up to the point where First Base are claiming they will create a riverside park
- New access routes linking Durnsford Road Recreational to the Wandle Trail through 1 – 3 Wellington Works and Haslemere Industrial Estate
- The developments currently proposed should improve connections between the Wandle Trail and Capital Ring where they meet.
- Ask that the developments proposed make advanced opportunity to close the gap in the Wandle Trail down to Trewint Street Bridge

(Earlsfield Missing Link).

- Changes can be funded through contributions from these developments.

The letter of support raises the following point:

- Need to be proactive in encouraging the redevelopment of brownfield sites in order to build more homes. The current use is out of keeping with the surrounding area. The proposal would enhance the local vicinity and would add to the character of the area.

5.1.6 Climate Officer – No objection subject to conditions

5.1.7 Policy Officer – No objection to subject to conditions.

5.1.8 Flood Officer – No objection subject to conditions. Note comments below;

The existing river wall adjacent to the site, provides the proposed scheme with a standard of protection from fluvial flooding from The River Wandle. We would seek that the structural integrity of the river wall, matches that of the lifetime of the proposed development. Therefore a full structural survey and feasibility study should be undertaken to demonstrate the condition of the river wall and options for remedial works or full replacement. The study should identify options for either improvements to or full replacement of the river wall, if required, that benefit both flood risk and deliver ecological enhancements in accordance with the London Plan and its Blue Ribbon Network policies. The identified preferred option should be submitted to the Local Authority for approval and be implemented in full.

Background:

The National Planning Policy Framework (NPPF), paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.

5.1.9 Design Officer – Comments on amended plans - In general there are improvements to the proposed buildings, notably their external appearance

Urban design principles

Higher level urban design principles such as permeability and legibility are relevant to this site mainly in respect to access to the River Wandle and facilitating future access through the site to the south, access across the River Wandle and the creation of public access along the river. The proposals are in accordance with these aims.

Massing, scale, height, density

The residential density remains largely the same as the previous plans and appears to be in accordance with the London Plan. The massing, scale and height are acceptable given the sites context and nature of the adjacent new builds across the river. There is clear definition of the three elements of the main block, and both ends of the block have been tidied up, so there is more coherence to the whole building. The smaller block has more clarity with its massing, although the gaps between the houses are smaller, this increases the quality of the units and still retains acceptable gaps that allow light, air and views through, maintaining the rhythm of the blocks of flats. The simplification of the elevations also helps in this respect.

Siting, layout

The siting of the buildings is as before, though the southern end of the main block has received alterations, which are an improvement. The siting of the rest of the buildings is generally fine and logical. The houses block relates to the houses to the rear.

The general layout of the buildings is also reasonable, and a sensible response to the constraints of the site. The increased number of cores in the flats block improves the number of dual aspect units, which is welcomed. The arrangement of these however, is not in a regular pattern and makes for a wide range of sizes and shapes of flats.

The five cores are only accessed from two entrances onto the street and, the active frontage of the offices will add surveillance and visual interest and the raised floor level and ramp will add a degree of defensible space

Rhythm, proportions, materials

The improvements to the rhythm, proportions and materials have been further refined to add clarity and crispness. This has been achieved by reducing the number of elevation planes and simplifying the materials palette. Care needs to be taken that the ground floors of the houses block feel and work as an active frontage. Maximising the amount of glazing to

the house entrances and breaking up the size of the garage doors will help with this.

Architecture & building design

The improvements to the generally good architectural approach have refined the external appearance further. Conditioning on materials will remain an important tool to ensure a quality finish.

Landscape

The open space now has a simpler layout with a clearly defined space and reasonably clear route through to the river. However, the space at the rear, with neighbour access rights, appears 'left-over'. More work needs to be done to arrive at a solution that keeps neighbour access and has a design that is a useable part of the open space when access is not needed. The layout of the green space and paving in front of the office building needs to be developed further as part of the detailed condition stage stating how it is expected to be used and how the design facilitates and manages this.

The public realm

The public realm remains generally positive.

There is now only one parking court, which is an improvement. However, previous advice to put parking on both sides of the street could provide additional parking spaces but conversely could dominate the street scene. The current proposals are reasonably sound given the narrowness of the site.

5.1.10 Transport Planning

The proposed scheme will provide a mixed used development comprising 1,177 sqm of commercial floorspace and 129 residential units.

The site is accessed from a private road off Ravensbury Terrace. The site is bounded to the west and northwest by Haslemere Avenue and Dawlish Avenue (predominately residential streets) To the east the site is bounded by the River Wandle and a railway embankment to the south is the Rufus Business Centre with Durnsford Road Recreation Ground, Wimbledon Park Primary School and Wellington Road industrial estate beyond.

The site is located within a reasonably close proximity to Dunsford Road (A218) which forms part of the Strategic Road Network (SRN) and Garrett Lane (A217) which is also SRN.

The PTAL rating on TFL's Webcat PTAL generator is 4 with bus, tube and tram in the calculation area. It should be noted that within 100m of the site

the PTAL ramps up further to a 5, and Wimbledon park tube station is just outside of the calculation area, yet still a reasonable walking distance (approx. 10 min's) from the site. Therefore the development is well connected for public transport, it is thought that due to these factors a vast number of the future users of the commercial aspect of the development will travel to the site via public transport.

The development is currently located within the Wimbledon Park (P3) CPZ which is operational 09:30-16:30 Monday- Friday.

Pedestrians and cycles will access the proposed development via Ravensbury Terrace and Dawlish Road/Hazelmere Avenue.

The Main access to the site from Ravensbury Terrace. There is a realignment of the current access to provide improved pedestrian and cycle access to the site and a wider designated access for 12A Ravensbury terrace. This has been reviewed via a road safety audit and the proposals are deemed suitable. It is understood that all party's have come to an agreement regarding the rights of way for 12A Ravensbury terrace over the site. The access strip to 12A is of a suitable width to accommodate parked vehicles, service vehicles and provide a level of pedestrian/cycle safety.

Further afield pedestrians and cycles will use Dunsford Road, Haselmere Avenue, Ravensbury Terrace and Penwith Road (Wandsworth) to access the site. There is a reasonable provision of cycle infrastructure on these further afield strategic sections of the highway network. The Wandle path is within a close proximity to the site. A section of the site has been left clear so that a higher level of permeability can be achieved between this site and the adjoining Rufus and Wellington Works sites. There is a "missing link" in the Wandle path within the immediate area. The provision of the missing link would enable pedestrians/cycles to travel in a north south direction without the need to use Garret Lane, providing reduced journey times and improved safety benefits for pedestrian and cycle users. The applicants have provided £30,000 towards a study to provide options and costings for the provision of the missing link.

Secure cycle parking has been proposed in association with the development. The TA states that it will be in line with London Plan minimum standards. It is thought that cycle usage will be high in association with both aspects of this development. As a result monitoring should be undertaken via the travel plan and cycle parking should be increase in line with demand for both the residential and commercial aspects of the development. Increased levels of high quality cycle parking facilities are a suitable mitigatory measure against car ownership and usage. The location of the proposed cycle parking facilities is welcomed

as it is deemed both accessible and secure.

Parking surveys have been undertaken. At peak times of residential parking demand there are 118 and 125 spaces available (which equates to 74-76%)

Using census car ownership data it has been estimated that there could be 83 vehicles associated with the residential aspect of the development. Twenty off street parking spaces have been provided in association with the residential aspect. Two of these spaces are visitor spaces, for the purpose of this assessment off street parking facilities have been calculated as 18.

A worst case level of over spill parking has been calculated as 65 vehicles. The parking survey shows that this level of over spill parking could be accommodated by the surrounding highway network at peak times of residential demand.

The applicants propose a package of mitigation against car usage and ownership which includes permit exemption, an on site car club (plus 4 other cars on the surrounding highway network), free car club membership and driving credit, higher than minimum cycle parking levels (have been requested) and a travel plan. All of these methods will significantly reduce the level of car ownership, over spill parking and trip generation associated with both the residential and commercial aspects of the development.

There have been objections raised by the adjoining Rufus Business Park (who are also looking to develop their site) regarding future residents using the business park to park their vehicles. This would not be a matter for the council to enforce. An agreement should be reached by both parties outside of the planning process or a well signed private parking enforcement scheme should be associated with each development.

Disabled parking has been provided for each accessible unit. The disabled parking spaces are closely located to entrances and cores on flat step free ground.

The impact of trip generation by the proposed development is comparably less than if the existing industrial space was operating at full capacity. There will be a net increase in person trips but there will be a noticeable reduction in vehicle trips. Therefore the perceivable impact of the development will be reduced.

The proposed development will have no impact on public transport capacity in the surrounding area.

There have been many objections raised regarding the construction phase of not only this development but a number of other developments proposed in the surrounding area. As a result officers from both Merton and Wandsworth have discussed the management of the construction phases. The outcome of these discussions is that construction management plans will be proposed for all of the surrounding developments. The construction management plans for the developments in this area will be coordinated to reduce the overall impact of construction vehicles in this area. As with any construction management plan, the Council will seek to identify the most appropriate routes and construction vehicles would be required to access the strategic road network in the most direct way, therefore reducing the impact of construction vehicles on vulnerable road users and residents in the surrounding area. The construction phase of this development is a temporary one which can be carefully managed to mitigate both this development's impact and the cumulative impact of development on the surrounding highway network.

Present the existing commercial uses on site do not have any service management plans associated, therefore there is no control of the level or timing of vehicle movement. The proposed commercial aspect will have service management plans associated. Service management plans reduce the impact of service and refuse vehicles and ensure that a level of co-ordination is applied to stop multiple vehicles accessing the development at once, which can impact on the operation of the development, surrounding highway network and safety of vulnerable road users.

The proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, as such a recommendation for approval is supported;

- A reduction in vehicular trip generation will be associated with the proposed development.
- A package of measures have been proposed to reduce car usage and ownership .
- A Robust construction management plan will be provided to mitigate the construction phase.
- Service management plans will be provided to further reduce the impact of the commercial aspect of the development.

5.1.11 TFL

(Comments on Original Plans – No response to re-consult and amended plans)

The site of the proposed scheme is located less than 300m from A217 Garratt Lane, which forms part of the Strategic Road Network (SRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.

It is stated in the Transport Assessment (TA) that a total of 33 car parking spaces will be provided. It is understood that these have been allocated as follows;

- A. 11 spaces for 11 houses
- B. 12 accessible spaces for wheelchair adaptable residential units
- C. 1 accessible space for commercial
- D. 1 accessible space for residential visitors
- E. 1 Car club bay
- F. 2 spaces within the site for No. 12 Ravensbury Terrace
- G. 5 spaces for the apartments

Allocations B, C and E are in line with London Plan standards and are thus welcomed. However, considering the 'good' PTAL of 4 of the site, TfL requests the remaining allocations A, D, F and G are reduced.

TfL welcomes the provision of Electric Vehicle Charging Points in line with London Plan. It is requested that these are secured through appropriate condition or section 106 agreement.

TfL welcomes the applicant's commitment to provide one car club space and requests two years free car club membership for all residents of which need to be secured through a section 106 agreement.

Exclusion from applying for parking permits for all residents of the new development is welcomed. This needs to be included as a clause in a section 106 agreement.

TfL has reviewed the information provided on trip generation and has made the following observations:

- As the site of proposed development is still in use, TfL would recommend that survey data of the existing uses are used rather than the TRAVL assessment which includes a number of survey sites over 10 years old.
- The trip generation for the proposed commercial use is based on the maximum number of staff expected on site and Census data for the mode share, which is reasonable and therefore welcomed.

- The TRAVL database has been used to ascertain the residential trip generation on site. The assessment includes the BedZed site and 4 of the survey sites are over 10 years. A sense check using the TRICS database indicates that whilst the AM peak hour trips seem reasonable the PM trips have been underestimated by approximately 20 trips.
- TfL would question why the TRAVL database is being used given that it was discontinued in 2014 with many of the surveys undertaken prior to 2013. Our best practice guidance states sites more than five years old must be excluded unless otherwise agreed with TfL. Regardless of this, even with an uplift of 20 residential trips in the PM peak hour the proposed development is unlikely to have an unacceptable impact on the public transport network of the strategic road network.

TfL welcomes the proposed provision of 6 long stay and 2 short stay cycle parking spaces for commercial use and 207 long-stay and 3 short-stay for residential use. It is requested however, that all long-stay spaces are located in secure areas and not in a public area as proposed. TfL also requests that the number of short-stay spaces for commercial use are increased to reflect standards of the London Plan.

TfL has reviewed the submitted Residential Travel Plan (RTP) with reference to standards of the ATTrBuTE assessment and has the following comments:

- It is required by ATTrBuTE that the RTP refers to relevant policy and guidance. The submitted RTP does not comply with this and needs to be amended.
- Notwithstanding the comment above, paragraph 1.3 in section 1 outlines the structure of the RTP which states that section 3 sets out policy context. However, section 3 of the RTP does not include any policy at all but instead sets out data for anticipated travel patterns making the document unclear and incoherent. The RTP needs to be updated to correct this.
- ATTrBuTE requires the numbers of expected users on site to be outlined. TfL appreciates that the number of dwellings may indicate the number of residents expected on site. However, it would be helpful if additional information about the expected number of users in association with other uses was provided.
- TfL accepts the use of the TRAVL database to establish the anticipated travel patterns and it is understood that surveys will take

place 1, 3 and 5 years after the initial baseline survey. However it is unclear if future surveys will be TRAVL compliant as well. It is therefore requested that future surveys are TRICS compliant and that the RTP is amended to clarify this.

- TfL requests the applicant provides a direct link between targets and objectives set out in section 4 and that these reflect current policy and guidance. In addition it is requested that targets are set for 3 and 5 years post occupation.
- It is understood that a TPC will be appointed to implement, manage and promote the RTP. TfL requests the RTP is updated to identify the TPC and state the time allocated for the RTP once this is known.
- TfL welcomes the proposed measures set out in section 5. It is requested however that more measures are proposed to support the objective of encouraging residents to move up within the sustainable transport hierarchy, particularly in the case of promoting walking and reducing car parking spaces.
- TfL understands that a budget for monitoring and managing the RTP might not be known at this stage of the application. It is requested that once this information suffices, the RTP is updated.
- Please note that a full ATTrBuTE assessment of the RTP was not completed due to technical difficulties. It is requested however that the above comments are taken into consideration and comments will follow shortly once the ATTrBuTE service is fixed.

TfL notes the submitted Construction Management Plan (CMP) and requests the following comments are taken into account:

- TfL welcomes the use of a full wheel wash facility and the use of banksmen in line with TfL's guidance for construction management.
- As it is stated in the CMP that vehicles will access the site via the A217 Garratt Lane, TfL requests that the applicant commits to using a booking system and ensuring delivery, construction and service related vehicles are undertaken outside peak hours to minimise any traffic impacts on the SRN.
- TfL requests that all vehicles access and egress from the site safely in forward gear.

- Contractor vehicles should include side-bars, blind spot mirrors and detection equipment to reduce the risk and impact of collisions with cyclists and other road users and pedestrians on the capital's roads.
- The footway and carriageway on the A217 Garratt Lane should not be blocked during the construction of the development. Temporary obstructions during the conversion should be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A217 Garratt Lane. All vehicles should only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.

TfL welcomes information on deliveries and servicing set out in section 4.7. These details should be set out in a Delivery and Servicing Plan (DSP) as referred to in the London Freight Plan, which identifies efficiency and sustainability measures to be undertaken once developments are operational, is submitted to and approved by Merton Council in consultation with TfL prior to occupation. TfL further requests that the submission of the plans should be secured via appropriate planning conditions/ obligations.

Whilst TfL understands the applicant may not be able to control the delivery and servicing requirements of the individual commercial units/operators, the DSP should include a framework plan for these units.

It should be noted that if any changes were required to the local highway network, the applicant would be required to enter into a section 278 agreement with Merton council.

The site of the proposed development is in close proximity to the Crossrail 2 safe guarding. Although not included, work on Crossrail 2 is ongoing and plans may be reviewed.

The above comments should be considered while additional comments await.

5.1.12 Greater London Archeological Advise – No response

5.1.13 Crossrail2 – The site sits outside the safeguarding zone so no comment.

5.1.14 Planning Policy (Employment)

Further to previous comments on this planning application, the applicant has revised their proposals which have been subject to additional

consultation.

Considering employment policies only, the new proposals increase the commercial floorspace from 826sqm to 1,177sqm GIA. (an additional 350sqm) The original plans for a mixed use building remain and the additional floorspace is provided by the entrance to the site, replacing a residential unit which previously had a compromised layout and limited garden space. Other modifications to the scheme have resulted in an overall increase in the number of residential units from 128 to 129.

In seeking to address the previous comments on addressing employment policies and the site's designation for "employment led regeneration" in the Sites and Policies Plan 2014, the applicants considered a number of different options, all of which were accompanied by marked up site drawings and an associated viability appraisal in order to allow for robust consideration. In deciding to increase the amount of employment floorspace, the applicant considered at least four different options for these increases, including creating more mixed use buildings within the site, locating more commercial floorspace at the southern part of the site (adjacent to Rufus business centre but furthest away from the site entrance). Some of these options resulted in additional commercial floorspace but created other compromises on urban design, site layout and viability.

Council officers and the applicant support the option that is now presented: the provision of commercial floorspace:

- The mixed use building (part of the original proposals) being marked and run for flexible workspace. This approach will support a greater jobs density on site than standard offices. Paragraphs 21-27 of the council's September 2016 employment comments set this out in more detail.
- Some of the additional employment floorspace will be located beside the entrance to the site, replacing residential units that were previously compromised on garden space. The smaller size and separation of this commercial floorspace from the main commercial floorspace means that it will be marketed as standard office accommodation (as opposed to dedicated flexible working).

The revisions to the proposal (2017) to provide additional commercial floorspace plus the securing of flexible working for most of the commercial floorspace will lead to a higher jobs density across the site. To ensure that the jobs density set out in the planning application will be achieved, the council will require this part of the site to be marketed by an experienced flexible workspace operator and fitted out to the appropriate standards. This is secured via S106.

5.1.15 Design and Review Panel

(Note comments relates to pre-application scheme - 15/P2334/NEW - pre application advice for the demolition of existing industrial units and erection of 150 x residential units and office floor space (7 storey building))

The Panel welcomed the urban design analysis taken to inform the site layout, that will facilitate the future access to the open space to the south. They also commended the provision of an open green space linking the river to the street.

The Panel felt that further work was needed in order to ensure the appropriateness and quality of the street's character, look and feel, particularly as industrial traffic would also be using it. Issues to address included the street width and surface materials; the relationship between the different ground floor uses on either side of the street and materials used to define these; and the potential for a lop-sided feel to the street due to different building heights.

There was a general feeling that the blocks of flats were too tall and dominant. The Panel struggled to see a precedent for buildings of this scale in the locality, which was predominantly two-storey for some distance. Given this, the applicant needed to consider the visual impact of the flats not only from local streets, but from the railway and a wider distance where there would be longer views from other more distant vantage points.

The Panel had some general concerns about the block of flats. This related to its general large scale, mass and bulk. It was suggested that this could be addressed by designing the block as a number of separate pavilions. The block's rectilinear shape was askew to the street and did not fully address it. It could be in line with the street or step back from it in sections, rather than the proposed angle. There was also concern about the high numbers of effectively single-aspect flats, particularly those facing the noisy railway.

An important criticism of the block was in regard to its relationship with the open space. The Panel felt that this relationship was very weak. The building simply did not address or acknowledge this important space. The windows facing the space looked like an afterthought in what was essentially a side wall to the space. This whole end wall needed to have a clear focus and the building should be designed specifically to be an integral part of the open space.

It was suggested something special could happen here, both with the building and the space and that they should be seen as one landscape –

sculptural and baroque were used to describe how the two could feel, and it was suggested the building might be curved in elevation. The water, railway bridge, walkway, building and open space all needed to combine to create a really special waterfront development. It was suggested that this should be the springboard for the design for the whole building and the space, where the greenery could extend from the river and open space, through into the street.

The open space should also be designed as an invitation to enter the street, which should not feel like a dead-end street. It was felt that the main space needed to be protected from potential encroachment – either by future development or for pressure for parking. The Panel also raised some concern about the low level of parking, particularly for the business use. An important part of the success of the development, the street and the open space would be to ensure the commercial element was successful. The Panel noted the importance of adhering to relevant requirements relating to flooding.

Overall the panel felt that there were some merits in the scheme but that it felt like it was over development and should be designed from the new open space outwards.

VERDICT: **AMBER**

5.1.16 Wandsworth Council

The main considerations material to the assessment of this application is the likely impact of the development on the amenities of residents and employees within the LB of Wandsworth, and on the strategic aims of the borough.

Principle

In comparison to the previously approved scheme, again, it is considered that the scheme raises no specific policy concerns and is unlikely to have any major cross-boundary implications which would preclude the strategic aims of the Wandsworth Local Plan being achieved. The increase in the number of units, amount of commercial floorspace and affordable housing provision would not have any strategic impact upon the aims of the LB of Wandsworth and there is no objection to these elements.

Design

It is considered that the proposed changes to the design of the development would not have a significant impact upon the residents and employees within the LB of Wandsworth including the changes to the height of the proposal and there is also no objection to this element.

Transport

While the proposed built development may not have a material impact on the Borough in transport terms, neither the applicants nor Merton Council are considered to have engaged adequately with the Council in discussing issues arising from this and neighbouring development. This development is dependent upon access via Wandsworth. The Council is unaware of any consideration being made towards service or infrastructure improvements in Wandsworth and assumes any CIL/s106 payment would be retained by Merton. More importantly, the Construction Management Plan arrangements assume that construction vehicles are routed through local Wandsworth roads. This Council has tried to engage with developers and Merton Council on an equitable solution to traffic management in the area but without resolution at the current time. In transport terms, the Council has no objection in principle to the site being redeveloped but any development must be subject to satisfactory resolution of access and construction management with Wandsworth Council. In the event that Merton Council determines to grant permission, it is recommended that a condition/obligation be added requiring a revised Construction Management Plan to be approved prior to commencement of development, subject to consultation with and agreement of Wandsworth Council.

Recommendation

Inform LB Merton the Council has no objections to the proposed development subject to LB of Merton requiring agreement with Wandsworth Council on equitable construction management arrangements and a robust construction management plan.

5.1.17 MP Justine Greening

The traffic situation in this area is already difficult with a development adjacent which is also accessed via Penwith and Duntshill Roads, combined deliveries to The Wandle Pub which block the straight through traffic lane at the junction of Penwith and Garratt Lane. It does seem unreasonable that Merton residents are protected from traffic to the site and Wandsworth highways, and local residents, have had to bare this traffic. I have spoken with Four Communications who are acting for the developers of application 16/P3551 and am assured that they are very aware and conscious of residents' concerns and will reflect these in their traffic management plan for the site (if approved), but it is very difficult to see how this traffic will be managed fairly and effectively whilst width restrictions remain in situ.

It would be really helpful if you could clarify Merton Councils position on this issue. Whilst I appreciate Merton has a duty to effectively manage its roads, it does seem unfair that this is causing traffic to be pushed on to an already busy route (Merton Road – Penwith Road – Garratt Lane), which

is impacting on local residents in Wandsworth. It would be helpful to know what Merton's position is with regards to the Haslemere Industrial site development, as well as going forward once this site is built – if approved. I am also following up Wandsworth Council, as well as Four communications who are managing the development application.

5.1.18 MET Police – No objection. Detailed comments provided regarding safety and request for planning condition relating to Secured By Design Award Scheme

5.1.19 Environment Agency

Original Plan

Thank you for consulting on the additional information for this application. We have reviewed the Modelling Technical Note 3 by Aecom (Contract No: 60429660, Date: 2 November 2016, Version: Draft V 1.0) and drawing number SKE-20-PH01-CU-0004 and we have no objection to the granting of planning permission subject to inclusion of the conditions

Amended plans

Thank you for reconsulting us on this application. The amended proposed layout does not have any material difference on the impact of flood risk from the previous consultation, we therefore request that the conditions requested in our previous response ref: SL/2016/116132/03 be included on the planning permission.

We would encourage the developer to include ecological enhancements as part of any river wall works undertaken as part of the planning application. Engineered river channels result in the destruction of ecologically valuable habitat and we recommend that applicants seek to restore the river channels to as much of a natural state as possible. Development and works to river walls present an opportunity to do this. The restoration of rivers like the Wandle is fully supported by the London Plan and its Blue Ribbon Network policies.

The National Planning Policy Framework (NPPF), paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.

6. **POLICY CONTEXT**

6.1 Merton Core Planning Strategy (July 2011)

- CS8 – Housing Choice
- CS9 – Housing Provision
- CS12 – Economic Development
- CS14 - Design
- CS15 – Climate Change
- CS18 – Active Transport
- CS19 – Public Transport
- CS20 - Parking, Servicing and Delivery

6.2 Adopted Merton Sites and Policies Plan (July 2014)

- DM H2 Housing Mix
- DM H3 Support for affordable housing
- DM E1 Employment areas in Merton
- DM E3 Protection of scattered employment sites
- DM E4 Local employment opportunities
- DM O1 Open space
- DM O2 Nature conservation, trees, hedges and landscape features
- DM D1 Urban design and the public realm
- DM.D2 Design Considerations in All Developments
- DM EP4 Pollutants
- DM.EP2 Reducing and Mitigating Noise
- DM F1 Support for flood risk management
- DM F2 Sustainable urban drainage systems (SUDS) and; wastewater and water infrastructure
- DM T1 Support for sustainable transport and active travel
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards

6.3 London Plan (2015)

- 3.3 (Increasing Housing Supply),
- 3.4 (Optimising Housing Potential),
- 3.5 (Quality and Design of Housing Developments),
- 3.6 children and young peoples play and informal recreation facilities
- 3.8 (Housing Choice),
- 5.1 (Climate Change Mitigation),
- 5.3 (Sustainable Design and Construction).
- 7.3 (Designing Out Crime)
- 7.4 (Local Character)
- 7.6 (Architecture)

7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations relate to the principle of

development, is the scheme employment led, design of buildings and street scene, flooding, standard of residential accommodation, neighbour amenity and highway considerations.

7.2 Amendments

7.2.1 Following discussions between the applicant and Council Officers the scheme has been amended in the following ways:

- Increased commercial floor space - 826 sqm to 1,176.6 sqm (GIA). Additional commercial space provided in the terrace by replacing 2 x 2 bed houses and 1 x studio apartment.
- Increased residential units (128 to 129 - houses reduced from 11 to 6, replaced by flats & additional 349.9sqm commercial floor space).
- Increased affordable housing (19 to 24 units - 15% to 19%)
- Internal/external alterations to layout of residential units so that all units meet minimum space standards.
- Altered design & reduction in height, massing & form of mixed use building (northern and southern ends reduced to 4 storeys).
- Altered design and reduction in height, massing & form of residential terrace.
- Altered car parking arrangement (32 to 27 spaces)

7.2.2 Following the above amendments and discussion with Planning Officers, additional amendments have been provided by the applicant.

Residential Terrace

- Mansard roof included to the rear elevation of all 3rd floor elements;
- Landscaping proposed in rear gardens

Block K

- Cycle store reduced in width from 6.4m to 5.8m;
- Garden sizes adjusted in light of above alterations.
- 1st and 2nd floors rear elevations set back by 1.5m from ground floor.
- Internal alterations revising unit mix from 1 x 3 bed, 1 x 2 bed and 1 x 1 bed, to 2 x 2 bed and 1 x 1 bed;
- 3rd floor rear elevation set back a further 0.8m. Now 3.6m (4.2m to top of mansard) set back from ground floor.
- Core reduced in width from 6.4m to 4.4m, and set back 1.5m from ground floor rear elevation (in line with 1st and 2nd floor rear elevations);

Block F

- Upper floor windows removed, new flank windows and obscured glazing to only rear staircase window.

Pocket Park

- A 60 sqm play space area with equipment (leapfrog posts, stepping stones and Birds Nest) has been incorporated into Pocket Park.
- The access road serving 12 Ravensbury Terrace has been increased in width from 6m to 8m. This results in a smaller Pocket Park area (now 178 sqm)

7.3 **Principle of development**

- 7.3.1 The application site has been identified as site proposal 70 (Haslemere Industrial Estate) within the Councils adopted Sites and Policies Plan 2014. Site Proposal 70 has an adopted allocated use of 'Business/light industrial (B1) or a suitable employment led redevelopment'. Delivery timescale is between 2014 – 2019 with the aim of continuing space for employment in this area.
- 7.3.2 The proposed redevelopment of the site seeks to demolish the existing Storage and Distributions and Assembly and Leisure buildings (4,296 sqm and 441.3 sqm respectively). The redevelopment of the site seeks to introduce 1176.6 sqm of new Class B1 (c) office space (co-working and traditional office space) and 129 residential units.
- 7.3.3 In principle, the proposed development would provide a source of employment. However as discussed below, a key planning consideration is whether the redevelopment of the site is considered to be 'employment led'? As discussed in the committee report below, a balanced judgment is required in relation to all other planning consideration and whether the proposed redevelopment complies with its policy allocation?

7.4 **Employment**

Existing

- 7.4.1 The existing buildings comprise a mix of industrial and warehousing sheds and the gym which are of poor quality and are coming towards the end of their economic life. This type of development creates relatively few low paid jobs. The applicant has confirmed that the site offers up to 75 full time staff.

Proposed

7.4.2 The redevelopment of the site would introduce three commercial units, units 1 and 2 being co-working spaces (or otherwise known as flexible working) 429.5smq and 380.7 sqm respectively and unit 3 a traditional office space over ground and first floors being 203.7 and 137.7 sqm respectively. The total amount of gross internal area of commercial floor space would be 1176.6 sqm.

7.4.3 The proposed office space would be built out to shell and core, as the applicant cannot predict exactly what the operator will want (as each operator will seek something slightly different). The applicant (First Base) is however committing to a number of objectives to ensure that the scheme has every chance of success, see section of 7.4.9 within committee report for details.

Co-working

7.4.4 At the heart of the redevelopment of the site is the applicant's commitment to provide 810.2 sqw (GIA) of co-working office space. It is estimated that the proposed co-working could provide between 150 – 200 jobs. Co-working can generate a higher ratio of job per floor space when compared to traditional office space. The higher occupancy ratios can be achieved by co-working facilities being shared by a number of different individuals and businesses, seeking to achieve as high a level of occupancy as possible. The individuals and small companies working at such facilities want to work closely with others to exchange ideas and potentially feed off one another, with workstations being all open plan and in close proximity to one another to deliberately achieve this. All the ancillary spaces such as meeting rooms, breakout areas, printing etc are all shared, with there being just one facility for everybody. The membership scheme that forms the basis of most co-working operations, provides the space and backup as and when someone wants it, which particularly suites (and therefore attracts) people who often work elsewhere, enabling co-working facilities to support a large number of individuals and businesses, by virtue of the fact that they are not people who always need to be at a desk.

7.4.5 The applicant has been working with Central Working, which is a brand and operator within the co-working market that has clubs across London and Manchester. The company provides environments, which create a feeling of belonging and community so that small businesses and independent workers can thrive in.

7.4.6 The proposed co-working space seeks to provide a unique office experience compared to traditional office space. The co-working space is designed as one space, providing flexible hot desks, personal desks, private meeting rooms and break out areas, for the identified target group (micro, small and medium-sized enterprises (SME's)). The co-working

facility seeks to provide an opportunity to collaborate and connect with a number of large and small businesses from its networks and personalised management (knowing and understanding members businesses) to create a collaboration and community through its members.

7.4.6 Working with Central Working, the applicant seeks to ensure that the space is designed to provide a vibrant hub and maximises the number of jobs that could be created. To date, Central Working clubs (2000 members) are occupied by a diverse mix of members from app developers to financial based businesses to investors – this mix across sectors helps to create opportunity, from collaboration through to investment.

7.4.7 The proposed scheme has been designed with three key aspects to allow for successful co-working facility:

- Varied spaces to work
- Creating spaces to meet and for collaboration
- Spaces to break-out and relax

7.4.8 Whilst the existing Central Working spaces tend to be located in more central urban locations within London, the the application site has many positive characteristics that could support a new hub within Merton. The application site has good public transport links (PTAL rating of 4) with Earlsfeild Rail Station being just 400m from the site, thus appealing to local and extended communities, has a riverside setting and would provide new office accommodation to meet the needs of the end user.

S106 agreement

7.4.9 In order for the Council to have control and some comfort over the implementation of a co-working scheme on this site, the applicant has confirmed that they are willing to enter into a S106 agreement. The draft S106 agreement seeks to ensure that the space being offered will actually be delivered. The draft S106 includes:

- Flexible workspace to be provided prior to the occupation of the first residential unit in the mixed use building.
- Operator (who the applicant has to secure) has to be one that specialises in managing shared business space for collaborative/co-working, including (but not limited to) shared/hot desks, dedicated desks in a shared space and dedicated private spaces.
- Tenants will be able to occupy on a monthly basis on flexible terms, without having to enter into long term leases.
- The flexible monthly fee/rent will be inclusive of business rates, lighting, heating, water, cleaning, building insurance and

management.

- The applicant is prepared to commit to work with the selected workspace operator to fit the employment premises out within 6 months of entering into the agreement to lease.

Traditional office Space

7.4.10 Following discussion with the Council, the plans were amended to provide additional office floor space. The proposed office (unit 3) would provide office space over two floors generating up to 40 jobs.

Employment Led

7.4.11 As set out above, the site has an adopted allocation for the site is employment led redevelopment. It is acknowledged that the amount of residential floor space clearly dominates the scheme, when compared to the proposed employment floor space; however in this instance the proposed employment space has the potential to create a significant uplift in the number of jobs on the site. The existing situation provides approximately 75 jobs whilst the proposal could increase the number of jobs up to 240. Whilst the redevelopment of the site would offer a significant reduction in the amount of employment floor space compared to existing, the space would be more intensively occupied by co-working (810.2 sqm) and traditional office space (349.9 sqm). It should be noted that the co-working element would be the first private funded scheme in the Borough. This offers a unique opportunity outside more urban settings where co-working could be a success within Merton by offering facilities that are responding to changes in working patterns and lifestyles. Given the significant increase in the number of jobs onsite, it is considered that the proposal would be in line with the objectives of the site allocation.

7.5 **Design**

Demolition

7.5.1 The existing buildings on the site by nature of their use as predominately storage and distribution units have little architectural merit. Therefore their demolition and replacement with new buildings with an altered site layout are considered to be acceptable.

Layout

7.5.2 The existing site, again due to its use, has a somewhat disjointed layout with informal parking; ancillary containers and no clearly defined pedestrian access, thus creating some conflict between the pedestrians and vehicles. The proposal seeks to rectify the poor layout with a more

coherent form of development with clearly defined routes with buildings either side of a designated street and clear paths for both pedestrians and vehicles. A new riverside pocket park is proposed to open up views of the River Wandle and makes provision to link into the existing Wandle Trail to the South.

Height and Massing

- 7.5.3 A high percentage of objections received from neighbouring properties relate to the proposed height and massing being out of keeping. The existing context is set out below for reference:

Application site

- 7.5.4 Access to the site is via a vehicle/pedestrian access road from Ravensbury Terrace between the existing industrial units and the adjacent three storey building at 12A Ravensbury Terrace. The site sits adjacent to the River Wandle, Railway Embankment. The existing two storey industrial units are sited along the western site boundary, backing onto the residential properties in Hazelmere Avenue and Dawlish Avenue.

Wandsworth Sites

- 7.5.5 Located to the north of the application site, the Banhams site is situated on the other side of the River Wandle in Wandsworth. The site includes three detached buildings, one two storey building, one three storey building and one four story building with accommodation within the roof space.
- 7.5.6 Located to the north of the application site in Wandsworth, 8 Ravensbury Terrace currently accommodates single storey buildings and open yard areas. The site has been subject of redevelopment proposals for more intensive use. Planning Permission (2015/6103) for a part three, part four, part five-storey building was refused planning permission for matters relating to bulk, massing and height, resulting in a dominating building which would have an adverse impact on the character and appearance of the surrounding area, and be poorly integrated within in the streetscene, and fail to demonstrate compliance with the Tall buildings criteria and fails to provide or safeguard a riverside walk along the entire Wandle riverside frontage.
- 7.5.7 The decision was dismissed at appeal on 30th March 2017 (Ref APP/H5960/W/16/3164733). Relevant to the current proposal at the application site, the inspector made the following comments.

“The siting, scale and massing of the riverside element would dominate the setting of the Wandle and would be at odds with the low-rise character of neighbouring development to the north. As such, it would appear as an incongruous and discordant feature which would not relate well to the existing townscape and landform and would be highly prominent in views from the eastern side of the river and from Ravensbury Terrace”.

“There is an extant planning permission for a 4 and 5 storey development to the south of the appeal site at 12A Ravensbury Terrace. I do not have full details of this scheme, which has not yet commenced. However, based on the evidence before me and my observations on site, No 12A is situated adjacent to a significant area of industrial development and in fairly close proximity to the railway. As such, the site context of this other scheme differs to the appeal site and so is not directly comparable. Therefore, it too has limited weight”.

The latter point made by the planning inspector must be noted as it is particularly relevant to the 6 storey building proposed at the application site. As set out in the design section of the Committee Report, the buildings have been designed to lower to four storeys adjacent to the River front (respecting the river front setting) and the six storey elements sit adjacent to the railway embankment where an increased height can be reasonably achieved.

- 7.5.8 Following the refusal and dismissed appeal decision, there is a pending planning application (2016/5183) for a three to four storey building on the site.

Rufus Business Park

- 7.5.9 Located directly to the south of the application site and access from Haslemere Industrial Estate, the commercial buildings in Rufus Business Park range between two and three storeys in height.

12 Ravensbury Terrace

- 7.5.10 Located to the directly to the north of the application site, the corner building fronts onto the existing access road and sits at a right angle to Ravensbury Terrace. 12 Ravensbury Terrace is a three storey commercial building.

The Warehouse - 12 Ravensbury Terrace

- 7.5.11 Located directly to the north of the application site, fronting onto the

existing access road and siting at a right angle to the River Wandle, The Warehouse, 12 Ravensbury Terrace is a two storey building . It should be noted that The Warehouse - 12 Ravensbury Terrace has a pending planning application (15/P4016) for a five storey extension to the section of the building at the rear fronting the River Wandle.

12A Ravensbury Terrace

7.5.12 Attached to the rear 12 Ravensbury Terrace, this neighbouring building is a single storey office building fronting onto Ravensbury Terrace. 12 A Ravensbury Terrace has an extant planning approval (13/P2904) for a building ranging between three and five storeys in height and a pending planning application (16/P3551) also for a building ranging between three and six storeys in height.

1 – 3 Wellington Works

7.5.13 Located to the south of the application site, beyond Rufus Business Park, and adjacent to Dundonald Recreational Park, the existing commercial buildings on the site are single storey only. The site is however subject of redevelopment with a pending planning application (17/P1400) for a four storey building.

Housing

7.5.14 Traditional two storey housing, some properties have been extended with rear roof extensions (making them three storeys) sit in surrounding areas to the south, west and north of the application site.

Proposal

7.5.15 The proposed development is spilt into two distinctive elements, the main mixed use building and western terrace. The main building would be a 6 storey building with four storey linkages and a four storey curved frontage onto the proposed riverside pocket park. The western terrace would be a part single, part two, part three and part four storey terrace designed with a staggered building form.

7.5.16 It is acknowledged that the proposed buildings would create an increased mass and height when compared to traditional housing in the area, however, the site is considered to form a strong relationship with the other riverside developments to the north. Another material consideration in this instance is the context of the application site and its relationship with the River Wandle and Railway Embankment.

7.5.17 As set out above, the application site forms a strong relationship with the

other riverside developments. These range in height between three and six storey buildings. It is considered that the part 6, part 4 storey building, would be seen as a gradual increase in height along the River Wandle. Importantly the six storey elements would sit adjacent to the Railway Embankment, where an increase in height can be achieved. In addition, the massing of the six storey elements is broken down into three separate blocks, rather than a continuous form. An important element in the design rationale for the building is the lowering of the building to four storeys. The curved four storey frontage, adjacent to the River Wandle would respect the riverside setting and help form the transition in height with other developments along the River Wandle.

7.5.18 The height of the development lowers to the west with the part single, part two, part three, part four storey terrace. The decrease in the height of the building towards residential properties responds to the more domestic scale to residential streets to the south, west and north which sit on higher ground. The proximity of the terrace towards the western boundary would also assist in breaking down the massing and height of the main building when viewed from neighbouring streets and the entrance to the site from Ravensbury Terrace.

7.5.19 On balance, the Council has worked with the applicant to reduce the massing, height and bulk of the buildings, whilst still making affective use of the site, not harming the visual amenities of the area or appearing out of keeping given the reasons stated above.

Architecture

7.5.20 The proposed modern buildings are considered to be well designed and subject to detailing would be a positive addition to the visual amenities of the area. The Council can control the end quality of the buildings by imposing planning conditions requiring the submission and approval of materials and the finer details of the building such as window reveals and balcony fixings.

Co-ordination With Other Developments

7.5.21 As set out above, the application site forms part of a group of plots along the River Wandle and Railway Lines. The height of the proposed building would be seen as a gradual increase between buildings along the River Wandle to the north and south. The new pocket park and location of the proposed building would allow for a potential link (missing link) to the Wandle Trail to the south of the site. The applicant has agreed a financial contribution that could be used for either general improvements to walking and cycling of the Wandle Trail or a feasibility study and survey to help deliver the missing link. The new scheme with the new access road to

Rufus Business Centre would also make provision for a new walking/cycling route to Durnsford Recreational Park beyond should Rufus Business Park be redeveloped.

7.6 **Neighbour Amenity**

Sun and Daylight

- 7.6.1 The applicant has submitted an independent sun, daylight and overshadowing report produced by GIA. The report confirms that daylight, sunlight and overshadowing are compliant with BRE Guidelines.

12 Ravensbury Terrace

- 7.6.2 Located to the directly to the north of the application site, the corner building fronts onto the existing access road and sits at a right angle to Ravensbury Terrace. 12 Ravensbury Terrace is a three storey commercial building with its entrance and windows facing towards the proposed buildings.
- 7.6.3 The proposed mixed use building and western terrace would be separated from this neighbouring property by the proposed new access road and new pocket park. Given the commercial use of the neighbouring building and level of separation from the proposed buildings there would be no undue loss of amenity.

The Warehouse - 12 Ravensbury Terrace

- 7.6.4 Located directly to the north of the application site, fronting onto the existing access road and siting at a right angle to the River Wandle, The Warehouse, 12 Ravensbury Terrace is a two storey building accommodating commercial units and a 3 bedroom upper floor flat (first floor and within roof space).
- 7.6.5 The proposed mixed use building and western terrace would be separated from this neighbouring property by the proposed new access road and new pocket park. Given the part commercial use of the neighbouring building, the existing flat being at first floor level and being well separated from the proposed buildings there would be no undue loss of amenity.

12A Ravensbury Terrace

- 7.6.6 Attached to the rear 12 Ravensbury Terrace, this neighbouring building is a single storey office building fronting onto Ravensbury Terrace. The building is commercial and windows front into Ravensbury Terrace, therefore there would be no undue loss of amenity.

Rufus Business Centre

- 7.6.7 Located directly to the south of the application site, Rufus Business Centre has 17 industrial units. Given the commercial nature of this neighbouring site, there would be no loss of amenity. Whilst objections have been received from Rufus Business Centre regarding potential conflict with the redevelopment of the centre in the future, currently the site remains in a commercial use and there are no pending planning applications seeking redevelopment (only a pre-application scheme). In any event, the proposed development is not considered to prevent the adjacent Rufus Business Park from being redeveloped.
- 7.6.8 A key consideration is however to ensure that the proposed development does not affect the existing centres ability to successfully continue as a light industrial estate. As part of the redevelopment of the site, the proposal would provide a new access road through the site which would also serve Rufus Business Centre. Planning conditions and a S106 agreement relating to a permission way, can ensure that Rufus Business Centre does have 24 hour access. The Councils Transport Officer has confirmed that the proposed access road is of suitable size and layout to ensure that the proposals would not adversely affect the running of Rufus Business Estate.
- 7.6.9 There have been objections raised by the adjoining Rufus Business Park regarding future residents using the business park to park their vehicles. This would not be a matter for the Council to enforce. An agreement should be reached by both parties outside of the planning process or a well signed private parking enforcement scheme should be associated with each development.

61 Haslemere Avenue

- 7.6.10 This neighbouring residential property is located directly to the west of the application site, adjacent to the Ravensbury Terrace. The neighbour property is an extension to the existing terrace. It sits at an oblique angle and within close proximity to the application site resulting in a limited sized rear garden area. Whilst the existing rear alley offers some visual break between the application site, the large industrial units sit on the western boundary of the application site, creating a sensitive relationship with this neighbour. This relationship impacts upon sense of space, outlook and light levels. The existing situation is therefore a material planning consideration.
- 7.6.11 The proposed ground floor level cycle store abuts the western boundary; however the store is modest in size and lower than the existing industrial

units. Therefore there would be no change to neighbouring amenity.

7.6.12 At the upper levels, the new proposed building would move further away from the western boundary than the existing and therefore further away from this neighbouring property. The upper levels of the commercial building sit predominately to the flank of the neighbour. In addition, the neighbours rear windows/doors are orientated away from the commercial building due to the oblique orientation of the neighbour. No rear or side windows are proposed at the upper level of the commercial building. A planning condition preventing new windows being added can ensure that there is no undue loss of privacy. Given the existing situation, this element of the terrace is considered to be a material improvement for this neighbours amenity.

7.6.13 The residential element within the proposed terrace beyond the commercial building increases in height up to four storeys. However the proposed terrace has been designed to step up and away from this neighbour. Due to the oblique angle of the neighbouring property there would be no windows directly facing each other. It should also be noted that the rear upper windows in Block F (closest this neighbour) have been omitted, replaced by flank windows and the only remaining staircase window would be obscured glazed. There would be a 14.6m separation from the first floor level directly to the rear of this neighbours rear garden, complying with the Councils SPG guidance. The higher four storey elements are well distanced away from the neighbour and have been designed as having a lightweight/softer appearance with a standing seam zinc mansard form recessed from the floors below and with no rear facing windows. The proposed rear car parking area would only accommodate 7 car parking spaces, would be enclosed by boundary treatment and separated from this neighbour by the rear alleyway. On balance, given the existing situation, oblique angle of the neighbour and design of the proposed terrace, it is considered that there would be no undue loss of amenity.

7.6.14 In terms of the part 4, part 6 storey building, the building would be distanced at least 37.5m from the rear elevation of this neighbouring property. It should be noted that the mixed use building ranges between four and six storeys, with the four storey curved frontage being located at the end of the site closest to this neighbour. It should also be noted that the proposed mixed use building would be seen within context of the western terrace which sits close to the neighbouring property. This would help break down the massing of the mixed use building. On balance it is considered that there would be no undue loss of this neighbours amenity.

49 – 59 Haslemere Avenue

- 7.6.15 The remaining terraced houses in Haslemere Avenue again are at an oblique angle to the application site, following the angle of the street. The existing industrial buildings project to the rear of these neighbours gardens. Due to the form of the terrace, 49 Haslemere Avenue sits the furthest away and 59 Haslemere Avenue sits the closest from the application site.
- 7.6.16 The proposed ground floor level cycle store abuts the western boundary; however the store is modest in size and lower than the existing industrial units. Therefore there would be no change to neighbouring amenity.
- 7.6.17 At the upper levels the proposed terrace would be distanced at least 10.7m at first and second floor levels and 12.8m to the mansard roof at third floor level from the neighbours rear gardens. The second and third floor levels do not strictly comply with Councils SPG guidance in terms of daylight, sunlight and outlook. There would be a SPG shortfall of 1.8m at second floor and 2.2m at third floor level. However it should be noted that the SPG is guidance only. Consideration must be given to each site context and the design of the building.
- 7.6.18 In terms of context, it must be noted that the existing two storey industrial buildings sit on the western boundary of the site. The existing buildings have a blank elevation that sits 7.3m closer to the neighbouring gardens than the proposed buildings first and second floor levels. In addition, new planting is proposed along the western boundary to help create a soft edge to the boundary. In terms of outlook from these neighbouring properties, whilst the building would be higher, its massing is broken down by its staggered design approach, would sit further away from the boundary compared to the existing building and as such it is considered that outlook would be preserved. In terms of daylight and sunlight, the applicant has provided a sun, daylight and overshadowing report with the application that confirms that the development complies with BRE guidance and hence no loss of amenity.
- 7.6.19 The proposed terrace would project up to four storeys, however the terrace would have a staggered form, being part single, part two, part three and part four storeys. This design approach, including a lightweight mansard third floor helps reduced the overall massing when viewed from properties in Haslemere Avenue.
- 7.6.20 Again, in terms of the mixed use, part 4, part 6 storey building, this would be well distanced away from Haslemere Avenue. When viewed from properties in Haslemere Avenue, the proposed western terrace would also assist in breaking down the massing and height of the mixed use building. On balance it is therefore considered that there would be no undue loss of this neighbours amenity.

7.6.21 On balance, given the existing situation and design of the proposed development it is considered that there would be no undue loss of amenity.

2 – 32 Dawlish Avenue

7.6.22 Located to the west of the application site, these neighbouring properties in Dawlish Avenue are orientated directly towards the application site. They are separated from the application site by a vehicular access and are situated on elevated land due to the topography of the land which increases in height to the west. The internal floor levels of the properties in Dawlish Avenue sit at least half a storey above the ground level of the western boundary of the application site. The properties have deep rear gardens of at least 24m. All properties apart from 28 Dawlish Avenue have existing rear outbuildings fronting the rear alleyway.

7.6.23 The proposed ground floor level cycle stores abut the western boundary; however these stores are modest in size and are lower than the existing industrial units. Therefore there would be no change to neighbouring amenity.

7.6.24 At the upper levels the proposed terrace would be distanced at least 9.5m at first and second floor levels and 11.7m to the mansard roof at third floor level from the Dawlish Avenue rear gardens. The first, second and third floor levels do not strictly comply with Councils SPG guidance relating to daylight, sunlight and outlook. There would be a SPG shortfall of 0.5m, 3m and 3.3m respectively in the separation from neighbouring garden boundaries. However it should be noted that the SPG is guidance only and consideration must be given to each site context, especially the change in levels and design of the building.

7.6.25 In terms of context, the two storey industrial buildings sit on the western boundary from 2 – 28 Dawlish Avenue, 7.3m closer to the neighbouring gardens than the proposed first and second floors. In addition, new planting is proposed along the western boundary to help create a soft edge to the boundary. In terms of outlook from these neighbouring properties, these neighbours have deep rear gardens of at least 24m. All properties apart from 28 Dawlish Avenue have an existing rear outbuilding at the end of gardens. The internal floor levels of the houses in Dawlish Avenue sit approximately half a storey higher than the western boundary of the application site. The proposed buildings would be higher, but they would be moved away from the boundary, are well distanced away from the neighbouring properties due to the deep rear gardens and the massing of the terrace is broken down by its staggered design approach. It is therefore considered that outlook would be preserved. In terms of daylight

and sunlight, the applicant has provided a sun, daylight and overshadowing report with the application that confirms that the development complies with BRE guidance and hence no loss of amenity.

7.6.26 Again, in terms of the mixed use, part 4, part 6 storey building, this would be well distanced away from Dawlish Avenue (at least 59m). When viewed from properties in Dawlish Avenue, the proposed western terrace would also assist in breaking down the massing and height of the mixed use building. It is therefore considered that there would be no undue loss of this neighbours amenity.

Weir Road

7.6.28 Located to the west of the application site on the other side of the Railway Embankment are commercial plots which are well distanced away from the application site to ensure that there would be no undue loss of amenity.

Summerley Street

7.6.29 The neighbouring properties on the other side of the railway lines and River Wandle are generally commercial units and in any event they are well distanced away from the proposed development to ensure that there is no undue loss of amenity.

7.7 Residential Accommodation

7.7.1 The requirement for additional homes is a key priority of the London Plan and the recently published Further Alterations to the London Plan (FALP) seeks to significantly increase the ten year minimum housing target across London from 322,100 to 423,887 (in the period from 2015 to 2025), and this equates to an associated increase in the annual monitoring target across London to 42,389. The minimum ten year target for Merton has also increased by more than 30% to 4,107, with a minimum annual monitoring target of 411 homes per year. The delivery of 129 new residential units at this site will contribute to meeting housing targets and the mix of unit sizes will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policy.

7.7.2 Following amendments to the scheme and concerns with the standard of residential accommodation, five houses were removed from the scheme (lack of appropriate amenity space being one of the main reasons) and these have been replaced with flats in order to help ensure that a suitable standard of residential accommodation is provided.

Space Standards

- 7.7.3 Planning policy CS 14 (Design) of Merton's Core planning Strategy seeks to encourage well designed housing in the Borough by ensuring that all residential development complies with the most appropriate minimum space standards. The most up-to-date standards are the housing standards, minor alterations to the London Plan (March 2016).
- 7.7.4 In terms of the quality of the accommodation proposed, it is considered that the proposed flats would provide a satisfactory standard of accommodation for future occupiers. The proposed flats would exceed/meet minimum London Plan Gross Internal Area, room size and amenity space standards. Each habitable room would receive suitable light levels and adequate outlook. The Councils design officer has raised some concerns with the efficient use of the floor space and the lack of ability to offer flexible residential units, however the proposal would meet minimum space standards, would be capable of accommodating furniture and fittings in a suitable manner and would therefore this would not be considered as sufficient grounds to refuse planning permission.

Housing mix

- 7.7.5 Planning policy DM H2 (Housing Mix) of the Sites and policies Plan state that to create socially mixed communities, creating for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the Borough. In assessing development proposal the Council will take account of Merton's Housing Strategy (2011-2015) borough level indicative proportions of 33% (one bed), 32% (two bed) and 35% (three plus bed). The proposed development would have a housing mix as follows:

Housing Mix	Number	Percentage	Merton's policy
Studio	3		
1 bed	56	46%	33%
2 bed	60	46%	33%
3 bed	10	8%	33%

Whilst the proposal does not strictly meet the housing mix requirements, the Borough level is indicative having regard to the site circumstances, site location and economic provision such as financial viability.

The proposed mix represents a well-informed, logical provision which relates to the requirements of the local area. The Market Housing Demand Profile in Merton report prepared by Savills demonstrates that a higher

proportion of 1 and 2 bed units in this area is a more suitable mix for the area, based on demographics, affordability and supply and demand assessments. It is concluded that the proposed mix is well matched to the profile of active demand in the area around the proposed scheme and in Merton.

A larger quantum of family sized dwellings was considered at pre-application stage, however due to the individual constraints of this site in terms of width and the requirement to maintain access to Rufus Business Park etc. it was becoming increasingly difficult to provide the necessary private amenity space required for houses (50sqm). In order for the scheme to remain viable, a certain quantum of development is required and it was therefore considered that a reduction in the number of family units would go some way to addressing a number of other issues.

Play Space

- 7.7.6 Merton's Core Planning Strategy (CS 13) and The London Plan (3.6), require housing proposals to provide play spaces for the expected child population, and to the Mayor of London's 'Play and Informal Recreation' SPG (2012), which provides detailed guidance on this matter.
- 7.7.7 The nearest public park is Durnsford Road Recreation Ground and the actual walking distance to the nearest gate to the park is approximately 510m, from the boundary of the site at the Haslemere Avenue / Ravensbury Terrace road entrance. Children residing in Block C would have to walk an additional 100m.
- 7.7.8 The nearest play space is the Durnsford Road Play Area and the actual walking distance to the play space is approximately 640m.
- 7.7.9 Following the amendments to the scheme and increased amount of affordable housing, the proposed scheme would need to provide 358m² of children's place space. The revised application documentation states that the proposal will now provide 456m² of play space within roof gardens on the mixed-use building and a 60 sqm play space area in the proposed pocket park. The proposed development would therefore meet play space requirements.

Affordable housing

- 7.7.12 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision, the Council will have regard to site characteristics such as site size, its suitability and

economics of provision such as financial viability issues and other planning contributions.

- 7.7.13 The amount of affordable housing this site can accommodate has been subject of a viability assessment. Following extensive discussions, the Councils independent viability assessor has confirmed that a policy compliant 40% affordable scheme is not viable in this instance. However following amendments to the scheme the level of affordable housing on the site has been increased from 19 to 24 units (15 x affordable rent and 9 x shared ownership) which is an increase of 15% to 19%. The level of affordable housing is therefore considered to be policy compliant via the viability of the scheme.
- 7.7.14 In light of the scale of the development and the possible lengthy timescales involved in implementing and constructing the development, the affordable housing contribution would be subject of a review mechanism.

7.8 **Flooding**

- 7.8.1 The Environment Agency's flood maps show that the site falls within flood zones 2 and 3a. In terms of surface water flooding, parts of the site are shown to be at high, medium and low surface water risk as per the Environment Agency's maps. The NPPF and supporting NPPG defines residential use as being a 'more vulnerable' use and the commercial elements of the proposal are classed as 'less vulnerable'. As required by the NPPF and by Merton's policy DM F1, the site has appropriately undertaken a sequential and exception test in recognition of the site's location within Flood Zone 3, to assess if there are any other reasonably available sites that would be at a lower risk of flooding.
- 7.8.2 The Flood Risk Assessment includes site specific hydraulic modelling of the fluvial floodplain, in order to assess flood risk impacts as existing and post development. The Environment Agency have reviewed the refined modelling in detail and have confirmed that the outputs show minimal impact to flood risk on and offsite. Mitigation has been proposed including raised finished floor levels above the 1 in 100 year climate change level. Flood voids are proposed at ground level to allow floodwaters to flow beneath the building in order to ensure there is no increase in flood risk offsite, through a loss of flood storage. In addition, some areas of the site such as the pocket park will contain floodwaters from the River Wandle during peak flood events. Merton consulted with Wandsworth Council officers regarding the application of the sequential test and it was accepted that the approach undertaken was reasonable and in accordance with policy and guidance.

- 7.8.3 The Flood Risk Assessment includes site specific hydraulic modelling of the fluvial floodplain, in order to assess flood risk impacts as existing and post development. The Environment Agency have reviewed the refined modelling in detail and have confirmed that the outputs show minimal impact to flood risk on and offsite. Mitigation has been proposed including raised finished floor levels above the 1 in 100 year climate change level. Flood voids are proposed at ground level to allow floodwaters to flow beneath the building in order to ensure there is no increase in flood risk offsite, through a loss of flood storage. In addition, some areas of the site such as the pocket park will contain floodwaters from the River Wandle during peak flood events.
- 7.8.4 The baseline model results show that it will not be possible to provide dry access to the site during a flood with an annual chance of 1 in 100 (1%), including a Higher Central allowance for climate change. However, the proposals show that the site can provide safe refuge for occupants during inundation of the site and for access/egress for emergency vehicles. Some modification to ground levels are proposed in order to ensure safe access.
- 7.8.5 A flood warning and evacuation plan (FWEP) has been provided as an appendix to the FRA. The FWEP confirms that all future occupants should sign up to the EA's free automated flood warning service.
- 7.8.6 The surface water drainage strategy for the site is included within the FRA and shown on AECOM drawing SKE-20-PH01-CU-0003. The design includes a +35% allowance for climate change (rainfall intensity). A variety of SuDS measures are proposed in accordance with the National Standards for Surface Water, the London Plan policy 5.13 and Merton's policy DM F2 including bio-retention measures in addition to geo-cellular storage. The development will reduce runoff rates to greenfield rates and will discharge surface water to the river at a rate no more than 5l/s. A required attenuation storage volume of 658m³ has been calculated. Storage volumes for the 1 in 100 year +35% climate change allowance will require some nominal flood depths to be stored on public open space (pocket park area), the access road and parking areas. A pumping station is proposed for surface water drainage, prior to restricted discharge to the river. Maintenance of the drainage onsite will be undertaken by a private management company.
- 7.8.7 The existing river wall adjacent to the site, provides the proposed scheme with a standard of protection from fluvial flooding from The River Wandle. We would seek that the structural integrity of the river wall, matches that of the lifetime of the proposed development. Therefore a full structural survey and feasibility study should be undertaken to demonstrate the condition of the river wall and options for remedial works or full replacement. The study

should identify options for either improvements to or full replacement of the river wall, if required, that benefit both flood risk and deliver ecological enhancements in accordance with the London Plan and its Blue Ribbon Network policies. Dependent on the outcome of the structural survey and feasibility study, the remediation works to the river wall that maybe required, may impact upon the viability of the scheme and the level of affordable housing offered on-site. As the schemes viability will be reassessed at a later date, this aspect can be determined at this time.

- 7.8.8 The Councils Flood and the Environment Agency have confirmed that they have no objection to the proposed development subject to conditions.

7.9 **Transport**

Context

- 7.9.1 The site is accessed from a private road off Ravensbury Terrace and is bounded by the River Wandle, railway lines, Rufus Business Centre and residential dwellings. It is easily accessible by public transport, being located within 400m of Earlsfield Rail Station, and has a 'good' Public Transport Accessibility Level (PTAL) of 4.
- 7.9.2 A range of local shops and amenities are within a short walking distance of the site. This includes shops around Earlsfield Rail Station (400m from site access) via Ravensbury Terrace and Penwith Road to the east and also along Merton Road (465m) to the west.
- 7.9.3 The site is directly connected to established cycle networks that form part of London and National Cycle Routes. National Cycle Route 20 (NCN20) runs from Wandsworth to Brighton and is within close proximity to the site. The route goes through King George's Park to the north and includes the Wandle Trail, which is a mostly traffic-free route that runs from Wandsworth to Carshalton.

Construction Routes

- 7.9.4 Ravensbury Terrace runs in a north-south direction and becomes Haslesmere Avenue to the west of the site. It is a single carriageway road subject to a 30mph speed limit and there is on-street parking located on both sides of the road.
- 7.9.5 Ravensbury Terrace to the north is connected to Penwith Road. This leads to A217 Garratt Lane to the east and A218 Merton Road to the west. Both Garratt Lane and Merton Road provide routes into Wandsworth and Central London to the north. To the south, Garratt Lane provides access

to Mitcham, Sutton and Reigate and Merton Road provides access to Merton.

- 7.9.6 The local residential roads between Garratt Lane and Merton Road are subject to a 7.5 tonne vehicle restriction, except for loading. There is signage at the entrance to this zone at Penwith Road, Strathville Road, Bodmin Street and Dunshill Road. Ravensbury Road is signed to be “unsuitable for HGVs” and Mount Road has a width restriction of 7 feet.
- 7.9.7 Access to Haslemere industrial Estate is located close to the junction of Haslemere Avenue and Ravensbury Terrace. Both streets are traffic calmed using road humps with residential parking on both sides of the road. A seven foot width restriction is provided to the west on Mount Road to prevent access by goods vehicles. Highway responsibility rests with LB Merton for Haslemere Avenue and L.B.Wandsworth for Ravensbury Terrace and Ravensbury Road.
- 7.9.8 Concerns have been received from Merton and Wandsworth residents and officers at the London Borough of Wandsworth in terms of potential disturbance that would be caused from construction vehicle movement to and from the site. The applicant has submitted a draft Construction Management Plan (CMP) with the planning application, setting out the broad principles associated with the proposed construction phases of the development and routing of vehicles. At this stage, the applicant is unable to provide a full and detailed CMP as a contractor would only be appointed once planning permission is secured for the site. In order for the Council to control and satisfactorily manage construction related activities, a pre-commencement planning condition requiring a full and detailed CMP would need to be submitted to and approved in writing by Merton Council in consultation with London Borough of Wandsworth. As with any construction management plan, the Council will seek to identify the most appropriate routes and construction vehicles would be required to access the strategic road network in the most direct way.

Car Parking

- 7.9.9 The local roads in the area provide on-street parking which is within Controlled Parking Zones (CPZ). The site falls within the Merton’s CPZ (Zone P3) which restricts on-street parking to residential permit holders only from Monday to Friday, 9.30am to 4.30pm.
- 7.9.10 Ravensbury Terrace to the north of the site falls within the London Borough of Wandsworth. From Monday to Friday, 9.30am to 4.30pm, on-street parking is for permit holders only (Zone L1) or pay at machine.

7.9.11 The realignment of the access road within the site which will improve the angle of approach and visibility at the junction with Ravensbury Terrace. There will be 2.0m footways provided along both sides of the carriageway. The carriageway has been designed to a width of 5.5m which is in keeping to the nature of the residential development while still providing access for the Rufus Business Centre. Swept path analysis shows that an 8.0m rigid lorry and large car can pass each other.

7.9.12 A total of 27 car parking spaces will be provided both on-street, within private garages and a parking court behind residential blocks within the development. The car parking spaces will be allocated as follows:

- 6 garages - 1 per house
- 13 parking spaces associated with the wheelchair units
- 1 visitor parking space
- 1 space for a car club
- 2 spaces associated with the commercial space
- 4 'first come first served' spaces.

9.9.13 The level of parking is well below the maximum level parking standards set in the London Plan. Whilst objections have been received from neighbours relating to the low level of car parking, the proposal complies with the London Plan and whilst offering low levels of car parking, given the PTAL 4, the proposal would encourage sustainable travel patterns. On-street parking on neighbouring streets is at a premium and the Council would therefore require the development to be permit free to protect the amenity of existing residents. The applicant will be required to enter into a S106 agreement with the Council to ensure the development is permit free and no resident or business within the development can apply for an on street parking permit in the surrounding parking zones.

9.9.14 Concerns from neighbours relating to parking pressures on existing CPZ areas outside controlled hours is noted. As part of the applicants Transport Statement, Parking surveys have been undertaken within 200m of the site access, including Ravensbury Terrace, Haslemere Avenue and Penwith Road. The survey showed that the greatest overnight demand was observed on Dunshill Road (83% on the Thursday) and Ravensbury Road (80% on the Saturday). The survey shows that there is generally demand for on-street parking in the local area but the parking stress does not exceed 85% on any of the roads within 200m of the site.

9.9.15 Using census car ownership data it has been estimated that there could be 83 vehicles associated with the residential aspect of the development. Twenty off street parking spaces have been provided in association with the residential aspect. Two of these spaces are visitor spaces, for the purpose of this assessment off street parking facilities have been

calculated as 18.

- 9.9.16 A worst case level of over spill parking has been calculated as 65 vehicles. The parking survey shows that this level of over spill parking could be accommodated by the surrounding highway network at peak times of residential demand.
- 9.9.17 The applicants propose a package of mitigation against car usage and ownership which includes car parking permit exemption, an on site car club (plus 4 other cars on the surrounding highway network) with free car club membership and driving credit, cycle parking levels in accordance with the London Plan (a bicycle voucher worth £100 would be provided to each of the households, free cycle training and bicycle surgery events to encourage cycling) and a travel plan. All of these methods will significantly reduce the level of car ownership, over spill parking and trip generation associated with both the residential and commercial aspects of the development.
- 9.9.18 There have been objections raised by the adjoining Rufus Business Park (who are also looking to develop their site) regarding future residents using the business park to park their vehicles. This would not be a matter for the council to enforce. An agreement should be reached by both parties outside of the planning process or a well signed private parking enforcement scheme should be associated with each development.
- 9.9.19 Electric charging points will be provided as per the London Plan requirements which are 20% of spaces to provide electrical charging points (7 spaces) and an additional 20% passive provision for electric charging in the future. Details relating to Electric Charging points can be secured by a planning condition.

Servicing

- 7.9.20 All deliveries and servicing activity will be undertaken within the site. Given the scale of the development, these are expected to be undertaken by cars, vans and motorbikes, with the occasional large vehicle for the delivery of bulky items. These vehicles can be accommodated within the site. A service and delivery plan can provide future details of servicing and deliveries, this can be controlled via a planning condition.
- 7.9.21 It should also be noted that the proposed redevelopment of the site would see a significant change on the type of vehicles serving and visiting the site. Neighbours have expressed long term problems with large HGV using small residential streets. Once the construction phase has finished, the proposed development would see smaller vehicles serving the site on

a much less frequent. Therefore in the long term, the proposal would be a considerable improvement on the existing situation.

Walking & Cycling

7.9.22 As set out above, the proposed development offers low level car parking, has close connections to a number of alternative public transport (PTAL 4) and would therefore promote sustainable modes for future residents and employees. The Wandle Trail is a walking and cycling trail that follows the River Wandle from Croydon to Wandsworth. The application site is situated in an area where a new section of the Wandle Trail could potentially link Trewint Street to the south and Penwith Road to the North. The proposed development has made suitable provision with a 3.8m wide path on its eastern boundary and the application has agreed to make a financial contribution towards investigating the potential of the missing link or general improvements to walking and cycling for the Wandle Trail. In order to ensure that the new path remains available for public use, a permissive path can be secured via a S106 agreement.

12 Ravensbury Terrace

7.9.22 Following objections and correspondence from owners of 12 and 12A Ravensbury Terrace, there is a legal right to provide vehicle access to the 12 Ravensbury Terrace. Whilst this is the private matter between land owners and interested parties, the proposals provide a 8m wide access path in front of 12 Ravensbury Terrace. The applicant has provided a safety audit with the application that demonstrates that the access is suitable. The Councils Transport Planner has confirmed that there is no objection to the new access path.

8. Sustainability

8.1.1 London Plan Policy 5.2 requires new development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green; use renewable energy

8.1.2 The submitted energy statement indicates that the proposed development will achieve a minimum 35% improvement (currently projected to achieve 37% improvement) in CO₂ emissions against Part L 2013 across the site. This meets the minimum sustainability requirements for major developments of Merton's Core Planning Strategy Policy CS15 (2011) and Policy 5.2 of the London Plan (2015).

9. Biodiversity

9.9.1 The applicant site is adjacent to SINC and Green Corridors along its south-eastern and eastern border – the railway embankment and the River Wandle. The applicant has submitted a Preliminary Ecological Appraisal with the application. The Councils Ecology officer has confirmed that the methodology, findings and recommendations of the submitted Preliminary Ecological Appraisal, are acceptable. In order to ensure that the development enhances conservation values, planning conditions relating to planting details, construction methods statement, external lighting bat boxes and bird nesting features are required. In addition, in this instance it is considered reasonable to also seek enhancements to the riverbank. Details can be secured via a suitable planning condition.

10.1 Local Financial Considerations

The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. This, and the Councils CIL payment is non-negotiable.

11. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

11.1.1 The proposal is for minor householder development and an Environmental Impact Assessment is not required in this instance.

11.1.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission.

12. **CONCLUSION**

12.1 It is considered that the proposed development would fulfill its policy allocation of an employment led scheme due to the potential number of jobs being created by the employment offer. The acceptance of the policy allocation is also in association with the other benefits of the scheme including the delivery of new high quality designed buildings and 129 good quality residential units. Other public benefits include the removal of poor quality industrial units, a new public pocket park on the river front, potential to connect into the missing link of the Wandle Trail and removing the long term problems raised by neighbours from the use of large vehicles used by the existing industrial estate.

12.2 The proposed buildings and use would have no undue impact upon neighbouring amenity, trees or highway conditions. The proposal is in

accordance with Adopted Site and Polices Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreements.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the completion of a Section 106 Agreement covering the following heads of terms:-

1. Affordable housing (15 x affordable rent and 9 x shared ownership) with review mechanism.
2. Flexible Working Commitment
3. Permit Free Development (residential and business)
4. Wandle Trail contribution (35k)
5. River bank Improvement, including if necessary improvements to the river wall & ecology of the river
6. Car Club
7. Permissive Way (Rufus, Wandle Trail, Pocket Park and 12 Ravensbury Terrace)
8. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B.1 Materials to be approved
4. B.4 Details of Surface Treatment
5. Typical building details (window reveals, balconies etc)
6. B.5 Details of Walls/Fences

7. B5 Details of boundary treatment
8. C06 Refuse & Recycling (Details to be submitted)
9. C07 Refuse & Recycling (implementation)
10. CO4 Obscured Glazed windows to non-habitable room (upper levels of rear elevation within terrace)
11. Details of balcony balustrades (including 1.7m high obscured side screen to fourth floor terrace in block E)
12. CO1 Removal of PD rights (Extensions)
13. CO2 Removal of PD Right (Windows)
14. C08 Use of Flat Roofs (other than those approved)
15. F09 Hardstandings
16. D11 Construction Times
17. B6 Levels
18. F05 Tree protection
19. F8 Site Supervision (Trees)
20. H01 New Vehicle Access (Details to be submitted)
21. H02 Vehicle Access to be provided
22. H06 Cycle Parking details to be submitted
23. H07 Cycle Parking to be implemented
24. H08 Travel Plan
25. H09 Construction Vehicles Traffic Management Plan
26. F01 Landscaping/planting scheme
27. F02 Landscaping (implementation)
28. H10 Construction vehicles, wash down facilities (mayor developments)

29. H12 Delivery and Servicing Plan to be Submitted
30. H13 Construction Logistic Plan to be Submitted (mayor development)
31. Construction Management Plan
32. H.11 Parking Management Plan
33. Electric Vehicle Charging Points
34. H19 Garage doors not opening into highway
35. Class B1 Use restriction
36. Prior to the commencement of the development, excluding demolition and site preparation works, hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.
- Reason: In the interest of creating safer, sustainable communities.
37. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the council that the developer has uploaded the appropriate information pertaining to the sites Combined Heat and Power (CHP) system has been uploaded onto the London Heat Map (<http://www.londonheatmap.org.uk/>)
- Reason - To ensure that the development contributes to the London Plan targets for decentralised energy production and district heating planning. Development Plan policies for Merton: policy 5.2,5.5 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.
38. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1 and internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4.

39. 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 'Very Good' has been submitted to and acknowledged in writing by the Local Planning Authority. The submission shall also include confirmation that the development will meet the London Plan C02 reduction targets.'

40. No development, excluding demolition and site preparation works, shall commence, excluding demolition and site preparation works, until the applicant submits to, and has secured written approval from, the Local Planning Authority on evidence demonstrating that the development has been designed to enable connection of the site to an existing or future district heating network, in accordance with the Technical Standards of the London Heat Network Manual (2014).'

Reason: To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic) and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating in accordance with London Plan (2015) policies 5.5 and 5.6.

41. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by AECOM dated June 2016 ref 0429660 and the Addendum to Wandle Terrace FRA dated 13 October 2016.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure the development is does not lead to an increase in flood risk

42. No development, excluding demolition and site preparation works, shall take place until a detailed method statement for removing or the long-term management of Japanese knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include measures that will be used to prevent the spread of Japanese knotweed during any

operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plants listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reason: This condition is necessary to prevent the spread of Japanese knotweed which is an invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

43. Prior to the commencement of development, excluding demolition and site preparation works, approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) An additional site investigation scheme, based on the preliminary findings from the above report and including robust groundwater monitoring, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: For the protection of Controlled Waters. The site is located over a Secondary Aquifer and adjacent to the River Wandle and there are indications that the site is affected by historic contamination.

44. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall

be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

45. Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

46. Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

47. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of

the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

48. No development approved by this permission shall be commenced, excluding demolition and site preparation works, until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i. Provide information about the design storm period and intensity, the method employed to delay and control the rate of surface water discharged from the site to the River Wandle to no more than 5l/s. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. Include a timetable for its implementation;
 - iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime;
 - vi. All sewer diversions and any new connections are undertaken to the satisfaction of Thames Water.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13

49. Planting details - including information demonstrating how the proposed species would address the recommendations in paragraph 5.15 of the submitted Preliminary Ecological Appraisal.
50. The development hereby permitted shall not be occupied until such time as a Flood Warning and Evacuation plan and procedure is implemented and agreed in writing to the satisfaction of the Local Planning Authority. The Flood Warning and Evacuation Plan shall be implemented in accordance with the Flood Risk Assessment and the procedures contained within the plan shall be reviewed annually for the lifetime of the development. Consultation of the plan shall take place with the Local Planning Authority and Emergency Services.
- Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's CS16 and policy DM F1 and the London Plan policy 5.12.
51. Construction methods statement, including information demonstrating how the concerns and recommendations in paragraphs 5.8-5.13 of the submitted Preliminary Ecological Appraisal have been addressed.
52. External lighting in accordance with External Lighting Assessment Report (WBS-11971-REP-E01 Rev A03).
53. D09 No external Lighting (other than the approved details)
54. Bat boxes
55. Bird nesting features
56. Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial/domestic use shall not exceed LA90-10dB at the boundary with the closest residential property.
- Reason: To protect the amenities of future occupiers and those in the local vicinity.
57. Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
- Reason: To protect the amenities of future occupiers and those in

the local vicinity.

58. The internal noise criteria in section 6 of the Waterman – Assessment of Residential Amenity – Noise and Vibration Document WIB15644-100-R-1-3-3 dated June 2016 shall be implemented that that standard or higher.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

59. A supplementary intrusive investigation should be undertaken for contaminated land, as recommended in the Soiltechnics report STM3167B-G0, dated June 16, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

60. Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (excluding demolition), unless otherwise agreed in writing by the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

61. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary

a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

62. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

- hours of operation
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenities of future occupiers and those in the local vicinity.

Informative

1. Japanese Knotweed, which has been positively identified within 7m of the boundary of the site, is an invasive non-native species. It is an offence to plant or cause this species to grow in the wild and when removed, it is regarded as a 'controlled waste'. The developer should follow the recommendations in paragraphs 5.5-5.7 of the submitted Preliminary Ecological Appraisal by The Ecology Consultancy, dated 2 June 2016.
2. Whilst the development site boundary is outside of safeguarded limits it is adjacent to an existing operational railway and an 'Area of Surface Interest' (AOSI) for Crossrail 2. The AOSI would be used as a construction worksite and would be used for a number of years if

adopted.

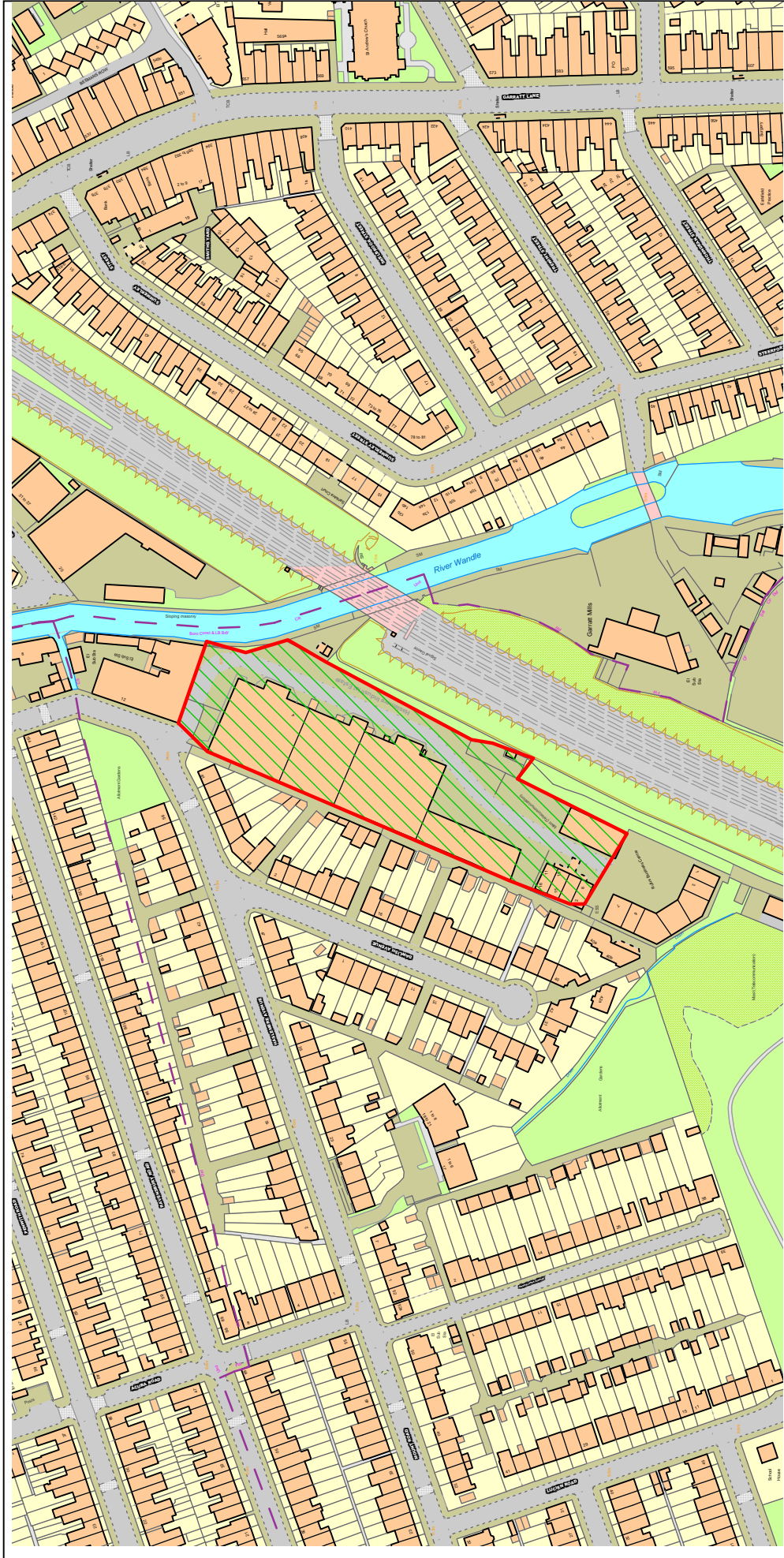
3. The development proposes as a preferred option to discharge surface run off via the existing outfall into the River Wandle. To minimise potential impacts to water quality, the applicant should include oil interceptors if not already present on site.
4. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777)
5. It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
6. You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
7. Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that

statutory undertaker connections/supplies to the site are coordinated to take place wherever possible at the same time.

[Click here](#) for full plans and documents related to this application.

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PLANNING APPLICATIONS COMMITTEE 22 JUNE 2017

APPLICATION NO.

DATE VALID

17/P1537

21/04/2017

Address/Site:

223 Streatham Road & 1 Ridge Road
Mitcham, CR4 2AJ

Ward:

Graveney

Proposal:

Demolition of buildings and redevelopment to provide 30 x residential units within a residential block of 2 and 3 storeys with a fourth storey set back, with associated access, car and cycle parking, landscaping and associated works. The ground floor will also provide 195 sq.m of flexible commercial floorspace for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure).

Drawing No.'s:

SRM-HBA-00-XX-DR-A-00-0000, SRM-HBA-00-XX-DR-A-00-0002, SRM-HBA-00-00-DR-A-20-0100 (Rev: 001), SRM-HBA-00-01-DR-A-20-0101, SRM-HBA-00-02-DR-A-20-0102, SRM-HBA-00-03-DR-A-20-0103 (Rev: 001), SRM-HBA-00-04-DR-A-20-0104, SRM-HBA-00-XX-DR-A-20-0200, SRM-HBA-00-XX-DR-A-20-0201, SRM-HBA-00-XX-DR-A-20-0202, SRM-HBA-00-XX-DR-A-20-0203, SRM-HBA-00-XX-DR-A-20-0204, SRM-HBA-00-XX-DR-A-20-0205, SRM-HBA-00-XX-DR-A-20-0206, SRM-HBA-00-XX-DR-A-20-0207, SRM-HBA-00-XX-DR-A-20-0208, SRM-HBA-00-XX-DR-A-20-0209, SRM-HBA-00-XX-DR-A-20-0210, SRM-HBA-00-XX-DR-A-20-0211, SRM-HBA-00-XX-DR-A-20-0212, TPP_223STREATM_2 (Rev: A).

And supporting documents: 'Town Planning Statement' dated April 2017, 'Air Quality Assessment' dated 12 April 2017, 'Arboricultural Impact Assessment' dated April 2017, 'Daylight, Sunlight and Overshadowing Assessment' dated 2017, 'Design And Access Statement' (Rev: 001) dated 24 May 2017, 'Ecological Appraisal' dated April 2017, 'Energy And Sustainability Statement' revised and dated May 2017, 'Noise Impact Assessment' dated 12 April 2017, 'Geo-environmental Site Investigation Report Phase I Preliminary Risk Assessment' dated August 2016, 'Statement of Community Involvement' dated April 2017, 'Surface Water Drainage Strategy' dated 12 April 2017, 'Framework Travel Plan' dated April 2017, 'Transport Statement' dated April 2017.

Contact Officer:

Jock Farrow (020 8545 3114)

RECOMMENDATION

Grant planning permission subject to conditions and s106 agreement.

CHECKLIST INFORMATION

- S106: Affordable housing review mechanism, contribution for loss/replanting of street tree, contribution for carbon shortfall, contribution for installation of car club bay and agreement to provide a membership to car club for future occupants; cost to Council of all work in drafting S106 and monitoring the obligations.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: No
- Number of neighbours consulted: 270
- External consultations: 3
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood zone: No

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and scale of development and the number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located at 223 Streatham Road and 1 Ridge Road; the site has frontage to Caithness Road, along the southern boundary of the site, Streatham Road, along the western boundary of the site and Ridge Road, along the northern boundary of the site. The majority of the site is regular in shape with a small triangular section to the northeast – the site has an approximate area of 0.149ha. The site has a public transport access level of 2 (1 being poor and 6 being excellent).
- 2.2 The site is currently occupied by a series of single storey buildings (423 sq.m) including offices for the coach depot (Mitcham Belle Coaches), garages and an MOT garage with the remainder of the site being hardstanding and being used for coach parking; the use does not fit into any one use class for planning purposes, thus it is considered to be *sui generis*. For planning policy purposes the site is considered to be an employment site. The site is predominantly enclosed by a brick wall, albeit the Streatham Road frontage is relatively open. The site currently has two points of vehicle access, these being from Streatham Road and Ridge Road.
- 2.3 The area is characterised by varied development both in terms of architectural style and scale. The site is located within a mixed use area comprising shops, takeaways, cafes, auto- repairs, offices and residential premises. Caithness Road and Ridge Road are primarily characterised by two storey residential development, albeit there are also examples of semi-detached dwellings and single storey dwellings. Streatham Road, in the immediate vicinity of the application site, is primarily characterised by shops at ground floor with residential above; it is noted that the shops in this area form a designated neighbourhood parade.
- 2.4 The northeast corner of the site, on Ridge Road, is abutted by a two storey (with loft level) semi-detached dwelling. Beyond Ridge Road to the north is a railway track/bridge which is a designated green corridor and site of importance for nature

conservation (SINC). The southeast boundary of the site is bordered by a vehicle access, beyond which is a two storey (with loft level) end terrace dwelling fronting Caithness Road. To the south (across Caithness Road), there is a 3 storey (with front gables and undulating pitched roofs) terrace row which fronts Streatham Road. To the west (across Streatham Road), there is a 3 storey (with low pitched roofs) block of flats. Caithness Road and Streatham Road are both relatively wide at 12m and 14.5m respectively.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of all buildings on site and the redevelopment of the site to provide a part 2, part 3, part 4 storey mixed use building. The proposed building would provide 195 sq.m of non-residential floor space on ground floor for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure) together with associated access, 21 car parking spaces, cycle parking, refuse storage, plant and the ground floor component of a number of residential duplex units. The remainder of the building would comprise 30 residential units (includes the ground floor component of the duplex units) and a first floor courtyard to the rear, to be used as a shared outdoor amenity space. The residential units would comprise: 1 x studio, 14 x 1 bed, 10 x 2 bed and 5 x 3 bed. The building would have a total floor area of 3,228sq.m.
- 3.2 The building footprint would encompass the entire site at ground floor level and would provide frontages to Caithness Road, Streatham Road and Ridge Road. However, at first floor level and above, the building would roughly align with the prevailing building lines of Caithness Road and Ridge Road, so that the massing would be concentrated around the outer edges of the site, leaving an open central courtyard at first floor level to the rear. The building would step down in height to two storeys at the south eastern corner and at the north eastern corner, with the height and massing generally increasing toward the west of the site and Streatham Road. At ground floor level, the non-residential components of the building would provide continuous and even frontage along the site boundary. The ground floor components of the duplex units however would incorporate setbacks from the pavement.
- 3.3 The building façade would predominately be red/brown brick with a light grey concrete plinth. Windows, doors and balconies would be recessed and would incorporate projecting concrete surrounds. The fifth floor would be set back with a staggered façade and would use light grey brick.
- 3.4 Vehicle access would be provided via an under-croft from Caithness Road, setback some 21m from the junction with Streatham Road; it is noted that internal access is provided from the carpark to the residential units. The main entrance to the residential units would be provided from Ridge Road, near the junction with Streatham Road; the upper floors would be served by a central staircore, two elevators and open walkways to the rear.
- 3.5 The proposed building would have the following key dimensions:
- Heights:
 - 8.3m high at the north eastern corner (two storey)
 - 11.7m high to the top of the third storey
 - 14m high to the top of the fourth (recessed) storey
 - 15m high to the top of the lift overrun
 - 7.4m high at the south eastern corner (two storey)
 - Frontage:
 - 34m of frontage along Ridge Road
 - 24.7m of frontage along Streatham Road

- 37m of frontage along Caithness Road

- 3.6 It is noted that this application follows application 16/P4324 which was refused by members at the Planning Applications Committee held on 9 February 2017. Application 16/P4324 was for the demolition of all buildings and redevelopment of the site to provide 36 residential units (C3 Use Class) within a residential block of 2, 3, and 4 storeys with a 5th storey set back and 246sq.m of non-residential floor space on ground floor for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure) together with associated access, car and cycle parking, landscaping and associated works. The application was refused on grounds of size, massing, siting and bulk with members considering the overall height of the development to be excessive.
- 3.7 This application seeks to address the reason for refusal of application 16/P4324. The key changes between this application and application 16/P4324 are summarised as follows:
- Reduction in overall height from 5 storey to 4 storey (losing units within the 5th storey)
 - Reduction in height of south eastern corner from 3 storey to 2 storey
 - Addition of 3 x 1 bed units to the central portion of the site (adjoining the rear of the units fronting Streatham Road)
 - Overall reduction of residential units from 36 to 30
 - Reduction in floor space of commercial unit from 246sq.m to 195sq.m
 - Increase in onsite parking provision from 17 spaces to 21
- 3.8 The application is accompanied by a number of supporting documents including: 'Town Planning Statement' dated April 2017, 'Air Quality Assessment' dated 12 April 2017, 'Arboricultural Impact Assessment' dated April 2017, 'Daylight, Sunlight and Overshadowing Assessment' dated 2017, 'Design And Access Statement' (Rev: 001) dated 24 May 2017, 'Ecological Appraisal' dated April 2017, 'Energy And Sustainability Statement' revised and dated May 2017, 'Noise Impact Assessment' dated 12 April 2017, 'Geo-environmental Site Investigation Report Phase I Preliminary Risk Assessment' dated August 2016, 'Surface Water Drainage Strategy' dated 12 April 2017, 'Framework Travel Plan' dated April 2017, 'Transport Statement' dated April 2017. In addition, a 'Statement of Community Involvement' dated April 2017 was included which is summarised below:
- 3.9 Prior to the submission of the previous application 16/P4324, the developer undertook consultation with key stake holders and the public. The developer advised that consultation included Member of Parliament for Mitcham and Morden, Siobhain McDonagh; local Councillors, including engagement with Councillor John Dehaney (Graveney ward), who attended a public consultation event relating to the proposals; and local residents. In addition, a two-day public consultation event took place on 23 and 24 September 2016, at St James Church Centre on Mitcham Lane. 2,460 invites were sent to surrounding properties and 69 people attended over the two days with a total of 32 people filling out feedback forms. A summary of the developers minutes (including written and verbal feedback) are as follows:
- Principle of development - Attendees considered a residential led scheme to be the right approach with the majority agreeing the current site was unattractive and that the scheme would enhance the area. A few attendees queried the loss of the MOT.
 - Commercial unit - Attendees were concerned about the nature of the existing parade i.e. generally being rundown with some vacant. There was support for a scheme that may help revitalise the parade albeit there was resistance to

the unit being used as a betting shop, fast food or an off license. The most desired uses in order of popularity were gym, coffee shop, pharmacy or grocer/baker/butcher.

- Parking – Parking was the biggest concern for attendees, all supported the provision of onsite parking yet queried whether the provisions would be sufficient. Some attendees expressed desire for a car free development, stating the public transport in the area was sufficient. Some attendees queried how the commercial space would affect parking.
- Traffic and highway safety – Some concern regarding vehicle movements and the entrance on Caithness Road.
- Existing tenants - A small number of attendees showed concern regarding the loss of a site for the existing tenants i.e. coach depot and MOT.
- Impact on amenity – Attendees queried the impact on loss of light and any overlooking of the proposal.
- Affordable housing – Some attendees queried the affordable housing provisions
- Design and impact on character of the area – Most attendees were positive about the design approach, especially the use of red brick. Some attendees queried the height of the building, being the tallest in the area; with some attendees being content with the reduction in heights toward Ridge Road and Caithness Road along with the top floor being setback.
- Construction management - attendees were interested in the management and logistics of construction.
- Other suggestions – Some attendees requested the developer reduce the gradient of Ridge Road (steep at the entrance) and to make improvements to the alleyway on Caithness Road which can be prone to fly tipping and anti-social behaviour.

3.10 Further to the above and following the refusal of application 16/P4324, the developer has taken further steps to keep local residents informed of the proposal. 139 Letters were sent to surrounding residents, focusing on those most affected by the proposal and the primary respondents to the previous consultation, informing them of the new planning application and how it had been amended since the previous refusal. The letter provided the opportunity for residents to comment on the revised proposals and directly contact the project team via a dedicated telephone number and email address.

4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

4.2 MIT3146: BOOKING OFFICE EXTENSION – Granted.

4.3 MER996/67: OUTLINE - ERECTION OF COACH GARAGE, INVOLVING DEMOLITION OF EXISTING GARAGE AND RAISING ROOF OF ANOTHER GARAGE – Refused (reason not recorded).

4.4 MER129/78: Change of use of the bungalow from residential to office – Refused (reason not recorded).

4.5 MER174/73: Use of 3 lock up garages for repairs to motor vehicles – Planning permission granted.

4.6 87/P0631: Outline planning permission – Redevelopment of part of the site by the erection of a 2 storey building containing offices reception and flat above and single-

storey building for use for parking and repair of coaches – Planning permission granted.

- 4.7 88/P0300: Approval of detailed drawings in respect of erection of a single storey building for parking and repairing coaches - Granted.
- 4.8 88/P0302: Erection of a single storey toilet block – Planning permission granted.
- 4.9 16/P4324: Demolition of all buildings and redevelopment of the site to provide 36 residential units (C3 Use Class) within a residential block of 2, 3, and 4 storeys with a 5th storey set back and 246sq.m of non-residential floor space on ground floor for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure) together with associated access, car and cycle parking, landscaping and associated works – Refused.

Reason: The proposals, by reason of size, siting, massing and bulk would be overly dominant and visually intrusive to the detriment of the outlook of neighbouring occupiers and the visual amenities of the Caithness Road, Ridge Road and Streatham Road streetscenes and would be contrary to policy 7.6 of the London Plan (2015), policy CS14 of the Merton Local Development Framework (2011) and policy DM.D2 of the Merton Sites and Policies Plan (2014).

The application is currently the subject of a planning appeal lodged with the independent Planning Inspectorate and which remains to be determined.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site and press notices along with letters sent to 270 neighbouring properties, the outcome of the consultation process is summarised as follows:
- 5.2 2 letters of objection:
- Lack of affordable housing
 - Excessive scale and height
 - Excessive density
 - Out of keeping with the surroundings
 - Excessive burden on services and amenities
 - Impact upon neighbouring residents
- 5.3 6 copies of a template letter with unique signatures. In addition, a petition with 71 signatures was submitted stating that the signatory's agree with the contents of the template letter. The summary of the objections is as follows:
- Exacerbate parking pressure (parking provisions insufficient)
 - Compromised highway safety
 - Increased traffic congestion
 - Commercial space at ground floor likely to be unviable and unneeded
 - Encourage anti-social behaviour
 - Excessive density
 - Excessive scale and height
 - Uninspired design
 - Out of keeping with the surroundings
 - Disruption during construction.

Internal:

- 5.4 Transport/Highways officers: No objection. Advised that based on 2011 census data it is estimated that the development would generate a maximum of 21 (20.7) vehicles thus the onsite parking provisions would be sufficient to accommodate all vehicles with no overspill. Car plus studies show that the implementation of a car club bay can reduce vehicle ownership in the immediate area by up to 28 vehicles, thus the proposed car club bay is considered to be beneficial to the surrounding parking network. As such, the parking provisions are considered to be acceptable (including electric charging and cycle parking provisions); refuse storage is appropriately located (both for residents and council); trip generation unlikely to be significant; not considered the proposal would generate a significant negative impact upon the performance or safety of the highway network or its users. Recommended conditions which would require details of the proposed changes to the highway network, a construction method statement and a construction logistics plan to be submitted to, and approved by, the Council.
- 5.5 Flood Risk Engineer: No objection. Advised that the site is at low risk of flooding, albeit runoff from the site could contribute to flooding in the surrounding area. The scheme proposes robust sustainable urban drainage systems. However, more detailed information should be secured by way of condition.
- 5.6 Trees Officer: No objection. Scheme would involve the removal of 1 dead Norway Maple and a group of Buddleia from within the site which is acceptable. The scheme would result in the loss of a street tree which should be discussed with the Green Spaces Team. The proposed landscaping scheme is acceptable and should be secured by way of condition.
- 5.7 Green Spaces: Advised the loss of the street tree should be offset by a financial contribution of £349.00 and secured by way of s106 agreement; the payment would go towards a replacement tree. Officers note that the payment has been calculated via the capital asset value for amenity trees (CAVAT) assessment – a nationally recognized formula.
- 5.8 Environmental Health Officer: No objection. Advised conditions to mitigate the impact of noise, light spill/pollution, impacts during construction and highlighted the need for contamination investigations and remediation strategies.
- 5.9 Climate Change Officer: No objection. Advised the residential component is proposed to achieve a 41% improvement on Part L 2013 requirements which exceeds relevant policy requirements. The non-domestic component of the scheme is proposed to achieve a 58% improvement on Part L 2013 requirements which far exceeds relevant policy requirements. Recommended a condition requiring evidence that the proposed improvements, along with relevant water consumption standards, are achieved prior to occupation. Recommended a condition pertaining to a combined heat and power system. The proposal is calculated to generate 20.7 tonnes of CO₂ per annum which, as per London Plan policy 5.2, must be offset via a cash in lieu payment; 20.7 tonne would equate to a payment £37,260.00 which must be secured by way of s106 agreement.
- 5.10 Urban Design Officer: No objection. Advised that the previous scheme 16/P4324 was considered acceptable; however, the current proposal is considered to be an improvement, to be of a more human scale and to fit more comfortably within the suburban context.
- 5.11 Waste Management (refuse): No objection. Advised that capacity should be sufficient.

External:

- 5.12 Metropolitan Police – Designing out Crime Officer: No objection. Advised the built form of the scheme generally provides good security measures. Advised various technical standards should be met to ensure a high level of security.
- 5.13 Thames Water: Thames Water was consulted as part of the previous application 16/P4324 and did not raise objection. Given the footprint of the building would not change and as the number of units would decrease, it was not considered necessary to re-consult.
- 5.14 Environment Agency: The Environment Agency was consulted as part of the previous application 16/P4324 and did not raise objection; however, they advised conditions relating to contamination investigations, remedial strategies and measures to stop the mobilisation of contamination. Given the nature of the proposed changes between the previous scheme and this application, it was not considered necessary to re-consult and the previous comments stand.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2012)

The following principles are of particular relevance to the current proposals:

- At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;
- The NPPF states that local authorities should act to boost significantly the supply of housing and use their evidence base to ensure that Local Plan documents meet the full, objectively assessed needs for market and affordable housing;
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local place that the Country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities;
- Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems. Planning should not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives
- Good design is a key aspect of sustainable development and it should contribute positively to making places better for people

Other NPPF sections of relevance:

1. Building a strong, competitive economy
4. Promoting sustainable transport
6. Delivering a wide choice of quality homes.
7. Requiring good design.

- 10. Meeting the challenge of climate change/flooding
- 11. Conserving and enhancing the natural environment

6.2 London Plan (2015)

Relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.11 Green roofs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 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 and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 8.2 Planning obligations
- 8.3 CIL

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 12 Economic development
- CS 13 Open space, leisure and nature conservation
- CS 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

- 6.4 Merton Sites and Policies Plan – 2014 (SPP)
Relevant policies include:
DM R2 Development of town centre type uses outside town centres
DM H2 Housing mix
DM H3 Support for affordable housing
DM E1 Employment areas in Merton
DM E3 Protection of scattered employment sites
DM E4 Local employment opportunities
DM O2 Nature conservation, Trees, hedges and landscape features
DM D1 Urban Design
DM D2 Design considerations
DM D7 Shop front design and signage
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

- 6.5 Supplementary planning considerations
London Housing SPG – 2016
Merton Design SPG – 2004
Technical Housing Standards 2015

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development
- Residential density
- Design and impact upon the character and appearance of the area
- Unit size mix
- Affordable housing
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Refuse storage
- Sustainability
- Other matters
- Developer contributions

Principle of development

- 7.2 Policy DM E3 of the SPP seeks to protect scattered employment sites, it states that where proposals would result in the loss of an employment site, they would be resisted except where: the site is located predominantly in a residential area and it can be demonstrated it is having a significant adverse effect on residential amenity, the site characteristics make it unviable for whole site employment, it has been demonstrated that there is no prospect of employment or community use on the site in the future. Where the above criteria cannot be met, the loss can be mitigated by providing employment as part of a mixed use scheme.

- 7.3 The proposal, which seeks to deliver a mixed use scheme, presents an opportunity to significantly increase employment generation on the site. The scheme could generate a 5 fold increase in employment in the form of uses which would be entirely compatible with new dwellings, for which there is an acknowledged need. It is noted

that the developer has provided information which suggests the commercial premises could reasonably be let as retail, offices or as a gym, generating employment for up to 16 people, compared to the existing site which provides for 3 on site jobs. Furthermore, Mitcham Belle Coaches have relocated to the Mitcham Industrial Estate which is located 400m from the site and the business will continue to operate locally.

- 7.4 Policy 3.3 of the London Plan 2015 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2012 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.
- 7.5 The site is an underutilised brownfield site which is considered to present opportunities for a more intensive mixed use development. It is further noted that the site is surrounded by residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.
- 7.6 Given the above, it is considered the proposal is acceptable in principle; subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.
- 7.7 Further to the above, it is noted that notwithstanding the previous refusal of application 16/P4324, Members accepted the principle of development, being the redevelopment of the site to provide a mixed use scheme providing commercial space (A1/B1/D2) and residential units. It is noted that this application does not seek alter the use of the scheme as compared to application 16/P4324.

Residential density

- 7.8 The area has a public transport accessibility level (PTAL) of 2 which is considered to be a poor level of accessibility. It is considered that the site is located within an urban area.
- 7.9 The resultant density is calculated to be as follows:
Units per hectare:
 $1/0.149 \text{ ha (site area)} \times 30 \text{ (number of units)} = 201 \text{ units per hectare.}$

Habitable rooms per hectare:
 $1/0.149 \text{ ha (site area)} \times 83 \text{ (No. of habitable rooms)} = 557 \text{ habitable rooms per hectare.}$
- 7.10 Table 3.2 of the London Plan 2015 advises that sites with a PTAL rating of 2 within an urban setting should provide for a density range of between 70-170 units/ha and 200-450 habitable rooms/ha.
- 7.11 The figures above illustrate that the proposed development would provide for a density that exceeds the recommended density range provided in the London Plan, for both units and habitable rooms. However, in terms of PTAL, there is a bus stop immediately opposite the site, the site is a 10 minute walk from Tooting station

(Southern and Thames Link), a 15 minute walk from Streatham Common station (Southern and Thames Link) and a 13 minute bus trip or a 20 minute walk from Tooting Broadway underground station, thus the rating may not be representative of the of the true accessibility of this location.

- 7.12 In addition, while density is a material consideration, London Plan paragraph 3.28 states that it is not appropriate to apply the density ranges suggested in Table 3.2 mechanically. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, amenity, including both neighbour and future occupier amenity, and the desirability of protecting and enhancing the character of the area and the relationship with neighbouring sites.

Design and impact upon the character and appearance of the area

- 7.13 The NPPF, London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DM D2 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context, thus they must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.

Massing, bulk and heights

- 7.14 The previous application, 16/P4324, was refused on grounds of size, siting, massing and bulk with Members considering the overall height of the scheme to be excessive. Based on the previous reason for refusal along with subsequent discussions with LBM Planning Officers, the developer has revised the scheme in terms of massing, bulk and height to reduce the overall height to 4 storeys (down from 5) and to reduce the height of the southeast corner of the building to 2 storeys (down from 3). Officers consider that this proposal has suitably addressed the reason for refusal of application 16/P4324 by reducing the overall height and by providing a more suitable transition in height between the southeast corner of the building to the adjacent dwelling on Caithness Road; a more detailed assessment based on this application's merits is provided below.
- 7.15 It is considered that a suitable approach to massing has been proposed which responds well to the surrounding context. The massing of the building would be focussed toward the western side (toward Streatham Road) of the site taking advantage of the wide streetscape and being positioned away from the town houses to the east. The perimeter block approach allows the upper floors of the development to respond to the building lines of the dwellings along Ridge Road and Caithness Road, providing a continuous building line which would knit the urban grain of the two roads together. This approach to the massing would result in a centrally located, first floor podium/courtyard to the rear of the building; this open space would align with the rear gardens of the dwellings to the east.
- 7.16 It is considered that the overall massing, bulk and heights are well justified in townscape terms and that the building would sit comfortably within its context. The presence of a three storey terrace row (with additional pitched roofs and front gables) and a three storey block of flats (with additional pitched roofs), immediately to the south and west of the site respectively, are highlighted. As depicted by the proposed west street elevation, the maximum height of the buildings immediately to the south (terrace fronting Streatham Road) are roughly in alignment with the maximum height of the proposal. In addition, the fourth storey of the proposal has been specifically designed to lessen the visual bulk of the overall building by setting it back from the front façade, utilising a staggered outer wall, which further breaks up the bulk, reducing the ceiling height and using a lighter colour to appear subordinate and to more readily blend in with the sky. Given the maximum height of the proposal and the

recessed fourth storey, it is considered that the apparent bulk and height of the proposal would be comparable to the existing buildings on Streatham Road. It is noted that the lift overrun is located centrally within the site, set well back from the street elevations, and would not be visible from the street level.

- 7.17 The development would provide a suitable transition in height from the neighbouring residential development by stepping down in height toward the houses along Ridge Road and Caithness Road. The building would step down from four storeys, to three storeys, to two storeys to align with the height of the adjacent dwellings on Ridge Road and Caithness Road.
- 7.18 Given the presence of the 3 storey buildings with pitched roofs to the south and west, the recessed fourth storey, the generous width of Streatham Road and Caithness Road along with the open space to the north, it is considered that the maximum height of the building would be acceptable in townscape terms. In addition, it is considered that a building of the scale proposed would provide a suitable degree of enclosure to Caithness Road, helping to screen the residential road from the busier Streatham Road. It is further highlighted that the Planning Applications Committee resolved to grant permission for a 5 storey building at 225 – 231 Streatham Road (approximately 55m north of the application site) under application 16/P3598 at the Committee meeting of 16 March 2017.

Layout

- 7.19 The footprint is considered to make effective use of the site, utilising the entire site at ground floor level and taking a perimeter block approach, which provides considerable active frontage to Caithness Road, Streatham Road and Ridge Road. The footprint takes cues from the surrounding development, aligning with, and creating a transition between, the building lines established on Caithness Road, Streatham Road and Ridge Road.
- 7.20 The commercial unit primarily fronts, and has entrances to, Streatham Road, which is considered to be appropriate given the busy nature of the road and the presence of the adjacent neighbourhood parade. The unit is outward facing, providing a high level of connectivity between the public realm and the development. Furthermore, the unit is designed so it can be easily partitioned, having two strategically placed entrances; the ability to split the unit increases its flexibility and the scope of potential tenants.
- 7.21 The majority of the residential units are accessed from walkways to the rear of the building. However, duplex units are located toward the ends of the Caithness Road and Ridge Road wings of the building; these units are provided with direct access from the street. The positioning of these units is considered to be appropriate given the residential nature and urban fabric of Caithness Road and Ridge Road. The entrances of the units, being directly from the street, contribute to the continuation of the active frontage at ground floor. The units would incorporate a suitable setback from the pavement providing defensible space, which creates an important delineation between the public realm and private space. This would be further enforced by the presence of a metal gate and railing. The kitchen windows of the units are positioned to provide a high level of surveillance.
- 7.22 The main residential entrance is located on Ridge Road, near the junction with Streatham Road. The placement ensures the entrance is positioned away from the foot traffic of Streatham Road, while still being highly visible.
- 7.23 The vehicle parking area along with the plant rooms are located centrally within the building, screening them from the public realm and maximising active frontage.

- 7.24 It is considered that the proposed layout is well thought out and based on sound urban design principles, the layout provides an inclusive design and promotes natural surveillance; when compared the current extensive length of inactive frontage along Streatham Road, it is considered the approach will enhance the character and vitality of the area.

Design and appearance

- 7.25 The proportions of the façade reduce incrementally as height increases, contributing to a more vertical emphasis. The horizontal separation between floors, the brick detailing, periodic recesses in the façade, the usage of metal railings and the projecting concrete window/door surrounds successfully avoid monotonous elevations, contributing to a high quality and coherent design.
- 7.26 Large ground floor windows, the use of a concrete plinth and a higher ceiling height would help to delineate the commercial unit from the upper floor residential units, as well as to enhance the buildings street presence. The configuration of the ground floor commercial unit with flats above provides some continuity with the adjacent neighbourhood parade. While the visual distinction from the commercial and residential units is important, the horizontal and vertical alignment of fenestration and openings provides a degree of coherence across the building as a whole. The usage of the concrete façade for the duplex units identifies them as a single residential unit and provides a sense of domestic scale which relates well to the domestic context of Ridge Road and Caithness Road. The setback third floor which would utilise a lighter coloured material provides a layer of visual interest, breaking up the even façade and successfully completing the building.
- 7.27 The design approach to the external appearance of the development, which includes the proposal to use a pallet of materials influenced by the character of the wider area is supported. The use of contrasting materials, recesses and horizontal separation between floors throughout the scheme successfully defines the individual façade elements. However, the success would be very much dependant on the exact materials used; therefore, a condition is recommended requiring samples of materials to be submitted for approval prior to the commencement of the development.
- 7.28 While of a modern design, the proposals pick up important cues from the surrounding, more traditional, development in terms of scale and architecture. It is considered the development would successfully harmonise with, and enhance the character of, the surrounding area.

Signage

- 7.29 While any signs/advertisements would be subject to separate approval by way of advertisement consent, a shop signage strategy should still be incorporated into a proposal at design stage, as signage plays a major role in the appearance of any building and if retrofitted later, may compromise the design.
- 7.30 An indicative signage strategy has been provided in the design and access statement which proposes vinyl graphics to the ground floor windows, with secondary branding to be located to the edges of the windows, as to not obscure views into the shop. The strategy would not involve fascia signage. It is considered the strategy proposed is both subtle and tasteful and that it would achieve the desired advertising while remaining sympathetic to the proposed building.

Unit size mix

- 7.31 The development proposes 30 residential units with the following size mix: 15 x 1 bed (including 1 studio), 10 x 2 bed and 5 x 3 bed which equates to 50% 1 beds, 33% 2 beds and 16% 3 beds. Policy DM H2 of the SPP seeks to create socially mixed communities by providing a range to dwelling sizes, the policy indicates a borough wide housing mix of 33% 1 beds, 32% 2 beds and 35% 3 beds to be appropriate.
- 7.32 2011 Census data for the Merton area identifies the following unit size mix 7.1% 1 bed, 14.4% 2 bed and 78% 3 bed. Given there are a very high proportion of larger (3 beds) dwellings in Merton, thus the proposal would contribute to balancing the housing choice in Merton as a whole. Furthermore, it is highlighted that there are a large number of 3 bed townhouses in the immediate vicinity of the application site, thus the proposal would also help to balance the housing choice in its immediate surroundings.

Affordable housing

- 7.33 London Plan policy 3.12 requires that in making planning decisions a maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Decision makers are required to have regard to factors including current and future requirements for affordable housing at local and regional levels and affordable housing targets adopted in line with policy.
- 7.34 The London Plan requires that negotiation on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation and other scheme requirements.
- 7.51 Having regard to factors such as financial viability issues and other planning contributions, Core Strategy policy CS 8 states that for developments providing 10 or more units, 40% of the new units should meet this provision and be provided on site. The LDF notes that where a developer contests that it would not be appropriate to provide affordable housing on site or wishes to deviate from the affordable housing requirements set out in the policy, the onus would be on the developer to demonstrate the maximum amount of affordable housing that could be achieved on the site while remaining viable.
- 7.36 The developer has provided a financial viability appraisal (FVA) with the application which finds that the scheme as proposed would be unable to deliver both the affordable housing contribution and a reasonable target profit margin. An independent assessment of the FVA was undertaken, which found the appraisal to be fair and reasonable. In this case, to ensure the delivery of the development is not prevented, the requirement for affordable housing could be reasonably waived given it has been demonstrated that the scheme would not be viable. However, should the works not be commenced within 24 months of the permission, a viability review must be undertaken to account for the potential change in costs and returns.

Impact upon neighbouring amenity

- 7.37 London Plan policies 7.14 and 7.15 along with SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.

Light spill

- 7.38 Light spill from the proposal is not expected to be significant given the scheme is predominately residential and as the commercial unit faces the high street. However, there is an external amenity space which would likely require lighting, this space is adjacent to the rear gardens of the dwellings to the east and could impact upon their rear windows. As such, it is recommended to include a condition which would require any external lighting to be positioned away from residential properties.

Visual intrusion and loss of light

- 7.39 Given the building would be a maximum of four storeys in height and would be replacing single storey structures, visual intrusion and loss of light should be closely scrutinised. To mitigate these affects, the proposal has been designed to shift the massing toward Streatham Road, away from the dwellings to the east, the upper floors have been aligned with the building lines of Ridge Road and Caithness Road and the first floor podium/courtyard aligns with the rear gardens of these properties.
- 7.40 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidelines; the methodology used is the vertical sky component (VSC) and no sky line (NSL) for daylight and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from all immediately surrounding dwellings have been assessed, including the blocks of flats located opposite the site, across Streatham Road.
- 7.41 The daylight and sunlight assessment finds the following:
- The effect on VSC is within the 80% guidance value in all cases, thus the impact will be minimal
 - All windows meet the BRE criteria by virtue of either retaining 80% of their existing value, or 25% of annual hours and 5% of winter hours
 - The impact on the amenity space of surrounding properties will be negligible
- 7.42 The daylight and sunlight assessment is considered to be robust and reasonable; as such, it is not considered the proposal would unduly impact upon neighbouring amenity in terms of loss of light.
- 7.43 In addition to the above, particular attention should be paid to No.'s 2 Ridge Road and 2/2a Caithness Road, as these are the dwellings closest to the development.

No. 2 Ridge Road

- 7.44 As the building approaches No. 2 Ridge Road, it reduces in height to two storeys; in addition, at first floor level and to the rear, the closest point of the building would be in alignment with the rear elevation of the dwelling, the building would then increase in depth as it shifts away from the adjacent dwelling, at an approximate angle of 45 degrees. This sensitive treatment ensures the views from the rear elevation of No. 2 Ridge Road would not be unduly impacted upon nor would the building be overbearing to its amenity space.
- 7.45 However, aside from the main building, it is also noted that the ground floor element (with the communal amenity space above) would be built along the entire length of the shared boundary; to mitigate the impact of this element, the height along the shared boundary has been reduced to a height of 2.5m, this height is maintained for a distance of 1.5m back from the shared boundary, before stepping up to a height of 5.4m (height of the podium plus the height of the screening). Given the proposed setback from the boundary and the usage of bamboo screening, it is not considered the proposal would be unduly visually intrusive.

No. 2/2a Caithness Road

- 7.46 As the building approaches No. 2/2a Caithness Road, it reduces in height to two storeys; in addition, the rear elevation of the buildings' upper floors would be well within the rear building line established by this property. These mitigation measures, in conjunction with the 3.5m wide access way which separates the proposal from the adjacent dwelling would ensure the proposal is not unduly visually intrusive.

Privacy

- 7.47 It is not considered the proposal would unduly impact upon the privacy of neighbouring properties.
- 7.48 The Ridge Road, Streatham Road and Caithness Road elevations all provide overlooking to public space. The rear outlook from the Caithness Road wing is directed toward the properties on Ridge Road; there is a separation distance of approximately 27m from the rear windows to these properties. The outlook from the central units to the rear is directed toward the properties on Caithness Road; there is a separation distance of approximately 21.5m between the windows and balconies of these units to the Caithness Road properties. The rear outlook from the Ridge Road wing is directed toward the properties on Caithness Road; there is a separation distance from the rear windows of approximately 17m (closest point) to the amenity space of these properties and 24m window to window. Furthermore, it is noted that the window to window overlooking is at an angle. Any flank windows are either provided outlook to private terraces (thus are enclosed by the terrace's screening) or are obscure glazed.
- 7.49 Private roof terraces are proposed at the ends of the Ridge Road and Caithness Road wings and a first floor podium/court yard is proposed centrally within the development which would be used as communal amenity space. Overlooking from these areas is addressed by a combination of setbacks and screening (some of which would be green screening); it is considered that the proposed methods could suitably address any overlooking concerns. However, the finer details such as how the setbacks would be maintained and how overlooking would be addressed while the green screening is still growing have not been supplied. As such, it is recommended to include a condition which would require details of screening to be submitted to, approved and implemented prior to first occupation.

Noise

- 7.50 It is considered that the impact of noise from the commercial use and any plant can be suitably addressed by way of conditions. Given the remainder of the scheme is residential, the noise generated is expected to be comparable to the surrounding development; in addition, the noise generated from the communal amenity space would be further mitigated by the setback from the boundaries and the presence of green screening.

Construction phase

- 7.51 The development has the potential to adversely impact neighbouring residents during the construction phase in terms of noise, dust and other pollutants. As such, it is recommended to include conditions which would require a detailed method statement to be submitted to, and approved by, Merton Council prior to the commencement of the development.

Standard of accommodation

- 7.52 Policies 3.5 and 3.8 of the London Plan 2015 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London

Plan (amended March 2016). Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

Unit No. and Floor	Unit Size /Type	Required Area	Proposed Area	Compliant
Ground floor				
Commercial	-	-	195	-
00.01	3B4P2S	84	95	Yes
00.02	3B4P2S	84	102	Yes
00.03	3B5P2S	93	106	Yes
00.04	3B4P2S	84	109	Yes
First floor				
01.01	1B2P1S	50	50	Yes
01.02	1B2P1S	50	50	Yes
01.03	2B3P1S	61	70	Yes
01.04	1B2P1S	50	50	Yes
01.05	1B2P1S	50	50	Yes
01.06	2B3P1S	61	72	Yes
01.07	2B3P1S	61	74	Yes
01.08	1B2P1S	50	50	Yes
Second floor				
02.01	3B5P1S	86	92	Yes
02.02	1B2P1S	50	50	Yes
02.03	1B2P1S	50	50	Yes
02.04	2B3P1S	61	70	Yes
02.05	1B2P1S	50	50	Yes
02.06	1B2P1S	50	50	Yes
02.07	2B3P1S	61	71	Yes
02.08	1B2P1S	50	57	Yes
02.09	2B3P1S	61	62	Yes
02.10	1B2P1S	50	50	Yes
Third floor				
03.01	2B4P1S	70	83	Yes
03.02	Studio	39	39	Yes
03.03	2B4P1S	70	70	Yes
03.04	1B2P1S	50	50	Yes
03.05	1B2P1S	50	50	Yes
03.06	2B3P1S	61	71	Yes
03.07	2B4P1S	70	73	Yes
03.08	1B2P1S	50	50	Yes

Where B = beds (no. of bedrooms), P = persons (maximum occupancy), S = storeys (storeys within an individual unit).

- 7.53 As demonstrated by the table above, all units either meet or exceed London Plan standards. All habitable rooms are serviced by windows which are considered to offer suitable natural light, ventilation and outlook to prospective occupants. In addition, all units are considered to be suitably private, including the duplex units which incorporate defensible space to the front and use screening to separate their private amenity space from the communal space.
- 7.54 Dual aspect units are encouraged given the higher standard of living they offer, which includes better ventilation, increased daylight, increased sunlight hours and the ability to choose which side of the unit to open windows (when noise, odour or other nuisance is being generated on a particular side). The majority of units achieve dual aspect and there are no north facing single aspect units. The high proportion of dual aspect units has been achieved by utilising open walkways to the rear, thus facilitating rear windows to the units and by designing the ground floor units to be duplex.
- 7.55 In accordance with the London Housing SPG, policy DMD2 of the SPP states that there should be 5sq.m of external space provided for 1 and 2 person flats with an extra square metre provided for each additional occupant. All units are provided with either private balconies or terraces, the sizes of which all meet or exceed the relevant standards. In addition to the private amenity space provided for each unit, the scheme would offer approximately 315sq.m of high quality communal amenity space, this space would be fully landscaped and would offer seating and play equipment.
- 7.56 It is noted that lifts serve all floors providing step free access and that 10% of units meet M4(3) of the building regulations in accordance with London Plan policy 3.8.
- 7.57 As outlined above, the scheme is considered to offer a very high standard of living for prospective occupants.

Transport, highway network, parking and sustainable travel

- 7.58 London Plan policies 6.3 and 6.12, CS policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management; in addition, there is a requirement to submit a Transport Assessment and associated Travel Plan for major developments. London Plan policies 6.9, 6.10 6.13, CS policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points, the use of Travel Plans and by providing no more vehicle parking spaces than necessary for any development.
- 7.59 The London Borough of Merton Transport Planner has reviewed this application; their comments are integrated into the assessment below.

Vehicle parking provisions

- 7.60 The development would provide 21 vehicle parking spaces on site, 3 of which would be disabled spaces which is in line with London Plan Standards. 2011 Census car ownership data for the Graveney ward suggests that for a development of the nature and scale proposed, a maximum of 21 (20.7) vehicles would be associated with the development. It is noted that this is a conservative estimate given the census data is largely based off dwellings with a higher occupancy (3 bed dwellings), thus the scheme which proposes predominantly 1 and 2 bed units, would likely generate less vehicles than Census data would suggest.

- 7.61 As such, taking into account both expected vehicle generation and onsite parking spaces, the development would not result in overspill vehicles. Furthermore, the developer has undertaken a parking survey during peak residential times which finds a 20% parking capacity on the surrounding network; the parking survey is considered to be robust and reasonable. Given the above, it is not considered the proposal would adversely impact upon parking pressure in the area.
- 7.62 Notwithstanding the development's acceptability in terms of parking pressure, the developer has proposed further initiatives to diminish parking stress in the area which are considered to be over and above simply offsetting the impact of the development, initiatives which are welcomed by officers. The developer has proposed to fund/implement a car club bay along with the provision of a life-time membership to the car club for each unit; this would also result in a £50 driving credit for each residential unit. Car plus studies show that the implementation of a car club bay and car can reduce vehicle ownership in the immediate area by up to 28 vehicles. Furthermore, it is noted that this figure does not take into account free membership, thus the figures would likely be higher.
- 7.63 Given the above, it is considered that the proposal could accommodate all vehicles associated with the development onsite, and in the event overspill vehicles were generated it is considered that the surrounding network would easily accommodate them; in fact, given the commitment to a car club bay and complimentary memberships, the development is likely to have a beneficial effect on parking capacity in the area. It is not considered that the level of parking proposed would compromise sustainable travel objectives.

Delivery, servicing and the highway network

- 7.64 The Transport Assessment suggests that in terms of service and refuse generation, there would be 2-3 vehicle movements associated with the residential component and 4-5 (as worst case scenario) vehicle movements associated with the commercial component per day, these would be predominantly light goods vehicles with possibly one heavy goods vehicle per day. It is considered that the highway network can comfortably accommodate these vehicle movements.
- 7.65 It is considered that the vehicle entrance is appropriately located, with a sufficient separation distance from the junction with Streatham Road, to allow safe egress and ingress. Where possible, deliveries for the residential component would take place within the onsite parking lot while larger vehicles and those associated with the commercial unit would take place from Caithness Road and Ridge Road, where yellow lines are presently permitting loading/unloading for up to 40 minutes. The above provisions are considered to be acceptable. Refuse stores are considered to be suitably located to allow collection.
- 7.66 Given the above, it is considered the development would be acceptable in terms of its impact upon the highway network.

Sustainable Travel

- 7.67 The developer has provided a Travel Plan in support of the application which seeks to promote sustainable travel for employees, residents and visitors; it is considered that the Travel Plan is robust and reasonable; however, it is recommended to include a condition which would require details of separate Travel Plans for the residential component and the non-residential component of the development.
- 7.68 In accordance with London Plan policy 6.9 and table 6.3, 52 long term cycle storage spaces have been proposed for the residential component and 10 short term spaces

for the commercial unit, which exceed London Plan standards. The spaces are considered to be suitably secure and accessible.

- 7.69 London Plan policy 6.13 requires 1 in 5 (20%) of the parking spaces to be electric charging spaces (both active and passive); the developer has proposed 20% of spaces being active (ready to use) and 20% being passive (potential for use in the future) which is in accordance with London Plan standards.

Refuse storage

- 7.70 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the CS.

- 7.71 The location of the refuse storage is considered to be appropriate and easily accessible by occupants and for collection. It is considered that the storage provisions are adequate for the development proposed.

Sustainability

- 7.72 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water. London Plan policy 5.2 now sets a zero carbon target for residential development, albeit it is acknowledged that achieving zero carbon emissions is not practicable for the vast majority of buildings, it is therefore considered reasonable to offset any carbon shortfall via a cash in lieu payment. Non-residential development remains at a 35% improvement on Part L of the Building Regulations 2013.

- 7.73 The developer has submitted an Energy and Sustainability Statement in support of the application which states the development could achieve a 41% improvement on Part L 2013 which is compliant with policies 5.2 of the London Plan and CS15; the statement is considered to be robust and reasonable. However, it also highlights a carbon shortfall of 20.7 tonnes (short of zero target); this shortfall translates into a cash in lieu payment of £37,260.00.

- 7.74 It is recommended to include a condition which would require evidence to be submitted to, and agreed by, Merton Council which confirms the development has achieved the carbon savings outlined in the Energy and Sustainability Statement along with water consumption standards not exceeding 105 litres per person per day.

- 7.75 Subject to a S106 payment of £37,260.00 along with the above conditions, it is considered the proposal would be policy compliant in terms of sustainability.

- 7.76 Payments to offset carbon shortfalls are used by council to fund projects which seek to reduce carbon generation in the borough. Projects include renewable energy technology and combined heat and power plant initiatives.

Other matters

Flooding and sustainable urban drainage

- 7.77 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of

rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

- 7.78 The site is not considered to be at risk of flooding; however, runoff flows from the site would contribute to the wider network. It is noted that the area under the railway bridge is prone to flooding. The scheme proposes to limit runoff rates to greenfield rates of 5l/s, which is acceptable.
- 7.79 It is recommended to include a condition which requires details of drainage, attenuation and management to be submitted to, and approved by Merton Council prior to the commencement of development.

Site contamination

- 7.80 London Plan Policy 5.21 and SPP policy DM EP4 state that developments should seek to minimise pollutants, reduce concentrations to levels that have minimal adverse effects on human or environment health and to ensure contamination is not spread.
- 7.81 In light of the former commercial uses on the application site, there is a potential for the site to suffer from ground contamination. Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

Landscaping and impact on biodiversity and SINC

- 7.82 NPPF section 11, London Plan policies 7.5 and 7.21, CS policy CS13 and SPP policies DM D2 and DM O2 seek to ensure high quality landscaping to enhance the public realm, protect trees that significantly improve the public realm, to enhance biodiversity, encourage proposals to result in a net gain in biodiversity and to discourage proposal that result in harm to the environment, particularly on sites of recognised nature conservation.
- 7.83 The application site is dominated by hard-standing and buildings, which account for approximately 98% of the site area. The limited area of vegetated habitat present is typical of disturbed and urban land. The application site is considered to be of negligible intrinsic ecological and nature conservation importance. There is however a SINC directly to the north of the site, which coincides with the railway tracks. In addition, the proposal would result in the loss of one street tree.
- 7.84 The developer has provided a robust landscaping scheme in their Design and Access statement which is considered to significantly enhance biodiversity on the site. The majority of planting would be positioned on the first floor communal terrace; however, private terraces and the defensible space to the front on ground floor would also include space for planting.
- 7.85 The scheme would ensure shade tolerant species are located to the west, where the site would be in shadow more often, while species that require more light would be located to the east. The scheme would include bird baths, bird boxes and specific species of plants to provide habitat and food such as nectar for native bird species. The scheme is considered to be high quality, improving the public realm and enhancing biodiversity; it is therefore recommended to include a condition requiring the recommendations of the Design and Access Statement to be implemented prior to occupation.

- 7.86 The developer has provided an Ecological Appraisal in support of the development; the methodology, findings and recommendations of the appraisal are considered to be reasonable. The appraisal includes recommendations to mitigate the impact on birds and of any light fall of the nearby SINC; in addition, the investigations carried out found no evidence of bats on site. It is therefore recommended to include a condition requiring the recommendations of the Ecological Appraisal to be implemented prior to occupation. Furthermore, details of a bat survey (in the event buildings on site are not demolished within 12 months of the decision) should be required by condition.
- 7.87 Given the positioning of the vehicle access, the scheme would result in the loss of a street tree. It is considered that the proposed location of the vehicle access is the most appropriate location, thus the removal of the street tree can be considered. The developer has agreed to a payment of £349.00 which would be used to replace the street tree. Given the above, the removal of the tree is considered to be acceptable.

Developer contributions

- 7.88 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).
- 7.89 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.
- 7.90 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.
- 7.91 In this instance a review mechanism for the delivery of affordable housing, a payment to offset the loss of the street tree and provide replanting, a payment to offset the carbon shortfall, a payment to cover the costs of installing a car club bay and an agreement for the developer to provide a 25 year car club membership for future occupants of the development would be secured via a S106 agreement.
- 7.92 The developer has agreed to meet the Council's reasonable costs of preparing and monitoring the Section 106 Obligations. S106 monitoring fees would be calculated on the basis of the advice in the Council's adopted Supplementary Planning Guidance (2006) and legal fees would need to be agreed at a later date.
- 7.93 Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by Merton's Community Infrastructure Levy.

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, providing a mixed use scheme potentially increasing employment on site and increasing residential density in line with planning policy. The proposal is considered to be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout, architectural cues and materials; the proposal is considered to make a positive contribution to the streetscene.

- 8.2 The proposal has been sensitively designed to ensure it would not unduly impact upon neighboring amenity. The proposal would offer very high living standards for prospective occupants. The proposal would not unduly impact upon the highway network, it is likely to improve parking congestion in the area and it would promote and facilitate sustainable travel. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.
- 8.3 Notwithstanding the earlier officer recommendation to approve a larger development on site, officers consider that the scheme as now proposed reasonably addresses the earlier reasons for refusal of application 16/P4324.
- 8.4 The application is therefore recommended for approval subject to appropriate conditions and s106 agreement.

RECOMMENDATION

Grant planning permission subject to s106 agreement and the following conditions.

S106 legal agreement:

1. Affordable housing review mechanism;
2. Contribution of £349.00 required to offset the loss of a street tree and the provision of replanting in the immediate area;
3. Contribution of £37,260.00 required to offset the carbon shortfall of the development;
4. Contribution of £4,000.00 required for the installation of a car club bay in the immediate area;
5. The developer agreement to provide a 25 year membership to a car club for each residential unit of the development at the cost of the developer;
6. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [agreed by developer];
7. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [agreed by developer].

And the following conditions:

1. Standard condition [Commencement of development]: 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: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Standard condition [materials to be approved]: No works above ground (other than site clearance, preparation and demolition) shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted

to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. Non-standard condition [Design and access statement]: The details and measures proposed in the 'Design And Access Statement' (including landscaping strategy) (Rev: 001) dated 24/05/2017 shall be implemented in accordance with, and follow the sequence of events proposed in, the document, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning, to ensure a satisfactory appearance of the development and appropriate landscaping in the interest of visual amenity and sustainable drainage in accordance with policies 5.1, 7.5 and 7.21 of the London Plan 2015, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

5. Non-standard condition [Ecological appraisal]: The details and measures proposed in the 'Ecological Appraisal' dated April 2017 shall be implemented in accordance with, and follow the sequence of events proposed in, the document, unless otherwise agreed in writing with the Local Planning Authority and a suitably qualified ecologist.

Reason: To mitigate and offset the impact of the development hereby approved and to ensure a net gain in biodiversity in accordance with NPPF section 11 and Merton's Sites and Policies Plan 2014 policy DM O2.

6. Non-standard condition [Updated bat survey]: In the event existing buildings on site have not been demolished within 12 months of the submission of the valid application (date valid: 21/04/2017), any construction work (including demolition) shall cease and shall not resume until details of an updated bat survey has been submitted to, and approved by, Merton Council.

Reason: In the interests of the ecology of the site and to accord with Policy D3 of the Local Plan 2002 and the guidance contained within the NPPF 2012.

7. Non-standard condition [Transport Statement]: The details and measures proposed in the 'Transport Statement' (includes details of parking provisions, changes to the highway network, electric charging provisions and cycle parking) dated April 2017 shall be implemented in accordance with, and follow the sequence of events proposed in, the document.

Reason: In the interests of vehicle and pedestrian safety and the amenities of local residents to comply with policies 6.3, 6.9, 6.10, 6.12 and 6.13 of the London Plan, CS18 and CS20 of the Merton Core Strategy and policies DM T1, DM T2 and DM T3 of Merton's Sites and Policies Plan.

8. Standard condition [Timing of construction]: No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

9. Amended standard condition [Working method statement]: Prior to the commencement of development [including demolition] a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement.

Reason: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan.

10. Standard condition [Construction logistic plan]: Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the development hereby permitted is commenced and shall be so maintained for the duration of the construction period, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

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

11. Standard condition [Vehicle crossover]: No development above ground (other than site clearance, preparation and demolition) shall commence until details of the proposed vehicular access to serve the development have been submitted in writing for approval to the Local Planning Authority. No works that are subject of this condition shall be carried out until those details have been approved, and the development shall not be occupied until those details have been approved and completed in full.

Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

12. Amended standard condition [Travel Plan]: Prior to the occupation of the relevant part of the development hereby permitted, two Travel Plans, one for the residential use and one for the non-residential use, 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 TfL and shall include:

- (i) Targets for sustainable travel arrangements;
- (ii) Effective measures for the on-going monitoring of the Plan;
- (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;

(iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be occupied only on accordance with the approved Travel Plans.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2015, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

13. Non-standard condition [Highway works]: No part of the development hereby approved shall be occupied until the applicant has entered into a highways agreement with London Borough of Merton's Highway Team to include the removal the existing redundant crossovers (Ridge Road and Streatham Road) by raising the kerb and reinstating the footway, to install on-street parking spaces in place of the redundant crossovers and to create a new vehicle access with associated cross over and with all works being in accordance with the requirements of the Highway Authority.

Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

14. Non-standard condition [Parking]: The development hereby permitted shall not be occupied until the vehicle parking provisions shown on the approved plan SRM-HBA-00-00-DR-A-20-0100 (Rev: 001) has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

15. Non-standard condition [noise levels plant/machinery]: Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial use shall not exceed LA90-10dB at the boundary with the closest residential property.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

16. Non-standard condition [noise levels insulation]: Recommendations to protect noise intrusion into the dwellings as specified in the 'Noise Impact Assessment' dated 12 April 2017 shall be implemented as a minimum standard to protect future residents from noise. This shall also include the potential use of D2.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

17. Amended standard condition [Noise levels amplified sound]: No music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent residential building such as to constitute a statutory nuisance.

Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

18. Standard condition [kitchen extraction systems]: Prior to of the installation of any kitchen ventilation system, including details of sound attenuation for a kitchen ventilation extract system and odour control measures have been submitted to and approved in writing by the Local Planning Authority. The kitchen ventilation extract system shall be installed in accordance with the approved plans and specifications before the use commences and shall be permanently retained as such thereafter.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with the following Development Plan policies for Merton: policies 7.14 and 7.15 of the London Plan 2015, policy CS7 of Merton's Core Planning Strategy 2011 and policies DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

19. Standard condition [External lighting]: Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and to protect nature conservation in the area, in accordance with policies DM D2 and DM EP4 and DM O2 of Merton's Sites and Policies Plan 2014.

20. Standard condition [Refuse]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plan SRM-HBA-00-00-DR-A-20-0100 (Rev: 001) have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2015, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

21. Non-standard condition [Details of drainage]: Prior to the commencement of the development hereby permitted (other than site clearance, preparation and demolition), a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:

- i. Provide details of the design storm period and intensity, attenuation volume to be provided, and maximum rate at which surface water is to be discharged to be from the site, which shall not exceed 5l/s.
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme is carried out in full. Those facilities and measures shall be retained for use at all times thereafter.

Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

22. Non-standard condition [Sustainability]: No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions in accordance with those outlined in the approved document 'Energy And Sustainability Statement' revised and dated May 2017, and internal water usage rates of not more than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

23. Non-standard condition [CHP]: Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the council confirming that the developer has provided appropriate information pertaining to the sites Combined Heat and Power (CHP) system to the Greater London Authority (GLA) to allow the site to be uploaded to the London Heat Map (<http://www.londonheatmap.org.uk/>).

Reason: To ensure that the development contributes to the London Plan targets for decentralised energy production and district heating planning to comply with Development Plan policies for Merton: policy 5.2, 5.5 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.

24. Non-standard condition [Security measures]: Prior to first occupation of any part of the development details of the design and methods of operation of all access gates including the positioning and operational management of any associated on site security system shall be submitted to and approved in writing by the Local Planning Authority and be installed and operational and shall thereafter be retained and maintained.

Reason: To ensure a safe and secure layout in accordance with policy DM D2 of the Merton Adopted Sites and Policies Plan 2015.

25. Non-standard condition [Contamination investigations]: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- 1) A site investigation scheme, based on the 'Geo-environmental Site Investigation Report Phase I Preliminary Risk Assessment' dated August 2016, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

26. Non-standard condition [Contamination construction phase]: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

27. Non-standard condition [Contamination verification]: Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

28. Non-standard condition [Piling] Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies

for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

29. Amended standard condition [Screening]: Before the development hereby permitted is first occupied, details of screening of the balconies and terraces shall be submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

30. Amended standard condition [Use of flat roof]: Access to the flat roof of the development hereby permitted, outside of those areas specifically identified as terraces and as shown on the approved plans, shall be for maintenance or emergency purposes only, and these areas shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

31. Non-standard condition [Opening hours]: Non-residential floorspace shall not be open to the public other than between the hours of 07.00 and 23.00 on any day.

Reason: safeguard the amenities of neighbouring occupiers and to comply with policy 7.15 of the London Plan.

INFORMATIVES:

a) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).

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

c) The applicant shall enter into an appropriate legal agreement with the Highway Authority to undertake the works on the surrounding highway network.

d) With regard to "statutory nuisance" in relation to noise, the applicant is advised that "statutory nuisance" is described in the Environmental Protection Act 1990.

e) No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

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

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

g) Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Detailed documentary evidence representing the dwellings 'As Built'; showing:
 - the location, details and type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment); and
 - the location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling; along with one of the following:
 - Water Efficiency Calculator for New Dwellings; **or**
 - Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; **or**
 - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

[Click here](#) for full plans and documents related to this application.

Please note these web pages may be slow to load

NORTHGATE SE GIS Print Template



Text Details **223 Streatham Rd & 1 Ridge Rd**

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Committee: Planning Applications

Date: 22 June 2017

:

Wards: All

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Contact officer: Stuart Humphryes

Recommendation:

That Members note the contents of the report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report, but can be seen on the Council web-site with the other agenda papers for this meeting at the following link:

http://www.merton.gov.uk/council/committee.htm?view=committee&com_id=165

DETAILS

Application Numbers: **16/P1889**
Site: 201 Kingston Road, Wimbledon SW19 3NG
Development: Erection of single storey rear & side extensions and alterations to roof extension including juliette balcony
Recommendation: Refused (Delegated)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 16 May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000093000/1000093718/16P1889_Appeal%20Decision.pdf

Application Number: 16/P2490
Site: Unit 4b, Abbey Industrial Est, Willow Lane, Mitcham CR4 4NA
Development: Change of use from warehouse to car hire firm
Recommendation: Refused (Delegated)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 26 May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000094000/1000094280/16P2490_Appeal%20Decision.pdf

Application Number: 16/P4182
Site: 50 Fortescue Road, Colliers Wood SW19 2EB
Development: Conversion of single dwellinghouse into 2 x flats
Recommendation: Refused (Delegated)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 24 May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095879/16P4182_Appeal%20Decision.pdf

Application Number: 16/P3913
Site: 22 Hartfield Crescent, Wimbledon SW19 3SD
Development: Replacement of single garage with new double garage
Recommendation: Refused (Delegated)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 12th May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095627/16P3913_Appeal%20Decision.pdf

Application Number: 16/P2220
Site: 266 The Broadway, London SW19 1SB
Development: Erection of 2 storey dwelling at rear of 266 The Broadway
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 22nd May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000094000/1000094033/16P2220_Appeal%20Decision.pdf

Application Number: 16/P4649
Site: 141 Poplar Road South, Merton Park SW19 3JZ
Development: Erection of 2 storey side extension, rear extension and rear roof extension
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 16th May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000096000/1000096318/16P4649_Appeal%20Decision.pdf

Application Number: 16/P4701
Site: 226A Merton Road, South Wimbledon SW19 1EQ
Development: Conversion of single flat into 2 x self-contained flats with rear and side dormer roof extensions
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 18th May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000096000/1000096367/16P4701_Appeal%20Decision.pdf

Application Number: 16/P2484
Site: 84 Mostyn Road, London SW19 3LP
Development: Demolition of garage and erection of single storey dwellinghouse with basement level
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 22nd May 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000094000/1000094274/16P2484_Appeal%20Decision.pdf

Link to COSTS Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000094000/1000094274/16P2484_Appeal%20Costs%20Decision.pdf

Alternative options

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is re-determined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
1. That the decision is not within the powers of the Act; or
 2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

1 CONSULTATION UNDERTAKEN OR PROPOSED

- 1.1. None required for the purposes of this report.

2 TIMETABLE

- 2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

4 LEGAL AND STATUTORY IMPLICATIONS

- 4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

7.1. See 6.1 above.

8 BACKGROUND PAPERS

8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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Committee: Planning Applications Committee

Date: 22nd June 2017

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

Lead member: COUNCILLOR LINDA KIRBY, CHAIR, PLANNING APPLICATIONS COMMITTEE

Contact Officer Ray Littlefield: 0208 545 3911
Ray.Littlefield@merton.gov.uk

Recommendation:

That Members note the contents of the report.

1. Purpose of report and executive summary

This report details a summary of case work being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

Current staffing levels in the Planning Enforcement Section.

It should be noted that this section currently comprises of:

The Deputy Planning Enforcement Manager (full time).

Two Planning Enforcement Officers (full time) **one position currently vacant.**

Two Tree Officers (one full time one part time).

The Planning Enforcement Manager resigned in February 2017 and this position is not being filled as the team has been reduced from four to three Planning Enforcement Officers in the recent round of savings.

Current Enforcement Cases:	592	¹ (568)	New Appeals:	1	(1)
New Complaints	40	(41)	Instructions to Legal	1	(0)
Cases Closed	16	(15)	Existing Appeals	2	(2)
No Breach:	10		<hr/>		
Breach Ceased:	6		TREE ISSUES		
NFA ² (see below):	-		Tree Applications Received	45	(75)
Total	16	(15)	% Determined within time limits:	95%	
New Enforcement Notices Issued			High Hedges Complaint	0	(0)
Breach of Condition Notice:	0		New Tree Preservation Orders (TPO)	3	(2)
New Enforcement Notice issued	0	(1)	Tree Replacement Notice	0	
S.215: ³	0		Tree/High Hedge Appeal	0	
Others (PCN, TSN)	1	(2)			
Total	1	(3)			
Prosecutions: (instructed)	0	(1)			

Note (*figures are for the period (18th May to 14th June 2017)*). The figure for current enforcement cases was taken directly from M3 crystal report.

¹ Totals in brackets are previous month's figures

² confirmed breach but not expedient to take further action.

³ S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

2.00 New Enforcement Actions

- **28 Byards Croft.** On 8th May 2017 the Council issued an Enforcement Notice requiring the demolition of detached out building. The Notice will come into effect on 16th June 2017 with a compliance period of one month, unless an appeal is lodged. No appeal has been lodged.
- **12A Commonsides West.** On 06/03/17 the council issued an enforcement notice against the unauthorised erection of a single storey rear outbuilding. The notice would have come into effect on 15/4/17. An appeal has now been lodged, awaiting a start date.
- **36 Biggins Avenue, Mitcham, CR4 3HN.** The Council issued an enforcement notice on the 18th January 2017 for 'the single storey front extension and the created balcony on the first floor of the property. The notice requires the structures to be demolished and took effect on 1st March 2017, as no appeal had been submitted. Prosecution proceedings are under consideration.

18 Warminster Way, Mitcham, CR4 1AD. The council issued an Enforcement Notice on the 20th March 2017 for 'erection of a single storey rear extension on the Land. The notice requires the structure to be demolished and would have taken effective on 27th April 2017. An appeal has now been lodged, awaiting a start date.

Some Recent Enforcement Actions

- **117 Haydons Road South Wimbledon SW19.** The Council reserved an Enforcement Notice on 9th February 2016 against the unauthorised conversion of the former public house into eight self-contained flats. The notice came into effect on 18th March 2016 as there was no appeal prior to that date and the requirement is to cease using the building as eight self-contained flats within 6 months. Six of the flats are vacant and the owners have instructed builders to remove all kitchen units. Court action is currently on-going to repossess the remaining two flats.
- **Burn Bullock, 315 London Road, Mitcham CR4.** A Listed Buildings Repair Notice (LBRN) was issued on 27th August 2014 to require a schedule of works to be carried out for the preservation of the Building which is listed.

Listed Building Consent was granted on 3rd March 2015 to cover the required works which include the roof, rainwater goods, masonry, chimney render repairs, woodwork, and glazing. An inspection of the building on Friday 29th April 2016 concluded that the required works have mostly been carried out to an acceptable standard.

The Council has now been provided with a copy of the archaeological survey report officers will be reviewing and making their recommendations. Case to be re-allocated to a new officer but kept under re-view.

A pre-app has been submitted which covered converting the upper floors to residential and proposal for new development at the rear and at the side. Proposals included improvements to the cricket pavilion. A pre-app report has been made.

At the site visit it was observed that there is a new ingress of water from the roof. This was pointed out to the owner asking for immediate action. The property has again been occupied by squatters. Steps have been taken to remove them.

- **13 Fairway, Raynes Park SW20.** On 2nd December 2016, the Council issued an amenity land notice against the untidy front and rear gardens of the property to require the owner to trim, cut back and maintain the overgrown bushes, weeds and trees. The compliance period is within one month of the effective date. No action has been taken by the owner. The Next step is to either take direct action or prosecution. This case is now to proceed to prosecution.
 - **58 Central Road Morden SM4.** An Enforcement Notice was issued on 10th January 2017 for the demolition of an outbuilding. The Notice would have taken effect on the 15th February 2017, requiring the demolition of the outbuilding to be carried out within 2 months. An appeal was lodged, and started. An appeal statement in support of the demolition of the outbuilding has been submitted. Waiting for the inspectorate decision.
 - **14 Tudor Drive SM4.** An Enforcement Notice was issued on the 9th February 2017 to cease the use of the land (outbuilding and garden) from residential (Class C3) to storage (Class B8). The Notice took effect on the 15th February 2017, no appeal was made. Compliance with the Notice was expected at the end of March 2017. Site visit to be undertaken to check for compliance.
- 25 Craven Gardens SW19.** An Enforcement Notice was issued on 3/05/16 for the erection of a front bike shed. An appeal was received on 13/06/16. The appeal's decision was received on 02/03/17. The appeal was dismissed. A letter was sent to the owners on 03/03/17 giving a month to remove the bike shed as stated in the Enforcement Notice. The bike shed has now been removed, and the Enforcement Notice complied with.

3.00 New Enforcement Appeals

- **34 St Barnabas Road, Mitcham.** On 30th August 2016, the council issued an enforcement notice against the unauthorised increase in depth of the single storey rear extension from 5 meters to 8.4 metres. The notice with a 3-month compliance period would have taken effect on 18/10/16 but an appeal has been received. An appeal statement has been submitted to the inspectorate and we are awaiting a site visit date by the inspectorate.
- **2 and 2A Elms Gardens, Mitcham.** An enforcement notice was issued on 12th January 2017 against the erection of a single storey bungalow at the rear of the property. The notice would have come into effect on the 18th February 2017 but an appeal has been submitted. The Appeal start

date was 19th March 2017 and a statement has been sent. We are awaiting a site visit date by the inspectorate.

. **218 Morden Road SW19.** An Enforcement Notice was issued on 23rd January 2017 for the demolition of the current roof to its original condition prior to the breach in planning control or construct the roof pursuant to the approved plans associated with planning permission granted by the Council bearing reference number 05/P3056. The Notice would have taken effect on the 28th February 2017, giving two months for one of the options to be carried out. An appeal against this Notice has now been submitted. We are awaiting Start Letter.

3.1 Existing enforcement appeals

- **18 Morton Road Morden SM4** the council issued an enforcement notice on 3rd October 2016 against the unauthorised change of use of an outbuilding to self-contained residential use. The notice would have taken effect on 10/11/16 but the Council was notified of an appeal. The compliance period is two calendar months. We are awaiting the outcome of this appeal.

- **3.2 Appeals determined**

- **3 Aberconway Road Morden SM4** - The Council served an enforcement notice on 4th February 2016 against the erection of a single storey side extension to the property following a refusal of retrospective planning permission to retain the structure. The owner is required to remove the extension and associated debris within one month of the effective date. The appeal was dismissed on 1/12/16 and the owners have to demolish the extension by 1/1/17. Case to be re-allocated to a new officer. Structure still present.

- **21 Merton Hall Road, Morden.** The Council issued an enforcement notice on 9/8/16 against the unauthorised erection of a wooden bike shelter. The notice would have come into effect on 15th September 2016 but the Council has been notified of an appeal. The requirement is to remove the shed within a month. Appeal dismissed. Structure remove, Case closed.

- **Swinburn Court, 32 The Downs SW19.** The Council served an enforcement notice on 15th March 2016 against the erection of a single storey outbuilding (garden shed) in the front/side garden of the block of flats. The requirement is to demolish the structure within three months of the effective date. The appeal was dismissed on 10/1/17 and the appellant had three months to comply. This case is to be re-allocated to a new officer.

Land at Wyke Road, Raynes Park SW20. The Council issued an enforcement notice on 4th July 2016 against the unauthorised material change in the use of the land for car parking. The notice would have come into effect on 10/08/16 but an appeal was submitted. 11th April 2017 Appeal dismissed and Notice upheld. The compliance date was 12th May 2017, however additional time has been agreed to allow for an acceptable scheme to be submitted for consideration.

3.3 Prosecution cases.

- **170 Elm Walk Raynes Park** The council issued a S215 notice on 4th August 2016 to require the owner to repair and paint or replace windows and doors to the property as well as clear the weeds and cut back on overgrown bushes in the front and rear gardens. The notice came into effect on 1/9/16 as there was no appeal and the compliance period is one month. A site visit on 4th October 2016 confirmed that the notice has not been complied with and prosecution documents have been forwarded to Legal Services for further action. This case is to be re-allocated to a new officer.
- **Land, at 93 Rowan Crescent Streatham, SW16 5JA.** The council issued a S215 notice on 29th July 2016 to require the following steps to trim and cut back overgrown bushes from the front and rear gardens, tidy the site, clean, repair and paint the front windows and repaint the front of the proper. The notice came into effect on 28/08/16 and the compliance period expired on 23/09/16. As the notice has not been complied with, a prosecution document has been forwarded to Legal Services for legal proceedings to be instigated. The front garden has been cleared, however the bulk of the requirements of the Notice have not been complied with. Direct action is now under consideration.
- **55-61 Manor Road, Mitcham** An enforcement notice was issued on 3rd August 2016 against the unauthorised change of use of the land from a builder's yard to use as a scrap yard and for the storage of waste and scrap metals, scrap motor vehicles and waste transfer. The notice came into effect on 2/9/16 no notification of an appeal was received. The requirement is to cease the unauthorised use and remove any waste and scrap materials including scrap and non-scrap vehicles from the site by 8/10/16. Following a site inspection, the occupier was reminded of the enforcement action and advised that as he failed to comply with the notice, the Council was progressing prosecution proceedings. However, the owner stated that the Notice would be complied with by 21st April 2017. However the Notice was not complied with and prosecution proceedings have now been instigated. Prosecution statement has been submitted to legal services.

3.4 Requested update from PAC

None

- 4. Consultation undertaken or proposed**
None required for the purposes of this report
- 5. Timetable**
N/A
- 6. Financial, resource and property implications**
N/A
- 7. Legal and statutory implications**
N/A
- 8. Human rights, equalities and community cohesion implications**
N/A
- 9. Crime and disorder implications**
N/A
- 10. Risk Management and Health and Safety implications.**
N/A
- 11. Appendices – the following documents are to be published with this report and form part of the report Background Papers**
N/A
- 12. Background Papers**

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