

Merton Council

Planning Applications Committee Agenda

Membership

Councillors:

Aidan Mundy (Chair)
Simon McGrath (Vice-Chair)
Thomas Barlow
Sheri-Ann Bhim
Michael Butcher
Edward Foley
Susie Hicks
Dan Johnston
Gill Manly
Martin Whelton

Substitute Members:

Caroline Charles
Kirsten Galea
Nick McLean
Stephen Mercer
Stuart Neaverson
Matthew Willis

Date: Thursday 20 October 2022

Time: 7.15 pm

Venue: Council Chamber, Merton Civic Centre, London Road, Morden, SM4 5DX

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Planning Applications Committee Agenda

20 October 2022

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| 1 | Apologies for absence | |
| 2 | Declarations of Pecuniary Interest | |
| 3 | Minutes of the previous meeting | 1 - 6 |
| 4 | Town Planning Applications | |
| | The Chair will announce the order of Items at the beginning of the Meeting. | |
| | A Supplementary Agenda with any modifications will be published on the day of the meeting. | |
| | Note: there is no written report for this item | |
| 5 | Bennetts Courtyard, Watermill Way, SW19 2RW | 7 - 76 |
| | <i>Application No: 22/P1940</i> | |
| | <i>Ward: Colliers Wood</i> | |
| | <i>Officer Recommendation: Grant Permission subject to conditions and s.106 legal agreement</i> | |
| 6 | 35 Woodland Way, Mitcham, CR4 2DZ | 77 - 152 |
| | <i>Application No: 22/P0092</i> | |
| | <i>Ward: Graveney</i> | |
| | <i>Officer Recommendation: Grant Permission Subject to Conditions and S106 Agreement</i> | |
| 7 | 191 Worples Road, Raynes Park, SW20 8RE | 153 - 178 |
| | <i>Application No: 22/P0533</i> | |
| | <i>Ward: Raynes Park</i> | |
| | <i>Officer Recommendation: Grant Permission subject to conditions and s.106 legal agreement</i> | |
| 8 | 153 Links Road, Tooting, SW17 9EW | 179 - 198 |
| | <i>Application No: 22/P1990</i> | |
| | <i>Ward: Graveney</i> | |
| | <i>Officer Recommendation: Grant planning permission subject to conditions and s106 agreement for permit free.</i> | |
| 9 | 225 Streatham Road, Streatham, SW16 6NZ | 199 - 232 |
| | <i>Application No: 21/P3808</i> | |
| | <i>Ward: Graveney</i> | |
| | <i>Officer Recommendation: Refuse permission.</i> | |
| 10 | Galpins Road | |
| | <i>A verbal update to be provided by officers.</i> | |
| 11 | Planning Appeal Decisions | 233 - 236 |
| | Officer Recommendation: | |

	That Members note the contents of the report.	
12	Planning Enforcement - Summary of Current Cases	237 -
	Officer Recommendation:	244
	That Members note the contents of the report.	
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Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest 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. For further advice please speak with the Managing Director, South London Legal Partnership.

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Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

PLANNING APPLICATIONS COMMITTEE

22 SEPTEMBER 2022

(7.20 pm - 10.50 pm)

PRESENT Councillors Councillor Aidan Mundy (in the Chair), Councillor Thomas Barlow, Councillor Sheri-Ann Bhim, Councillor Michael Butcher, Councillor Edward Foley, Councillor Susie Hicks, Councillor Dan Johnston, Councillor Gill Manly, Councillor Martin Whelton and Councillor Kirsten Galea

ALSO PRESENT Councillor John Oliver; Jonathan Berry (Interim Head of Development Management and Building Control); Tim Lipscomb (Planning Officer); Tara Butler (Programme Manager); Richard Seedhouse (Democratic Services Officer)

ATTENDING REMOTELY Councillor Hina Bokhari; Councillor Robert Page

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Simon McGrath. Councillor Kirsten Galea attended as substitute.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

Councillor Sheri-Ann Bhim informed the Committee that a declaration of interest in LESSA Sports Ground given at a previous meeting no longer applied.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 18 August 2022 are agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

The Committee noted the amendments and modifications to the officer's report. The Chair advised that items would be taken in the published agenda order.

5 LAND AT THE FORMER LESSA SPORTS GROUND, MEADOWVIEW ROAD, RAYNES PARK, SW20 9EB (Agenda Item 5)

The Planning Officer presented the report and noted that the Committee needed to determine if the reasons for the refusal of the previous application had been overcome. The proposal was acceptable within planning terms. At the time of

assessing the application, sporting use of the entire site had not been shown to be achievable, due to funding gaps.

The Committee received presentations from two objectors who made points including:

- This was the same application resubmitted with minor changes
- There were two proposals on the table, one from Surrey Cricket and a Cricketing Consortium, fully funded, and with the support of the ECB, Sport England and the RFU.
- Sport England has said that as long as there is demand for the ground, it should not be considered for development
- The Consortium have not received engagement from Bellway
- There has not been further consultation with the community or interested sporting bodies
- There is no evidence that increased use of other sporting facilities in the area is more beneficial than retaining this sports ground
- The land has been fenced off and unavailable for use, the Consortium is keen to take a long lease, and believe long term sporting use is deliverable.
- There is another development of 450 flats on a nearby site which meets the Council's commitment to development in the area

Ward Councillors presented to the Committee and raised the following points:

- Sporting and community use have to be proven to be undeliverable before any other use is considered
- The burden of proof is on the applicant to show that sport is undeliverable, not on the objectors to show that it is.
- There has been plenty of agreement to the development of the nearby Tesco site, and these new residents will need open space, if the LESSA fields remain, they will provide for this development as well
- The application is substantially the same
- There is no assessment of what additional funding would bring to the other sites
- The Consortium has not had sufficient time to respond to plans, they believe they have the resources in place. The timeline appears to be set by the developer which is not helpful to the Consortium
- There needs to be more time for Councillors and residents to consider the offer from the Consortium.
- The Council needs to show its commitment to sport.

The Applicant spoke in response and raised points including:

- The revised application expanded the sporting facilities onsite and doubled the funding for sport off-site
- The site has not previously been open to public use, it was a private club ground, therefore there is not loss of sporting use by the development.
- There is a maintained commitment to 41% of the development being affordable housing.

- Officers have agreed that this is a better plan, opening half of the site to public use and providing £1.8million in funding to sport within the borough
- The applicant believes that the Consortium proposal is £500,000 short of the true cost of their proposal, there are no costs for flood prevention, cricket nets, and no evidence of a sponsor committing to this, or that funds are ready and available.
- The applicant's plan is fully deliverable, including sporting facilities and housing.

In response to the comments received, the Planning Officer confirmed that 456 units were permitted at the Tesco site, to be delivered over several years, rather an immediate delivery. The planning team have to assess the applications on the basis of the evidence available at the time. The land has not been previously available for public use, and neither Kings College or the Council took the s106 provision to use the land.

In response to questions, the Interim Head of Development Management and Building Control confirmed that an agreement was in place that if this application were to be granted, the previous decision would not be appealed, if all paperwork sorted before the 1 December deadline required to appeal the previous decision. If this application is declined, and appealed, it is likely that both appeals would be considered together.

The Planning Officer confirmed that the affordable units are contained with separate blocks, as shown on the plan. The amenities will be available to all.

The spending plans for the contribution are indicative, the Council reserves the right put the money into other sporting facilities. Bellway had approached the council to identify sites that needed upgrading.

The Environment and Regeneration Programme manager informed the Committee that in 2017, the playing pitch strategy began, with Sport England and others. It last two years, the LESSA site was included in that consideration, and a further 6 months was added to allow proposals for the LESSA site to be submitted, the sporting bodies did not put forward proposals for the site, so while it may seem like little time has been in given in 2022, the site has been under discussion since 2017.

The Planning Officer confirmed that the NPPF gave a greater weight to the delivery of housing. There is a tilted balance between economic, social and environmental considerations where a negative in one category must significantly outweigh the benefits.

In terms of flooding concerns, the majority of the site is in Floodzone 1, at a low risk of flooding, the sports pitches have their own additional drainage and the surface water drainage strategy has been improved. Modelling shows an overall reduction of risk.

Members commented on the application, highlighting that once the space is given over to development, it's gone, and that's an environmental negative.

Merton is at risk of presenting itself as a borough where applicants can simply resubmit duplicate applications and get them through with persistence.

The enhanced funding to sporting facilities in the area are welcome, it has always been a private site, not open to public use, so the site does assist in providing facilities to residents in the borough.

There is requirement for affordable housing, this site provides a good number of units, the proposal provides alongside housing, sport facilities for the wider community.

The borough needs more affordable homes, it can't be said that the Council is committing to affordable homes for residents if applications like this are refused.

The recommendation was put to the vote and it was

RESOLVED:

That the Committee GRANTED planning permission subject to conditions and S106 agreement

6 242 MORDEN ROAD SOUTH WIMBLEDON LONDON SW19 3DA (Agenda Item 6)

The Planning Officer presented the plan and recommendations, noting the addition of CCTV and lighting, higher fencing, increased electric charging to 5 of 12 parking spaces.

The Committee received presentations from two objectors who made points including:

- There were concerns around the height of the fencing, 3m would be better for security
- There were concerns around loss of light
- There were concerns around loss of screening, there is currently ivy, the residents don't want to look at 4m of steelworks, and would prefer green screening, such as tall trees along the length of the property line
- There were concerns around noise coming from a 24 hour facility

The Agent for the Applicant spoke in response and raised the following points:

- The company has built across London, the site is balanced and includes some housing
- The upmost storey of the development has been amended to be set further back, the building height is the same as the existing property
- Security is important, since the garage on the site closed, there have been two instances of trespass, the proposed development brings back permanent use to the site and will prevent similar incidents in the future.

The Planning Officer responded to the points raised, and confirmed that the proposed building was set further back from neighbouring properties, with a reduced upper floor which should address lighting concerns.

In response to questions from the Committee, the Planning Officer confirmed that:

- The building would have a more utilitarian look with treetops above. Part of the existing boundary wall would be retained.
- There are issues around fast charging, which could need an additional substation, there is a willingness to investigate further.
- It would be possible to apply condition to assess the feasibility of planting trees on the upper floors and/or a green wall.
- There aren't issues with a higher wall/fence along the length of the site, the existing building is higher than the proposed fence.
- There are no windows from the new building overlooking neighbouring properties.

Members commented on the application and noted that the developer had been liaising with residents and made some adjustments. The empty site had been a problem.

The application was an example to other developers.

With additional conditions to ensure a standard EV charging point in the disabled spot, 100% electric charging with fast charging where not unreasonable, 3.5m wall with hedgehog tunnels, greening, landscape and commitment to best endeavours to input a green wall and greenery of the upper tier, and a condition on fire safety as per building regulations, the recommendation was put to the vote and it was

RESOLVED:

That the Committee GRANTED planning permission subject to conditions and S106 Agreement.

7 DEVELOPMENT MANAGEMENT AND BUILDING CONTROL UPDATE ON THE GALPINS ROAD MAJOR INCIDENT (Agenda Item 7)

The Interim Head of Development and Building Control presented the report on Galpins Road.

Members of the Committee noted the contents of the report, the ongoing work and £1million spent so far.

The Committee also noted a vote of thanks to all Council Officers for their work.

RESOLVED:

The Committee noted the contents of the report and gave a vote of thanks to Council Officers for their work.

8 CLARION - EDDIE KATZ 42 STATION ROAD SECTION 106 AGREEMENT UPDATE (Agenda Item 8)

The Planning Officer presented the proposal. A statement from Ward Councillor, Councillor Brunt was taken as an informative.

In response to questions from the Committee, the Planning Officer made the following points:

- There's no maximum time to apply for the pursuit of best endeavours in finding a resolution, it could be tied to the development programme plan and say that the bridge should be in place by first occupation
- The applicant could be asked to review and recost at each six month review.

RESOLVED:

That the Committee agreed the proposal with the conditions discussed, that the applicant should make best endeavours (rather than reasonable endeavours) to build the bridge within the lifetime of the development plan and report to the Planning Applications Committee every six months, in writing and in person when required, explain the mitigation against cost and informative of the points made by Councillor Brunt.

9 PLANNING APPEAL DECISIONS (Agenda Item 9)

The report was noted.

10 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 10)

The Interim Head of Development Management and Building Control provided a brief update, the item will be brought back in greater detail at a future meeting.

PLANNING APPLICATIONS COMMITTEE
20th October 2022

Item No:

UPRN APPLICATION NO.

22/P1940

DATE VALID

22/06/2022

Address/Site Bennetts Courtyard, Watermill Way, SW19 2RW

(Ward) Colliers Wood

Proposal: Erection of roof extensions to the three residential blocks which comprise Bennetts Courtyard to provide 17 x self contained flats (comprising 9 x 1 bed and 8 x 2 bed flats)

Drawing Nos: See Condition 2.

Contact Officer: Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant Permission subject to conditions and s.106 legal agreement.

CHECKLIST INFORMATION

- Heads of Agreement: Yes, restrict parking permits, affordable housing commuted sum of £170,000 and Zero Carbon Contribution of (the precise amount to be confirmed)
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (28/07/2022)
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 655
- External consultations: Yes
- Conservation area: Yes
- Listed building: Bennetts Courtyard is locally listed and adjacent to Listed Buildings
- Controlled Parking Zone: No
- Green corridor – Yes (bordering the site to the south and west)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the south and west)
- Adjacent to Wandle Valley Regional Park
- Archaeological Priority Zone

- PTAL: 2

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections contrary to the officer recommendation.
- 1.2 By way of background, permission was initially granted under application 20/P3364, for a roof top extension at PAC on 29th June 2020 (the extension proposed would have been set in marginally from the edges of the roof and in a contrasting material).
- 1.3 A successful Judicial Review followed and the decision was quashed, as the comments of the Council's Conservation Officer had not been set out for Members when making their decision. The application was reconsidered, with the benefit of the Conservation Officer's comments and the application was refused at PAC on 17th March 2022 for the following reason:
 1. *The proposed roof extensions, by reason of their form, design and appearance, would result in a detrimental effect on the character and appearance of the Wandle Valley Conservation Area. The public benefits of the proposed roof extensions, to provide 16 new residential units, are not considered to outweigh the less than substantial harm caused to the significance of this designated heritage asset. Therefore, proposed development is contrary to Sections 12 and 16 of the NPPF 2021, Policies HC1, D3 and D4 of the London Plan 2022 and Policies DM D2, DM D3 and DM D4 of the Sites and Policies Plan 2014.*
- 1.4 The current application is a revision of that refused application and proposes an alternative roof form, with no inset from the edge of the building, with materials to match the existing. Members should consider the visual impact of the building, with note to the comments of the Council's Conservation Officer, and conclude whether the proposal has overcome the previous reason for refusal and whether the proposal is acceptable in its own right in planning terms.

2. **SITE AND SURROUNDINGS**

- 2.1 The site is located within the heritage site known as Merton Abbey Mills in Colliers Wood, and is designated within the Wandle Valley Conservation Area (Sub Area 3: Merton Priory). The wider Merton Abbey Mills site is bounded to the west by the River Wandle, by Merantun Way (a primary arterial road) to the north and by Watermill Way to the east and south. The precinct features a mixture of statutory and locally listed buildings. Within the precinct, there are a range of uses, including pub/restaurants, creative and craft based businesses, retail/service businesses and office spaces.

- 2.2 The site consists of three four storey buildings, arranged on three sides on a communal landscaped area which accommodate 52 flats (25 x 1 bed and 27 x 2 bed). The building is known as 'Bennetts Courtyard' and is locally listed. Two of the buildings are rectangular and the other building is square. The buildings are identified as the East, North and West Block within the submission.
- 2.3 The site has an area of 0.25 hectares (the residential density is currently 208 dwellings per hectare).
- 2.4 At ground level the buildings are linked by a ground floor undercroft, which accommodates 45 car parking spaces. A communal garden is provided on the roof of the undercroft. 78 cycle parking spaces are located within the undercroft.
- 2.5 The East and North Block have commercial use on part of the ground floor at their northern end. Residential accommodation is also provided on the remainder of the ground floor and the floors above.
- 2.6 The buildings are a buff brick with aluminium windows, with a central atrium feature.
- 2.7 The site is located to the south of the historic core of buildings at Merton Abbey Mills which is a collection of former industrial buildings that are in commercial use. The William Morris pub also forms part of this group. (This area forms part of the Wandle Valley Conservation Area). There are two Grade II listed buildings in the vicinity, located to the north; Colour House at Misters Liberty's Print Works (LEN: 1080891) and Wheel House at Misters Liberty's Print Works (LEN: 1193882). The Augustinian Priory of St Mary Scheduled Monument (LEN:1001976) is also located to the north-west.
- 2.8 To the east are seven storey blocks of residential flats.
- 2.9 The site is bordered to the south by a stream which is a tributary to the River Wandle. There are mature trees along either side of the stream. Beyond this are the rear gardens of the semi-detached properties which front Runnymede.
- 2.10 The River Wandle runs along the western side of the site, which again benefits from extensive, mature tree coverage on both banks. Beyond this is a large industrial estate.
- 2.11 The site is part of the wider area of Colliers Wood, which includes a number of large retail stores/ parks to the north east of the site.
- 2.12 Colliers Wood underground station is located approximately 800 metres to the north east.

2.13 The site has the following designations and restrictions:

- Archaeological Priority Zone Tiers 1-3
- Flood Zone 2 and 3
- Wandle Valley Conservation Area
- Wandle Valley Regional Park 400m buffer
- Colliers Wood Town Centre
- PTAL 2
- Adjacent to Wandle Trail Nature Park and Lower River Wandle Site of Importance for Nature Conservation (to the south and west of the site).
- Adjacent to Green Corridor (to the west of the site).

3. **PROPOSAL**

- 3.1 The proposal is for the erection of a single storey roof extension to all three buildings within the site identified as the East, North and West Block. The scheme would provide 17 new units (9 x 1 bed and 8 x 2 bed).
- 3.2 Access to the units is via an extension to the existing cores, including an extension of the lift shafts to the new top floor.
- 3.3 The top floor would be in line with the floors below and it is proposed that the extension would be finished in materials and detailing to match the existing building.
- 3.4 Windows, balustrades and louvers would be in grey aluminium to match the existing.
- 3.5 Additional refuse provision and an additional 32 cycle parking spaces will be provided for residents within the buildings undercroft, within existing bin and cycle stores, which would be modified and reconfigured to accommodate the additional requirements, with Sheffield type cycle racks installed. One small additional bin store is proposed within the undercroft area.
- 3.6 No additional car parking is proposed.
- 3.7 The accommodation schedule and housing mix would be as follows:

Unit	Type	GIA (sqm)	Private External amenity space (sqm)
West Block			
1	2B/4P	72	0
2	2B/4P	70	0
3	2B/4P	73	0

4	2B/4P	73	0
5	2B/4P	73	0
6	2B/4P	72	0
North/Central block			
7	2B/4P	96	0
8	2B/4P	98	0
Eastern Block			
10	1B/2P	47	0
11	1B/2P	47	0
12	1B/2P	47	0
13	1B/2P	47	0
14	1B/2P	47	0
15	1B/2P	49	0
16	1B/2P	48	0
17	1B/2P	48	0

Housing mix:

1b 2p	8
1b 2p	1
2b 3p	0
2b 4p	8

- 3.8 External amenity space is provided in a communal shared manor, as per the existing building. There is a total of 1880sqm of shared external amenity split between ground and first floor podium level. The 17 new residential units would have access to this communal area (the existing and proposed units would amount to 69 units on site, which would equate to 27.2sqm of amenity space per unit on average. No private external amenity space is proposed.
- 3.9 The density of the proposed development would be 276 dwellings per hectare.
- 3.10 The application is accompanied by a Flood Risk Assessment, which sets out that the proposed development will not result in any increase in impermeable surface areas on site. As such, there will be no significant changes to the runoff regime. A blue roof is proposed to the building.
- 3.11 The application is accompanied by a financial viability assessment which indicates that there would be a negative residual land value and accordingly no affordable housing contribution would be viable. However, notwithstanding this, a one off payment of £170,000 is offered by the applicant to contribute towards off-site affordable housing provision.
- 3.12 The application is accompanied by the following documents:

- Design and Access Statement
- Air Quality Screening Assessment
- Design & Access Statement
- Built Heritage Statement
- Flood Risk Assessment and Surface Water Drainage Strategy
- Letter from EB7 (daylight and sunlight), dated 21st June 2022
- Energy and Sustainability Statement and Updated Sustainability Appraisal
- Noise Impact Assessment
- Draft s.106 agreement
- Transport Statement
- Viability Report.

4. **CONSULTATION**

4.1 655 letters were sent out to adjoining and nearby neighbours and a site notice was displayed on site. 25 letters of representation have been received raising objection on the following grounds:

- The extension is more intrusive than that previously considered.
- The building won the Housing design Awards in 2005 and the extension is not in keeping with the character of the building or the adjacent Merton Abbey Mills Conservation Area and listed Buildings and would damage this historic context.
- Adverse impact on outlook from users of Merton Abbey Mills.
- The building was built at an appropriate height for its context and should not be taller than it already is.
- Overdevelopment
- The new 2020 permitted development rights “right to rise” development laws do not apply to Conservation Areas.
- Materials are inappropriate.
- Concerns over noise and disturbance from construction process if flats below are occupied (also general concern as to the impact on local businesses throughout the construction process).
- Adverse impact on mental health as a result of the construction process.
- Concerns over potential impact on the structural stability of the building.
- Loss of daylight and sunlight to flats below and properties on Runnymede.
- Overlooking to flats below.
- Concerns that an approval may set a precedent for other buildings in the area (and other Conservation Areas across the borough).
- Loss of light to market area and adverse impact on trade as a result.
- The Council should reject the application unless a quantitative daylight analysis demonstrates there are not adverse impacts on usable daylight hours to the cafes (and eating areas), offices and retail units within the Merton Abbey Mills buildings to the north of the site.

- A pedestrian wind comfort and safety assessment should be made to ensure wind speeds do not increase at ground level.
- Query whether new planning rules to protect those working from home have been introduced as a result of the pandemic.
- Potential temporary loss of communal garden throughout construction process.
- If the building is over 18m in height it would require a EWS1 (External Wall Survey) relating to fire regulations. Existing leaseholders should not be forced into a situation where they should be brought into these regulations. Query if legal advice from the Housing Minister has been sought in this regard.
- Query whether infrastructure is sufficient.
- No affordable housing is proposed. Suggest that financial viability argument is scrutinised in this regard.
- Query where any additional cars would park. The common parking spaces would be utilised by the new occupiers.
- Increase in traffic and congestion.
- The proposal is purely profit driven.
- Harm to biodiversity due to development in close proximity to this green corridor and increased overshadowing.
- Increase in light pollution.
- The 'Liberty Works' application for a large building was refused (17/P0390) and this should also be refused for similar reasons.
- Previous applications for increases in height have been refused.
- This area/site is not identified for additional housing in the existing or draft Local Plan.
- Insufficient lift access to accommodate additional flats.
- The Conservation Area Character Assessment sets out that the buildings to the east of Bennetts Courtyard have a negative effect on the historic character of this part of the conservation Area due to their monolithic appearance. This scheme is within the Conservation Area and will have a similar negative impact.
- Occupiers of the building would not have bought the top floor flats if there was a possibility that additional flats would be built above.
- Devaluing of existing flats.
- The plans are deliberately confusing and obscure.
- Increase in litter and vermin.
- The access road cannot cope with the additional pressure of the increase in use as a result of 17 additional units on site.
- There is no urgent need for housing as other areas nearby are being redeveloped.
- The entrance to the block does not accord with MET Police recommendations and is often used by smokers. This may increase with additional units.
- The planning agent refers to the previous planning applications on site as historic but many residents do not agree with that position.
- The sustainability credentials of the proposal cannot be used as a reason for granting permission.
- Increased security concerns as a result of additional units.

4.2 Wandle Valley Forum:

1. Wandle Valley Forum provides support and an independent voice for 140 community groups, voluntary organisations and local businesses and for everyone who shares a passion for the Wandle.

2. We have considered the two options in these planning applications for the upward extension of Bennett's Courtyard in the context of the Wandle Valley Forum Charter (<http://bit.ly/27Yal2m>). This is an important and sensitive site alongside the river and Merton Abbey Mills and lies within Wandle Valley Conservation Area and Wandle Valley Regional Park.

3. The existing building demonstrates the value of the Conservation Area which has required a much higher quality of building than elsewhere in the locality. This is noted in Merton Council's Character Appraisal which identifies that Bennetts Courtyard is designed in a "much more sympathetic and harmonious manner" than neighbouring buildings outside the Conservation Area. It is important that this quality and distinctiveness is retained.

4. We made representations on similar earlier proposals (20/P3364) for the site and welcomed their eventual rejection following an assessment by Merton Council's Conservation Officer that it would be preferable if the proportions of the existing locally listed building in a Conservation Area were not "marred" by an additional floor. It is unfortunate that these views were not properly considered throughout the decision making process. We agree with the views expressed by Merton Council's Planning Applications Committee in refusing this application in March 2022 that "putting up another unit detracts and affects the view of surrounding buildings in the conservation area and the design did not enhance but detracted".

5. The revised plans are no more sympathetic to the Conservation Area and the locally listed building than those refused by Merton Council. Both options will cause a similar level of harm and neither will preserve or enhance the Conservation Area. The impact of the upward extension in both options on the elevation facing the Wandle is particularly harmful. It will disrupt the existing balance between the building and adjacent river which has been carefully considered in the original scheme.

6. It is notable that the Design and Access Statements for both options fail to give any consideration to the key impact of the proposals on views from the Wandle or across the Wandle from the Wandle Trail in their townscape assessments. Further information is required before determination as the onus is on the applicant to address the harm to designated heritage assets.

7. No more detailed information is provided on the impact of either option on shadowing of the Wandle. As the applicant recognises only "minor

amendments have been made to the scheme” and the original proposals included evidence that the upward extension will increase shading of the river. Further information should be required before determination.

8. Any development on this site should also be used to provide public access and a higher quality of public realm between the building and the river.

9. We object to the plans as being in conflict with Merton Local Plan policies CS5, CS14, DM O2, DM D1, DM D2 and DM D3

4.3 Wandle Heritage Ltd

Wandle Heritage Ltd. was founded by the London Borough of Merton in 1985 as a charity responsible for managing and maintaining the Grade II listed Merton Abbey Mills Wheelhouse and its immediate surroundings within the Wandle Valley Conservation Area . We write to object to this proposal on the following grounds:

1. OVERDEVELOPMENT IN A SENSITIVE CONSERVATION AREA. The Conservation Area includes Merton Abbey Mills (the former Liberty silk printing works), the remains of Merton Priory (i.e. the Chapter House foundations, the Merton Abbey Mills Colour House, and the remaining stretches of the Priory precinct wall in Station Road, Windsor Avenue and the Pickle Ditch area), and in addition the present course of the Wandle (through the historic sites of both Liberty’s and William Morris’s works) as well as its original route via Bennett’s Ditch and the Pickle Ditch.

As such the Area defines a complex of heritage attractions which has long been recognised as a key asset to the Borough. *These features and their importance are comprehensively described in the Council’s own Post Consultation Character Appraisal dated February 2007.*

The Character Appraisal pulls no punches in its criticism (p.26) of the “2CV” development, is naturally concerned with the relationship of any new development within the Conservation Area and its potential negative impact, and sets down clear criteria to avoid what it judges to be past mistakes.

The background to this is the development of the “2CV” land neighbouring Merton Abbey Mills in 2001- 2003, which produced a hotel, a fitness club, two fast-food outlets and a number of high-rise residential blocks, in a jarring variety of system-built designs, none of which blend with or reflect the sensitivity of their surroundings, and which fail as a group to achieve any consistency, in a site that could have been a gift to an imaginative architect as what is virtually an “island village”.

Most of these buildings were just outside the defined Conservation Area, though they inevitably impacted upon it; but for the two proposed blocks

that lay within it planning permission was refused, and they were subsequently redesigned as "Bennett's Courtyard" in a much more sympathetic and harmonious manner by specialist conservation architects Fielden Clegg Bradley.

It is not irrelevant that this redesign in fact gained a prestigious architectural award for its achievement in combining pleasant accommodation with sensitive design. The following artist's impression of the original development accurately shows its relationship with its surroundings, and how despite its four storeys it manages to avoid over-dominating its neighbours - something we believe a fifth storey would inevitably do.

Given this background, and the sensitive nature of the site that has been clearly recognised by Merton's own planning department, our objection is that it would be perverse now to allow a roof extension to buildings that were expertly redesigned precisely in order to blend properly with their neighbours at Merton Abbey Mills, and not to over-dominate the skyline to the South of the site. The proposal should therefore be rejected.

2. INAPPROPRIATE SCALE OVERLOOKING THE WANDLE

Huge and successful efforts have been made in recent years to improve the environment of the River Wandle, both by the riparian Councils and the many trusts and voluntary groups (notably the Wandle Valley Forum), who hold this resource as a rare and precious ribbon of countryside in a predominantly urban setting - a community asset of special importance, which any insensitive development can so easily endanger permanently.

It should go without saying that the height of any proposed development immediately on the river bank is a factor that is especially relevant.

In our view, at four storeys Bennett's Courtyard only just avoids over-dominating what is an extremely pleasant rural stretch of the River - the proposal to add a fifth storey we believe would be a tipping point, at which the relationship of the buildings both to the river and to the scale of the surrounding treescape would have an entirely negative visual effect, and should be rejected.

4.4 Merton Green Party (comments in relation to 20/P3364)

Policy CS8 in the council's core planning strategy sets a borough-wide affordable housing target of 40% for developments of 10 or more units. The applicant's application form states that none of the 17 units will be affordable housing. We ask the Council to require that its 40% target be met.

4.5 Internal consultation responses:

4.6 Council's Conservation Officer:

The application in question seeks approval to add an additional storey to 3 no. modern residential blocks at Bennett's Courtyard. The site is located within the Wandle Valley Conservation Area. There are two Grade II listed buildings in the vicinity, located to the north; Colour House at Mistery's Liberty's Print Works (LEN: 1080891) and Wheel House at Mistery's Liberty's Print Works (LEN: 1193882). The Augustinian Priory of St Mary Scheduled Monument (LEN:1001976) is also located to the north-west. The application must be considered against national planning policy as set out in Section 16 of the National Planning Policy Framework and local policies as set out in the Merton Core Strategy, including Policy CS 14 - Design.

Having reviewed the proposals, it is understood that the design and materials for the additional storey would match that of the host building in each case; therefore, there would be minimal additional visual impact, aside from an increase in height. In terms of the increase in height, it is felt that, overall, the proposal would have a neutral impact on the character and significance of the Conservation Area and setting of the listed buildings and adjacent scheduled monument.

I therefore have no objections in principle but would recommend that a condition be applied requiring samples (including a brick sample panel) of the proposed external materials to be approved in writing prior to the commencement of the related works, in order to ensure a good match and preserve the setting and significance of the heritage assets.

4.7 Council's Conservation Officer further comments:

I had not realised that the Bennetts Courtyard application had such an interesting past.

However, to back track, below are my comments on the previous application. I make particular reference to the materials of the proposed additional floor and that they are inappropriate. The materials and the design of the additional floor would not have been an enhancement. Although, I'm not particularly happy about the increase in height, the current proposal which will seamlessly add the additional floor by using the matching brick and carrying through the design of the lower floors. I am of the opinion that it will not be detrimental to the existing building and conservation area.

Previous comments:

"I do not feel that the proposed additional floor is an enhancement to the existing building, the riverside location or the conservation area. Bennetts Courtyard is a well-designed development which complements its historic industrial location. The contrasting materials of the proposed additional floor do not embellish these

buildings but detract from the simple industrial lines which form its character. It would be preferable that the proportions of this development was not marred with an additional floor.”

4.8 Environmental Health (Noise)

Further to your consultation in relation to the above planning application and having considered the information submitted, should you be minded to approve the application then I would recommend the following planning conditions:-

- 1) Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new plant/machinery shall not exceed LA90-5dB at the boundary with the closest residential property.
- 2) The internal noise criteria together with the glazing façade and ventilation system treatment within the Noise Solutions Ltd, Planning Noise Assessment Report 90743/PNA dated 31st May 2022 shall be implemented to that standard or higher. A post construction compliance assessment shall be submitted prior to first occupancy.
- 3) 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 and monitoring 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.

4.9 Council's Transport Planner (comments in relation to 20/P3364):

As the car parking is managed privately we will not insist on the disabled parking provision. It is for the management company to provide disabled provision as and when required.

4.10 LBM Flood Risk Officer (comments in relation to 20/P3364):

Pre-application comments highlighted the need for safe means of escape to be identified but set out that neither an exception or sequential test would be required as there is no additional footprint created relating to a 'more vulnerable' use (as it is a roof top development).

4.11 LBM Climate Change Officer:

Comments to be provided within modification sheet for Member information.

4.12 LBM Environmental Health (air quality):

Same initial comments for both applications. Are you able to confirm the building energy system and the existence of point sources from the existing development (CHP stack etc.).

I have no issue with the AQA submitted with this application however there is no Air Quality Neutral Assessment. I note that the development is car free so technically the Transport Emissions Benchmark will be met but can't find details of the proposed heating system to gauge building emissions on.

The standard set of AQ conditions would apply in either scenario, will send through on a memo for each app.

Officer response

The applicant has confirmed that there would be no additional gas fired boilers and as such the development would be air quality neutral. Suitable safeguarding conditions are recommended.

4.13 External consultation responses:

4.14 Transport for London

TfL has the following comments:

1. TfL understands that an Active Travel Zone (ATZ) assessment and an accident analysis have now been undertaken. However, it is still unclear how the development will support the Healthy Streets indicators in terms of improving the public realm, reducing car dominance and promoting sustainable and active travel. TfL will support Merton Council should they request a contribution to deliver improvements identified in the 2 ATZ, would support the 10 Healthy Street indicators, and will further encourage active travel, in line with London Plan policy T2

2. A breakdown of the trip generation by mode has now been provided.

3. It is supported that 1 long-stay and 58 short-stay cycle parking spaces will be provided in line with Policy T5 of the London Plan. All cycle parking should be located in a secure, sheltered and accessible location, and should meet design standards set out in Chapter 8 of the London Cycle Design Standards (LCDS).

4. It is supported that 5% of the total provision of cycle spaces will be provided as Sheffield cycle stands to allow for adapted bicycles to safely be secured.

5. TfL understands that the proposed parking provision is unchanged and no justification for the level of parking has been provided. Therefore, TfL still requires the parking provision to be significantly reduced to reflect demand and support the sustainable travel objectives of the LP.

6. Notwithstanding the above, it is welcomed that 20% of the parking spaces will be provide with Electric Vehicle (EV) charging infrastructure. TfL requests additional information to address point 5 prior to being supportive of the planning application

Officer comment

No additional car parking is proposed. Therefore, point 5 above would not be relevant.

4.15 Secured by Design Officer:

Concerns about the entrance lobbies to each block. A local issue is bored young person's congregating in the evenings in stairwells, especially during inclement weather. They cause anti-social behaviour and criminal offences. The residential entrance lobbies should be 'air locked' by a second set of access controlled doors to prevent unauthorised access by tailgating.

A zoned fob controlled system should be installed to control access throughout the blocks including the new units. This can assist with the management of the development and allow access to residents to specific designated areas only. Any trades persons buttons must be disconnected. The fobs should always be encrypted to reduce the risk of them being copied by a third party.

As bicycles and their parts are extremely attractive to thieves, the basement cycle store should have appropriate CCTV coverage to provide identity images of those who enter and activity images within the space. The door of the store should have access control and a locking system operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. The new bicycle storage racks should be secured into concrete foundations, and be of an design that enables cyclists to use at least

two locking points so that the wheels and crossbar are locked to the stand rather than just the crossbar.

4.16 Environment Agency:

Environment Agency Position

We have **no objection** to the proposed development.

Whilst the site is located within Flood Zones 2 and 3, there is no increase in built footprint and no encroachment towards Bunce's Ditch, designated a 'main river'.

The existing building which is being extended upwards is already located in the lowest flood risk area of the site.

Advice to LPA

Sequential Test

In accordance with the NPPF (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience_.aspx

British Standard 85500 – Flood resistant and resilient construction
<https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686>

Flood risk issues not within our direct remit

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

5. RELEVANT PLANNING HISTORY

- 5.1 00/P1879 - REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES TOGETHER WITH ANCILLARY CAR PARKING (OUTLINE PLANNING APPLICATION). Grant Outline Planning Permission 07-06-2002
- 5.2 00/P1882 - REDEVELOPMENT OF THE SITE INVOLVING THE ERECTION OF A HEALTH AND FITNESS CENTRE, RESIDENTIAL FLATS, HOTEL AND TWO RESTAURANTS, TOGETHER WITH A CANOPIED EXHIBITION AREA AND ENHANCEMENT OF THE CHAPTER HOUSE; PROVISION OF CYCLE WAY AND PEDESTRIAN FOOTPATH, WORKS TO BENNETTS DITCH AND PROVISION OF ANCILLARY PARKING FOR THE DEVELOPMENT AND FOR THE ADJOINING MERTON ABBEY MILLS (OUTLINE PLANNING APPLICATION). Grant Outline Planning Permission 07-06-2002
- 5.3 01/P2546 - ERECTION OF 3 X 4 STOREY BUILDINGS TO PROVIDE 26 X 1 BED, 21 X 2 BED FLATS AND GROUND FLOOR ACCOMMODATION FOR RETAIL, FOOD & DRINK/RESIDENTIAL AND CRAFT WORKSHOP USES (CLASSES A1, A3/C3 & B1c), ERECTION OF A NEW BRIDGE ACROSS THE RIVER WANDLE, PROVISION OF AN AREA OF LAND WITHIN THE MARKET COMPLEX FOR THE FUTURE DEVELOPMENT OF A "RENUUE" ALTERNATIVE TECHNOLOGY CENTRE, PROVISION OF HARD AND SOFT LANDSCAPING, CYCLEWAY AND PEDESTRIAN FOOTPATH, WORKS TO BENNETTS DITCH, IMPROVEMENTS TO THE ACCESS TO WATERMILL WAY AND PROVISION OF CAR PARKING FOR 55 VEHICLES. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 07-06-2002

- 5.4 03/P0066 - APPLICATION FOR APPROVAL OF RESERVED MATTERS REGARDING LANDSCAPING FOLLOWING GRANT OF OUTLINE PLANNING PERMISSION REF 00/P1882 - REDEVELOPMENT OF THE SITE INVOLVING THE ERECTION OF A HEALTH AND FITNESS CENTRE, RESIDENTIAL FLATS, HOTEL AND RESTAURANTS. Grant Permission Subject to conditions 21/05/2003.
- 5.5 04/P0424 - REDEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES TOGETHER WITH ANCILLARY CAR PARKING (VARIATION OF CONDITION 18 TO ALLOW PARKING SPACES TO BE USED BY RESIDENTS/OCCUPIERS AND THEIR VISITORS OR BY RESIDENTS/OCCUPIERS AND THEIR VISITORS OF THOSE RESIDENTIAL UNITS FORMING PART OF PLANNING PERMISSION 00/P1882 FOR THE REDEVELOPMENT OF LAND ADJOINING TO THE NORTH AND EAST, FOR FLATS, A HOTEL, HEALTH AND FITNESS CLUB AND RESTAURANTS) OUTLINE PLANNING APPLICATION. Grant Permission Subject to conditions 22/03/2004.
- 5.6 05/P0978 - APPLICATION TO VARY CONDITION 1 OF PLANNING PERMISSION REFERENCE 00/P1882 FOR:- REDEVELOPMENT OF THE SITE INVOLVING THE ERECTION OF A HEALTH AND FITNESS CENTRE, RESIDENTIAL FLATS, HOTEL AND TWO RESTAURANTS, TOGETHER WITH A CANOPIED EXHIBITION AREA AND ENHANCEMENT OF THE CHAPTER HOUSE; PROVISION OF CYCLE WAY AND PEDESTRIAN FOOTPATH, WORKS TO BENNETTS DITCH AND PROVISION OF ANCILLARY PARKING FOR THE DEVELOPMENT AND FOR THE ADJOINING MERTON ABBEY MILLS; TO EXTEND THE TIME PERIOD FOR THE SUBMISSION OF DETAILS IN RESPECT OF THE CANOPIED EXHIBITION AREA AND ENHANCEMENT OF THE CHAPTER HOUSE TO 30 SEPTEMBER 2005 FROM 7 JUNE 2005. Grant Permission Subject to conditions 11/05/2005.
- 5.7 20/P3364 - IMPORTANT: You are being notified again as the decision of the Council to grant permission has been quashed by the Courts following a legal challenge on grounds pertaining to an omission of the Council's Conservation Officer in the officers' report to Committee. The decision has to be taken again. The application will therefore be reconsidered with an updated officer report. The application under consideration remains unaltered and is for the following: Erection of roof extensions to the three residential blocks which comprise Bennett's Courtyard to provide 15 self-contained flats (5 one bedroom and 10 two bedroom). Refuse Permission 20-06-2022 for the following reason:
1. *The proposed roof extensions, by reason of their form, design and appearance, would result in a detrimental effect on the character and appearance of the Wandle Valley Conservation Area. The public benefits of the proposed roof extensions, to provide 16 new residential units, are not considered to outweigh the less than substantial harm caused to the significance of this designated*

heritage asset. Therefore, proposed development is contrary to Sections 12 and 16 of the NPPF 2021, Policies HC1, D3 and D4 of the London Plan 2022 and Policies DM D2, DM D3 and DM D4 of the Sites and Policies Plan 2014.

- 5.8 22/P2151 - ERECTION OF A SINGLE STOREY ROOF EXTENSION TO THE THREE BLOCKS THAT COMPRISE BENNETTS COURTYARD TO PROVIDE 14 RESIDENTIAL PROPERTIES, OF WHICH SEVEN ARE ONE BED AND SEVEN ARE TWO BED, ASSOCIATED CYCLE PARKING AND REFUSE STORAGE. Pending decision
- 5.9 There are a number of other applications with the Merton Abbey Mills site but these are not directly relevant to the current proposal.
- 5.10 Adjacent to the site:
- 5.11 19/P0390 - DEMOLITION OF TEMPORARY PAVILLIONS AND ERECTION OF A PART 4 PART 5 STOREY BUILDING TO CREATE OFFICE SPACE (CLASS B1A) AND GROUND UNITS FOR USE WITHIN CLASS A1 (RETAIL), CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES), CLASS A3 (CAFES AND RESTAURANTS) AND CLASS B1A (OFFICES) (AMENDED PROPOSALS - THE LATEST AMENDMENTS WOULD PROVIDE FOR GREATER FLEXIBILITY FOR USE OF THE GROUND FLOOR). Refuse Permission 11-06-2018 for the following reason:
1. *The proposed development, by reason of its height, scale, form, design and appearance, would result in material harm to the character and appearance of the Wandle Valley Conservation Area (Sub-Area 3) and would result in an inappropriate relationship with the smaller neighbouring historic buildings, contrary to Policies DMD1, DMD2, DMD3 and DMD4 of the Sites and Policies Plan 2014, Policy CS14 of the Core Planning Strategy 2011, Policies 7.4, 7.5, 7.6 and 7.8 of the London Plan 2016 and Section 12 of the National Planning Policy Framework 2012.*

6. POLICY CONTEXT

The key policies of most relevance to this proposal are as follows:

- 6.1 National Planning Policy Framework (2019)
5. Delivering a sufficient supply of homes
 8. Promoting healthy and safe communities
 9. Promoting sustainable transport
 11. Making effective use of land
 12. Achieving well-designed places
 14. Meeting the challenge of climate change, flooding and coastal change
 16. Conserving and enhancing the historic environment

6.2 London Plan 2021:

D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D11 Safety, security and resilience to emergency
D12 Fire safety
D14 Noise
HC1 Heritage conservation and growth
H1 Increasing housing supply
H2 Small sites
H10 Housing size mix
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 13 Sustainable drainage
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing and construction

6.3 LDF Core Planning Strategy (July 2011)

CS8 Housing Choice
CS9 Housing Provision
CS11 Infrastructure
CS13 Open space, nature conservation, leisure and culture
CS14 Design
CS15 Climate Change
CS16 Flood Risk Management
CS17 Waste Management
CS18 Active Transport
CS20 Parking, Servicing and Delivery

6.4 Sites and Policies Plan and Policies Map (July 2014)

DM H2 Housing mix
DM O2 Nature Conservation, Trees, hedges and landscape features
DM D2 Design considerations in all developments
DM D3 Extensions and alterations to existing buildings

DM D4 Managing heritage assets
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
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
DM T5 Access to the Road Network

6.5 Other guidance:

DCLG Technical Housing Standards - Nationally Described Space Standard 2016
London Sustainable Design and Construction - SPG 2014
London Character and Context SPG - 2014
GLA Guidance on preparing energy assessments - 2018
Merton's Design SPG 2004
LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018
The Mayor's Air Quality Strategy – 2010
London Housing SPG – 2016
London Town Centres SPG – 2014
London Affordable Housing and Viability SPG – 2017
London Play and Informal Recreation SPG – 2012
Accessible London: achieving an inclusive environment SPG – 2014
GLA Guidance on preparing energy assessments – 2018
Merton's Development Viability SPD (2017-2018) – Consultation draft
London Development Agency's Inclusive Design Toolkit – web based resource
SPG Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment - 2014.

7. **PLANNING CONSIDERATIONS**

7.1 Key Issues for consideration

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

- Principle of development
- Need for additional housing and residential density
- Housing mix
- Affordable Housing
- Design and impact upon the character and appearance of the area and Conservation Area
- Impact on neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Refuse storage and collection

- Fire Safety
- Safety and Security considerations
- Sustainable design and construction
- Flooding and Drainage
- Air quality
- Biodiversity
- Response to issues raised in objection letters

7.2 Principle of development

7.2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

7.2.2 The proposal would provide 17 residential units within a relatively sustainable location and is considered to be acceptable in principle subject to compliance with the relevant policies of the Development Plan.

7.2.3 The site is within the Wandle Valley Conservation Area, wherein development should preserve or enhance the character and appearance of the Conservation Area.

7.2.4 Officers consider that the principle of development is acceptable, subject to consideration against the policies of the Development Plan.

7.3 Need for additional housing and residential density

7.3.1 Housing Targets

7.3.2 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.3 Provision of housing

7.3.4 Policy H1 of the London Plan 2021 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.

7.3.5 Policy H1 of the London Plan 2021 has set Merton a ten-year housing target of 9,180 new homes. The proposal would make a valuable contribution to meeting that target and providing much needed new housing.

7.3.6 The proposal to provide a partly residential use to this site is considered to respond positively to London Plan and Core Strategy planning policies to increase housing supply and optimise sites.

7.3.7 Merton's five year land supply

7.3.8 Merton currently does not have a five-year supply of deliverable housing. It is therefore advised that members should consider this position as a significant material consideration in the determination of planning applications proposing additional homes.

7.3.9 Where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, relevant decisions should apply the presumption in favour of sustainable development. This means that for planning applications involving the provision of housing, it should be granted permission unless:

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

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

7.3.11 Density

7.3.12 Policy D3 of the new London Plan requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.

7.3.13 The proposed development would have a density of 276 dwellings per hectare (compared to the existing 208 dwellings per hectare).

7.3.14 New London Plan, Policy D6 sets out that:

“Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context
2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)

3. the capacity of surrounding infrastructure”

7.3.15 The London Plan 2021 does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals. Density has been measured and monitored in London over recent years in units per hectare (u/ha). Average density across London of new housing approvals in the monitoring year 2015/16 was 154 u/ha with the highest average density being recorded in Tower Hamlets at 488 u/ha. However, comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units. Planning application boundaries are determined by the applicant. These boundaries may be drawn very close to the proposed buildings, missing out adjacent areas of open space, which results in a density which belies the real character of a scheme. Alternatively, the application boundary may include a large site area so that a tall building appears to be a relatively low-density scheme while its physical form is more akin to schemes with a much higher density.

7.3.16 Therefore, whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development. A planning assessment of the above criteria will be discussed throughout this committee report for member consideration when determining the planning considerations of the scheme.

7.4 Housing mix

7.4.1 New London Plan Policy H12 and associated planning guidance promotes housing choice and seeks a balance of unit sizes in new developments.

7.4.2 Policy DM H2 sets out that residential development proposals will be considered favourably where they contribute to meeting the needs of different householders such as families with children, single person households and older people by providing a mix of dwelling sizes, taking account of the borough level indicative proportions concerning housing mix.

7.4.3 The supporting text to the policy explains that there has been a disproportionate provision of smaller homes compared to larger homes: 84% of dwellings completed in the borough between April 2000 and March 2011 consisted of 1 or 2 bedroom units.

7.4.4 The supporting text to the policy sets out borough level indicative proportions which are as follows:

Number of bedrooms	Percentage of units
One	33%
Two	32%
Three+	35%

7.4.5 The mix is informed by a number of factors, including Merton's Strategic Housing Market Assessment 2010.

1b 2p	8
1b 2p	1
2b 3p	0
2b 4p	8

7.4.6 The current scheme proposes the following mix: 1 bed (53%), 2 bed (47%).

7.4.7 The new London Plan advises that boroughs should not set prescriptive dwelling size mix requirement but that the housing mix should be informed by the local housing need.

7.4.8 Policy H12 Housing size mix of the new London Plan sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. Boroughs should not set policies or guidance that require set proportions of different-sized (in terms of number of bedrooms) market or intermediate units to be delivered. The supporting text to Policy H12 sets out that such policies are inflexible, often not implemented effectively and generally do not reflect the optimum mix for a site taking account of all the factors set out in part A of Policy H12. Moreover, they do not necessarily meet the identified need for which they are being required; for example, larger units are often required by boroughs in order to meet the needs of families but many such units are instead occupied by sharers.

7.4.9 The housing mix proposed has been dictated in part by the layout of the existing building below. However, it is noted that the scheme includes 2b/4p flats which may be suitable for some degree of family occupation. The proposed housing mix of this flatted development is considered to reflect the needs of the area and no objection is raised in this regard.

7.5 Affordable Housing

7.5.1 The Council's policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.5.2 In seeking this affordable housing provision LMB will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

7.5.3 The Mayor's SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

"Applications that meet or exceed 35 per cent affordable housing provision, by habitable room, without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)...

... Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA)."

7.5.4 These requirements are reflected in the New London Plan, which states that:

"to follow the Fast Track Route of the threshold approach, applications must meet all the following criteria:

- 1.meet or exceed the relevant threshold level of affordable housing on site without public subsidy,
- 2.be consistent with the relevant tenure split (Policy H7 Affordable housing tenure),
- 3.meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant,
- 4.demonstrate that they have taken account of the strategic 50 per cent target in Policy H5 Delivering affordable housing and have sought grant where required to increase the level of affordable housing beyond 35 per cent."

7.5.5 Provided that the scheme meets the 35% provision, meets the tenure split set out in policy CS8 and demonstrates that the developer has engaged with Registered Providers (RPs) and the LPA to explore the use of grant funding to increase the proportion of affordable housing, then the proposal could be dealt with under the Mayor's Fast Track Route, which would not require the submission of additional viability information.

7.5.6 The application is accompanied by a financial viability assessment which indicates that the proposal would not be able to deliver any on-site affordable housing or a commuted sum and remain financially viable.

7.5.7 Under the previous application, 20/P3364, the submitted assessment was scrutinised by independent financial viability assessors, employed by the Council, who scrutinised the submission and concluded that the scheme could not provide any on-site affordable housing but could contribute a commuted sum of £71,425 and remain viable.

7.5.8 However, in order to avoid the lack of certainty that a financial clawback mechanism within the s.106 legal agreement, the applicant has offered a commuted sum of £170,000, which is substantially in excess of what is likely to be secured through any clawback mechanism (based on the comments from the viability assessor on the previous application) and as such officers conclude that this offer would be advantageous to the Council and would secure a definitive commuted sum for affordable housing purposes.

7.5.9 The current application is under review by another third party independent adviser and formal comments will be included in the modifications sheet.

7.6 Design and impact upon the character and appearance of the area and Conservation Area

7.6.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the new London Plan in Policies D3 (Optimising site capacity through the design-led approach) and D4 (Delivering Good Design). These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

7.6.2 Policy DM D2 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. Policy DM D4 seeks to ensure that development within Conservation Areas either preserves or enhances their character/appearance and also seeks to protect heritage assets. Core Planning Policy CS14 supports these SPP Policies.

7.6.3 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent

with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;

- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.6.4 According to Paragraph 129, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

7.6.5 Sites and policies plan policy DM.D4 requires that:

b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting.

7.6.6 The legislative framework can be found in Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990:

“66.— General duty as respects listed buildings in exercise of planning functions.

(1) In considering whether to grant planning permission [...] for development which affects a listed building or its setting, the local planning authority [...] shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

72.— General duty as respects conservation areas in exercise of planning functions.

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

7.6.7 Merton Abbey Mills is an enclave of historically significant buildings related to the historic mill use. Generally, the buildings are low level (one and two storeys in height). More recent development to the south and southeast of the site is at a greater scale, with buildings up to 6/7 storeys in height. The application site accommodates buildings of 4 storeys in height.

7.6.8 The Wandle Valley Conservation Area Sub-Area 3 Character Assessment (Post Consultation Draft 2007) describes the buildings on site as follows:

“More recent development to the south of Merton Abbey Mills is also predominantly of brick and although architecturally of a contemporary design it reflects the character of the conservation area in terms of the scale and massing of the buildings and also the design of the fenestration which reflects the more industrial character of the buildings at Merton Abbey Mills.”

7.6.9 In relation to the existing buildings on the application site, Bennetts Courtyard, the Assessment sets out:

“The new residential development, Bennetts Courtyard, to the South of Merton Abbey Mills has been identified as making a positive contribution to the character and appearance of the conservation area is considered to merit inclusion on the Council’s non-statutory local-list.”

In terms of negative features, the Character Assessment identifies the modern buildings to the south of the application site as harmful to the setting of the Conservation Area:

“The new residential development immediately to the east of the conservation area to the south of Merantun Way is of a rather monolithic in appearance and does not relate to the existing character of the area in terms of its architectural appearance. Although not itself within the conservation area it does have a negative impact on the historic character of this part of the conservation area.

7.6.10 Similarly the new hotel and fitness centre to the east of the Merton Priory Scheduled Ancient Monument does not relate to the character of the nearby conservation area in terms of its built form, scale, size and materials used in its construction and has a negative impact on the setting of the conservation area to the west.”

7.6.11 It is important that the scheme respects the impact on the character, appearance and setting of the Conservation Area and in particular, the historic core of buildings within Merton Abbey Mills.

7.6.12 It is of note that the scheme for the existing buildings on site was the overall winner of the 2005 Housing Design Awards and winner of the 2005 Medium Housebuilder Award and are Locally listed buildings.

7.6.13 The existing flatted blocks were originally constructed in the early 2000s and particular care was taken to ensure that the bulk and massing respected the lower rise nature of Merton Abbey Mills. The flatted buildings form a ‘book-end’ to the historic enclave with the tallest

buildings being located the furthest away from the lower level historic buildings. Whilst it is acknowledged that the proposed development would increase the height of the existing buildings, officers consider that the extension has been designed in a sympathetic manner to appear unobtrusive.

7.6.14 Officers acknowledge that assessing design and impact on heritage assets is a subject matter for each individual and was subject of lengthy discussion by Members of the planning committee previously. Officers consider that the integrated approach to the design of the roof top extension is a more appropriate design choice that is more consistent with industrial character and appearance of the original building, especially when compared to the previous refusal (which had the extension set in from the edges of the building and contrasting materials). The current proposal has been reviewed by the Council's Conservation Officer, in conjunction with the Council's Interim Conservation Officer, who both conclude that there would be minimal additional visual impact, aside from an increase in height. In terms of the increase in height, it is felt that, overall, the proposal would have a neutral impact on the character and significance of the Conservation Area and setting of the listed buildings and adjacent scheduled monument.

7.6.15 Officers note the concerns raised in representations relating to the impact on the character of the existing building and Conservation Area but it is concluded that the rooftop extension would be a well-designed, modest addition which would not appear visually overpowering in local views and would satisfactorily preserve the character of the existing buildings, setting of adjacent listed buildings, Conservation Area and wider area.

7.6.16 The previous application was refused due to the impact on the character and appearance of the Conservation Area. The Council's Conservation Officer raised some concern with the previous proposal but does not identify any harm associated with the current proposal due to the matching materials and the fact that the additional floor continues the architectural form of the floor below.

7.6.17 Therefore, Officers conclude that the impact on the character and appearance of the Conservation Area would be acceptable, as set out above.

7.6.18 Members are required to consider the proposed development, taking into account the relevant material planning considerations as outlined within this report and bearing in mind the duty to consider the special regard to be made to preserving the building or its setting, or any features of special architectural or historic interest which it possesses and to consider the special attention that should be paid to the desirability of preserving or enhancing the character or appearance of that area.

7.7 Impact on neighbouring amenity

7.7.1 SPP policy DM D2 states 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 loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.7.2 Privacy and overlooking

7.7.3 The proposed rooftop extensions would not result in any greater level of overlooking or intervisibility between properties than the current layout. The concerns of existing top floor occupiers is noted and it is acknowledged that there would be views over to these new flats and views from the new flats. However, the layout would replicate the relationship that exists at the lower floors currently and given the separation distances between blocks, officers consider that an objection on this basis could not be reasonably substantiated.

7.7.4 Loss of light, shadowing and visual intrusion

7.7.5 The additional floor would have a similar massing to the floors below and would effectively result in a similar relationship to the flats on the lower floors as currently exists between floors. However, officers acknowledge that the additional floor would have some marginal increased impact in terms of daylight/sunlight and outlook on the floors below.

Vista House

7.7.6 The adjacent building, Vista House, has a number of windows to the western elevation facing the application site, although the main outlook for Vista House is to the north and south. Given that a number of the windows on this elevation are serving dual aspect rooms, the impact on daylight and sunlight to this building is considered acceptable.

Runnymede

7.7.7 The properties along Runnymede are sufficiently separated from the proposed rooftop extension that whilst there would be some views of the development, it would not result in material harm to amenity.

Bennetts Courtyard

7.7.8 In terms of the impact on the existing flatted properties at Bennetts Courtyard, the orientation of the Bennetts Courtyard properties results in them maintaining an open aspect to the south such that sky visibility is not directly blocked by the extension scheme. There would be some marginal loss of morning and evening sun but not to the extent that it would amount to material harm to amenity.

7.7.9 The proposal is not considered to result in material harm to residential amenity.

7.8 Standard of Accommodation

- 7.8.1 Policy D6 of the London Plan states that housing developments should be of the highest quality internally and externally. New residential development should ensure that it reflects the minimum internal space standards (specified as Gross Internal Areas).
- 7.8.2 All units would meet or exceed the minimum GIA requirements of the London Plan.
- 7.8.3 Policy DMD2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of sunlight and daylight and quality of living conditions for future occupants.
- 7.8.3 The majority of units proposed are dual aspect with some single aspect units in the central parts of the blocks. However, this layout is similar to the existing layout below and light levels to the proposed properties would be similar to those in the existing flats on site.
- 7.8.4 Policy S4 of the London Plan deals with the provision of children's playspace. The policy sets out that: "Off-site provision, including the creation of new facilities or improvements to existing provision, secured by an appropriate financial contribution, may be acceptable where it can be demonstrated that it addresses the needs of the development whilst continuing to meet the needs of existing residents. This is likely to be more appropriate for the provision of play facilities for older children, who can travel further to access it, but should still usually be within 400 metres of the development and be accessible via a safe route from children's homes."
- 7.8.5 In terms of amenity space provision, given the extensive communal space associated with the existing buildings, there would be no justification in planning terms to require any additional provision of outdoor amenity space.

7.9 Transport, highway network, parking and sustainable travel

- 7.9.1 Policy T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking.
- 7.9.2 The Council's Transport Planner have considered the proposals and raise no objection as the proposal is unlikely to have a significant impact on the adjoining public highway.

- 7.9.3 Watermill Way is a no parking zone with double yellow lines along both sides of the road. Private residential parking areas are provided in relation to the existing buildings. A pay and display car park (operated and managed privately) is located to the northeast in relation to the existing food court. Unrestricted on-street car parking is located to the south of the site including on Runnymede.
- 7.9.4 It is noted that Watermill Way is a private road and therefore controlled by the management company on-site rather than the Council, as Highway Authority. Therefore, parking and access within the site is handled by the management company. A number of objections have focussed on the issues of car parking and access concerns as a result of additional parking pressure created by the additional units.
- 7.9.5 In planning policy terms, the London Plan sets out maximum provision and in Outer London PTAL 2 areas the maximum parking provision is one space per unit.
- 7.9.6 Currently there are 52 residential units on site and 45 car parking spaces (a ratio of 0.86 spaces per unit). The current proposal would result in 69 units on site (a ratio of 0.65 spaces per unit). Officers conclude that the limited parking demand could be adequately managed on site and would not warrant a refusal in planning terms.
- 7.9.7 The provision of cycle parking would meet the requirements of the London Plan and no objection is raised on this basis.
- 7.9.8 The scale of the development is unlikely to result in trip generation which would have a significant impact on highway capacity.
- 7.9.9 Whilst the concerns raised in representations are noted, there is no reasonable planning basis to refuse the application based on highway or servicing arrangements and the proposal is considered to comply with the relevant development plan policies.
- 7.10 Refuse storage and collection
- 7.10.1 Policies SI 8 and SI 10 of the London Plan and policy CS 17 of the Core Strategy requires details of refuse storage and collection arrangements.
- 7.10.2 A storage area for refuse has been indicated on the ground floor, which provides suitable access to residents and for the transportation of refuse for collection. It is considered this arrangement would be acceptable and a condition requiring its implementation and retention will be included to safeguard this.
- 7.11 Fire Safety

7.11.1 In terms of fire safety, the London Plan sets out, in the supporting text to Policy D12, that “fire safety compliance is covered by Part B of the Building Regulations. However, to ensure that development proposals achieve the highest standards of fire safety, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, applicants should consider issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole.”

7.11.2 As set out above, officers advise that the issue of fire safety is a consideration under the building regulations. However, officers note that the application includes a Fire Strategy, which indicates that matters of fire safety have been considered in the proposed development. The proposed development will be subject to Building Regulations relating to fire safety and therefore, this matter would be considered in its entirety, at that stage.

7.12 Safety and Security considerations

7.12.1 Policy DMD2 sets out that all developments must provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.

7.12.2 The comments of the Secured by Design Officer have been carefully considered. However, the existing entrance arrangements are considered sound and would not provide an area for concealment to the extent that the building should be redesigned.

7.12.3 The proposal is considered to be acceptable in terms of safety and security considerations.

7.13 Sustainable design and construction

7.13.1 London Plan policies SI 2 to SI 5 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.

7.13.2 As per CS policy CS15, major residential developments are required to achieve a 35% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The applicant has provided information to set out that a carbon offset contribution would not be required as the development will achieve net-zero carbon emissions on site. This has yet to be verified by the Council's Climate Change officer and a combination of a planning condition and S106 requirement would safeguard the Council's position and avoid delay in the determination of the application. This matter will be reported to members at the meeting.

7.13.3 Subject to conditions, the proposal is considered to be acceptable in terms of sustainable design and construction.

7.14 Flooding and Drainage

7.14.1 New London Plan policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage), Core Planning Strategy 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.

7.14.2 The proposed development would be "More Vulnerable" and the NPPF flood risk vulnerability of the site will remain unchanged post-development

7.14.3 The risk of the proposed development increasing flood risk elsewhere is considered negligible.

7.14.4 The proposed development will not result in any increase in impermeable surface areas on site. As such, there will be no significant changes to the runoff regime, rate or volumes post-development. London Plan Policy recommends SuDS should be implemented where practical and reasonable - small-scale SuDS measures such as blue roofs are considered in the SUDS strategy.

7.14.5 Following the guidelines contained within the NPPF, the proposed development is considered to be suitable assuming appropriate mitigation (including adequate warning procedures and means of escape) can be maintained for the lifetime of the development (this matter can be secured by way of condition)

7.14.5 Officers conclude that subject to condition, to ensure these measures are employed, that the proposed development would be acceptable in terms of flooding, drainage and runoff.

7.15 Air quality

7.15.1 Planning Policy DM EP4 of Merton's Adopted Sites and Policies plan (2104) seeks to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on people, the natural and physical environment in Merton. The policy states that to minimise pollutants, development:

- a) Should be designed to mitigate against its impact on air, land, light, noise and water both during the construction process and lifetime of the completed development.

b) Individually or cumulatively, should not result in an adverse impact against human or natural environment. London Plan policy SI 1 (Improving Air Quality) recognises the importance of tackling air pollution and improving air quality to London's development and the health and wellbeing of its people. In accordance with the aims of the National Air Quality Strategy, the Mayor's Air Quality Strategy seeks to minimise the emissions of key pollutants and to reduce concentration to levels at which no, or minimal, effects on human health are likely to occur. To meet the aims of the National Air Quality Objectives, the Council has designated the entire borough of Merton as an Air Quality Management Area (AQMA).

7.15.2 The Council's Environmental Health Service has reviewed the proposals and raises no objection subject to a condition to ensure that dust and emissions are controlled throughout the construction process. Subject to this condition, officers raise no objection.

7.16 Biodiversity

7.16.1 The site is directly adjacent to a Green Corridor and Site of Nature Conservation Importance. The development itself would not encroach onto this area but concerns have been raised by residents regarding light to the riverside area. It is acknowledged that there may be some marginal overshadowing of the riverside area but the additional roof extension is modest in terms of the overall scale and bulk of the buildings and officers conclude that an objection could not be reasonably substantiated on this basis.

7.16.2 The submission of Construction Method Statement will ensure that storage of materials or equipment/plant ensures that there is no encroachment into the SINC and Green Corridor (this matter can be secured by way of condition).

7.17 Response to issues raised in objection letters

7.17.1 The majority of issues raised in the objection letters have been addressed in the body of the report. However, in addition, the following response is offered:

- There would be some marginal overshadowing to Merton Abbey Mills, however, this impact would be marginal and it is noted that there are no formal requirements in relation to the impact of daylight and sunlight on commercial uses such as cafes, shops and the market in general from new development that would be applicable.
- The proposal does have the potential to cause disturbances throughout the construction process. Whilst this cannot reasonably form a reason for refusal officers recommend that conditions are imposed to minimise this impact where possible.

- Issues relating to the structural stability of the application are not material planning considerations but would be considered under the Building Regulations.
- The addition of one additional floor to these buildings would not result in such a high building as to warrant further submissions in terms of wind modelling.
- Issues relating to fire safety are primarily addressed at the Building Regulations stage and therefore whether the proposal would result in the building being subject to a EWS1 (External Wall Survey) relating to fire regulations is not a material planning consideration.

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 principle of residential development is considered to be acceptable.

9.2 The proposal would provide additional housing units, for which there is an on-going need. The proposal is considered to be a modest and relatively discrete addition to the existing flatted blocks, which would replicate existing relationships with other nearby flats and which would preserve the character and appearance of the Conservation Area. For the reasons set out above in this report, it is concluded that the proposal would be acceptable in planning terms.

10. **RECOMMENDATION**

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits.
- Affordable housing commuted sum £170,000
- A suitable carbon off set contribution in the event that CO2 reductions fail to meet the zero emissions target.
- The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations.

And the following conditions:

1. A1 Time limit
2. A2 Approved Plans
3. B1 External Materials to be Approved

4. The development shall be carried out in accordance with the measures set out in the submitted Fire Statement, dated 14/09/2022, carried out by Bureau Veritas.
5. C07 Refuse & Recycling (Implementation)
6. D10 External Lighting
7. H07 Cycle Parking to be implemented
8. H10 (Construction vehicles, washdown facilities, etc)
9. H13 (Construction Logistics Plan)
10. Non Standard Condition. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and the London Plan.
11. Non Standard Condition. Prior to the first occupation of the development hereby approved a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and the London Plan.
12. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall not exceed LA90-5dB at the boundary with any residential property.
Reason: To protect the amenities of future occupiers and those in the local vicinity.
13. Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the ALN Acoustic Design, Noise Impact Assessment Report J0504_R01, dated November 2020,

must be implemented as a minimum standard for the development.

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

14. 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.

15. Construction Management Plan, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated

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

16. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To ensure that the development would not result in a deterioration of air quality.

17. 1. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:
- a) An Air quality management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring.
 - b) Construction environmental management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.
2. The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.
- Reason: To ensure the development does not raise local environment impacts and pollution.

18. 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 documents, and wholesome water consumption rates of no greater 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.

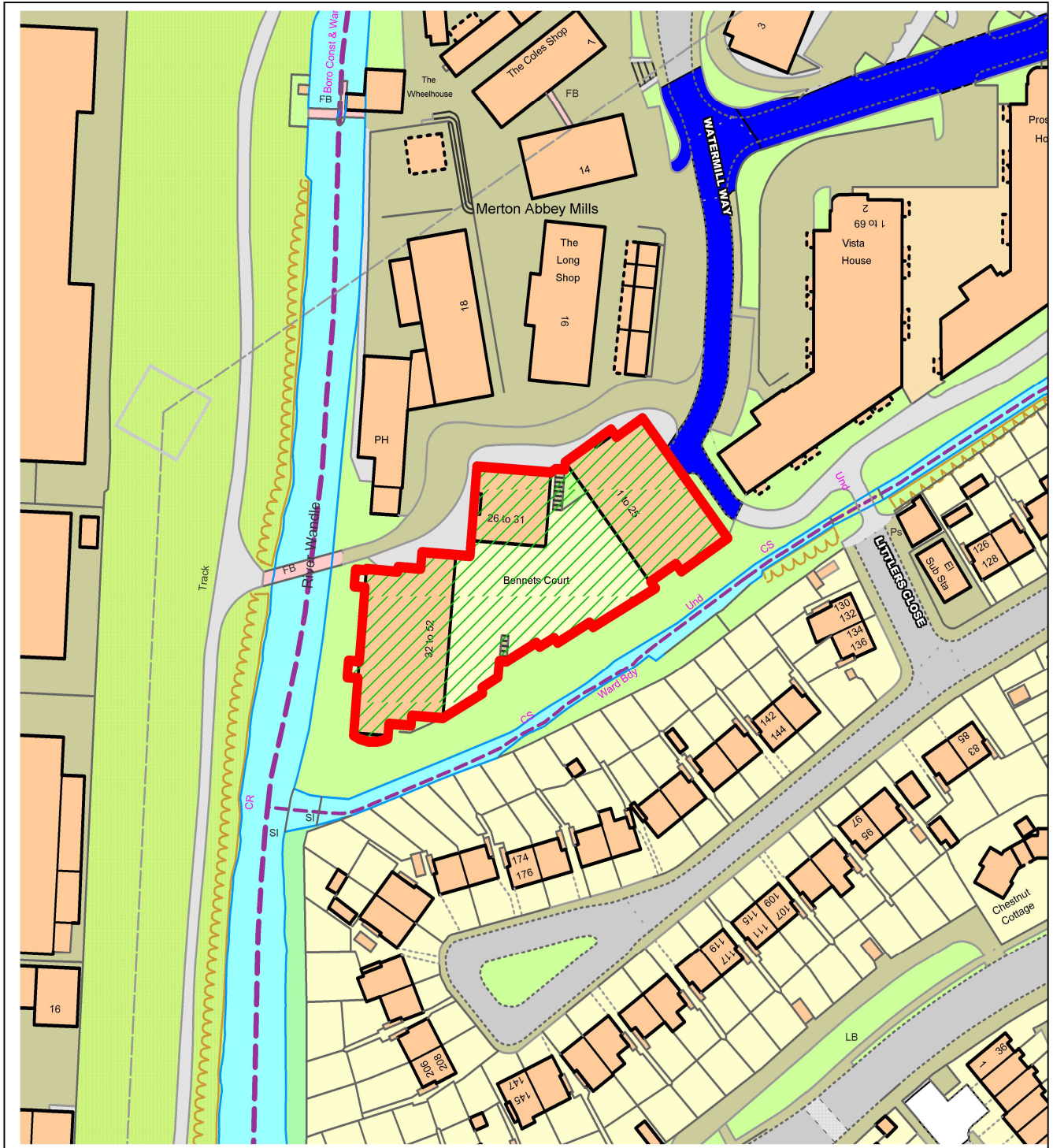
Informatives:

1. Carbon emissions evidence requirements for post construction stage assessments must provide: 'As Built' SAP Compliance Reports and detailed DER and TER worksheets for the as built development. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction. The outputs must be dated and include the accredited energy assessor's name and registration number, the 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. AND, where the developer has used SAP 10 conversion factors: The completed Carbon Emissions Reporting

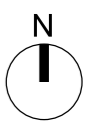
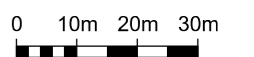
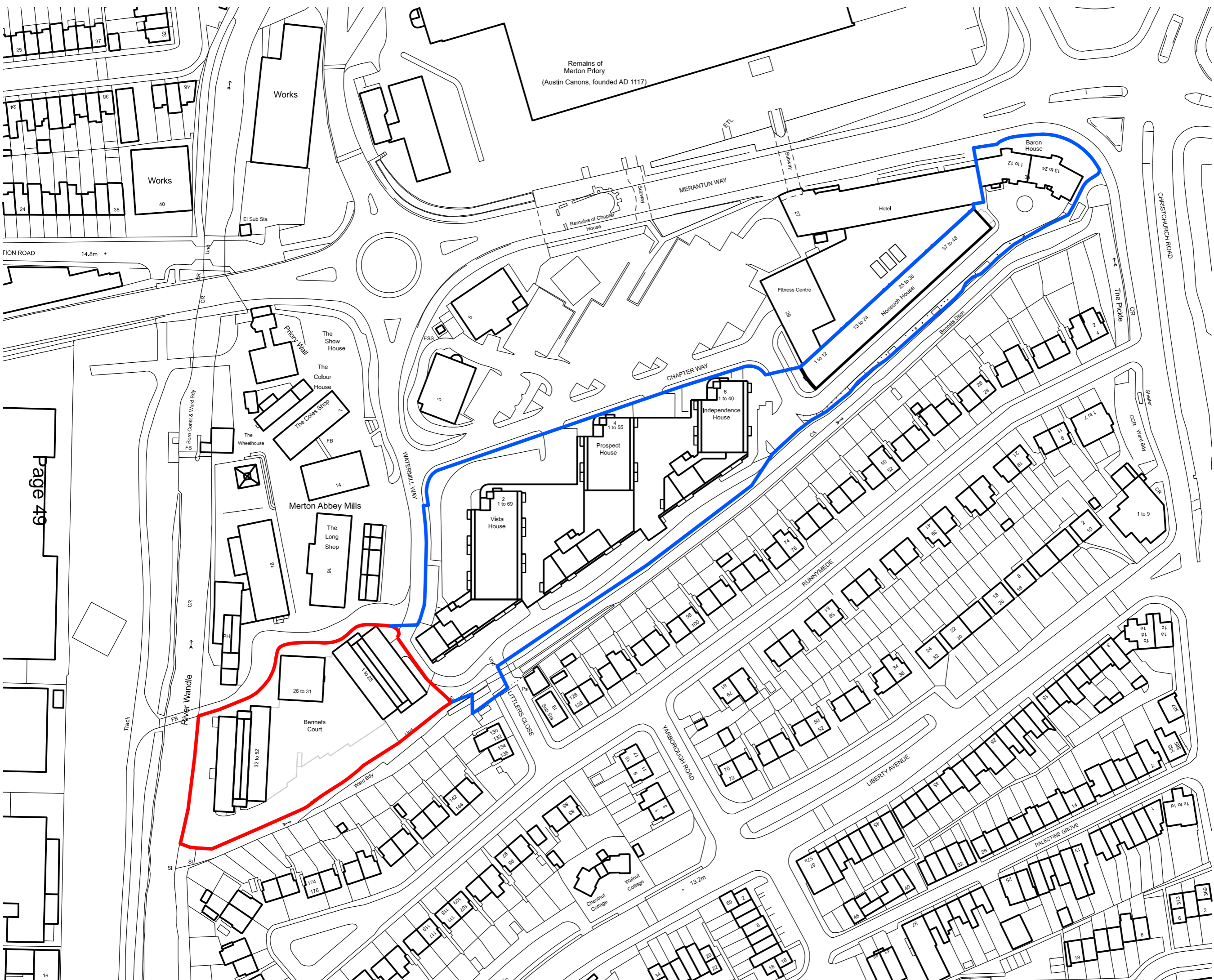
Spreadsheet based on the 'As Built' SAP outputs. AND, where applicable: MCS certificates and photos of all installed renewable technologies.

2. Water efficiency evidence requirements for Post Construction Stage assessments must provide:
 - Documentary evidence representing the dwellings 'As Built'; detailing:
 - the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
 - the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
 - Water Efficiency Calculator for New Dwellings; 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'
3. INF 15 Discharge conditions prior to commencement of work
4. INF 20 Street naming and numbering
5. INFORMATIVE: 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).
6. NPPF Note to Applicant – approved schemes
7. Informative: Flood Risk Activity Permit Under the Environmental Permitting (England and Wales) Regulations 2016, you must submit plans to the Environment Agency and apply for a Flood Risk Activity Permit if you want to do work:
 - In, over or under a main river
 - Within 8m of the bank of a main river, or 16m if it is a tidal main river (check the location of main rivers here)
 - Within 8m of any flood defence structure or culvert on a main river, or 16m on a tidal main river Flood risk activities can be classified as: Exclusions, Exemptions, Standard Rules or Bespoke. These are associated with the level of risk your proposed works may pose to people, property and the environment. Further guidance on applying for flood risk activity permits can be found on the following link <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits>.

NORTHGATE SE GIS Print Template



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Revision	Date	Description
A	29/04/2022	Planning

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Location Plan

Drawing Number	Revision
WP-0730-A-BC-000-P-00	A

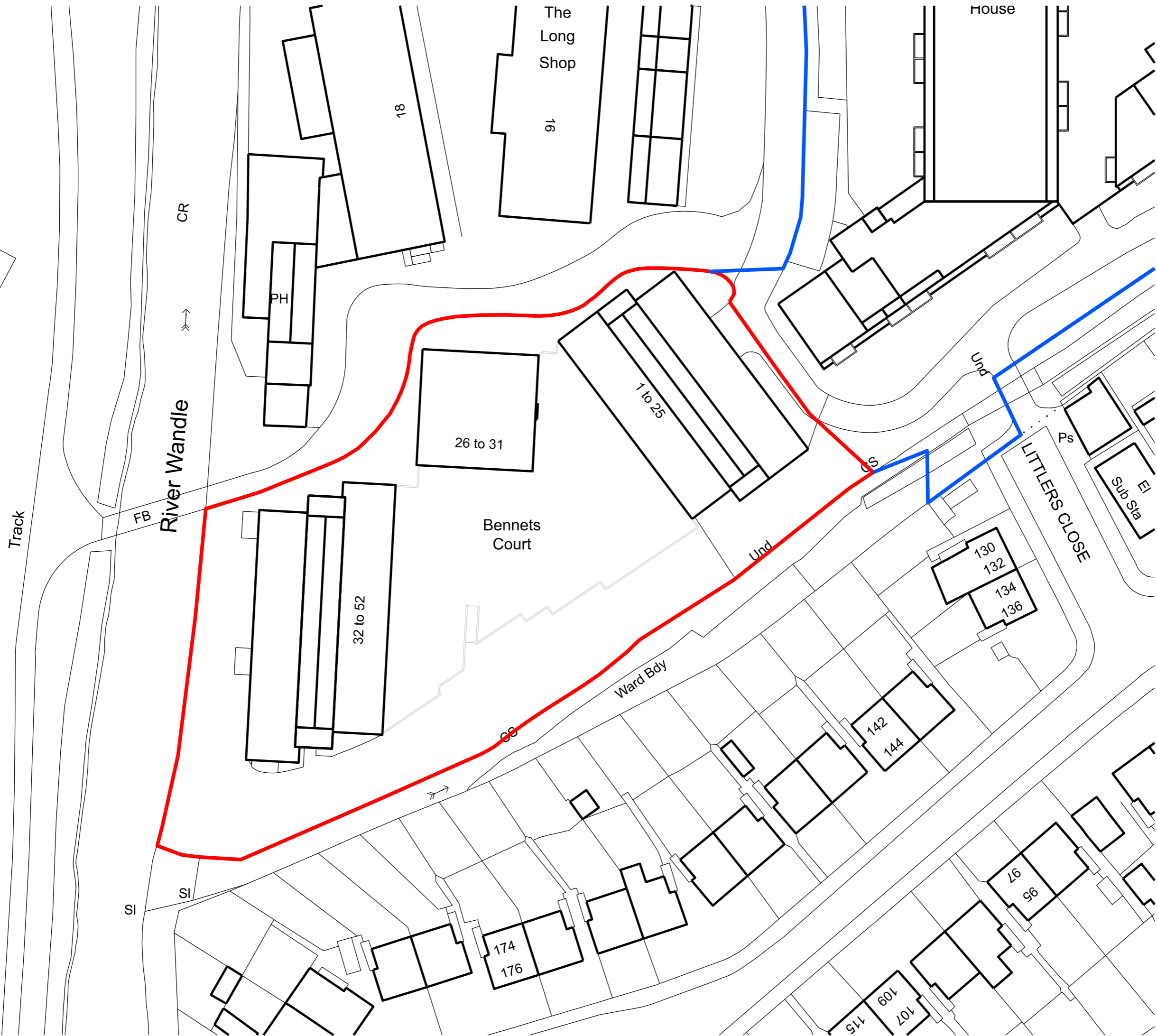
Scale @ A3	Revision Date
1:1250	29-04-2022

Drawing Purpose
PLANNING

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The Mews,
6 Putney Common, SW15 1HL

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0 5m 10m 15m 20m

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Block Plan
Bennets Court

Drawing Number	Revision
WP-0730-A-BC-001-P-00	A


Scale @ A3	Revision Date
1:500	29-04-2022

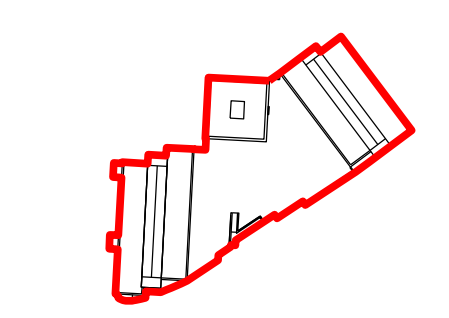
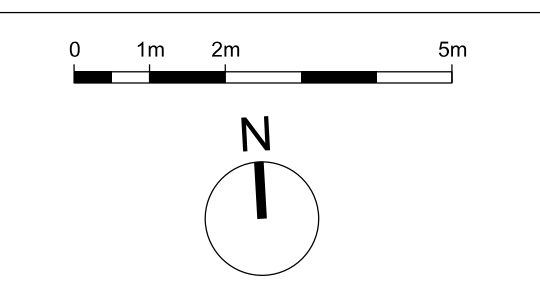
Drawing Purpose
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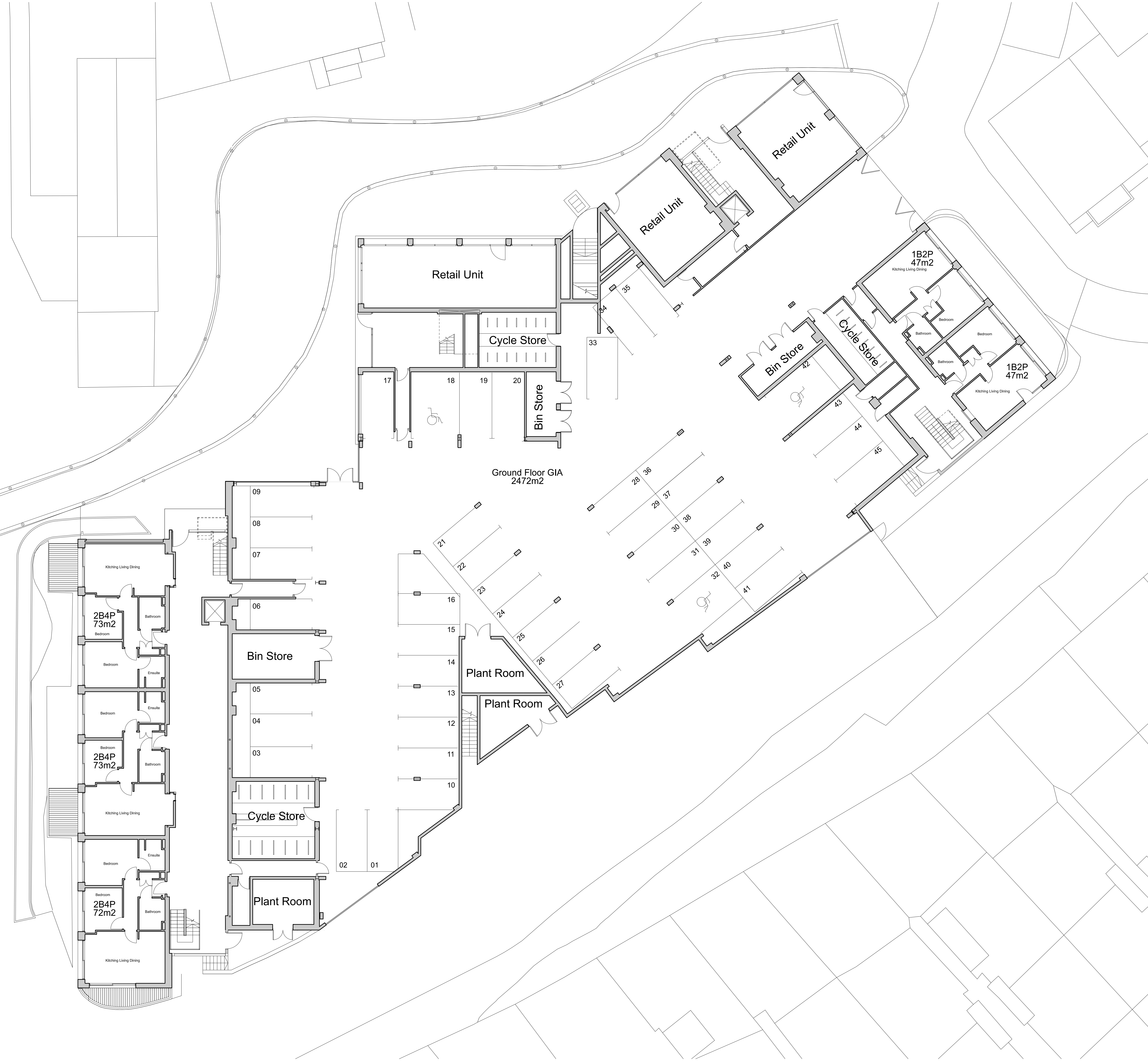
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Ground Floor GIA
2472m²

Kitchen Living Dining

2B4P
73m²

Bedroom

Bedroom

Bedroom

2B4P
73m²

Bedroom

Bedroom

2B4P
72m²

Bedroom

Kitchen Living Dining

09

08

07

06

Bin Store

05

04

03

Cycle Store

02

01

Plant Room

Retail Unit

Cycle Store

17

18

19

20

Bin Store

21

22

23

24

25

26

27

16

15

14

Plant Room

13

12

11

10

Plant Room

Retail Unit

Retail Unit

Retail Unit

33

34

35

Bin Store

42

Cycle Store

43

44

45

1B2P
47m²

Kitchen Living Dining

Bedroom

Bedroom

1B2P
47m²

Kitchen Living Dining

Bedroom

Bedroom

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Revision Date Description

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
**Bennets Courtyard
Existing Ground Floor Plan**

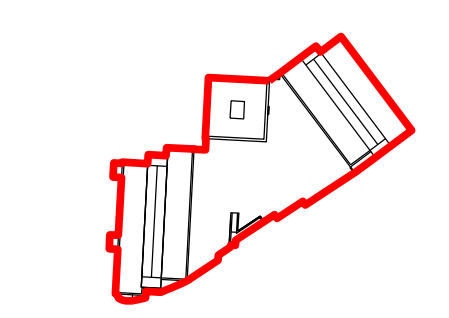
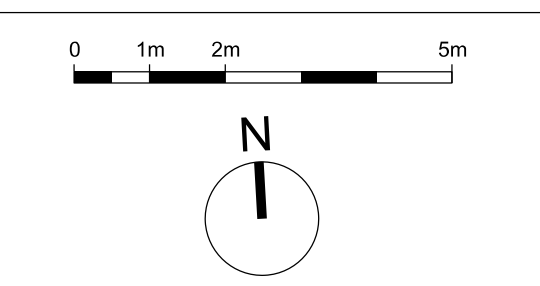
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WP-0730-A-BC-0100-P-00 A

Scale @ A0 Revision Date
1:100 29-04-2022

Drawing Purpose
PLANNING

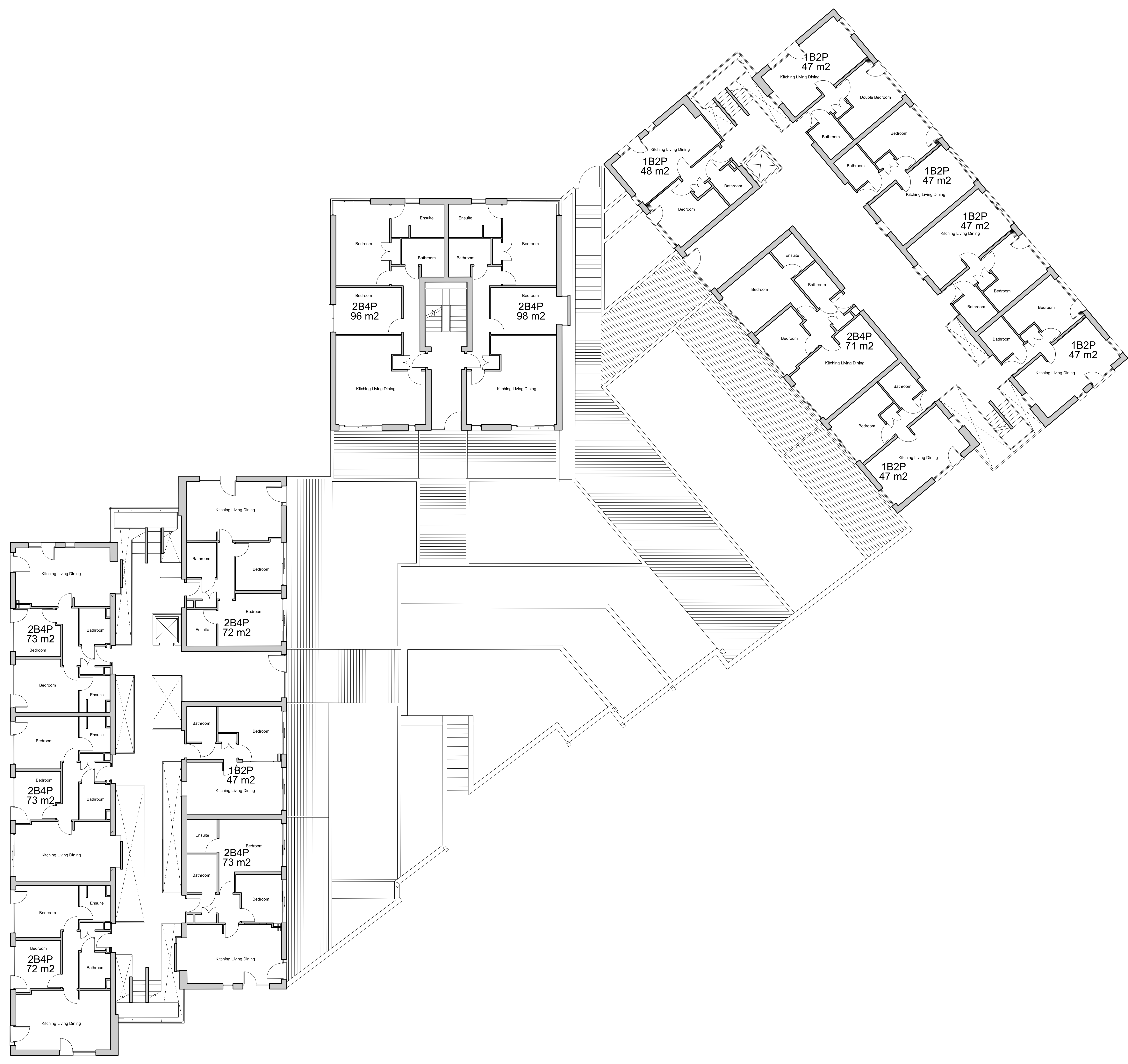
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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Existing First Floor Plan

Drawing Number	Revision
WP-0730-A-BC-0101-P-01	A


Scale @ A0
1:100

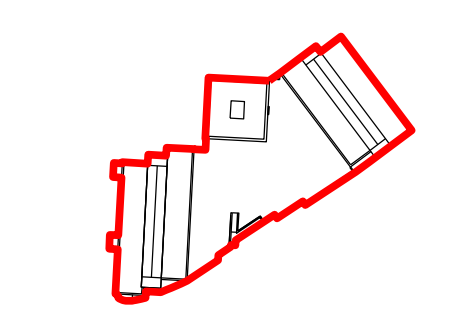
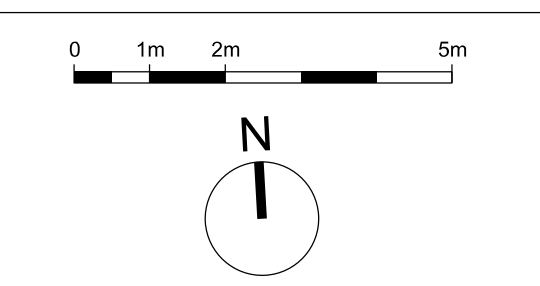
Revision Date
29-04-2022

Drawing Purpose
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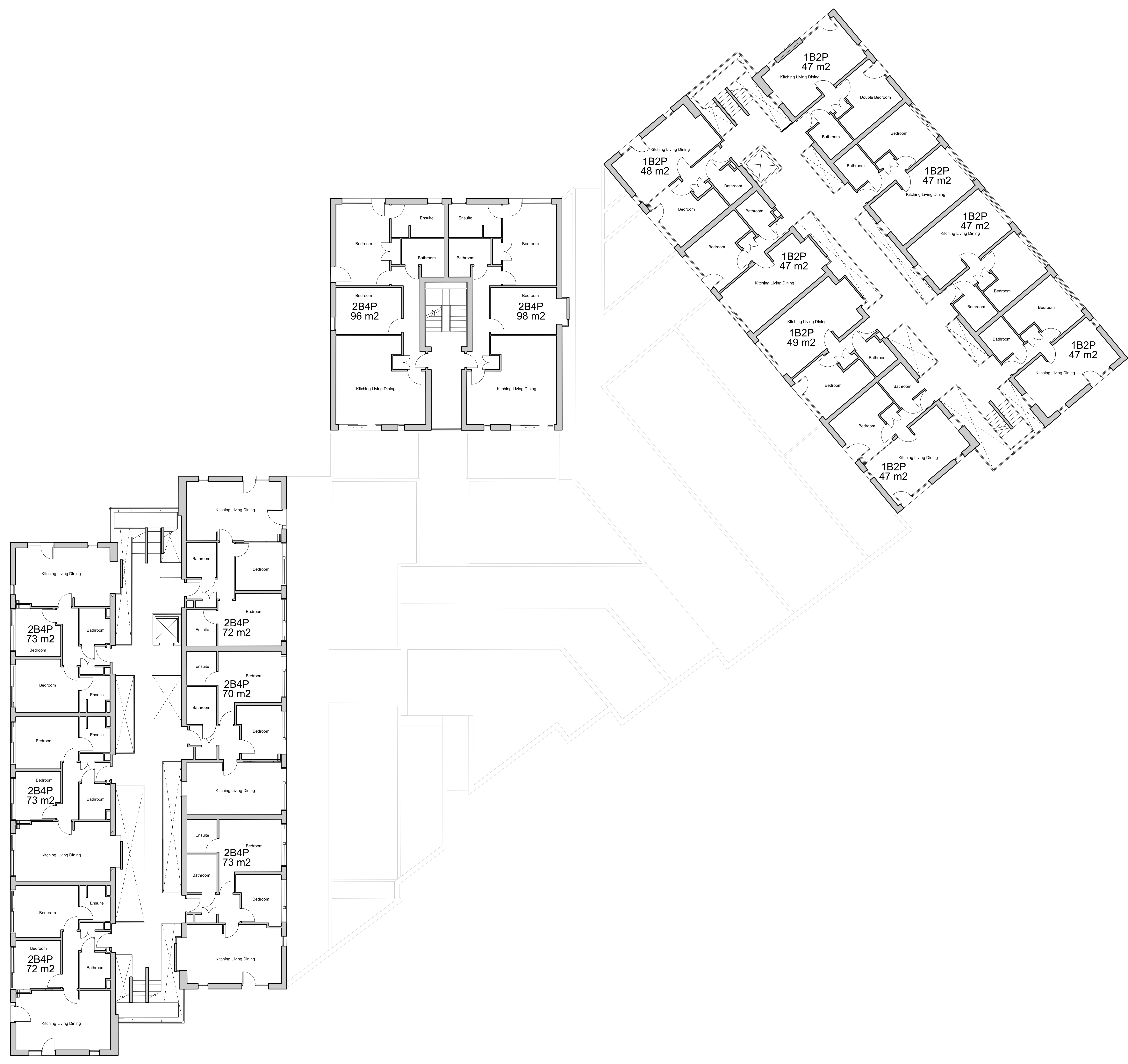
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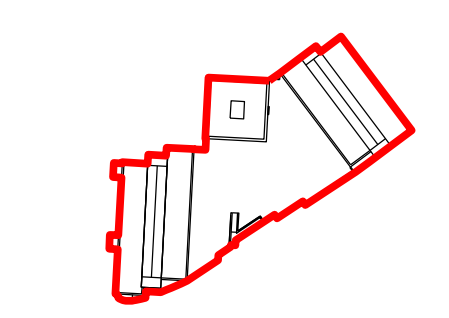
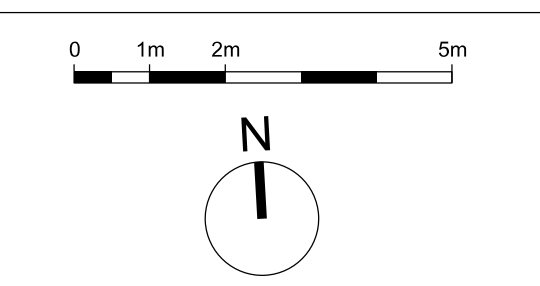
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Project	
Bennets Courtyard	
Abbey Mills	
Drawing Title	
Bennets Courtyard	
Existing Second Floor Plan	
Drawing Number	Revision
WP-0730-A-BC-0102-P-02	A
Scale @ A0	Revision Date
1:100	29-04-2022
Drawing Purpose	
PLANNING	

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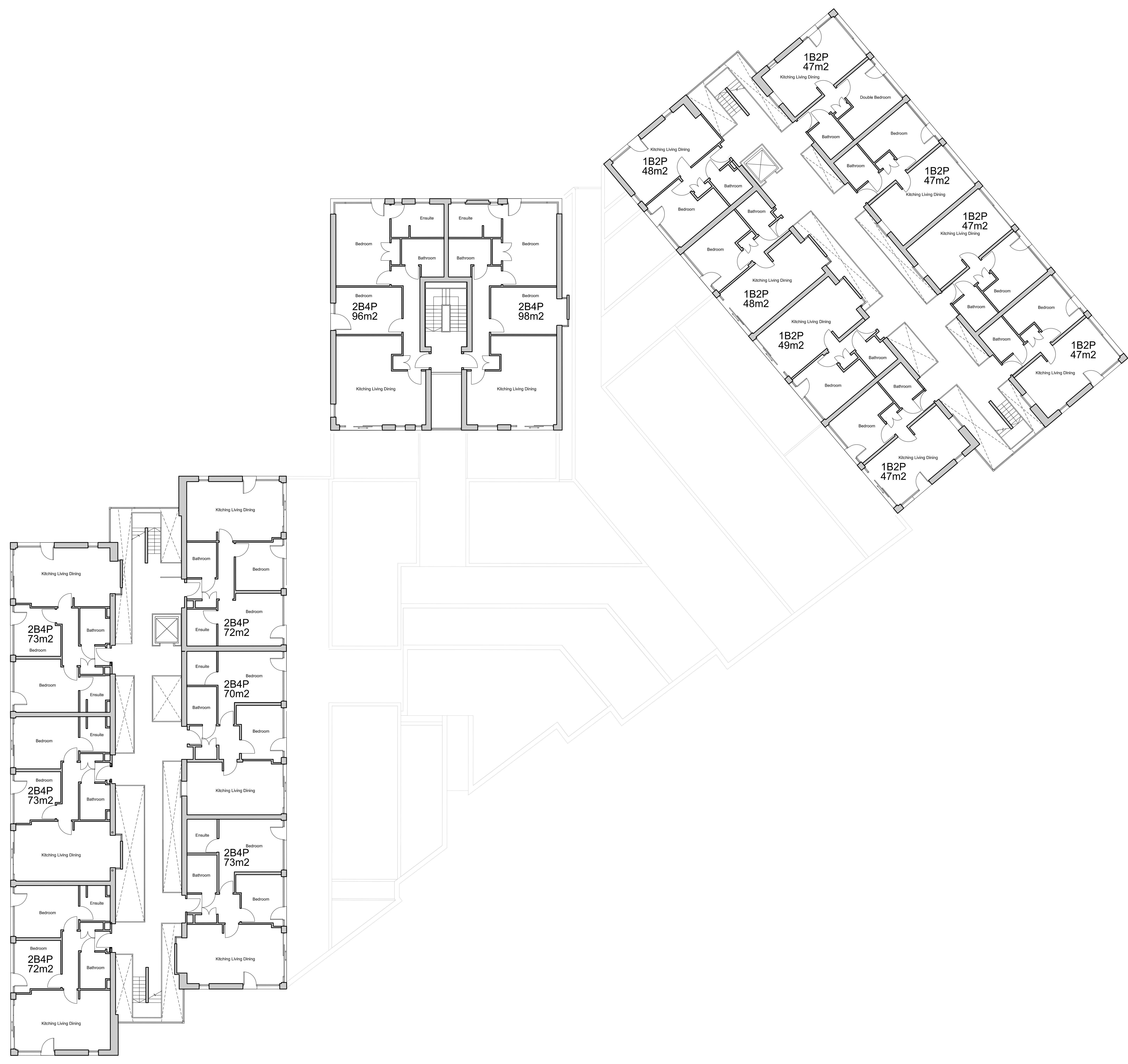
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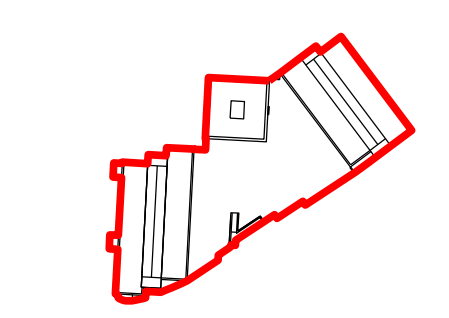
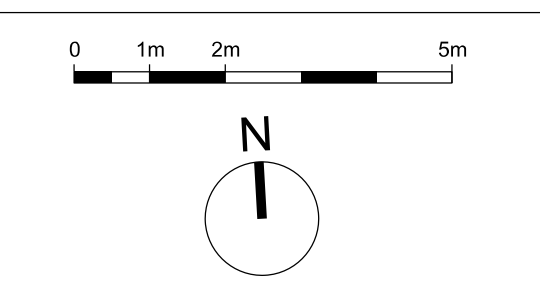
The sizing of all structural and service elements must always be checked against the relevant engineers drawings. No reliance should be placed upon sizing information shown on this drawing.

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Bennets Courtyard	
Abbey Mills	
Drawing Title	
Bennets Courtyard	
Existing Third Floor Plan	
Drawing Number	Revision
WP-0730-A-BC-0103-P-03	A
Scale @ A0	Revision Date
1:100	29-04-2022
Drawing Purpose	
PLANNING	

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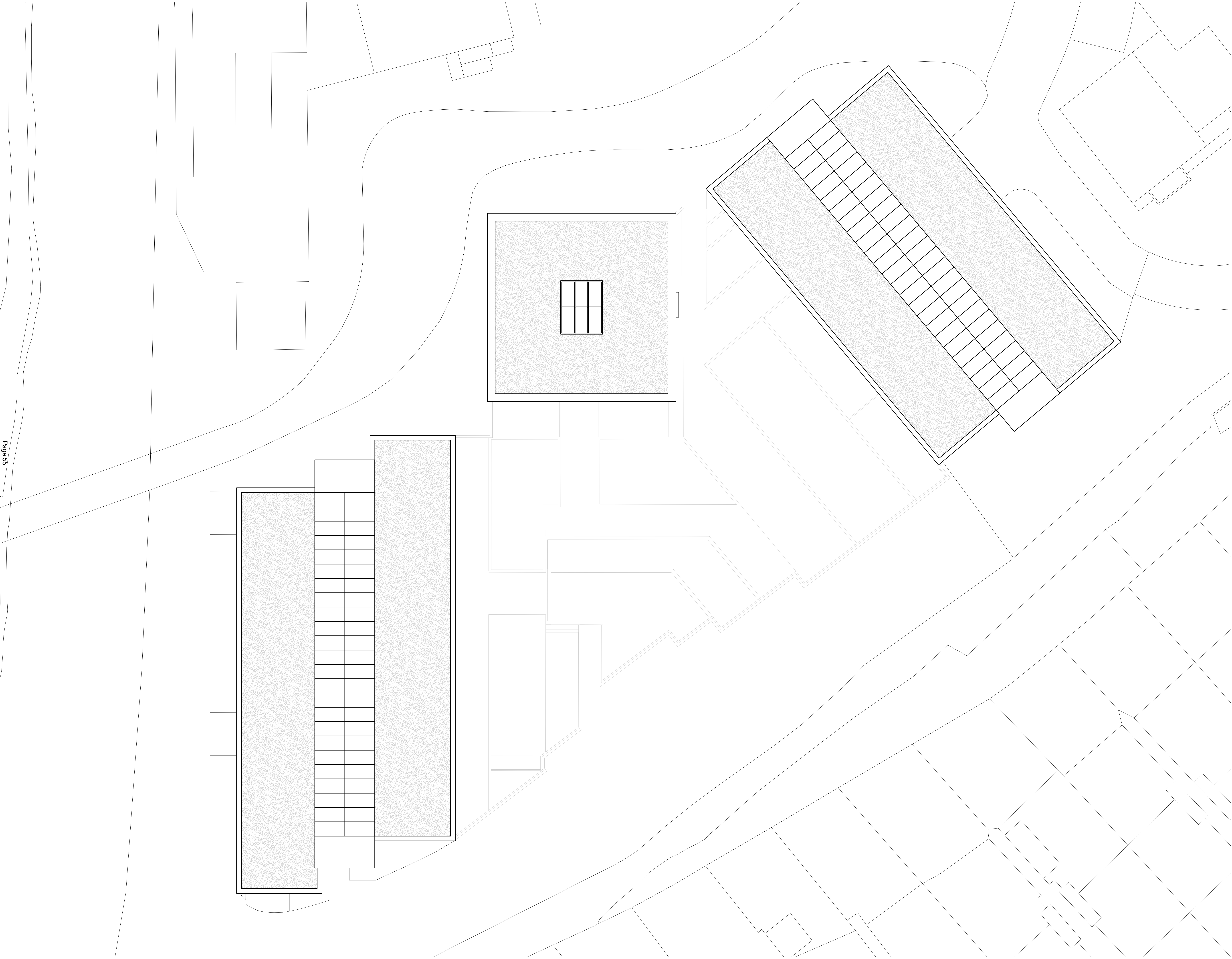
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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Existing Roof Plan

Drawing Number	Revision
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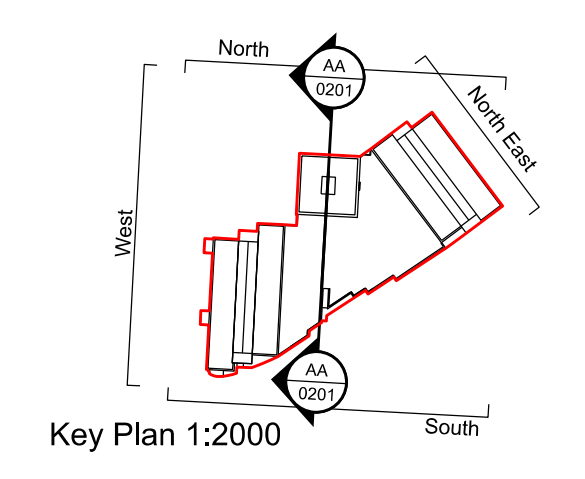
Scale @ A0	Revision Date
1:100	29-04-2022

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Key Plan 1:2000



01
0200 Existing South Elevation
1:100@A0



03
0200 Existing North Elevation
1:100@A0



04
0200 Existing North East
1:100@A0

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Revision	Date	Description
A	29/04/2022	Planning

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Existing Elevations

Drawing Number	Revision
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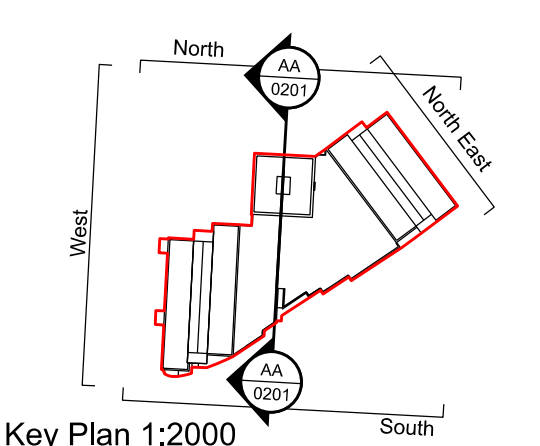
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1:100	29-04-2022

Drawing Purpose
PLANNING

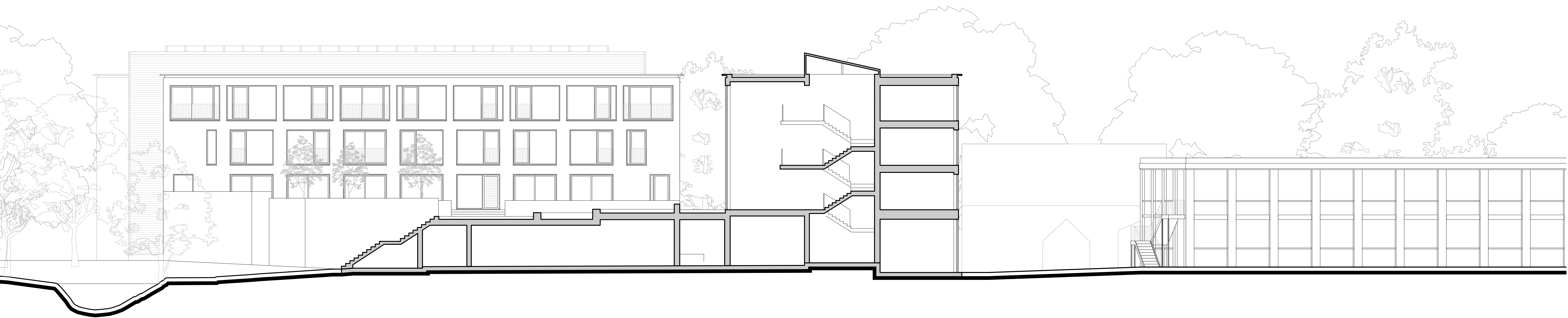
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Key Plan 1:2000



01
0201 Existing Section A-A
1:100@A0

Page 57



02
0201 Existing West Elevation
1:100@A0

A 29/04/2022 Planning
Revision Date Description

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Existing Elevation and Section A-A

Drawing Number	Revision
WP-0730-A-BC-0201-E-1	A

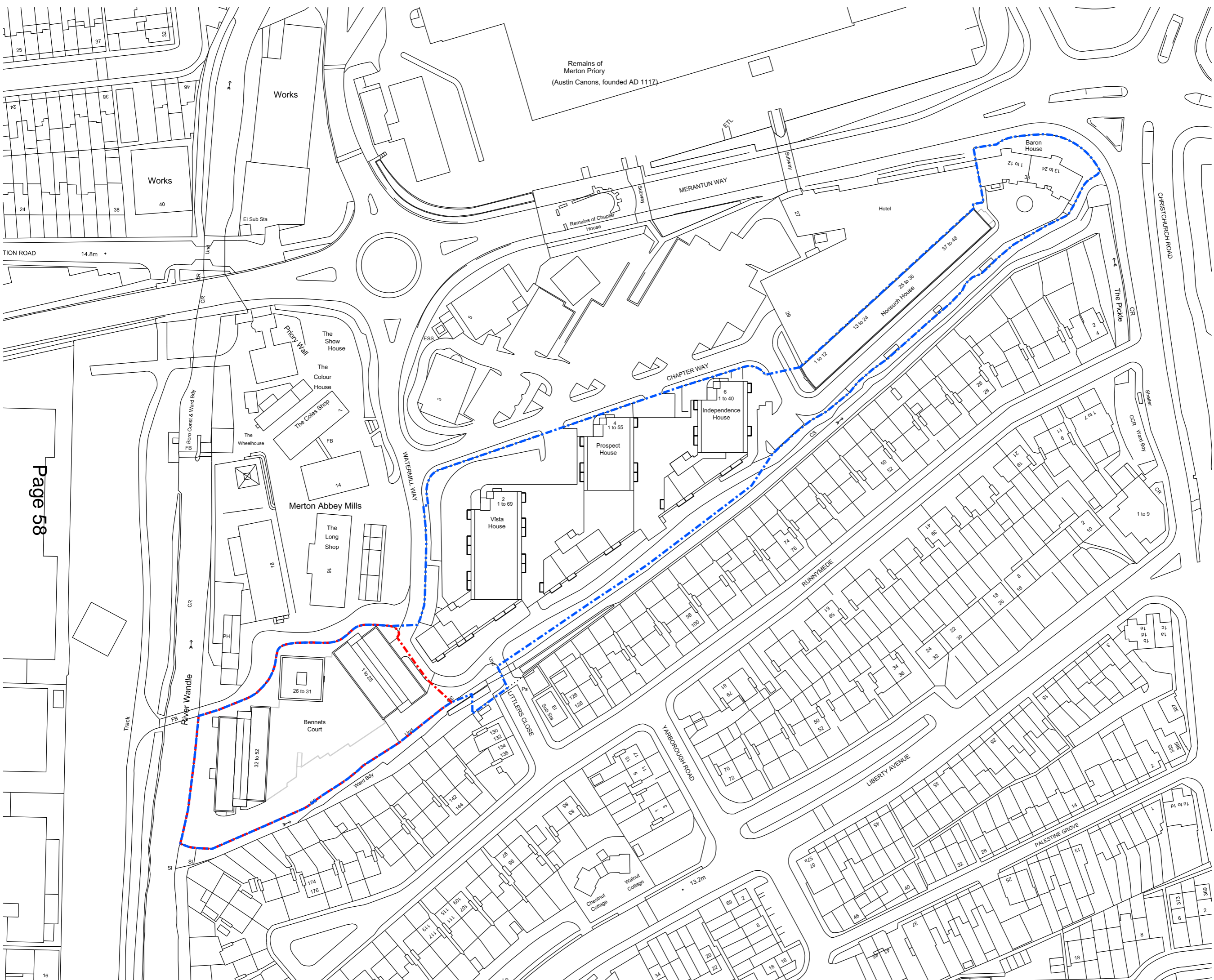
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Revision Date
29-04-2022

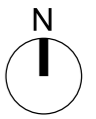
Drawing Purpose
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0 10m 20m 30m



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Project
Bennets Courtyard
 Abbey Mills

Drawing Title
 Location Plan

Drawing Number	Revision
WP-0730-A-BC-000-P-00	A


Scale @ A3	Revision Date
1:1250	06/08/2020

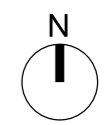
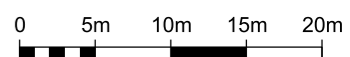
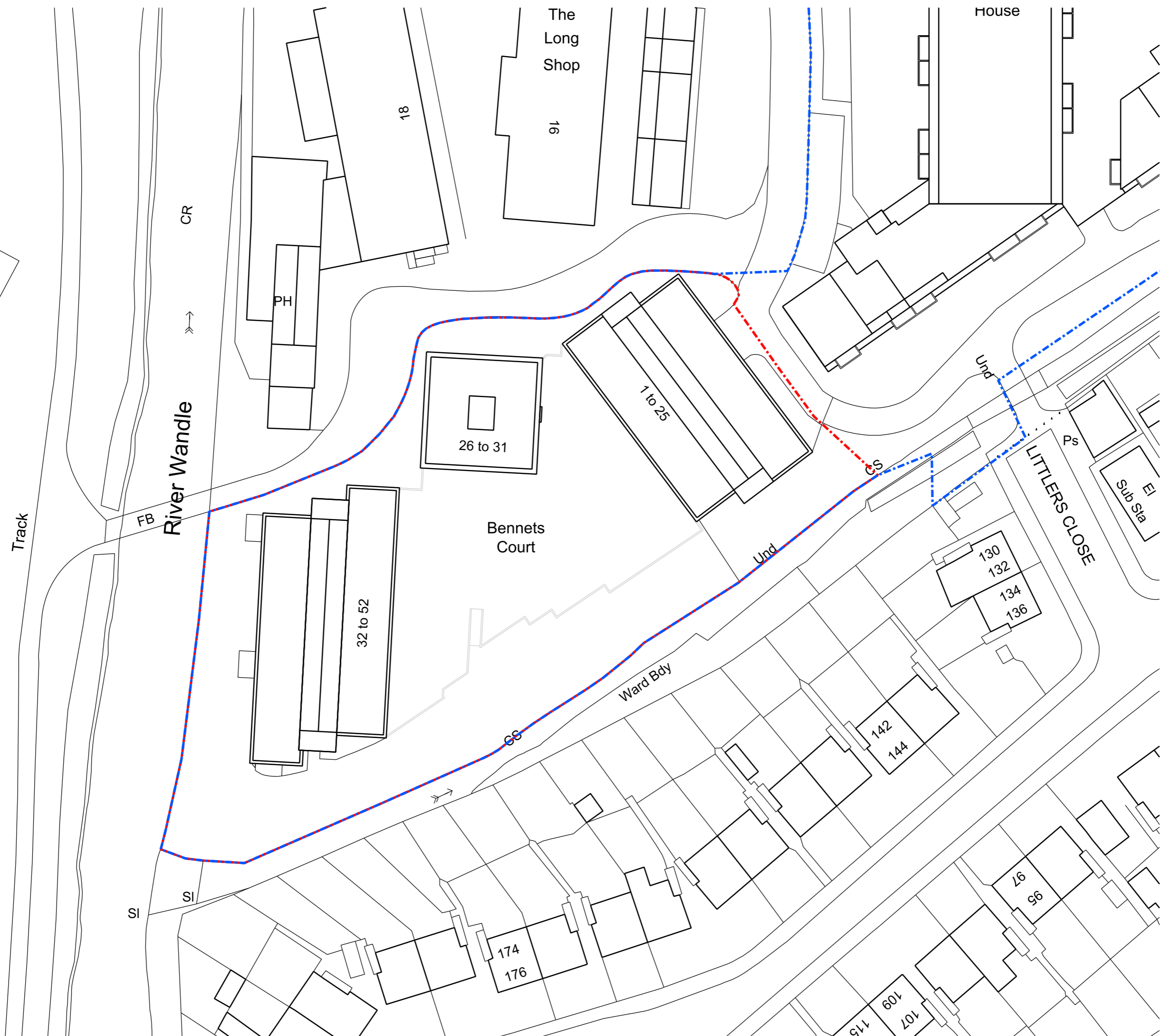
Drawing Purpose
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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Block Plan
Bennets Court

Drawing Number	Revision
WP-0730-A-BC-001-P-00	A


Scale @ A3	Revision Date
1:500	06/08/2020

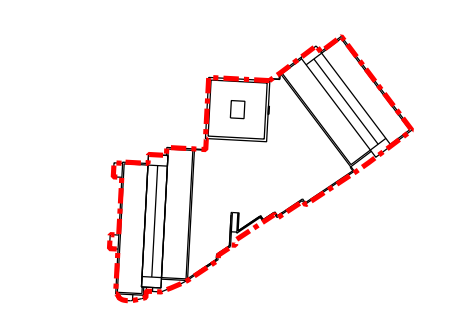
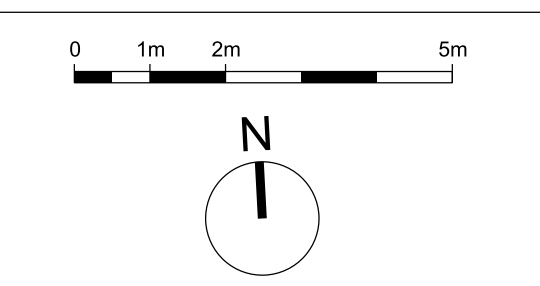
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Ground Floor GIA
2478 m²

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Existing Ground Floor Plan

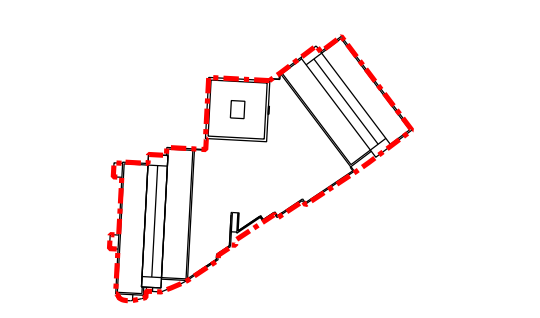
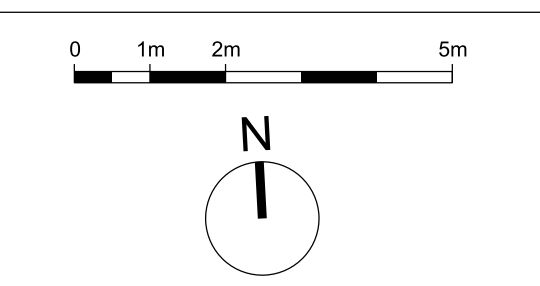
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WP-0730-A-BC-0100-P-00	A

Scale @ A0	Revision Date
1:100	04-09-2020

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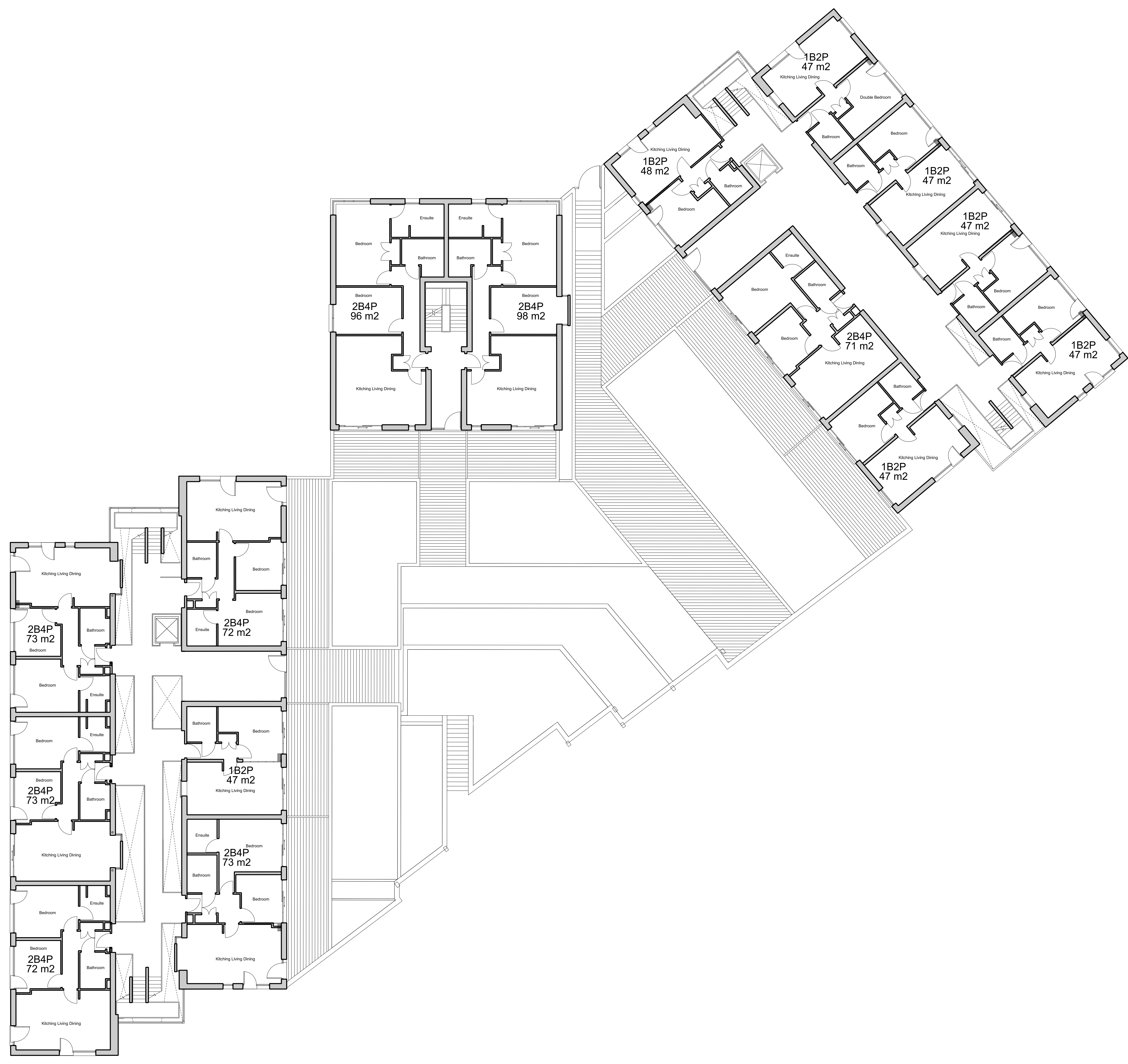
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Project
Bennets Courtyard
Abbey Mills

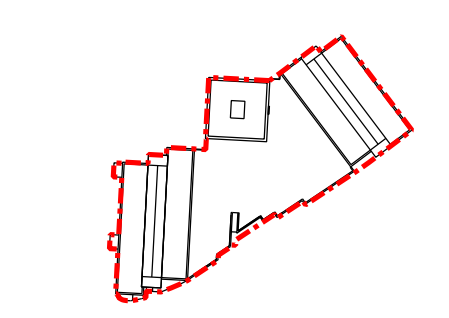
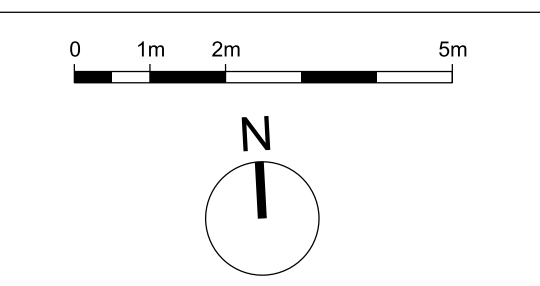
Drawing Title
Bennets Courtyard
Existing First Floor Plan

Drawing Number	Revision
WP-0730-A-BC-0101-P-01	A
Scale @ A0	Revision Date
1:100	04-09-2020

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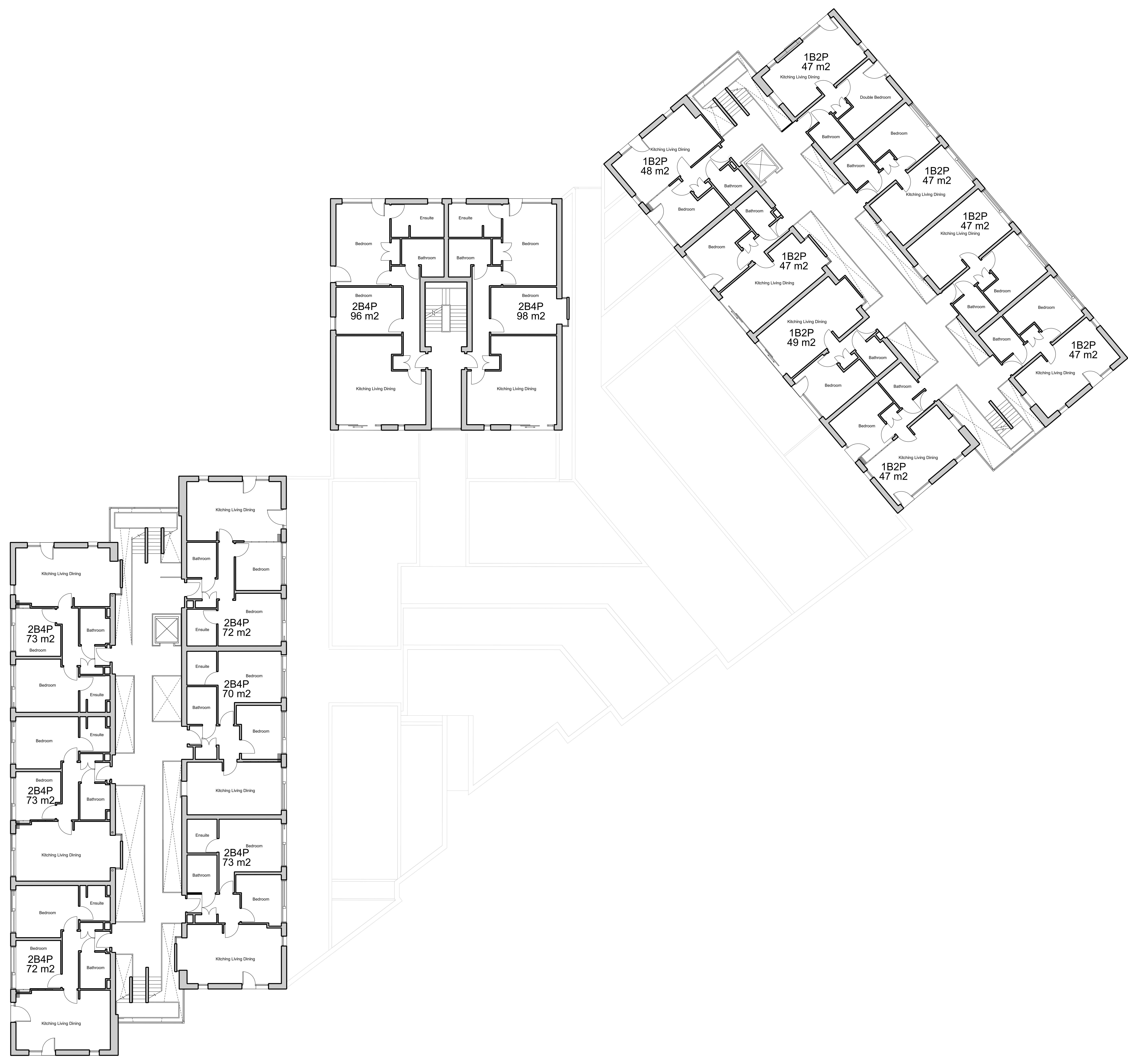
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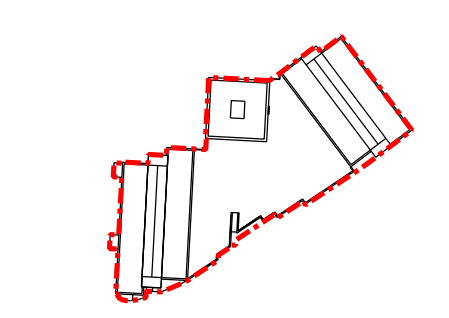
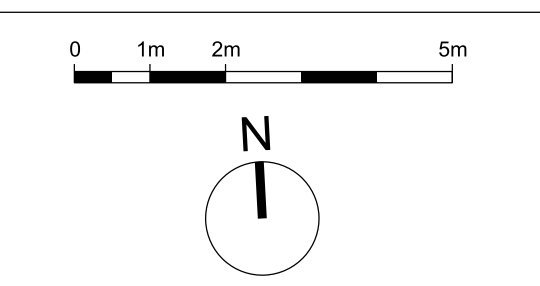
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Project	
Bennets Courtyard	
Abbey Mills	
Drawing Title	
Bennets Courtyard Existing Second Floor Plan	
Drawing Number	Revision
WP-0730-A-BC-0102-P-02	A
Scale @ A0	Revision Date
1:100	04-09-2020
Drawing Purpose	
PLANNING	

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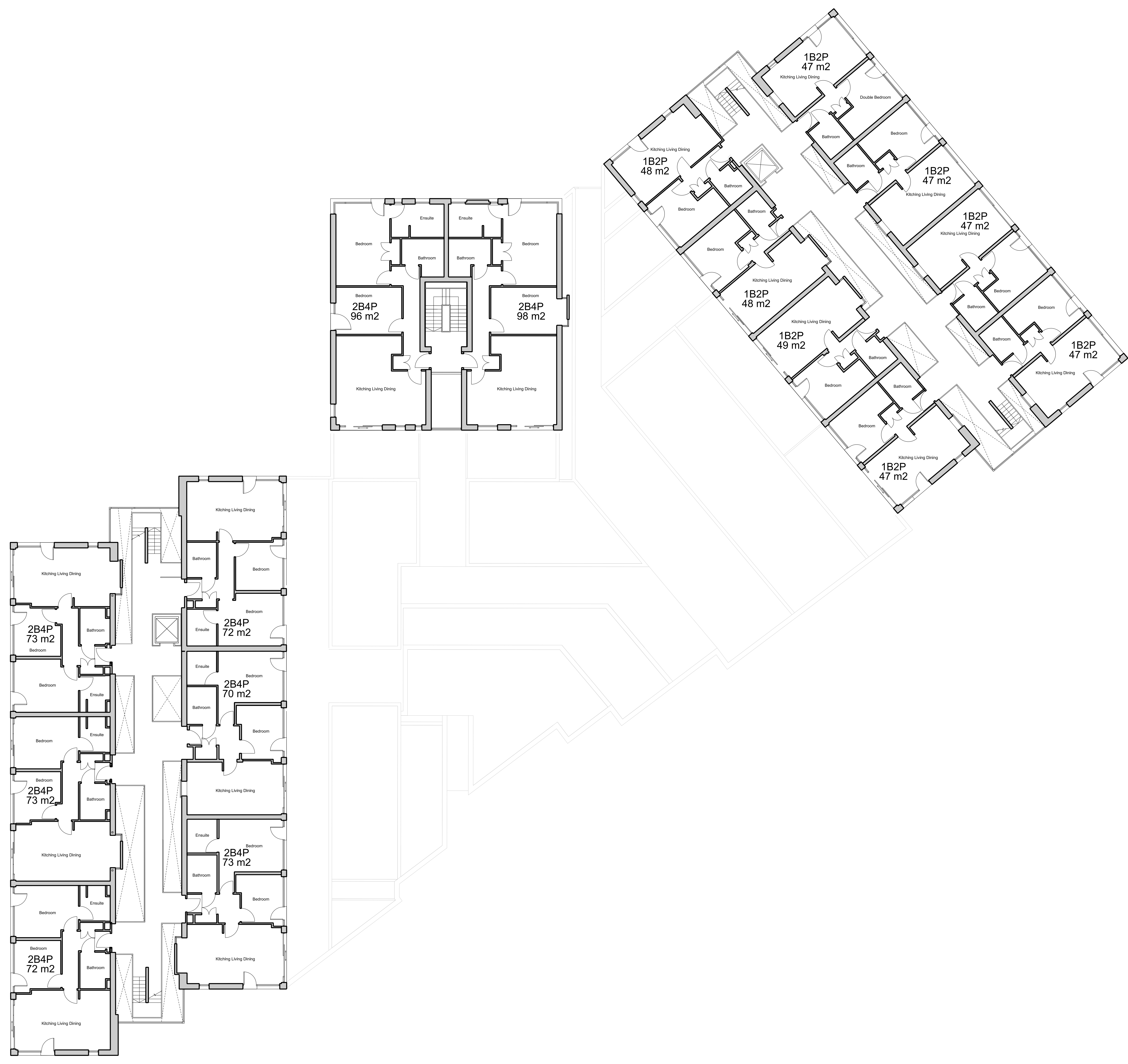
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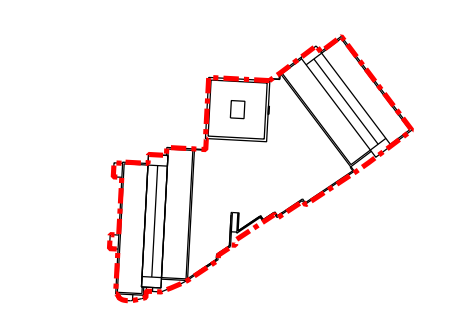
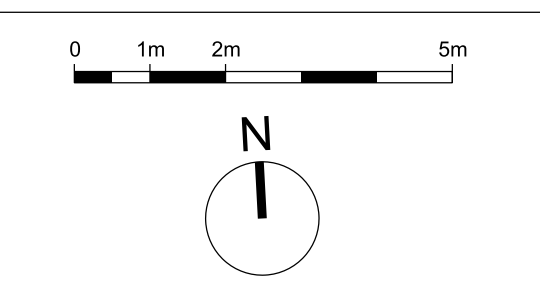
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Project	
Bennets Courtyard	
Abbey Mills	
Drawing Title	
Bennets Courtyard	
Existing Third Floor Plan	
Drawing Number	Revision
WP-0730-A-BC-0103-P-03	A
Scale @ A0	Revision Date
1:100	04-09-2020
Drawing Purpose	
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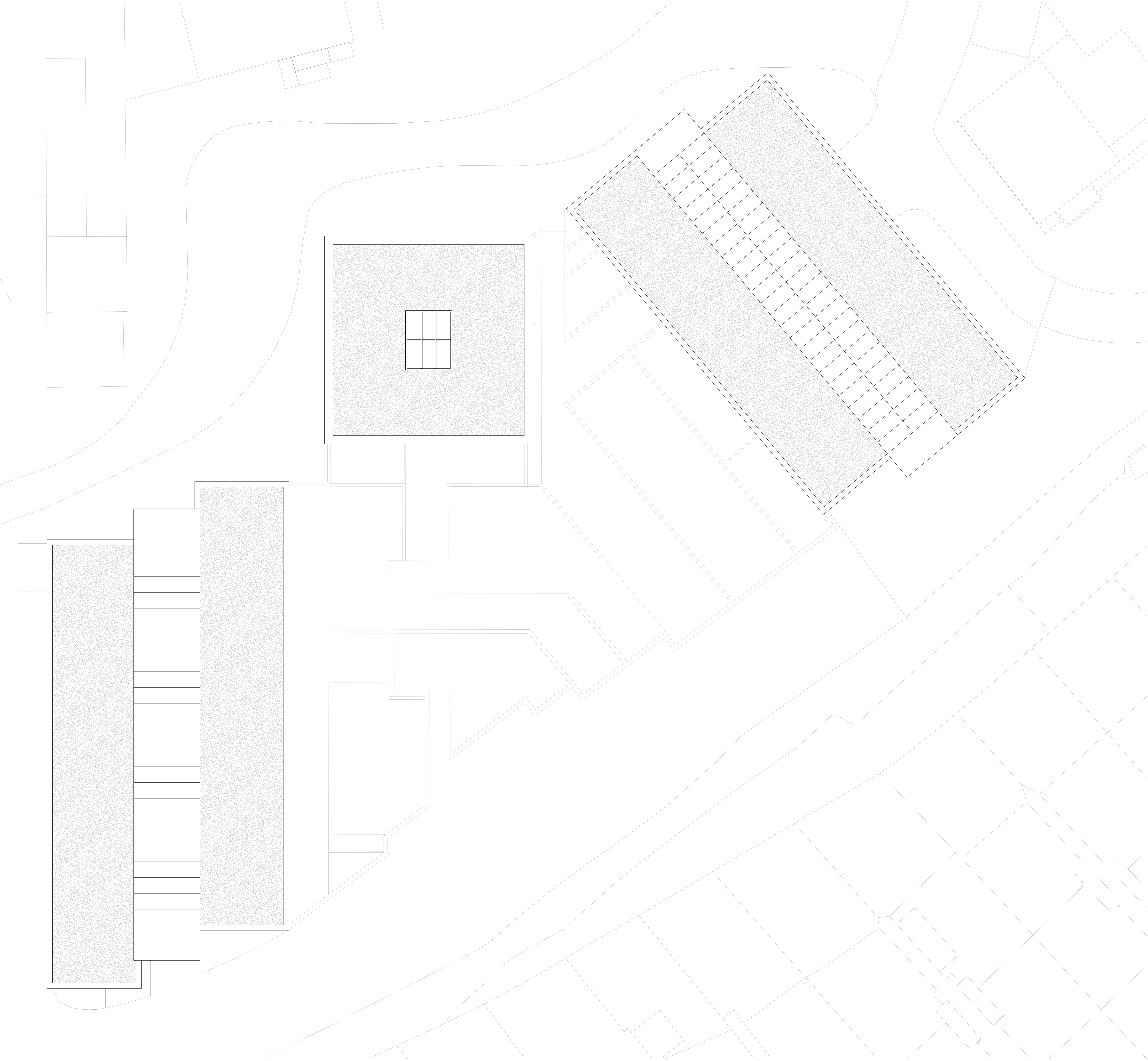
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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Existing Roof Plan

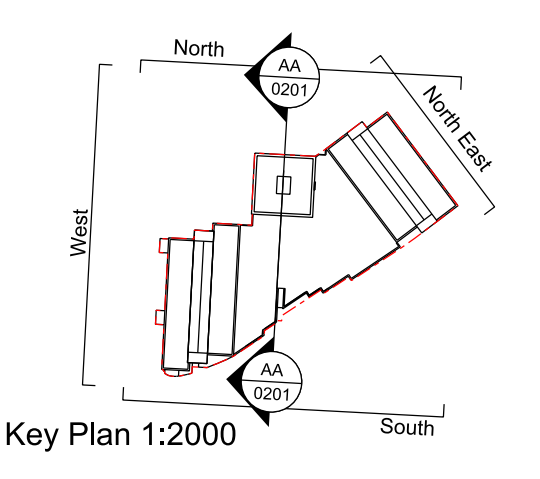
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WP-0730-A-BC-0104-P-04 A

Scale @ A0 **Revision Date**
1:100 04-09-2020

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01
0200 Existing South Elevation
1:100@A0



03
0200 Existing North Elevation
1:100@A0



04
0200 Existing North East
1:100@A0

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Abbey Mills

Drawing Title
Bennets Courtyard
Existing Elevations


Drawing Number	Revision
WP-0730-A-BC-0200-E-X	A

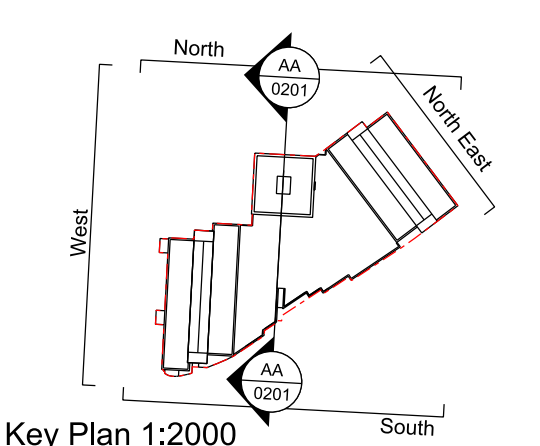
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Revision Date
04-09-2020

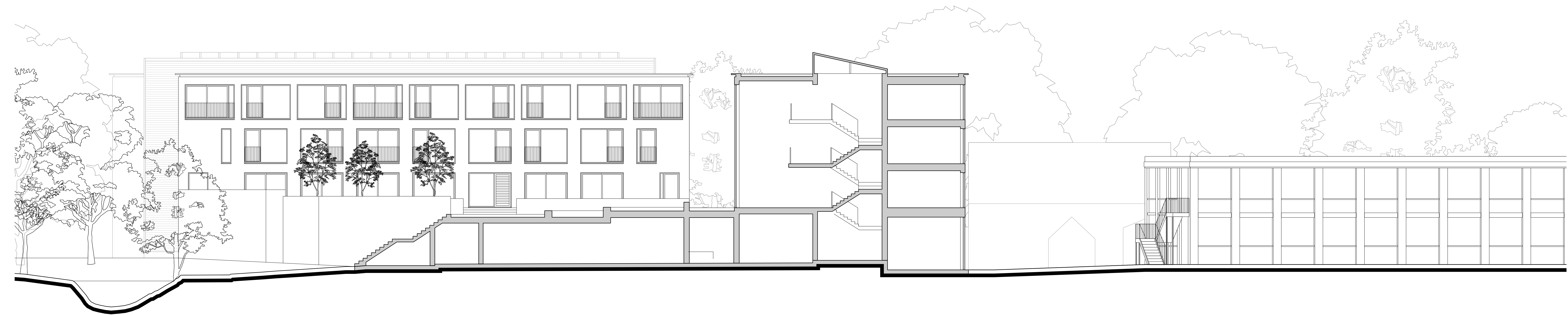
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Key Plan 1:2000



01
0201 Existing Section A-A
1:100@A0



02
0201 Existing West Elevation
1:100@A0

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Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Existing Elevation and Section A-A


Drawing Number	Revision
WP-0730-A-BC-0201-E-X	

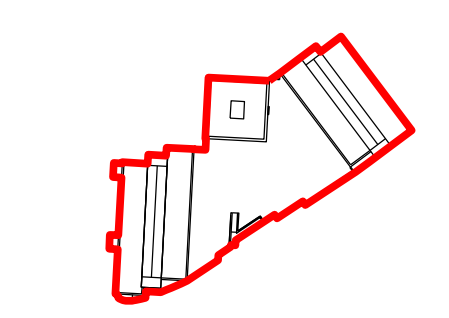
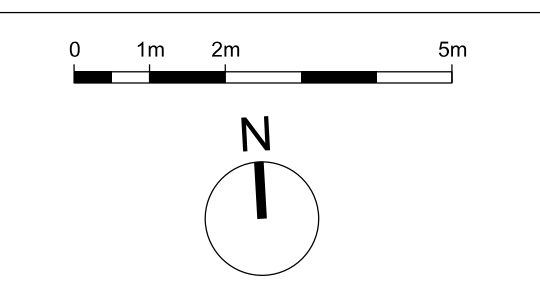
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Revision Date
04-09-2020

Drawing Purpose
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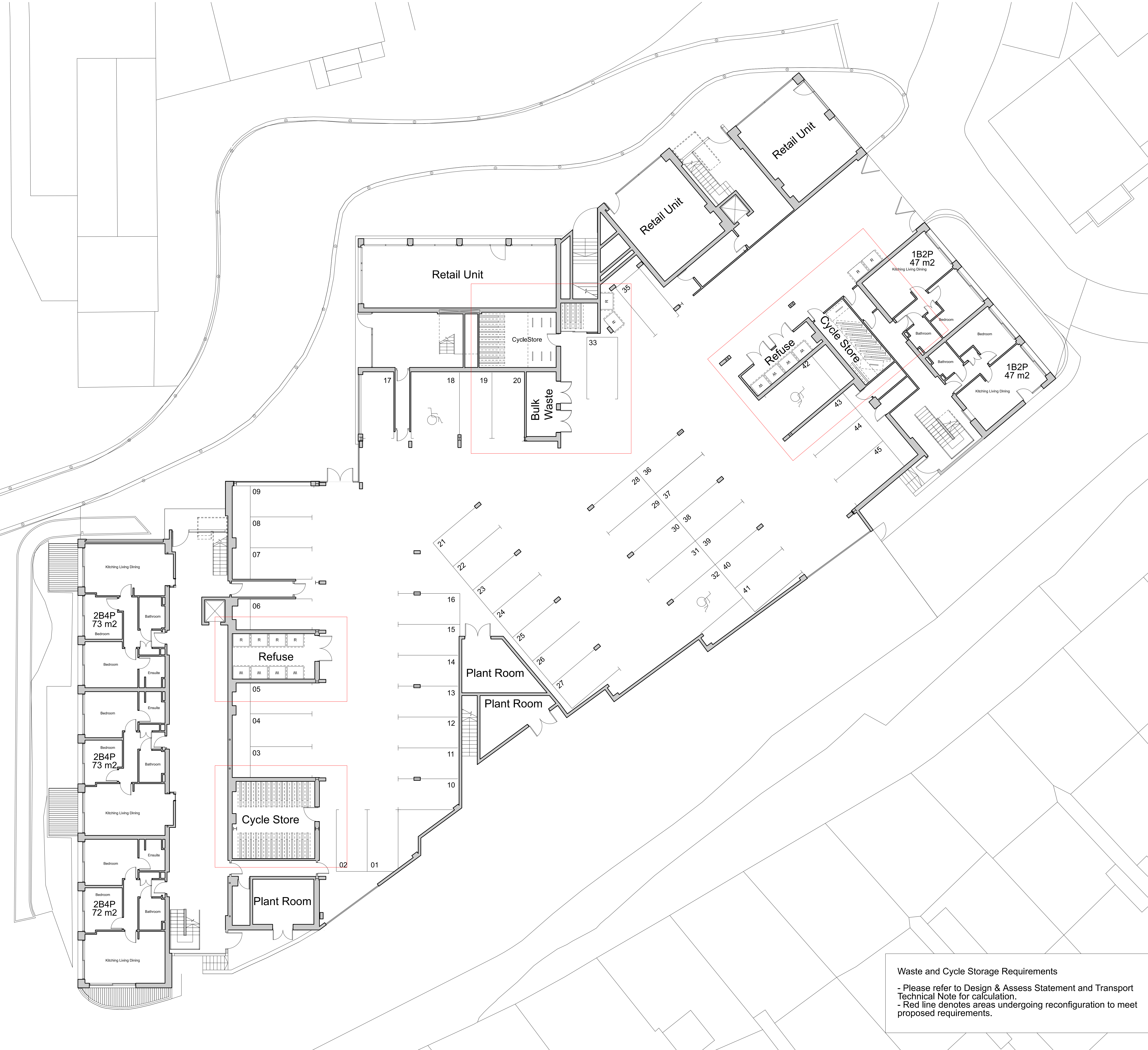
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Waste and Cycle Storage Requirements

- Please refer to Design & Assess Statement and Transport Technical Note for calculation.
- Red line denotes areas undergoing reconfiguration to meet proposed requirements.

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Abbey Mills


Drawing Title
Bennets Courtyard
Proposed Ground Floor Plan

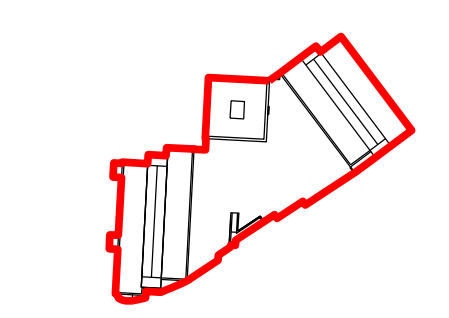
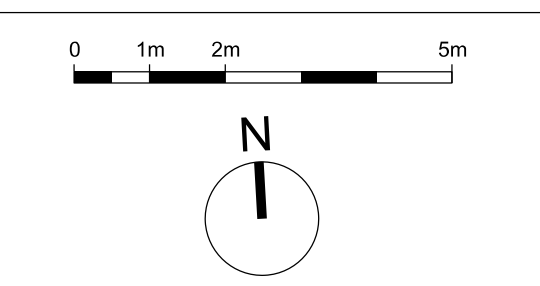
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1:100	29-04-2022

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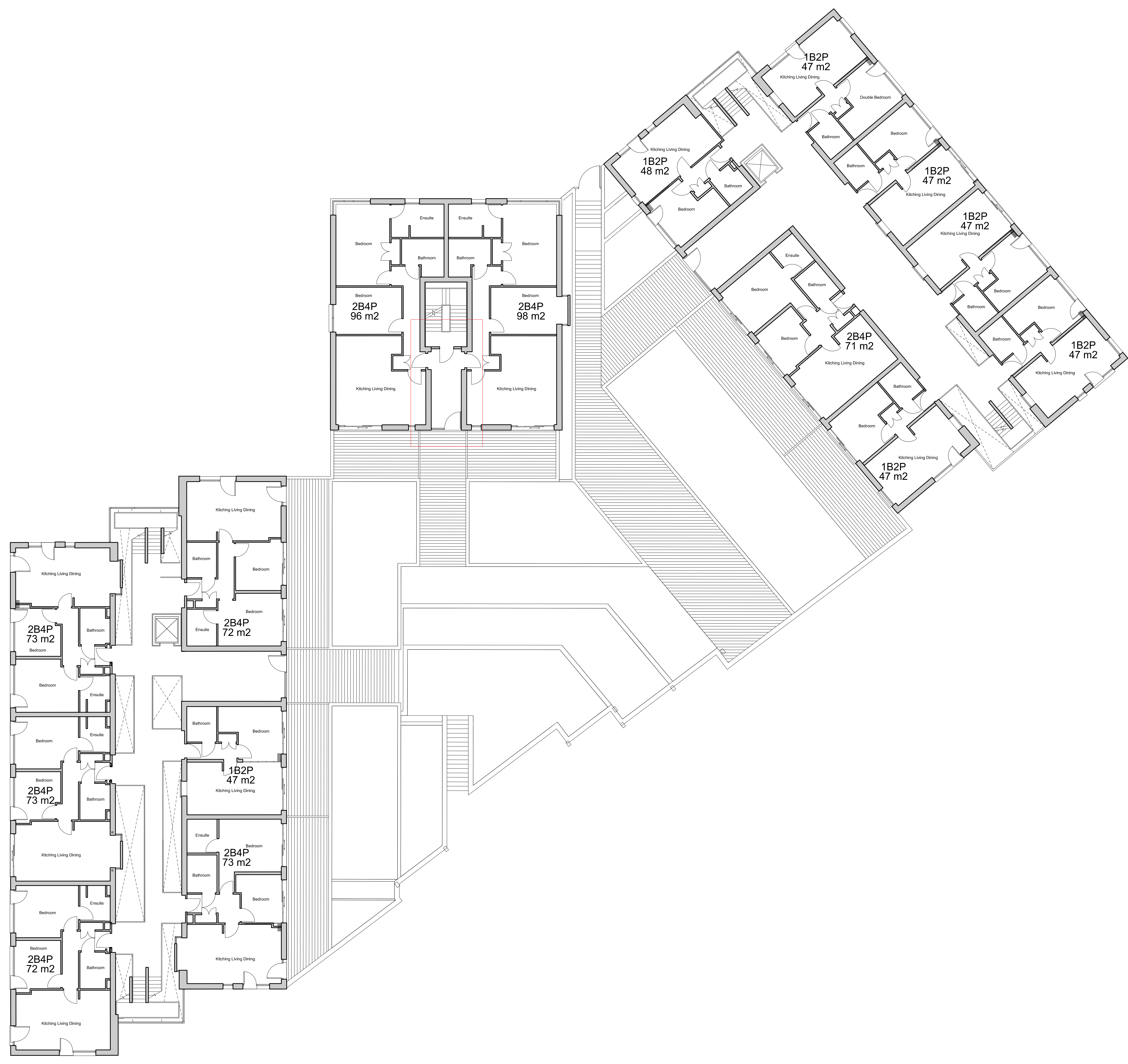




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Note:
Red line denotes area
where changes are being
sought



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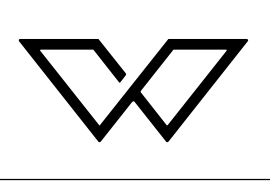
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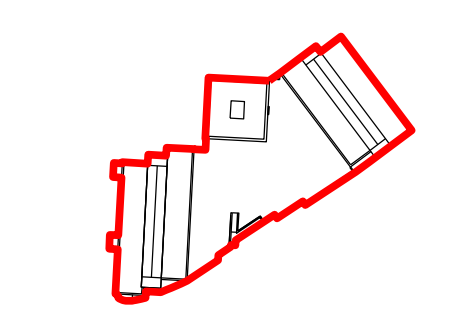
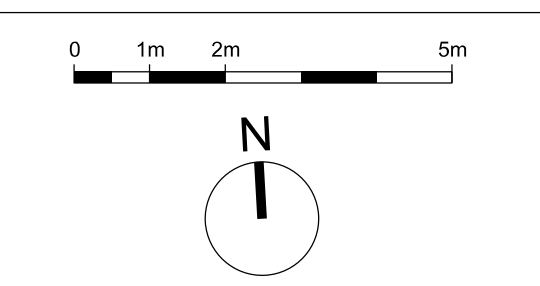
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Bennets Courtyard	
Abbey Mills	
Drawing Title	
Bennets Courtyard	
Proposed First Floor Plan	
Drawing Number	Revision
WP-0730-A-BC2-0151-P-01	A
Scale @ A0	Revision Date
1:100	29-04-2022
Drawing Purpose	
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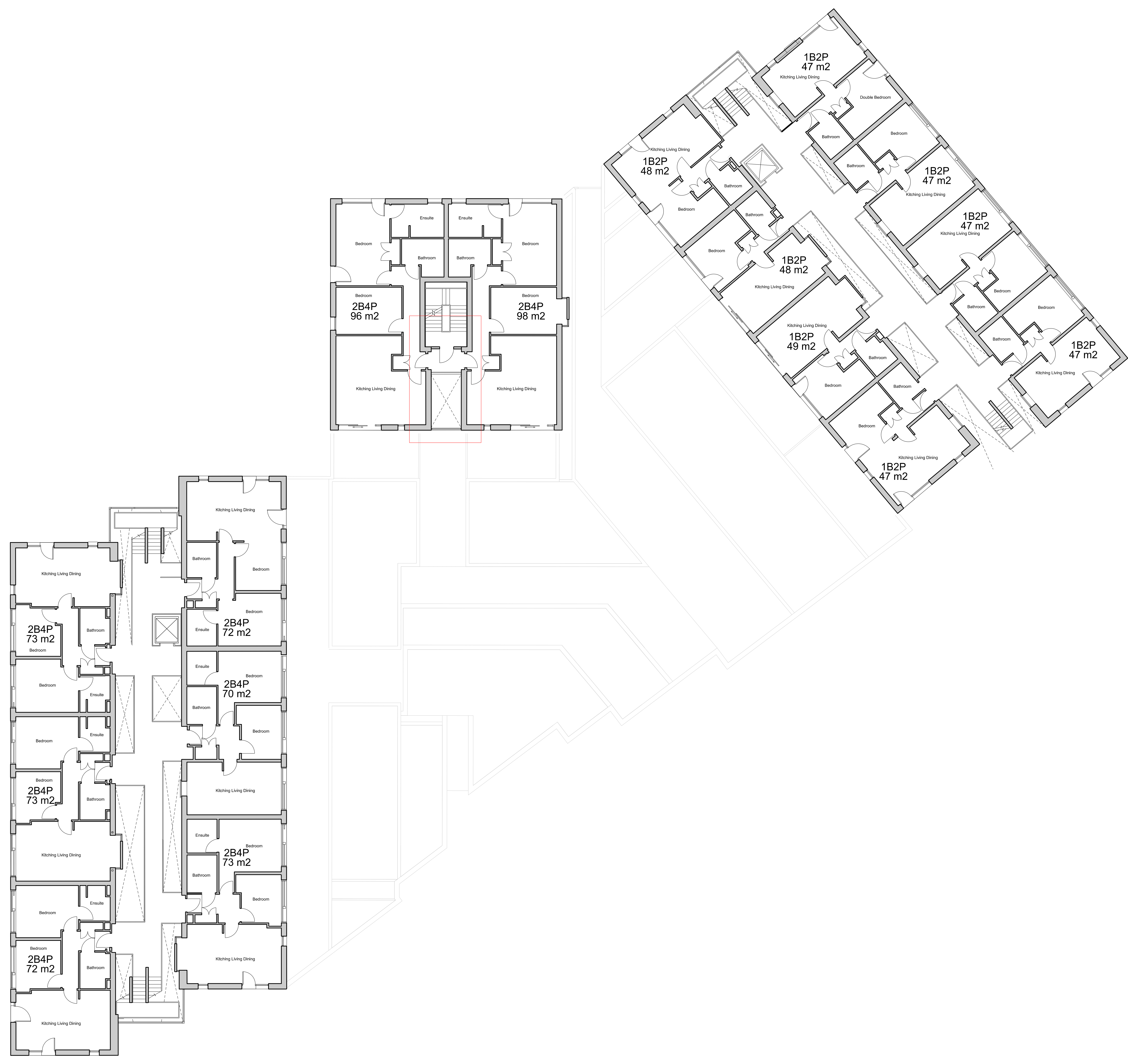




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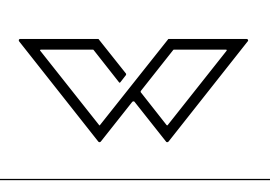
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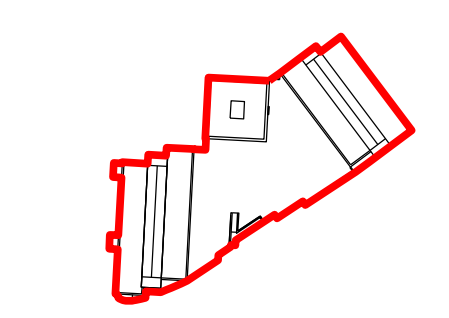
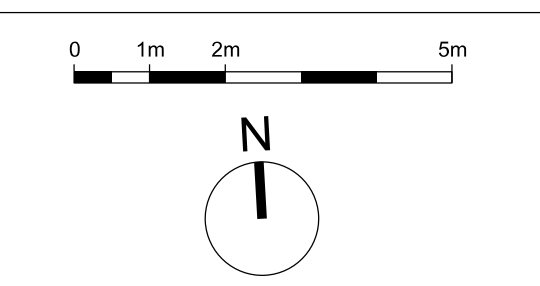
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Bennets Courtyard	
Abbey Mills	
Drawing Title	
Bennets Courtyard	
Proposed Second Floor Plan	
Drawing Number	Revision
WP-0730-A-BC2-0152-P-02	A
Scale @ A0	Revision Date
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Drawing Purpose	
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Red line denotes area where changes are being sought.
 - Stair case extended up to new proposed level 4.
 - Ventilated smoke lobby added on levels 1, 2 and 3 in line with requirements for buildings over 11m.



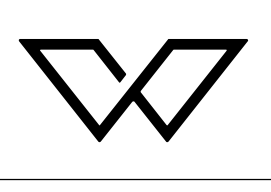
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A	29/04/2022	Planning

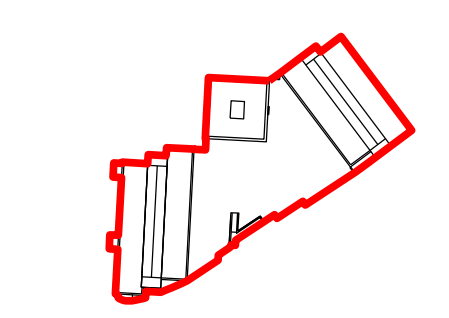
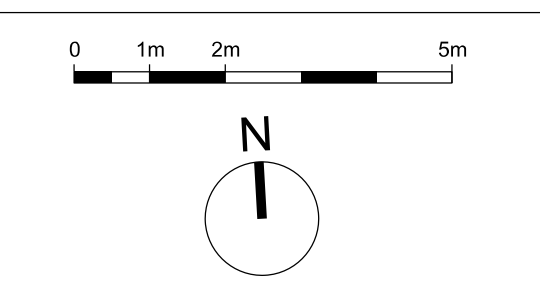
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Abbey Mills	
Drawing Title	
Bennets Courtyard Proposed Third Floor Plan	
Drawing Number	Revision
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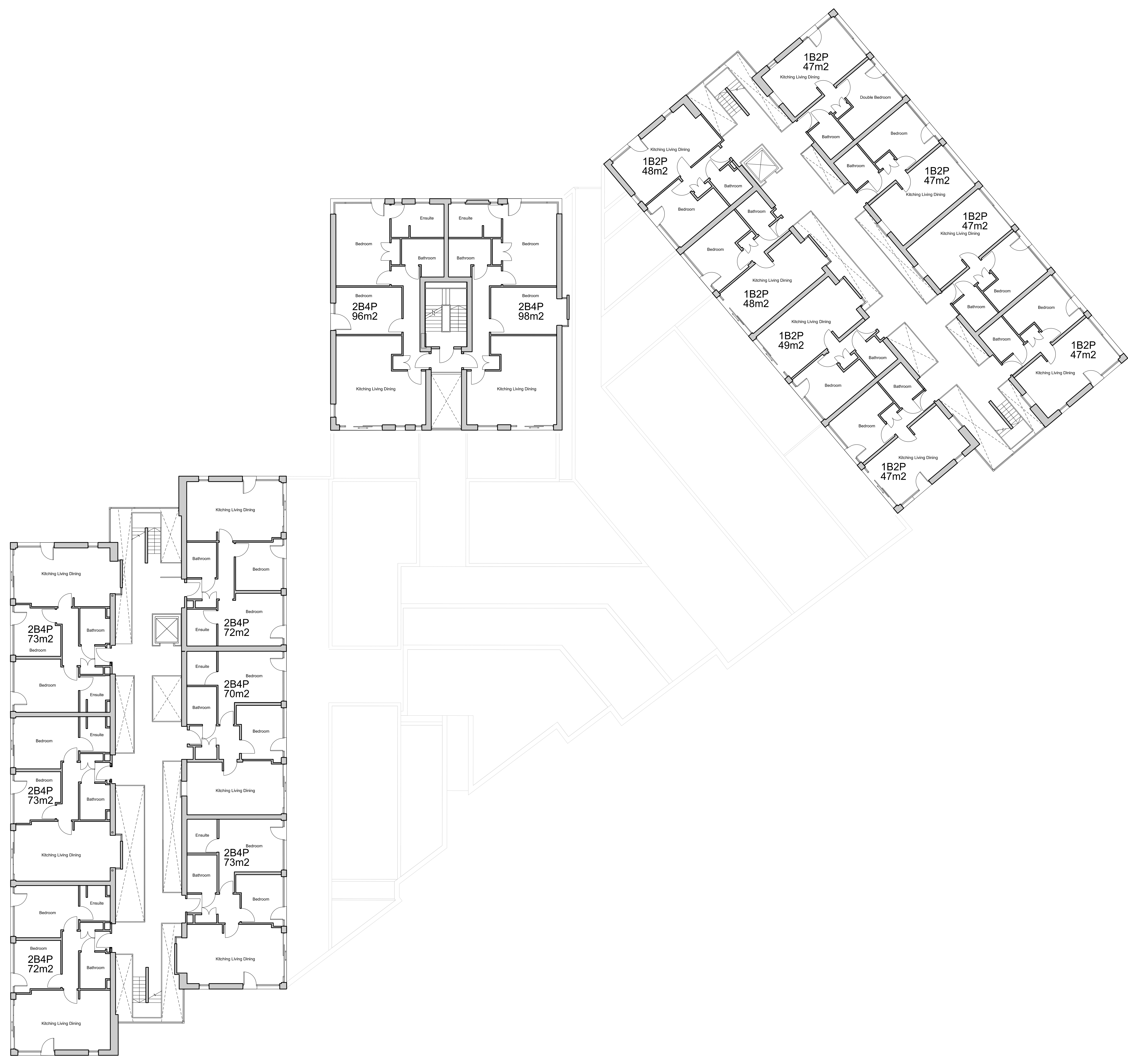
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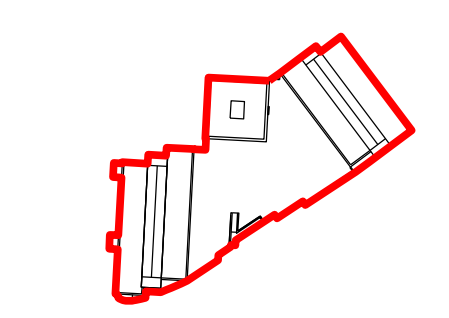
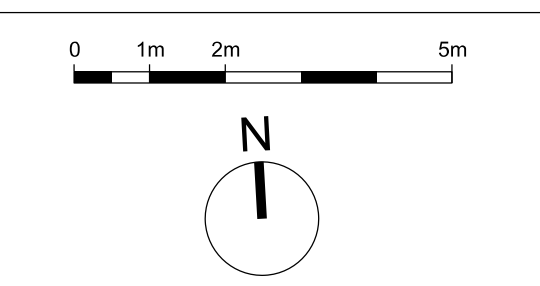
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Bennets Courtyard	
Abbey Mills	
Drawing Title	
Bennets Courtyard	
Proposed Fourth Floor Plan	
Drawing Number	Revision
WP-0730-A-BC2-0154-P-04	A
Scale @ A0	Revision Date
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Drawing Purpose	
PLANNING	

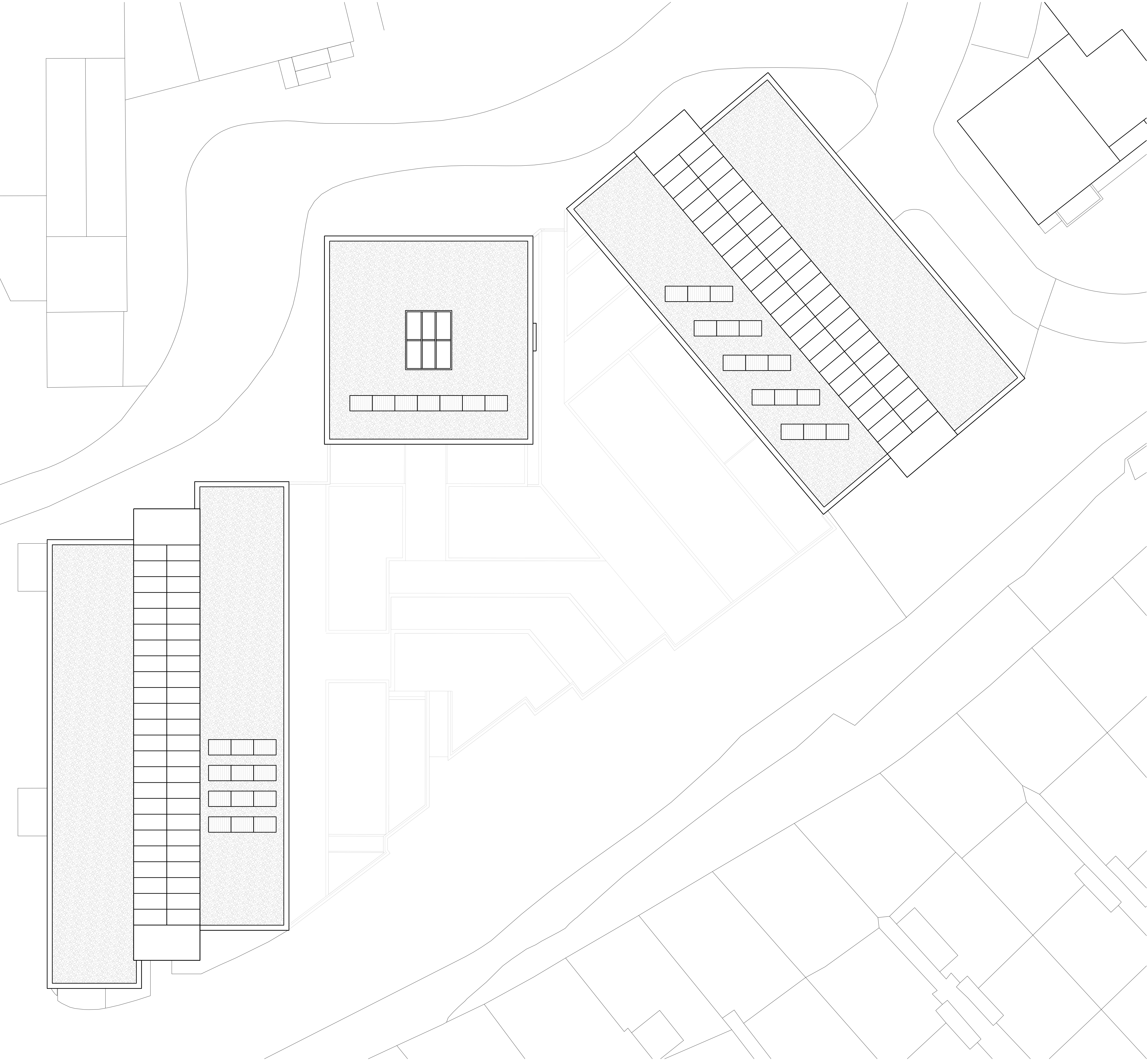
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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Roof Plan

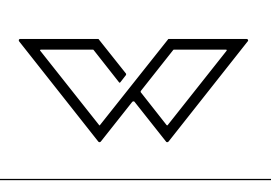
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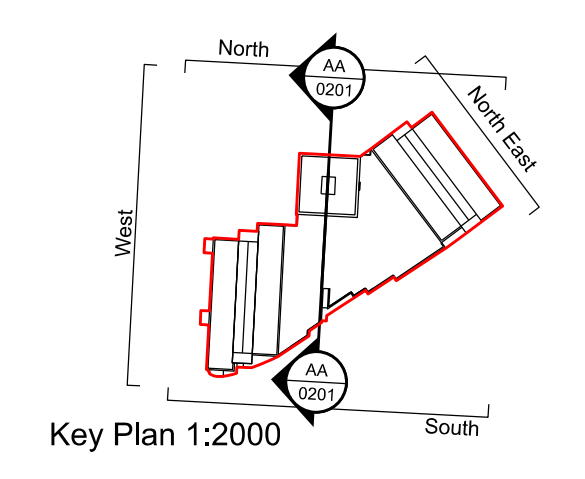
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01
0250 Proposed South Elevation
1:100@A0



03
0250 Proposed North Elevation
1:100@A0



04
0250 Proposed North East Elevation
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Project
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Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Elevations

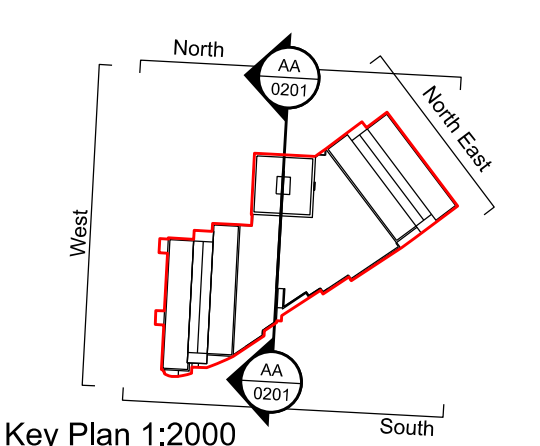
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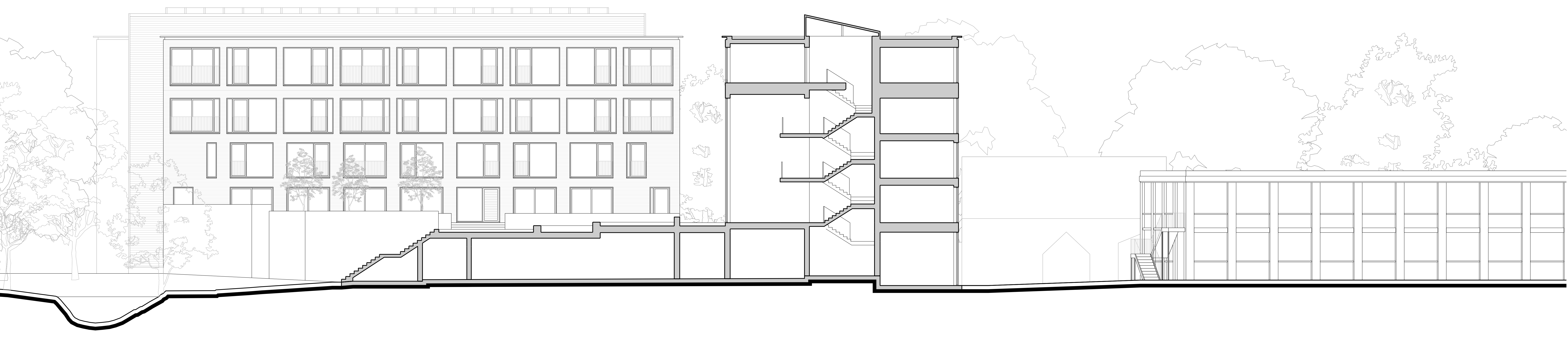
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01
0251 Proposed Section A-A
1:100@A0



02
0251 Proposed West Elevation
1:100@A0

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Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Elevation and Section A-A

Drawing Number	Revision
WP-0730-A-BC2-0251-E-1	A

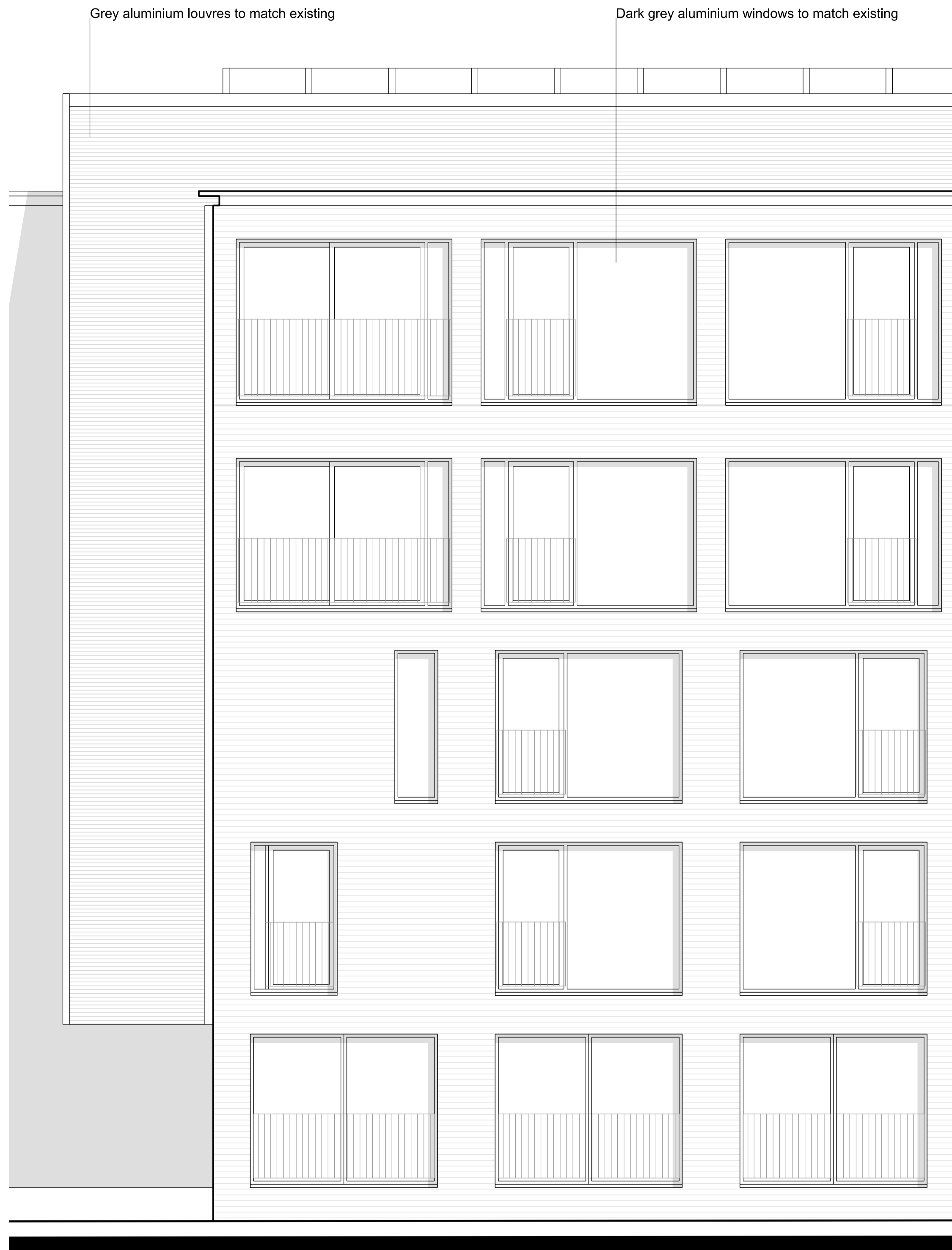
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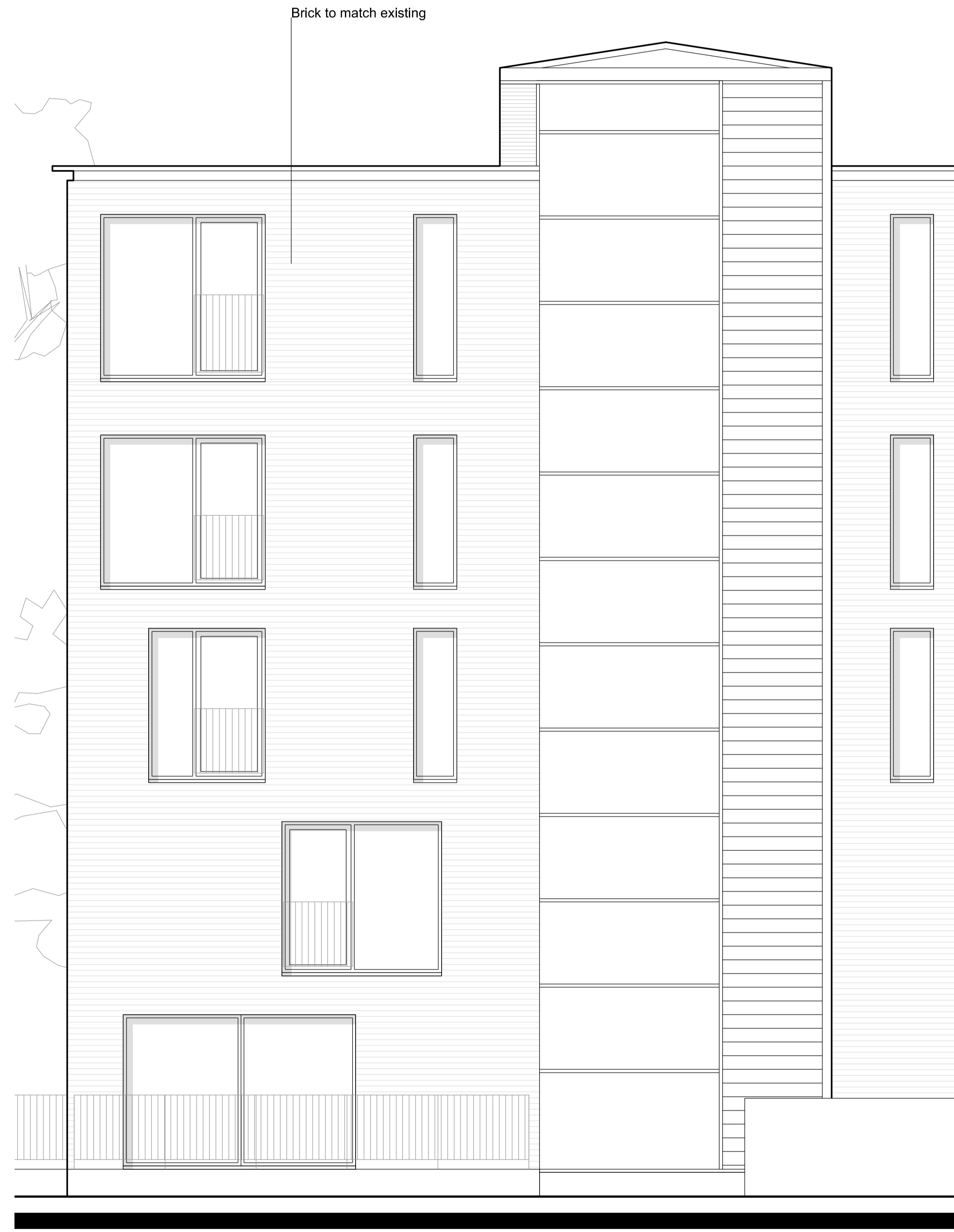
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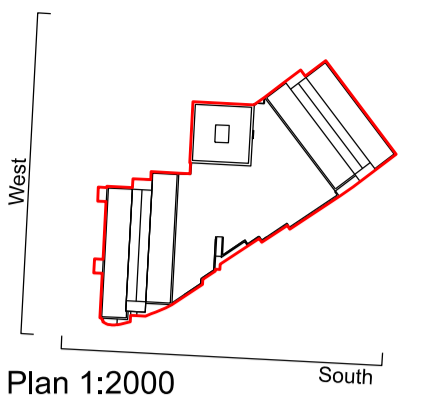


01
0260 Proposed West Elevation
1:50@A1



02
0260 Proposed South Elevation
1:50@A1

0 50cm 1m 2m 3m



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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Detail Bay Elevation

Drawing Number	Revision
WP-0730-A-BC2-0260-E-1	A

Scale @ A1	Revision Date
1:50	29-04-2022

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PLANNING APPLICATIONS COMMITTEE

20 OCTOBER 2022

CASE OFFICER REPORT

APPLICATION NO.

DATE VALID

22/P0092

19/01/2022

Site Address:

35 Woodland Way, Mitcham, CR4 2DZ

Ward:

Graveney

Proposal:

Demolition of existing side garage and conservatory and erection of a part single storey, part two storey side extension. Erection of a two-storey rear extension, conversion of roofspace and erection of a rear roof extension. Modified block will be sub-divided to create 1 x 3-bedroom, 1 x 2 bedroom and 2 x 1 bedroom self-contained flats.

Drawing Nos:

2121/001 Rev D; 2121/016 Rev G; 2121/018 Rev G; 2121/020 Rev G; 2121/022 Rev G; 2121/023 Rev F; 2121/024 Rev F; 2121/025 Rev G; 2121/028 Rev F; 2121/029 Rev F

Contact Officer:

Rebeca Martín Fraser

RECOMMENDATION

Grant Permission Subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

Heads of agreement	Yes (permit free)
Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	No
Site notice	Yes
Design Review Panel consulted	No
Number of neighbours consulted	10
External consultations	No
Internal consultations	No
Controlled Parking Zone	Yes - GC2

1. INTRODUCTION

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

1.1.1 SITE AND SURROUNDINGS

1.1.2 The application site comprises a two-storey dwellinghouse located on a corner plot on the northern side of Woodland Way, Mitcham. The application site benefits from a single storey attached garage.

1.1.3 The site is not located within a conservation area and is not locally listed. It has a public transport access level (PTAL) of 2, this score indicates poor public transport access. It is also within a controlled parking zone (GC2).

1.1.4 The surrounding area is predominantly residential use and characterised by two storey houses.

2. CURRENT PROPOSAL

2.1 The application seeks planning permission for the conversion of the existing single family dwelling house into 3 flats including extensions to the side, rear and roof level.

Two storey Side/Rear Extension

2.1.1 The two-story side/rear extension would be set back from the frontage of the building by 1.9m and would project 3.5m beyond the rear elevation of the original house. At the rear, the first-floor element of the two-storey extension would be inset 3.8m from the boundary with 33 Woodland Way. The approximate dimensions of the two storey side/rear extension would be:

- Depth of 10m; eaves height of 5.5m; ridge height of 8.3m and width of 4.3m.

Single Storey Side/Rear Extension

2.1.2 The single storey side/rear extension would wrap around the proposed two storey side/rear extension. The single storey side element would include the front door (at side) to flat 2, two flank windows and would be setback from the front elevation by approximately 4.3m. It would also project 1.2m beyond the rear elevation of the proposed two storey rear extension. At the rear, the single storey rear element of the extension would be inset 3.5m from the boundary with 33 Woodland Way and 5m from the boundary with 37 Woodland Way. The approximate dimensions of the single storey side/rear extension would be:

- a depth of 8.1m; eaves height of 2.6m; ridge height of 3.8m.

Two Storey Rear Extension

2.1.3 The part two storey rear extension would have the following approximate dimensions: at first floor a width of 6.25m; eaves height of 5.5m; ridge height of 8.3m and would project from the original rear wall by 3.5m.

Single Storey Rear Extension

2.1.4 The proposed single storey rear extension would replace the existing single storey rear extension. The proposed single storey rear extension would be located along the boundary with 33 Woodland Way and would sit adjacent to the proposed two storey rear extension. The single storey rear extension would project 3m along the boundary with 33 Woodland Way and have a width of 3.8m (to point of two storey rear extension). The approximate dimensions of the single storey rear extension would be:

- a depth of 3m; eaves height of 2.6m; ridge height of 3.8m.

Roof Extension

2.1.5 A hip to gable, rear dormer and x1 roof light to the front slope have already been consented under lawful development certificate 21/P3954. The hip to gable would have a length of 3.6m; depth of 7.5m and height of 2.6m. The rear dormer would have a length of 5.5m; height of 2.5m and depth of 3.5m.

Materials

2.1.6 The proposed ground and two storey extensions would be externally finished in render, clay tiles and roof tiles to match the existing building.

Space Standards

2.1.7 Below the table indicates the proposed number of beds, occupancy levels and external amenity spaces

Flat	No. of beds	No. of persons	Proposed GIA(sqm)	External amenity (sqm)
1	3	4	86.3sqm	20sqm
2	3	4	76sqm	25sqm
3	1	1	51.8sqm	10sqm

Cycle

2.1.8 Cycle storage for Flat 1 and 3 is proposed to the side of the dwellinghouse, cycle storage for Flat 2 is proposed to the rear garden.

Amenity Space

2.1.9 The rear garden of the plot has been spilt into three separate amenity spaces. Flat 1 (3 bed) would have 20sqm, flat 2 (3 bed) would have 25sqm and flat 3 (1 bed) would have 10sqm

Refuse

2.1.10 Refuse storage for Flat 1 is proposed to the front garden; refuse storage for Flat 2 and 3 is proposed to the rear gardens.

2.1.11 Amended plans

2.1.12 Due to concerns with the quality of the development, including overdevelopment of the site with poorly designed extensions, officers sought to overcome the concerns raised with a number of amendments during the course of the application. The main amendments compared to the original scheme are

as follows:

- Reduction in number of flats from 4 to 3
- Internal Alterations
- Altered design of extensions, including roof form and reduced footprint and massing.

3. PLANNING HISTORY

- 3.1.1 17/P3182 - PRE-APPLICATION ADVICE FOR THE DEMOLITION OF GARAGE AND ERECTION OF A NEW 3 BED END OF TERRACE DWELLINGHOUSE – Pre-App Complete
- 3.1.2 21/P3954- APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE IN RESPECT OF THE PROPOSED ERECTION OF A HIP TO GABLE ROOF EXTENSION AND REAR DORMER WINDOW ALONG WITH INSTALLATION OF X1 ROOFLIGHT ON THE FRONT ROOFSLOPE - Issue Certificate of Lawfulness 31/01/22
- 3.1.3 21/P3948 - PRE-APPLICATION ADVICE FOR EXTENSION AND CONVERSION OF EXISTING SEMI DETACHED HOUSE TO CREATE FOUR DWELLINGS – Pre-App Complete

4. CONSULTATION

- 4.1.1 Standard site notice displayed and individual letters to neighbouring properties.
- 4.1.2 Due to an administrative error by the agent regarding the site address, incorrect neighbouring properties were consulted. However, this was rectified, and all necessary neighbours have been consulted via a consultation letter and re-consultation letters during the course of the application due to amended plans being received. In addition to neighbouring letters, a site notice was display on the lamppost outside the property.
- 4.1.3 In response to consultation, a total of 56 objections were received (including a petition). The letters raise the following concerns:

Process

- No site notice displayed.
- Consultation letter was difficult to read and not sent to all neighbours.
- Adjoining neighbour at no.37 was not initially consulted, therefore has referred this to the ombudsman.
- Lack of notification and not enough to time to object.
- Several inaccuracies in the D&A statement regarding local transport links
- Petition signed by x25 neighbours that object to any form of flats being built on Woodland Way

Neighbour Amenity

- French windows inserted onto the rear dormer will cause overlooking for

occupiers at no.37.

- The increase in occupancy will lead to refuse issues
- Increase in occupancy would generate more noise
- Privacy concerns
- The neighbouring property at no.37 is side on, therefore it will be more overlooked than a normal dwelling
- Three narrow gardens are proposed which would increase noise and disturbance
- Prevent sufficient sunlight from reaching adjacent property gardens
- During the rebuild stage there will be early morning and late night disturbances, regardless of planning restrictions on construction times

Design

- Overdevelopment of the site
- The roofs over the side additions are significantly lower than the main roof ridge, giving a fuller view over no.37.
- Residents of Woodland Way are not happy about the planned works or the way the matter has been dealt with and feel it will ruin the look of the street,
- The property will result in five units .

Highways

- Traffic would increase
- Cause further parking problems.

Other

- Affect property value.
- Woodland Way is a family residential area and there are no house conversions on Woodland Way, this build will set a precedent to other people
- The road has birds, squirrels and other wildlife which gives the feel of the countryside in a town environment
- Demolition works and foundations being dug will cause ground movement
- Will affect water pressure
These two matters are not within the remit of planning

Internal Consultees

4.1.4

Transport Planning

No objections subject to S106 legal agreement restricting future occupiers of 2 of the units from obtaining. Permit free option would be acceptable subject to the applicant entering into a Unilateral Undertaking which would restrict future occupiers of 2 units from obtaining an on-street residential parking permit to

park in the surrounding controlled parking zones to be secured by via S106 legal agreement.

4.1.5 Highways – No objection subject to conditions

5. POLICY CONTEXT

National Planning Policy Framework (2021)

- Chapter 6 Building a strong, competitive economy
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

London Plan 2021

- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D14 Noise
- Policy H1 Increasing housing supply
- H2 Small sites
- Policy H9 Ensuring the best use of stock
- Policy H10 Housing size mix
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.1 Residential parking

Merton Core Strategy (2011)

- Policy CS 9 Housing Provision
- Policy CS 14 Design
- Policy CS 15 Climate Change
- Policy CS 17 Waste Management
- Policy CS 20 Parking, Servicing and Delivery

Merton Sites and Policies Plan (2014)

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM O2 Nature Conservation, Trees, hedges and landscape features
- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards

6. PLANNING CONSIDERATIONS

6.1 The decisive planning issues towards this application are:

- Principle of development
- Standard of accommodation
- Impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Sustainability
- Highways, parking and cycle storage
- Refuse storage and collection
- Air Quality
- Biodiversity

6.2 Principle of development

6.2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise

6.2.2 The development seeks to provide two additional residential units by increasing the density on site through the conversion of the property. The principle of the development to deliver further residential accommodation is considered acceptable and in line with policies seeking to increase provision of additional homes by finding opportunities through intensification of small sites.

6.2.3 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.

Conversion of House into Flats

6.2.4 Planning Policy CS 14 of Merton's Core Planning Strategy states that schemes involving dwelling conversions that result in the loss of an existing family sized unit must incorporate the re-provision of at least one family sized unit - a family sized unit is one which has at least 3 bedrooms. The proposal seeks to introduce two 3b4p units, which is therefore considered to comply with the

objectives set out in Policy CS 14.

- 6.2.5 London Plan Policy H2 encourages boroughs to support well-designed new homes on small sites (below 0.25 hectares in size), so to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

Provision of Housing

- 6.2.6 Policy H1 of the London Plan 2021 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.
- 6.2.7 Policy H1 of the London Plan 2021 has set Merton a ten-year housing target of 9,180 new homes. The proposal would make a valuable contribution to meeting that target and providing much needed new housing.
- 6.2.8 Merton currently does not have a five-year supply of deliverable housing. It is therefore advised that members should consider this position as a significant material consideration in the determination of planning applications proposing additional homes.
- 6.2.9 Where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, relevant decisions should apply the presumption in favour of sustainable development. This means that for planning applications involving the provision of housing, it should be granted permission unless:
- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse effect of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
- 6.2.10 The scheme would therefore make a valuable contribution towards the Council's housing stock.

6.3 Standard of Residential Accommodation

- 6.3.1 Planning Policy D6, Table 3.1 of the London Plan 2021 sets out the minimum gross internal floor area and built-in storage that all new dwellings/conversions must provide. Policy D6 also states that a dwelling with two or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide. Every other additional double (or twin) bedroom must be at least 2.55m wide. The proposed schedule of accommodation for this current application is set out below

<u>Flat no.</u>	<u>No. of beds</u>	<u>No. of persons</u>	<u>No. of storeys</u>	<u>Required GIA (m2)</u>	<u>Proposed GIA (m2)</u>	<u>Compliant</u>

<u>Flat 1</u>	3	4	2	84	86.3	Yes
<u>Flat 2</u>	3	4	1	74	76	Yes
<u>Flat 3</u>	1	1	2	37	51.8	Yes

6.3.2 As demonstrated by the table above, all units would meet the minimum space standards. All units would also provide a satisfactory standard of accommodation for future occupiers in terms of room sizes, layout, outlook, levels of natural daylight/sunlight and passive ventilation.

Amenity Space

6.3.3 In terms of the provision of amenity space, in accordance with the London Plan Policy 2021 Policy D6 and policy DMD2 of the Council's Sites and Policies Plan, 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.

6.3.4 Flat 1 would have access to 20sqm of external amenity, Flat 2 access to 25sqm of external amenity, Flat 3 access to 10sqm of external amenity. All units are therefore considered to provide future occupants with policy compliant external amenity areas.

6.4 Impact upon the character and appearance of the area

6.4.1 The National Planning Policy Framework (NPPF) Paragraph 123 states that it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. The National Planning Policy Framework sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. It states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

6.4.2 The regional planning policy advice in relation to design is found in the Chapter 3 of the London Plan (2021). These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

6.4.3 Planning policy DM D2 (Design considerations in all developments) seeks to achieve high quality design and protection of amenity within the Borough. Proposals for all development will be expected to relate 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

6.4.4 The applicant proposes to enlarge the dwellinghouse in order to facilitate the conversion. The following assessment is made against the merits of the design and massing of the proposed adaptations to the existing building and the impact it has on the surrounding area.

6.4.5 Surveying the local area, it is evident that Woodland Way does not have an established architectural style. Nevertheless, many additions along the road are historic and it is essential to assess the application on its own merits in order to provide a good quality development.

6.4.6 Part single side extension/ two storey side extension

6.4.7 The proposed side extensions are considered acceptable due to its subordinate design approach which would ensure that the original building and pair of semis is respected. The extensions are considered to have a suitable subordinate design approach having a setback from the front elevation by approximately 1.15m (first floor), a hipped roof form and ridge height 0.35m below the ridge of the original house. The side extension would also be inset at least 1.5m from the site boundary (widening to 5m at the rear due to the tapered boundary line) which would help reduce the overall bulk and massing of the extensions when viewed from the street scene.

6.4.8 Part single/part two storey rear extension

6.4.9 Given the positioning of the property at a corner location, the two storey extensions would be visible from both street corners. It is acknowledged that the two-storey rear element of the proposed extension is large in size, however its form is considered to respect the original house in its extended form and the large size of this corner plot. The hipped roof form and lowered ridge height compared to the main roof ridge will also help reduce the perceived bulk and massing of the extension when viewed from the street scene and neighbouring properties.

6.4.10 The proposed ground floor rear extension is modest in size which would respect the original building and would be compatible with other similar single storey rear extensions found within the vicinity of the application site.

6.4.11 A hip to gable, rear dormer and x1 roof light to front roof slope

6.4.12 This element of the proposal has been consented under lawful development 21/P3954 and could be erected as a standalone extension to the house. Therefore, members do not need to consider the appropriateness of the roof extensions to the main house. However, consideration should be given to the cumulative impact of all the extensions to the property. On balance, as the proposed ground and first floor extensions have been designed with a subordinate design approach and the extensions are well distanced away from the site boundaries (so not to appear overly dominant or bulky), officers considered that the combination of the roof extensions and other extensions would respect the original building, visual amenities of the area and would help facilitate the additional homes on the site.

Materials

6.4.13 All the extensions would be externally finished in render, clay tiles and roof tiles to match the existing building, so would not appear contrary in terms of style and appearance. Overall, the proposal is not considered to result in visual harm that would warrant a refusal of permission, particularly given the site's context.

6.5 Impact upon neighbouring amenity

- 6.5.1 SPP policy DM D2 states 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 loss of light, quality of living conditions, privacy, visual intrusion and noise.
- 6.5.2 33 Woodland Way
- 6.5.3 The neighbouring dwellinghouse has been extended with a single storey rear extension. The proposed single storey rear extension would sit in the footprint of the existing rear addition and would therefore not project beyond what is already existing. This means that it would continue to finish in line with the existing rear addition at 33 Woodland Way along the shared boundary.
- 6.5.4 The proposed first floor element of the two storey rear extension would have a projection of 3.5m from the rear wall of the house and would be inset approximately 3.8m from the site boundary of this neighbour. Given the neighbours existing ground floor extension and good level of separation distance from the boundary it is considered that there would be no undue loss of amenity.
- 6.5.5 Part single storey/part two storey side extension would be erected to the east of the site on the other side of the house. Therefore, well distanced away from 33 Woodland Way to ensure that there would be no undue loss of amenity.
- 6.5.6 The roof works and rear dormer benefits from permitted development, officers therefore conclude that the dormer would have an acceptable impact on neighbour amenity.
- 6.5.7 Officers acknowledge that representations were received from occupiers at this address which raised concerns regarding noise due to the increase in occupancy. The existing dwellinghouse would be able to accommodate approximately 5 persons (2 double and 1 single bedroom), whilst the proposal has been designed for 9 persons (1 x 1 and 2 x 3 bedrooms). Whilst there may or may not be the potential of increased noise, a potential increase of up to 4 persons beyond the existing situation is not considered to be a significant uplift in numbers to justify refusal of planning permission. The proposal is therefore not considered to have an undue impact towards neighbouring occupiers in terms of noise.
- 6.5.8 37 Woodland Way
- 6.5.9 To the northeast, 37 Woodland Way is orientated at a right angle to the application site. The proposed upper floor level extensions would mostly face toward the blank flank wall of this neighbour and are well distanced away from this neighbouring property to ensure that there would be no undue loss of amenity in terms of outlook or light levels. Whilst a number of new rear facing windows are proposed at ground, first and roof levels, these would have a similar arrangement to the existing situation. It should also be noted that the rear dormer roof extension can be constructed under permitted development rights.

40 – 46 Woodland Way

6.5.10 The properties located on the other side of Woodland Way would be separated from the application site by a public highway which would offer some visual relief between neighbours. This is a standard relationship within urban areas. The level of separation from these neighbours to the proposed extensions are also well distanced away to ensure that there would be no undue loss of amenity.

6.6 Sustainability

6.6.1 Merton's Core Planning Strategy (2011) Policy CS15 outlines how all minor and major development, including major refurbishment, should demonstrate: how the proposal makes effective use of resources and materials, minimises water use and CO2 emissions; makes the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy and designed to withstand the long term impacts of climate change.

6.6.2 London Plan Policies SI 2, SI 5 and Merton's Sustainable Design and Construction Explanatory note, expects developments to achieve carbon reductions beyond Part L from energy efficiency measures alone to reduce energy demand as far as possible.

6.6.3 For minor residential developments, development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.

6.6.4 To ensure that the proposed development meets the policy standards, the proposed would be subject of a planning condition requiring full details of the sustainability measures.

6.7 Flooding

6.7.1 Policy SI 13 of the London Plan (Sustainable drainage) sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features.

6.7.2 The application site is located in flood zone 1, which means it has a low probability of flooding from rivers and the sea. The applicant has identified each unit would have a 500L water butt in the rear gardens. In order to ensure that the development meets the requirements of planning policy SI 13, a planning condition requiring full details of flood mitigation measures can be secured via a planning condition.

6.8 Highways, parking and cycle storage

6.8.1 Planning Policy T1 (Strategic approach to transport) of the London Plan 2021 states that the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.

6.8.2 Planning Policy DM T2 (Transport impacts of development) of Merton's Sites and Policies Plans seeks to ensure that development is sustainable and has

minimal impact on the existing transport infrastructure and local environment.

Car Parking

- 6.8.3 The site currently provides off-street parking in the form of a garage space and a driveway. The applicant has stated that they would negotiate with the Council to establish if a car parking space can be retained on the frontage. Therefore, this does not form part of the application before members and would be subject of the separate application.
- 6.8.4 Planning Policy T6 (Car parking) of the London Plan 2021 states that Car free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development has no general parking but should still provide disabled persons parking in line with standards set out in policy T6.1 (Residential parking). Planning Policy DM T3 (Car parking and servicing standards) of Merton's Sites and Policies Plan also promotes car free development in areas which benefit from good access to public transport (generally PTAL 4 or above) and be within an existing controlled Parking Zone.
- 6.8.5 The application site has a PTAL rating of 2 (moderate) and within Car Parking Zone GC2. The Councils Transport Planner has confirmed that the development is considered to be suitable as a permit free development as this would take pressure off existing car parking zones and promote sustainable modes of transport. In this instance, as the property already benefits from the ability to obtain car parking permits, the permit free development would only relate to restriction for flats 1 and 3. The applicant has agreed to the permit free requirement, this can be controlled via a S106 agreement restricting permits

Cycle Standards

- 6.8.6 Cycle storage is required for new development in accordance with London Plan Standards and Core Strategy policy CS 18. The Plan requires one cycle parking space for 1 bed 1 person units, 1.5 spaces per 1 bedroom, 2-person unit and two spaces for all other dwellings. Flat 1 and Flat 2 would require 2 cycle spaces and Flat 3 would require 1 cycle space. The application has shown on the drawings the exact location of these facilities which are in the rear gardens of each Flat. There is sufficient space in the rear gardens to accommodate cycle storage. In order to ensure sufficient spaces are provided a condition has been attached which requests the cycle store details to ensure that they are covered and secure and comply.

6.9 Refuse storage and collection

- 6.9.1 Merton Core Strategy Policy CS17 requires new developments to demonstrate integrated, well-designed waste storage facilities that will include recycling facilities.
- 6.9.2 London Plan Policies SI 7 and SI 8 identifies that in order to manage London's waste sustainably, the waste management capacity of existing sites should be optimised and developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a

minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

- 6.9.3 Refuse bins for Flat 1 are located within the front garden and the bins for Flats 2&3 are located within the rear gardens. This would be acceptable and would prevent the front garden from being cluttered with refuse bins. The location is considered acceptable subject to a suitably worded condition requesting the exact details of the refuse storage each unit.

6.10 Air Quality

- 6.10.1 The Council declared the borough an Air Quality Management Area (AQMA) and requires all developments to be air quality neutral. Policy SI 1 of the London Plan 2021 further supports this by stating that as a minimum, development proposals must be at least Air Quality Neutral.

- 6.10.2 The application does not provide any assurance on this basis. However, it is noted that no additional car parking would be provided. A planning condition requiring details of how the development would address air quality requirements can be attached to any permission.

- 6.10.3 In addition, officers recommend conditions relating to the construction process and air quality to minimise the impact.

6.11 Biodiversity

- 6.11.1 Planning Policy G6 of the London plan sets out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain, including sites not within areas of special protection. Planning Policy DM O2 (Nature conservation, trees, hedges and landscape features) of Merton's Sites and Policies Plan seeks to protect and enhance biodiversity. Policy CS13 of the Core Planning Strategy requires proposals for new dwellings in back gardens must justify the impact on biodiversity value of the site.

- 6.11.2 It is considered the biodiversity value of the existing site is limited and would not warrant a refusal of permission. So, while the application site provides limited biodiversity value, a suitably worded condition should be applied to ensure net biodiversity gain.

7. CONCLUSION

- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

- 7.1.2 NPPF - Paragraph 122 explains planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed, attractive and healthy places.

- 7.1.3 NPPF Paragraph 123 states that it is especially important that planning

decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

7.1.4 The principle of development is considered to be acceptable by maximizing the potential of the site, helping Merton deliver its increased housing targets and whilst still retaining a family sized unit on the site. The standard of residential accommodation is considered to offer good accommodation that would meet the needs of future occupiers. Each flat would have access to suitable bin and cycle facilities and access to private amenity space which exceeds minimum standards. The proposed conversion and extensions would have no undue impact on the street scene or the amenities of neighbouring residential properties. The design of the extensions is considered to respect of original building and would have no harmful impact on the Woodland Way streetscene or surrounding area.

7.1.5 The proposal is therefore considered to be in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreement.

Recommendation

7.1.6 GRANT PLANNING PERMISSION subject to

1. Subject to conditions and the completion of a Section 106 Agreement covering the following heads of terms:-

1. Permit Free (restriction relates to flats 1 and 3 only).

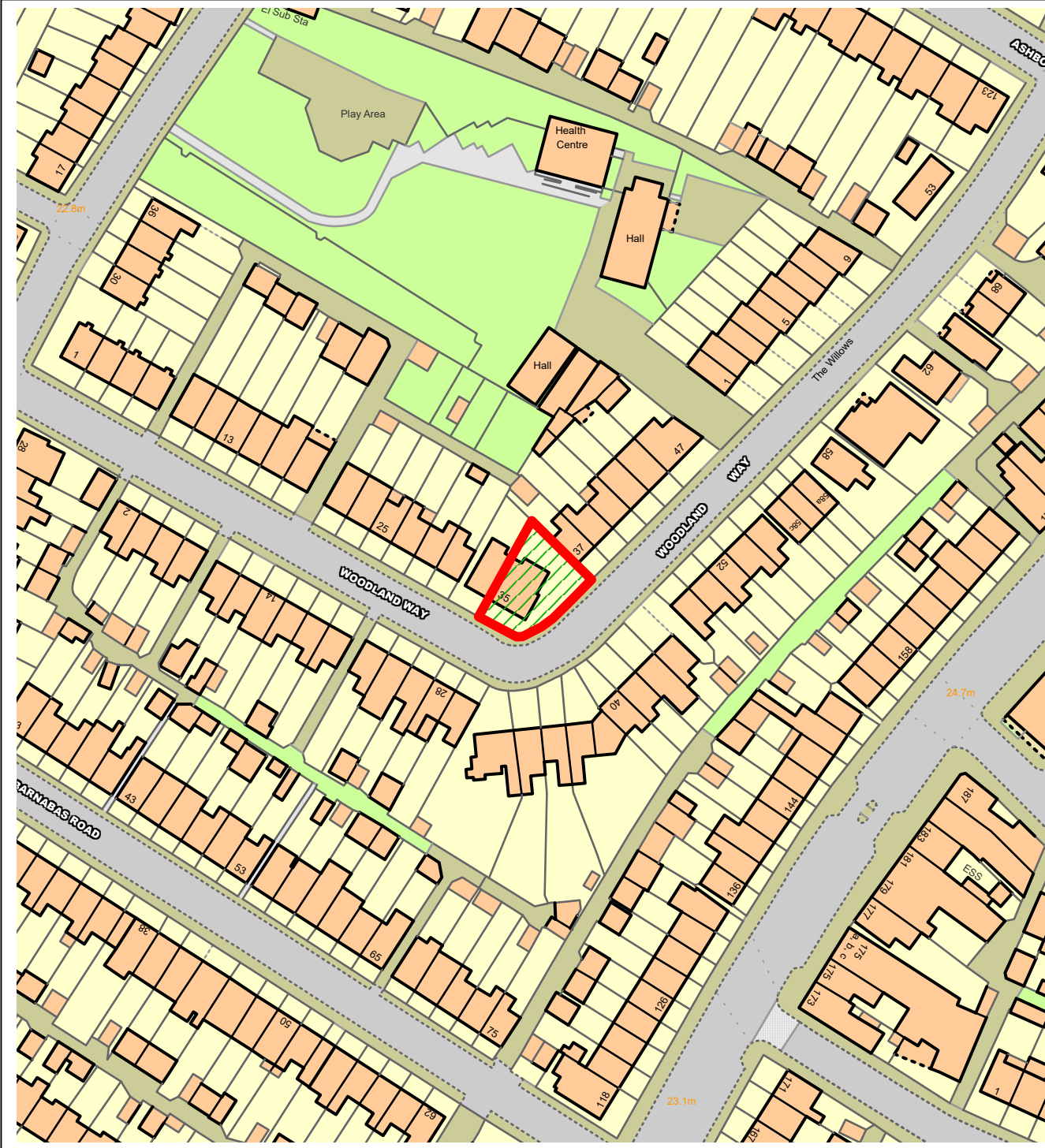
2. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations. And the following conditions:

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B3 External Materials as Specified
4. C04 Obscure Glazing (Opening Windows)
5. D11 Construction Times
6. C06 Refuse & Recycling (Details to be submitted)
7. H07 Cycle Parking (Details to be submitted)
8. H09 Construction Vehicles
9. L3 Sustainability Standard Pre-Occupation
10. Drainage
11. Biodiversity

- 12 Air Quality
- 13 No use of Flat Roof
- 14 Landscaping
- 15. INF01 Party Wall Act
- 16. INF00 Swift Conservation
- 17. INF09 Works on the Public Highway
- 18. INF11 Drainage
- 19. INF20 Street naming and numbering

NORTHGATE SE GIS Print Template



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DESIGN & ACCESS STATEMENT
35 Woodland Way
London
CR4 2DZ




















December 2021



DESIGN & ACCESS STATEMENT

35 Woodland Way

1.00 Contents

1.00		The Proposal
2.00		This Statement
3.00		The Need for Development
4.00		Design Objectives
5.00		Intended Layouts
6.00		Context
7.00		Travel and External Access
8.00		The Existing Property
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13.00		Parking.
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16.00		Flooding
17.00		Conclusion

Appendix A - PTAL Information

Appendix B - Drawings

DESIGN & ACCESS STATEMENT

35 Woodland Way

1:00 The Proposal

The proposal is for the retention of a house that currently stands as a single family dwelling.

The property is to be stripped out internally and will have a new hip to gable roof extension. It will also have a rear – part one and part two storey extension and a side addition that replaces the existing conservatory. The extended roof will feature new front roof lights and will match the finish of what is there already.

Once extended, the house is to be split into a total of four residential units.

The units will have rear amenity space and London Plan compliant bin and cycle stores.

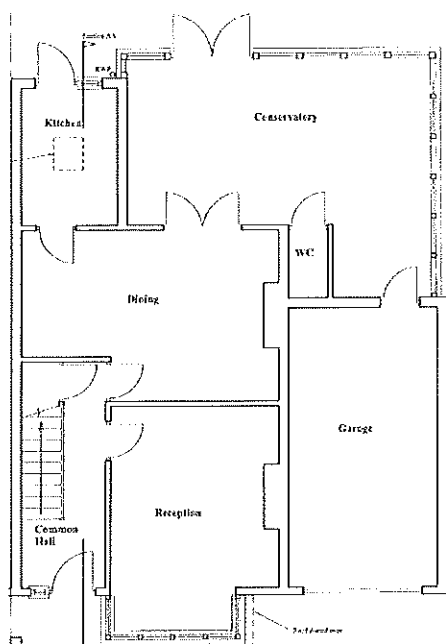
2.00 This Statement

This statement has been provided in support of the application and is intended to provide a summary of all the relevant key information about the development including design principles and issues relating to access and context.

It follows general guidance issued in the Town and Country Planning (Development Management Procedure) Order 2010 (DMPO)

To assess the context the site has been visited and photographed. It has also been measured. We have looked at the general building line in Woodland Way which will be unaffected.

Energy issues are dealt with in a separate report.



Existing Ground

DESIGN & ACCESS STATEMENT

35 Woodland Way

3.00 Need for Development

The new National Planning Policy Framework (NPPF) was adopted in February 2019, setting out the Government's planning policies for England and how these are to be applied by Local Authorities. The NPPF sets out the economic, environmental and social planning objectives for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

It further sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

The main objectives of the NPPF as far as they apply to residential development are,

- Ensuring the vitality of town centres.
- Promoting sustainable transport.
- Supporting high quality communications infrastructure.
- Delivering a wide choice of high quality homes.
- Requiring good design.
- Promoting healthy communities.
- Protecting Green Belt land.
- Conserving and enhancing the historic environment.
- Facilitating sustainable use.

The NPPF emphasises the role of previously developed land within the urban areas in the supply of housing and requires authorities to identify and maximise the supply of homes from such sites. This is particularly important in minimising the need for the release of Green Belt and greenfield land for development and in providing homes in the most sustainable locations, well served by public transport and with access to services and facilities by foot and cycle.



Existing Front

DESIGN & ACCESS STATEMENT

35 Woodland Way

3.00 Need for Development (continued)

Paragraph 8 of the NNPF sets out three overarching objectives to sustainable development as follows:

- A. An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- B. A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- C. An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, include

ng moving to a low carbon economy.”

This application embraces these aims with the design solution proposed.



Photo of Front



Photo of Rear

DESIGN & ACCESS STATEMENT

35 Woodland Way

3.00 Need for Development (continued)

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The main objectives of the NPPF as far as they apply to residential development are,

- Ensuring the vitality of town centres.
- Promoting sustainable transport.
- Supporting high quality communications infrastructure.
- Delivering a wide choice of high quality homes.
- Requiring good design.
- Promoting healthy communities.
- Protecting Green Belt land.
- Conserving and enhancing the historic environment.
- Facilitating sustainable use.

The London Plan

The Draft London Plan was subject to an Examination in Public (EiP). The Intend to Publish version of the draft Plan shows all of the suggested changes following the Examination in Public. Whilst the Plan is not yet adopted and recent correspondence between the Secretary of State and Mayor of London resists the Mayor's proposed changes (which amongst other things include a reduction in housing targets), it carries increasing weight in the determination of planning applications.

Policy D1B 'Optimising site capacity through the design led approach' states that "all development must make the best use of land by following a design-led approach that optimises the capacity of sites."

Policy D4 'Housing quality and standards' states that "housing development should be of high quality design, and provide adequately-sized rooms, with comfortable and functional layouts."

Policy H1 'Increasing housing supply' sets out the ten-year targets for net housing completions in each London borough. The annual housing target for Merton has been significantly increased from the current London Plan target of 411 to approximately 1,328 new homes per annum, or 13,280 new homes over the Plan period.

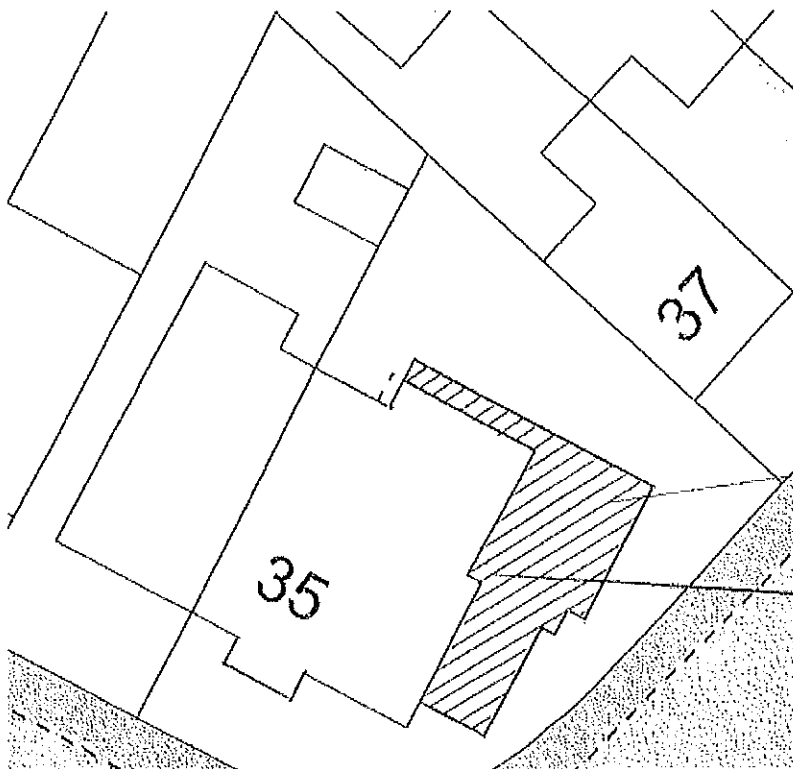
DESIGN & ACCESS STATEMENT

35 Woodland Way

4.00 Design Objectives

The principal objectives of the overall design are,

- To get better use out of the site which is not fully developed and which by comparison to other plots in the street is relatively under utilised.
- To ensure a family sized unit is retained on the property and to add other units.
- To provide a building modification whose' mass and finishes reflect the scale and detail of others in the street.
- To avoid any loss of amenity to the local street scene or to neighbours. Similarly, to ensure users of the modified premises enjoy good levels of amenity.
- To provide much needed extra accommodation in the area. 3 new units will result. (One will be retained).
- To provide London Plan compliant accommodation and to create extensions whose form and materials are in keeping with the surroundings and host building.
- To include the extra volume that it is hoped can be granted under separate cover of the PD application for a hip to gable extension, rear dormer and front roof lights. This will quite possibly be built before any conversion.



Proposed Plot

DESIGN & ACCESS STATEMENT

35 Woodland Way

5.00 Intended Layout

The proposal is to create three new residential units and retain a further family unit on the site.

- At ground floor there will be a 3 bed four person self-contained unit.
- At ground floor there will also be a one bed unit.
- At first floor there will be a two bedroom unit.
- At first and second floors there will be a one bedroom 1 person unit.

Please see the application drawings for further information.

6.00 Context

A contextual analysis has been undertaken under the following headings,

(a) Landscape & Open Space

The building as proposed will occupy somewhat more of the plot than at present. (By virtue of the rear extension). The rear and front landscaping will therefore be updated in layout and in finish.

This is however a proposed conversion on a constrained site.

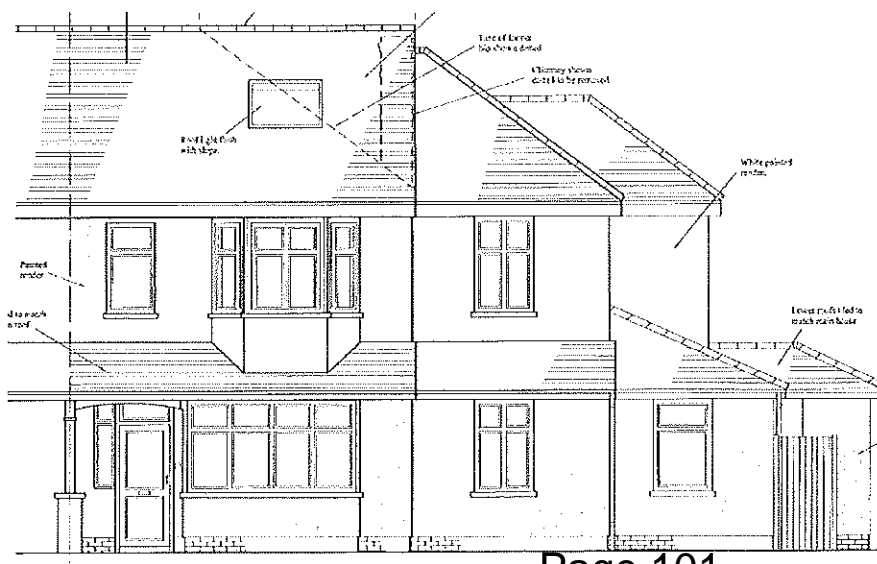
The family unit will have direct access to a private rear garden and the ground floor 1 bedroom will enjoy the same benefit.

(b) Ecology

No main issues on this site and therefore, no specific ecology study has been requested or undertaken.

(c) Physical Conditions

The site is essentially level front to rear, and it is virtually level in the other direction as well it is not proposed that the existing site contours will be significantly changed.



**Proposed
Front**

DESIGN & ACCESS STATEMENT

35 Woodland Way

6.00 Context Continued

(d) Townscape

The impact looking up and down the street will be negligible as the front facade will not be moved from its current line. The roof will be subject to a hip to gable extension but this is also covered by a separate PD application. It will be accompanied by the insertion of roof lights flush with the front roof slope. Front roof lights are a common feature on the street.

(e) Orientation

The orientation has been assessed. The front of the building faces broadly South. The majority of the front glazing thus enjoys a good quality of light and direct sun. To the rear the majority of the glazing faces North. This is an inevitable consequence of the plot and will not change significantly albeit that new rear facing windows will receive good quality light and be sizeable.

(f) Problem Edges

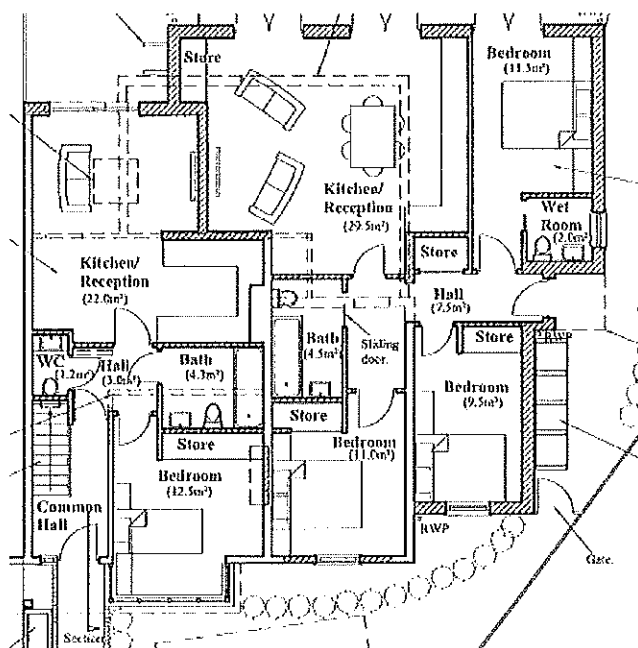
The noisiest boundary is the one to the front that faces onto Woodland Way. There is not much that can be done about this except for fitting replacement windows to give maximum protection against noise. The street however is not a busy one.

(g) Materials

The proposed materials will broadly match those of the existing buildings in the area and those of the existing property. See the project drawings for further details.

(h) Building Heights

Building heights within the site and its' immediate surroundings have been assessed. The ridge of the existing building will not be raised. The impact on the street is not likely to be very noticeable.



Proposed Ground

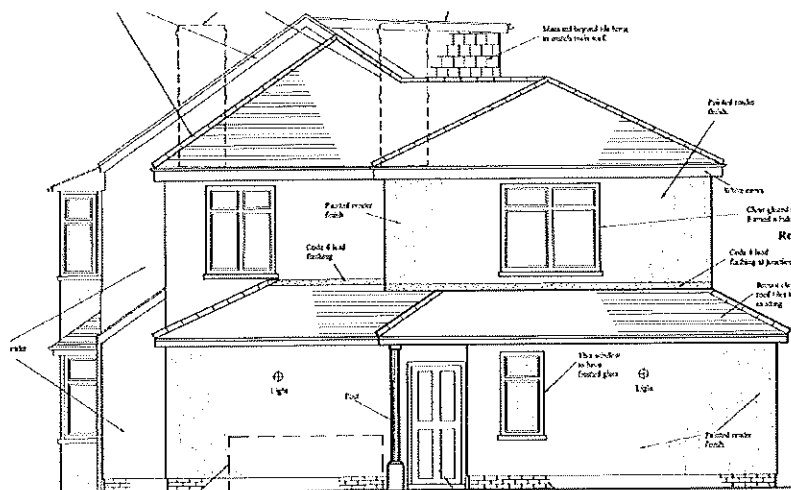
DESIGN & ACCESS STATEMENT

35 Woodland Way

7.00 Transport & External Access

The following are the main transport characteristics of the site...

- a) *Road Link* The nearest main road is the A216 Streatham Road.
Also, the A217 London Road is some 50m away. The PTAL rating is 2.
- b) *Rail Link* The nearest station is Tooting station some 300m away.
- c) *Bus Link* There are several bus stops on the A217 and A216 These are a maximum of a circa 5 minute walk away.
- d) *Airport* Not relevant.
- e) *Garage(s)* There is currently 1 dis-used garage on the site and this will be included in the building work. It is accessible via a crossover which will be retained.
- f) *Off street* There will be off street parking for one car. This will be in the area facing the front street and accessible via an existing crossover.
- g) *Disabled* The existing access will not be changed other than to modify the front path to provide as good a ramped access as is possible in the space available.
- h) *Pavement* No change to the layout of the pavement or kerb is proposed.
- i) *Cycles* There will be provision for storage for cycles in the rear gardens. See the application drawings.
- j) *Bins* There will be provision for storage of new bins at the front, side and rear. Please refer to the application drawings for more details.



Proposed Side Elevation

DESIGN & ACCESS STATEMENT

35 Woodland Way

8.00 The Existing Property

The existing building on the plot is some 90 -120 years old and arranged on two levels. The loft has not been utilised and the house is configured as a single family unit.

It has traditional construction and finishes and appears to have been modified substantially during its' lifetime.

The property is in need of renovation but appears generally sound.

The unit forms part of a pair of semi- detached houses. Similarly built and repeated in from along the street.

The existing property is set back from the main front street boundary by between some 4m. There will be no change to this building line.

9.00 The Internal Access / Circulation and Lifetime Homes.

The proposed development is a re-configuration of an existing building, however where possible it will comply with the Lifetime Homes requirements. Particular attention is drawn to the following,

Criterion 2 - Approach to dwelling from parking.

The distance from the street is fixed and will not change. This is a relatively short distance and there is resident and paid parking nearby.

Criterion 3 - Approach to all entrances

The approach to all entrances into the flats will be level or gently sloping.

Criterion 4 - Entrances

The two entrances from outside will be illuminated and have level access over the threshold. Access is directly from the street frontage. This helps compliance with prevention of crime policy guidance.

Criterion 6 - Internal doorways and hallways

Movement in hallways and through doorways will be as convenient to the widest range of people, including those using mobility aids or wheelchairs, and those moving furniture or other objects. The width of doorways and hallways will where possible conform to the specification within the main document (900mm). This is however a potential conversion.

Criterion 7 - Circulation space

There will be space for turning a wheelchair in dining areas and living rooms and basic circulation space for wheelchair users elsewhere.

Criterion 8 - Entrance level living space

A living room / living space or bedroom will be provided on the entrance level of every dwelling.

DESIGN & ACCESS STATEMENT

35 Woodland Way

9.00 The Internal Access / Circulation and Lifetime Homes.

Criterion 9 - Potential for entrance level bed-space

In dwellings with two or more storeys, there will be space on the entrance level that could be used as a convenient temporary bed-space. This criterion is met.

Criterion 11 - WC and bathroom walls

Walls in all bathrooms and WC compartments will be capable of firm fixing and support for adaptations such as grab rails. This will be met.

Criterion 13 - Potential for Future Fitting of Hoists

Structure above a main bedroom and bathroom ceilings will be capable of supporting ceiling hoists and the design should provide a reasonable route between this bedroom and the bathroom.

Criterion 14 - Bathrooms

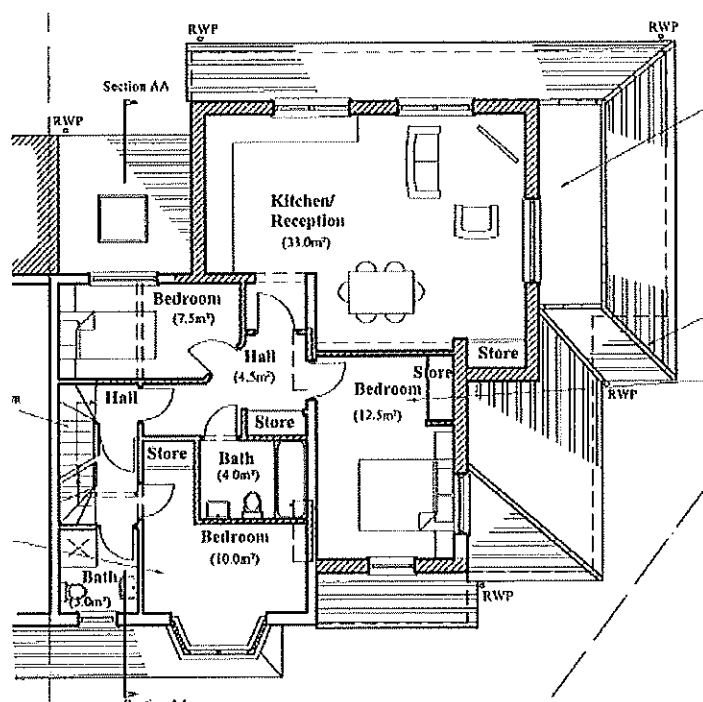
An accessible bathroom, providing ease of access, will be provided in every dwelling on the same storey as a main bedroom.

Criterion 15 - Glazing and window handle heights

Windows in the principal living space (typically the living room) should allow people to see out when seated. In addition, at least one opening light in each habitable room will be approachable and usable by a wide range of people.

Criterion 16 - Location of service controls

Service controls will be within a height band of 450mm to 1200mm from the floor and at least 300mm away from any internal room corner.



**Proposed
First Floor**

DESIGN & ACCESS STATEMENT

35 Woodland Way

10.00 Areas

The development will have the following areas....

Space	Proposed sq. m.
Ground and floor 3 bed unit	76.5
Ground and floor1 bed unit	50
First floor 2 bed unit	61
First Floor and loft level 1 bed unit	44
Combined	231.5

11.00 Sustainability

Wherever possible London Plan policy used to require new residential development, including mixed use, to achieve a minimum of level 4 standards in the code for sustainable homes. It now however, only requires applications for major developments to submit a sustainability statement and energy statement. The approach is consistent with the National Planning Policy Framework (the Framework) in seeking to meet the challenge of climate change and in particular paragraph 95.

The development will include the following measures,

11.1 Embodied Energy and Transport Costs.

All materials including kitchens, bathrooms and floor coverings will be sourced locally thereby minimising transport costs.

11.2 Water Conservation

It is not proposed that a water harvesting system be installed as there is little or no space on the plot. However,

- Each WC cistern will be fitted with an economy flush option and a dual flush system.
- Taps will be limited to 5 litre output per minute.
- Showers will be limited to 8 litre output per minute and have flow reducing heads.
- A separate incoming mains supply to each unit will serve drinking water and bathroom facilities. 'Grey' water will not be recycled.
- The kitchen taps will be limited to 6 litre per minute output.
- The maximum bath size will be 155 litres.

DESIGN & ACCESS STATEMENT

35 Woodland Way

11.00 Sustainability continued

11.3 Healthy Building.

All rooms will have adequate natural light and fully opening windows for adequate natural ventilation. Bathrooms and kitchens will be fitted with mechanical extract fans as required by Building Regulations part F.

Low density poly-ethylene damp proof membranes (avoiding UPVC) will be used.

Recycled aggregates will be used in concrete from site where possible;

FSC/PEFC timber will be used

Health and safety legislation updated in 2007 calls for designers to actively avoid certain toxic materials. The guidelines set out in this legislation will be followed.

11.4 Construction Waste.

The demolition contract will call for the removal and salvage of copper pipe, lead and any other material having a realistic commercial re sale value. As the proceeds of this salvage will pass directly to the demolition contractor, they will have the best possible incentive to reclaim as much as possible.

In common with all our projects, an asbestos survey will be commissioned to identify any toxic materials in the existing building. A licensed sub contractor will then be made responsible for suitable disposal.

11.5 Insulation

It is not proposed to insulate the building(s) to any higher standard than that which current building regulations require except that the outside walls will be upgraded beyond what is needed. Insulation used will have a GWP of less than 5.

11.6 Waste Disposal

Space on the site is restricted but each unit will have a bin space within the plot storage. The location can be seen on the plans.

11.7 Paving

The issue of sustainable paving does not arise as the paving at the front is very small in area and will be largely unchanged.

To the rear, there will just be gardens which will have a small area of open jointed paving and the rest will be grass.

DESIGN & ACCESS STATEMENT

35 Woodland Way

12.00 Planning History

The Merton Council planning web site has been searched and there is only one record.

This relates to application No. 21/P3954 which is our own submission for a certificate of lawful development for a hip to gable extension. It is due for determination by December 31st 2021.

The Merton web site does not indicate any other recent applications for the site.

12.1 Pre-Application Advice

A submission was made in November 2021 for pre application advice for this scheme.

Subsequently a 'zoom' meeting was held with the Planning Officer dealing with the pre application enquiry. (Catarina Cheung). This was held on December 20th 2021.

The written feedback is yet to be issued but the main points raised were,

The principle of development is supported by the Council.

The size, layout and location of the units appears generally fine and London Plan compliant.

The scale and nature of extensions seems acceptable.

The impact on the neighbours was viewed by Merton as broadly acceptable.

The rear extensions whilst acceptable in principle were not deemed acceptable in terms of the flat roofs. Eurohaus were advised to revise / re-design this element.

It was noted that a garage would be lost but that one parking space could be retained on the plot.

Merton advised that the location of the plot is such that a part car free development or traffic survey assessment may be required. This is because the PTAL is relatively weak (2). There is only one 'off street' space and there will be 4 units. Section 13 deals with the Applicants' response to this.

The proposed sub division of the garden was discussed and it was agreed that for planning purposes it would be left as presented at pre app stage. This means each unit has access to private amenity space.

The provision of bin and cycle stores was reviewed and regarded as adequate. It was noted that more information would be provided at planning stage. (See application drawings).

DESIGN & ACCESS STATEMENT

35 Woodland Way

15.00 Refuse.

There will be provision for a bin store for each unit. Please refer to the plot plan for further information

16.00 Flooding

The site does not appear to be located in a high flood risk area. There are no known waterways and nor are there any reservoirs or rivers in the close proximity.

17.00 Conclusion

The Applicant contends that the proposed development has been designed sympathetically in terms of scale, bulk and design, to ensure that it relates well to the scale and appearance of the existing building as well as the character of the surrounding area.

The proposal, when taking into account the context of the surrounding area, would result in a development which is entirely appropriate for this part of the area, preserving its character and appearance.

It has been submitted for pre application advice and been found to be broadly acceptable (see earlier section).

The sizes of the units comply with London Plan requirements, access, bin store and cycle facilities are improved and all rooms have reasonable light and outlook.

The proposal is considered to represent an appropriate development for the site in this town centre location that respects the amenities of the adjacent properties, provides a good residential environment for its occupiers and has no adverse impacts on existing highway conditions locally.

The Local Authority is therefore respectfully requested to support the submission.

Ends

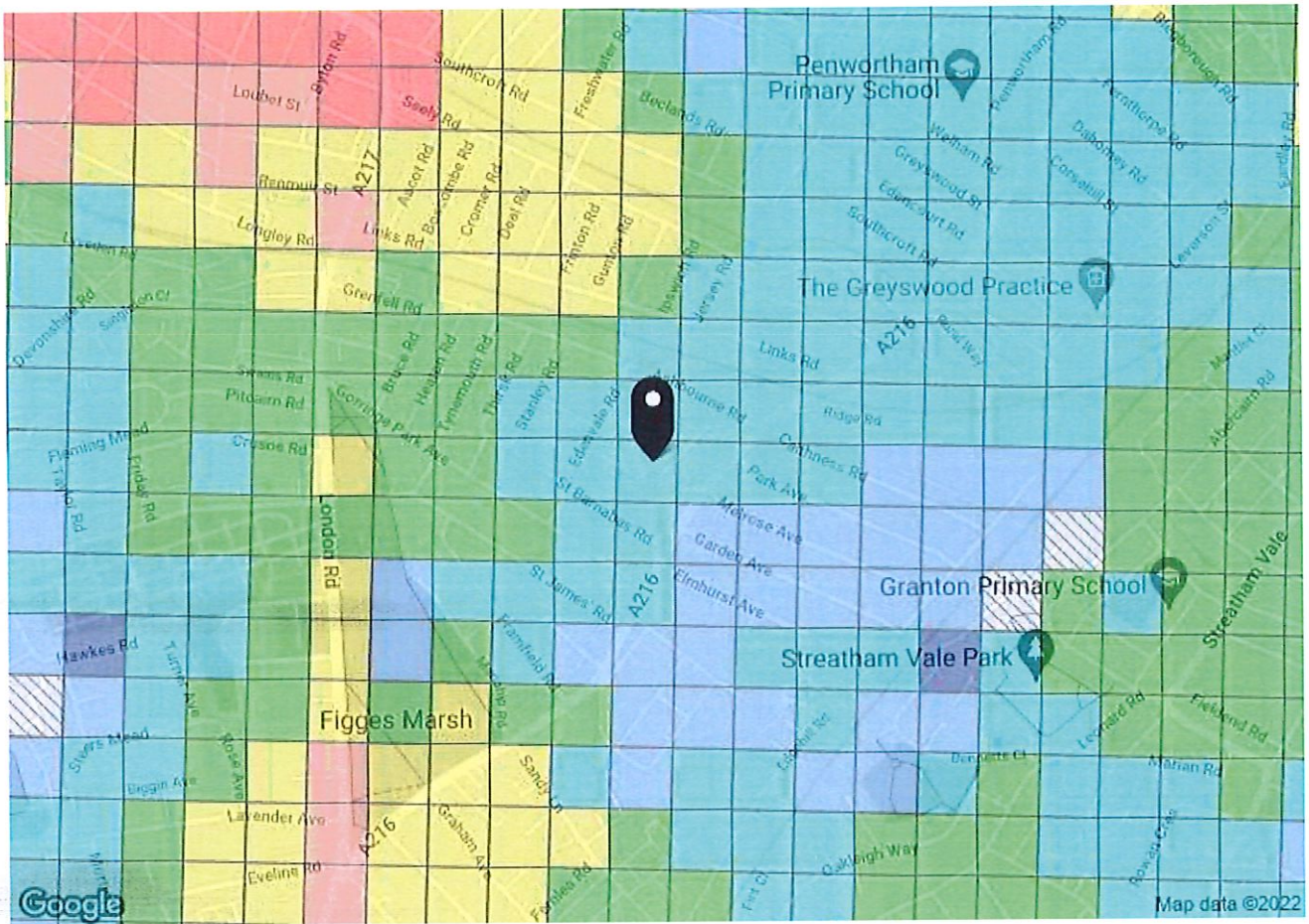
December 2021

For further information please contact Eurohaus - UK Contact No. 0208 150 7966

E - mail

EurohausUK@aol.com.

Appendix A
PTAL Information



PTAL output for Base Year
2

CR4 2DZ
Woodland Way Mitcham CR4 2DZ, UK
Easting: 528460, Northing: 170253

Grid Cell: 33173

Report generated: 02/01/2022

Calculation Parameters

Day of Week	M-F
Time Period	AM Peak
Walk Speed	4.8kph
Bus Node Max. Walk Access Time (mins)	8
Bus ReliabilityFactor	20
LU Station Max. Walk Access Time (mins)	12
LU ReliabilityFactor	0.75
National Rail Station Max. Walk Access Time (mins)	12
National Rail ReliabilityFactor	0.75

Map key - PTAL

0 (Worst)	1a
1b	2
3	4
5	6a
6b (Best)	

Map layers

- PTAL (cell size: 100m)

Calculation data

Mode	Stop	Route	Distance (metres)	Frequency (vph)	Walk Time (mins)	SWT (mins)	TAT (mins)	EDF	Weight	AI
Bus	STREATHAM RD PARK AVENUE 127		405.11	4	5.06	9.5	14.56	2.06	1	2.06
Bus	STREATHAM RD PARK AVENUE 201		405.11	4	5.06	9.5	14.56	2.06	0.5	1.03
Rail	Tooting	'LNDNBDC-WIMBLDN 2D19'	873.42	0.67	10.92	45.53	56.44	0.53	0.5	0.27
Rail	Tooting	'BEDFDM-SUTTON 1V23'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'BEDFDM-SUTTON 1V82'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'SUTTON-LUTON 2000'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'SUTTON-BEDFDM 2004'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'SUTTON-STALBCY 2006'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'SUTTON-LUTON 2010'	873.42	1	10.92	30.75	41.67	0.72	1	0.72
Rail	Tooting	'BEDFDM-SUTTON 2V15'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'LUTON-SUTTON 2V19'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'STALBCY-SUTTON 2V27'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
Rail	Tooting	'LUTON-SUTTON 2V31'	873.42	0.33	10.92	91.66	102.58	0.29	0.5	0.15
									Total Grid Cell AI:	5.43

Appendix B
Selected Drawings
of the Development

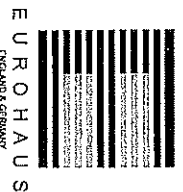
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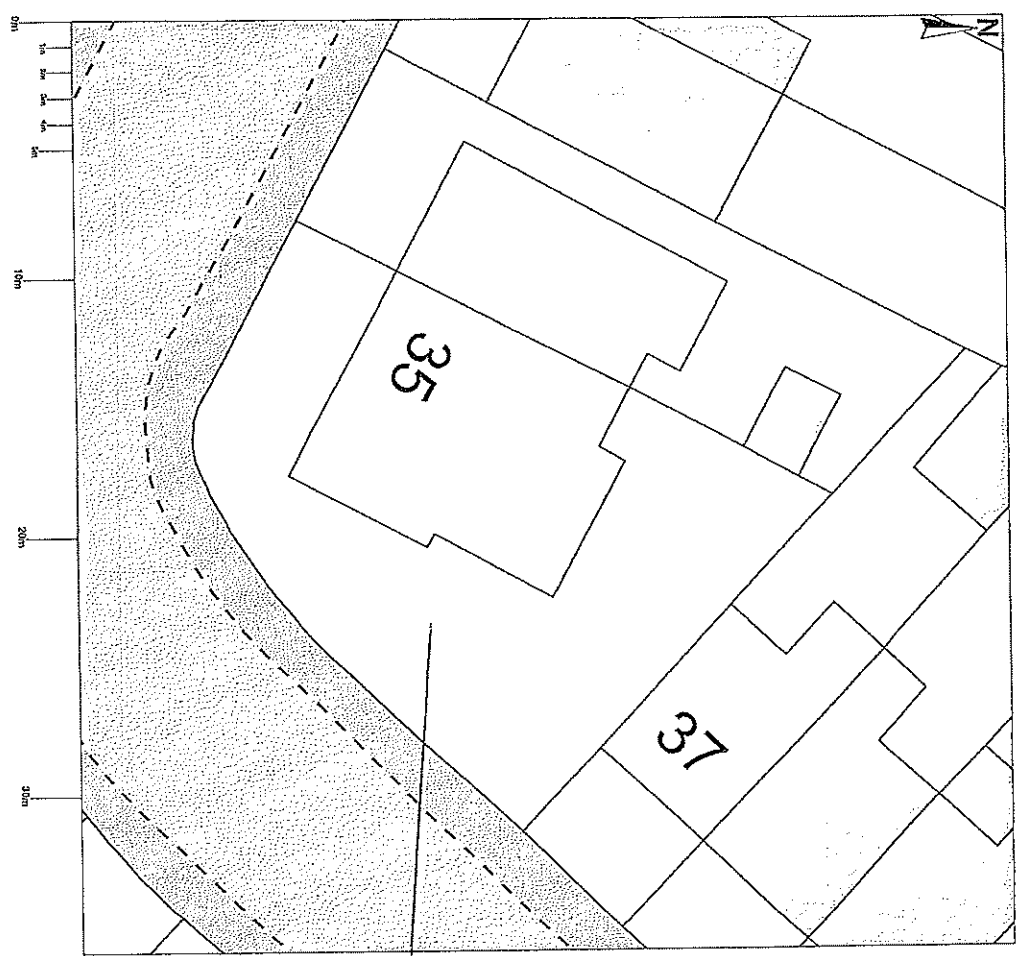
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ARCHITECTURE
CONSTRUCTION CONSULTANTS
PROPERTY SERVICES

PROJECT	35 Woodland Way Mitcham CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Plot Plan As Existing
DRAWN BY	TM
SCALE	1:200 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	ALM

DRWG. NO.	2121 / 002	Rev.	D
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Application Site

Plot Plan As Existing



Scale 1:200

35 Woodland Way

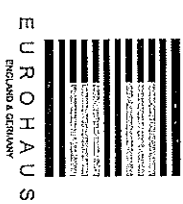
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Dec 2021	Planning	TM	D

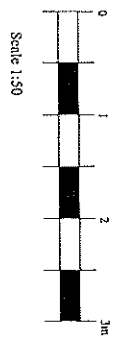
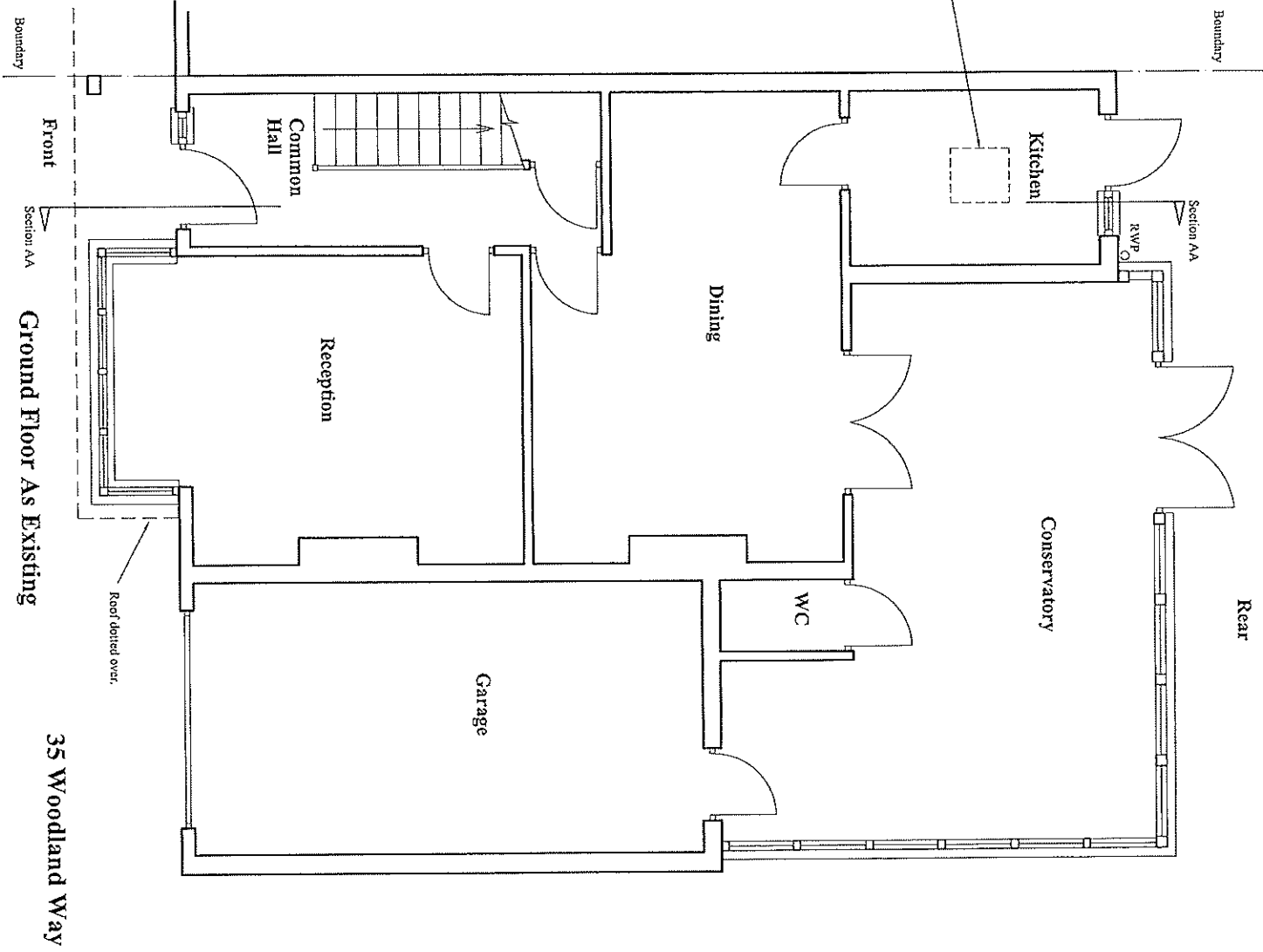


ARCHITECTURE
CONSTRUCTION CONSULTANTS
PROPERTY SERVICES

PROJECT	35 Woodland Way Michigan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Ground Floor As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AM

DRWG. NO.	2121/ 003	Rev.	D
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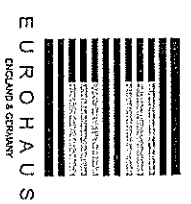


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Dec 2021	Planning	TM	D



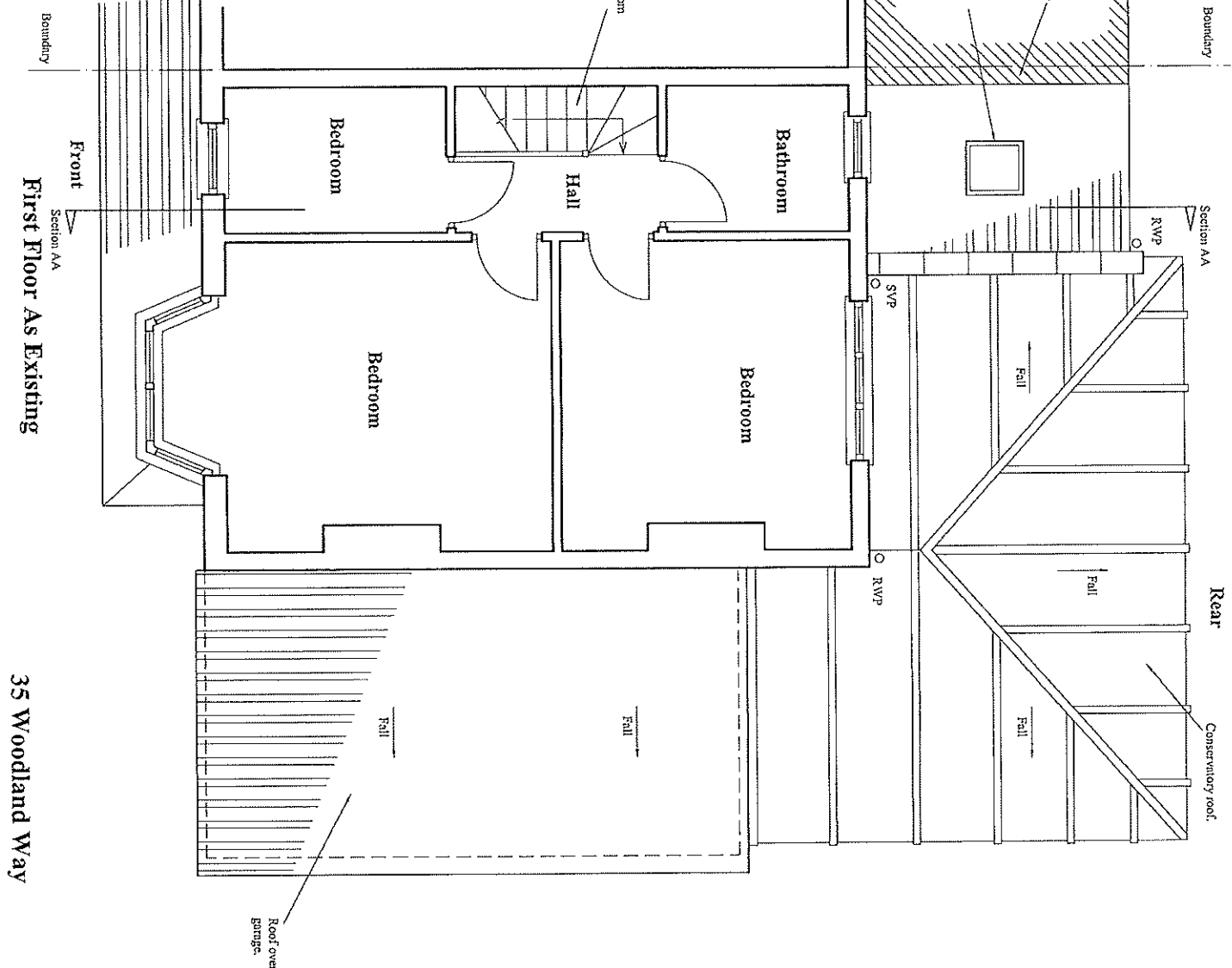
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ARCHITECTURE
 CONSTRUCTION CONSULTANTS
 PROPERTY SERVICES

PROJECT	35 Woodland Way Milton CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	First Floor As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	09/ 2021
ISSUE FOR	Planning
CHECKED	ADM

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Section AA
 Front
First Floor As Existing

35 Woodland Way

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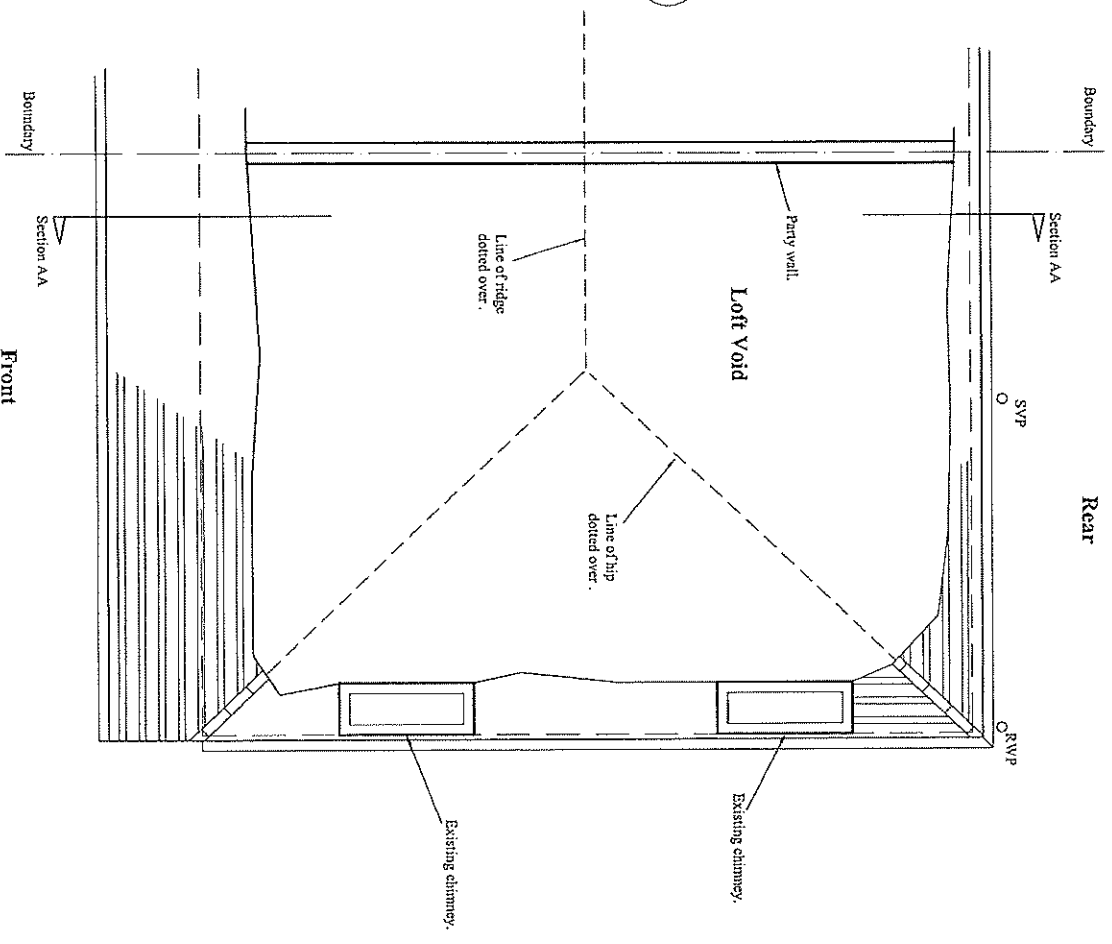
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DATE	DESCRIPTION OF REVISION	BY	REV.
Dec 2021	Planning	TJM	D



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PROPERTY SERVICES



Loft Floor As Existing

35 Woodland Way

PROJECT	35 Woodland Way Mfichan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Loft Floor As Existing
DRAWN BY	TJM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

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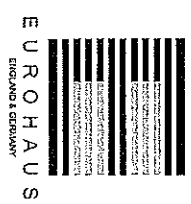
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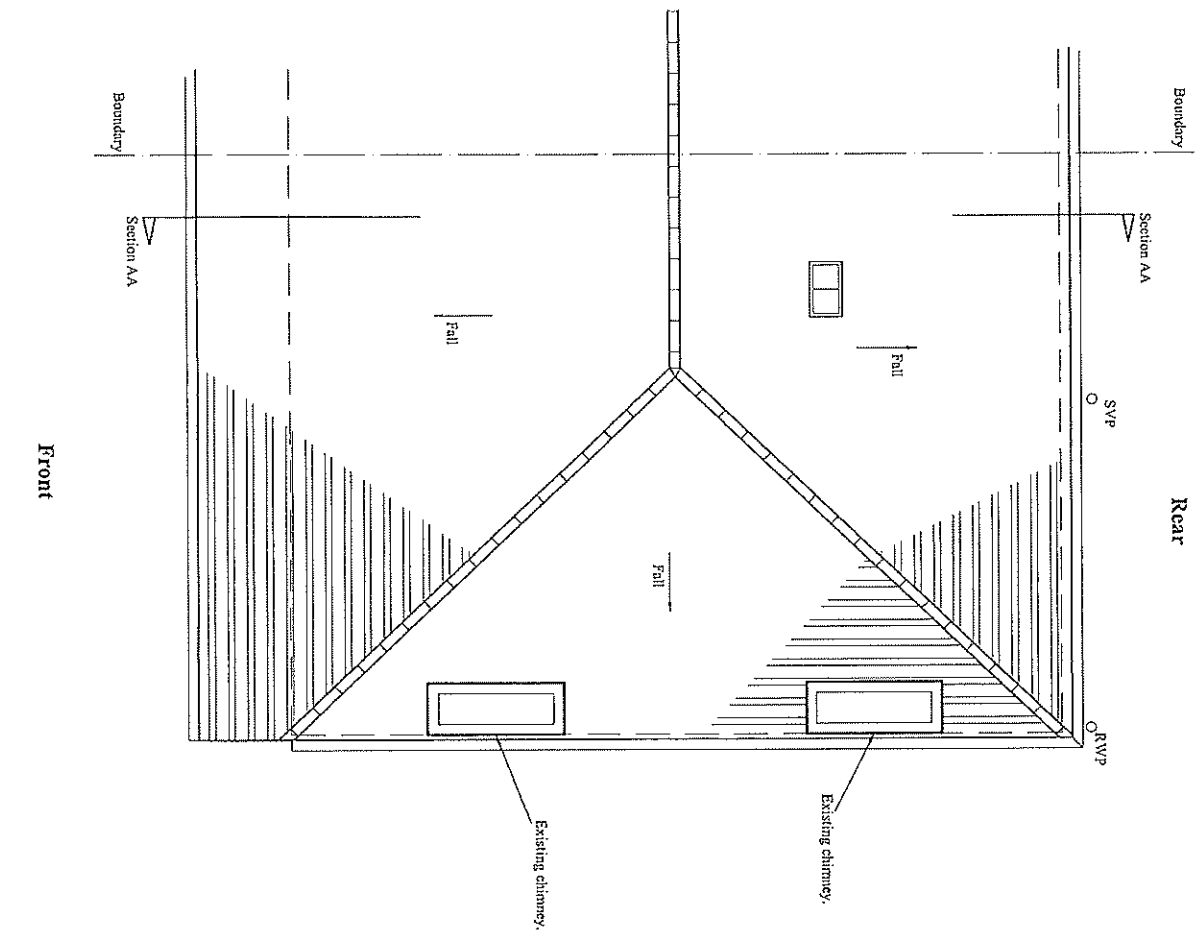
REVISIONS

DATE	DESCRIPTION OF REVISION	BY	REV.
Dec 2021	Planning	TM	D



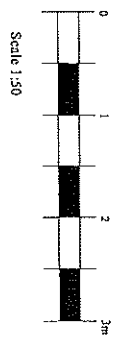
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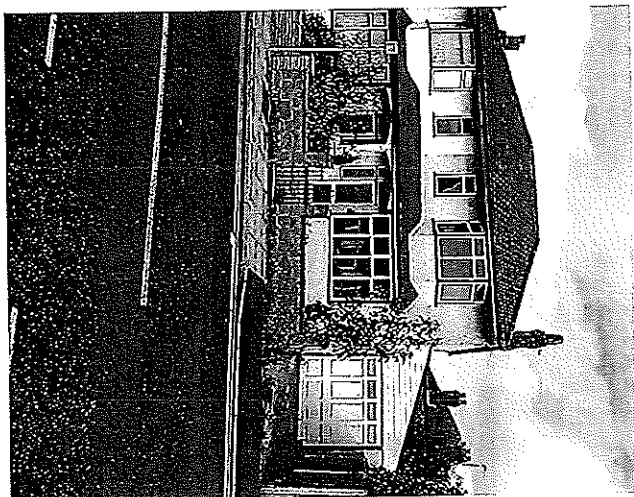
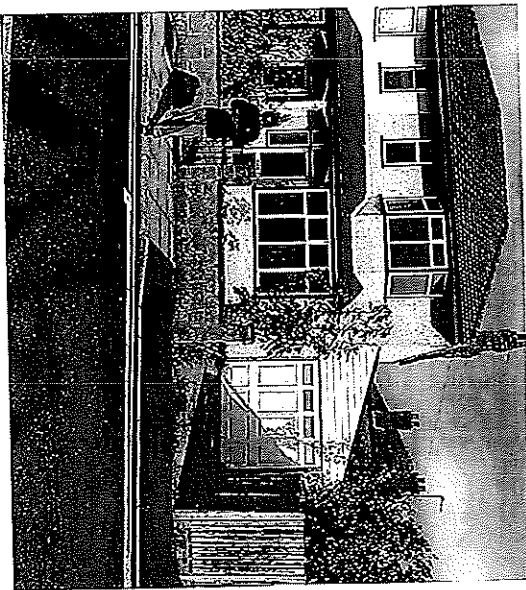
Roof Plan As Existing

35 Woodland Way



PROJECT	35 Woodland Way Michigan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Roof Plan As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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PROJECT	35 Woodland Way Milton CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Front Photos
DRAWN BY	TM
SCALE	NTS
DATE	Oct 2021
ISSUE FOR	Planning
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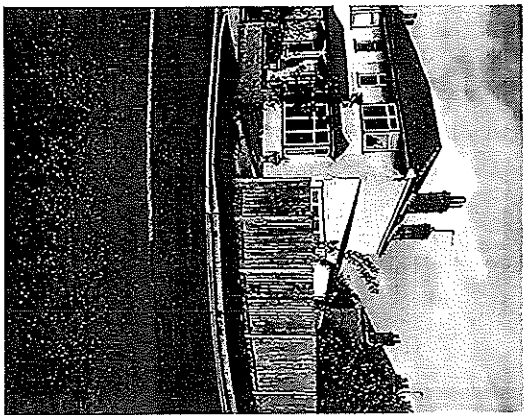
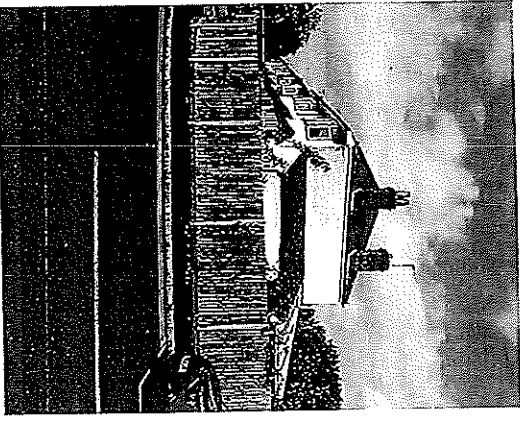
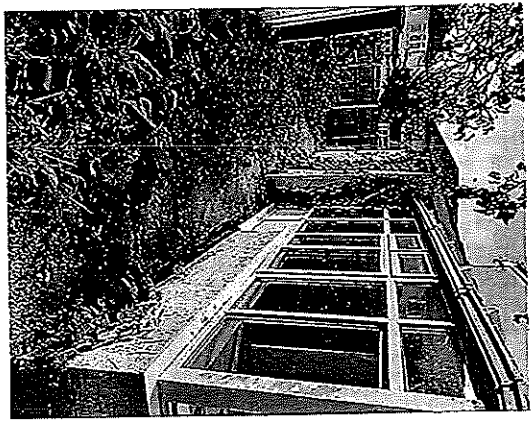
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PROJECT	35 Woodland Way Micheim CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Rear And Side Photos
DRAWN BY	TM
SCALE	NTS
DATE	Oct 2021
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Rear And Side Photos

35 Woodland Way

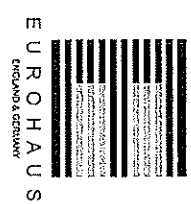
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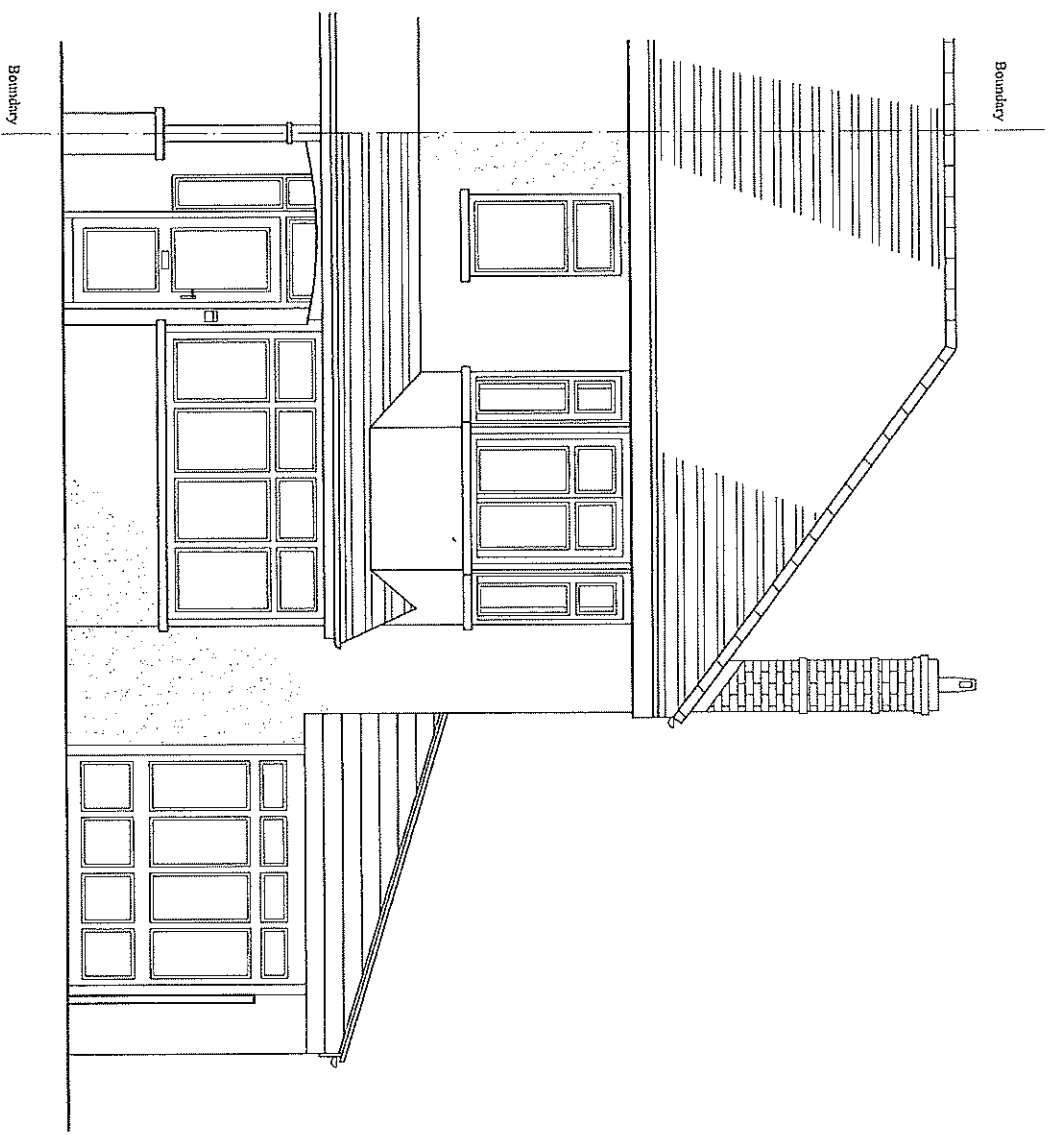
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PROJECT	35 Woodland Way Michean CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Front Elevation As Existing
DRAWN BY	TJM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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Front Elevation As Existing

35 Woodland Way

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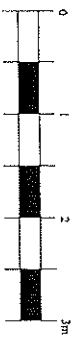
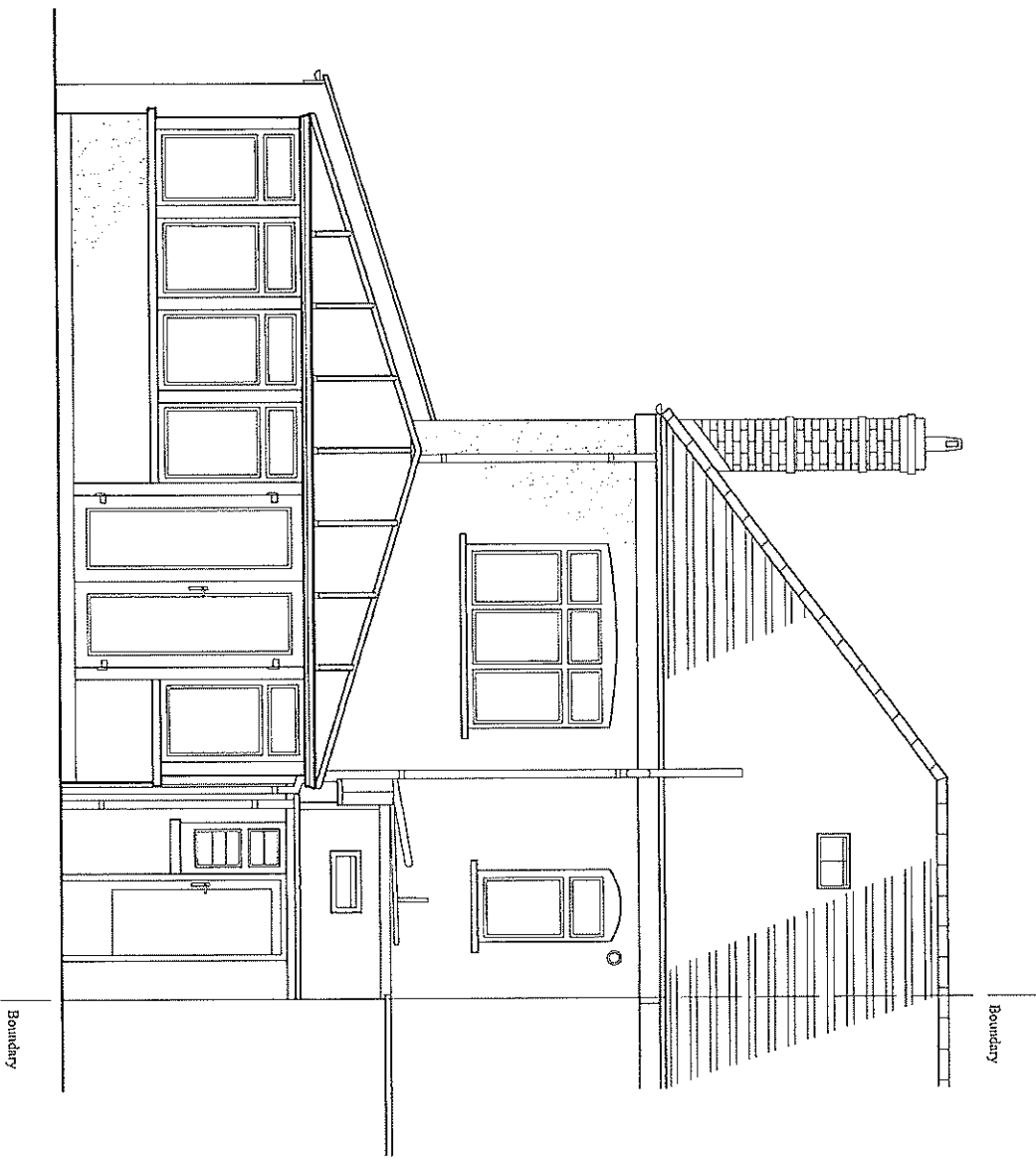
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PROJECT	35 Woodland Way Middam CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Rear Elevation As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
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Rear Elevation As Existing

35 Woodland Way

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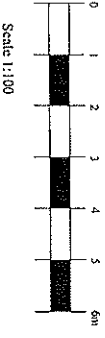
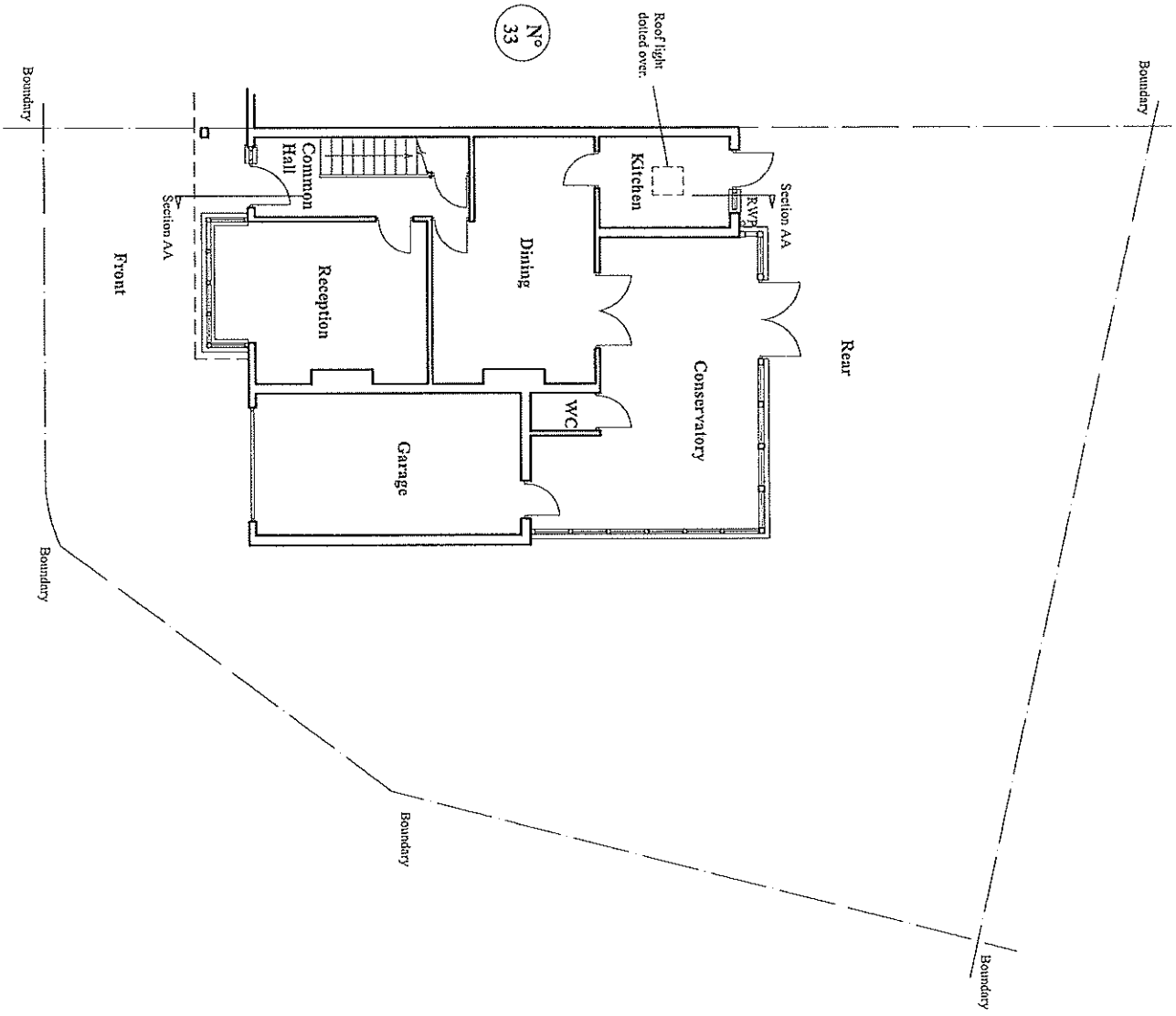
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**Overall Ground Floor Plan
As Existing**

35 Woodland Way

PROJECT	35 Woodland Way
CLIENT	Mrs. K. Yilmaz CR4 2DZ
TITLE	Overall Ground Floor Plan As Existing
DRAWN BY	TM
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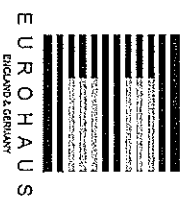
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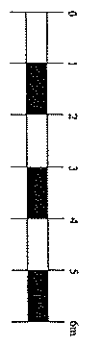
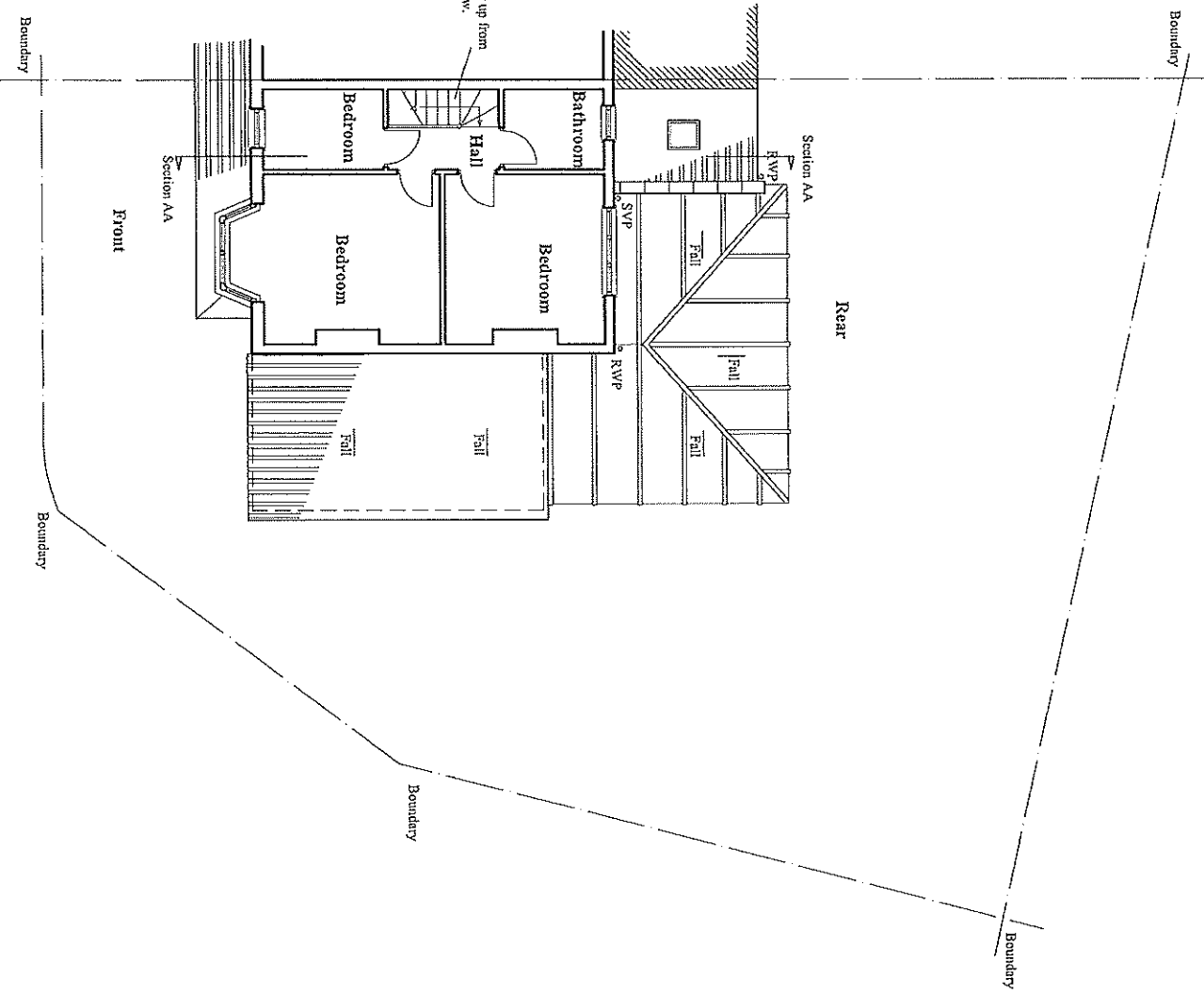
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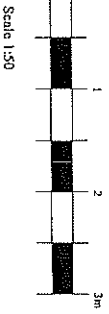
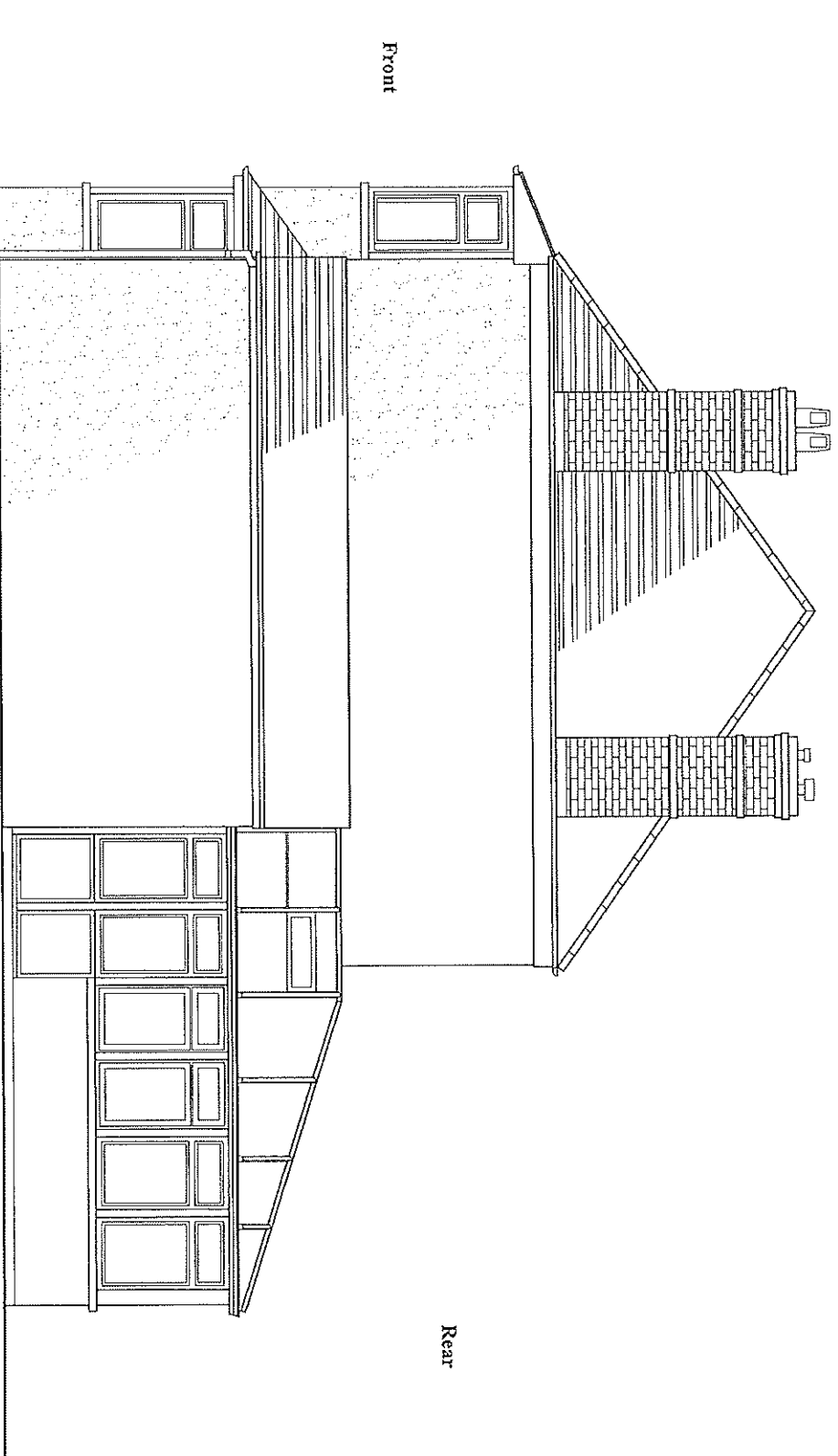
PROJECT	35 Woodland Way Michean CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Overall First Floor Plan As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
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**Overall First Floor Plan
As Existing**
35 Woodland Way



Side Elevation As Existing

35 Woodland Way

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PROJECT	35 Woodland Way Michigan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Side Elevation As Existing
DRAWN BY	TM
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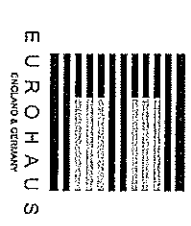
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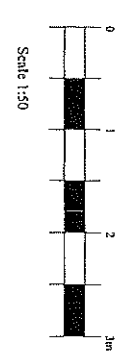
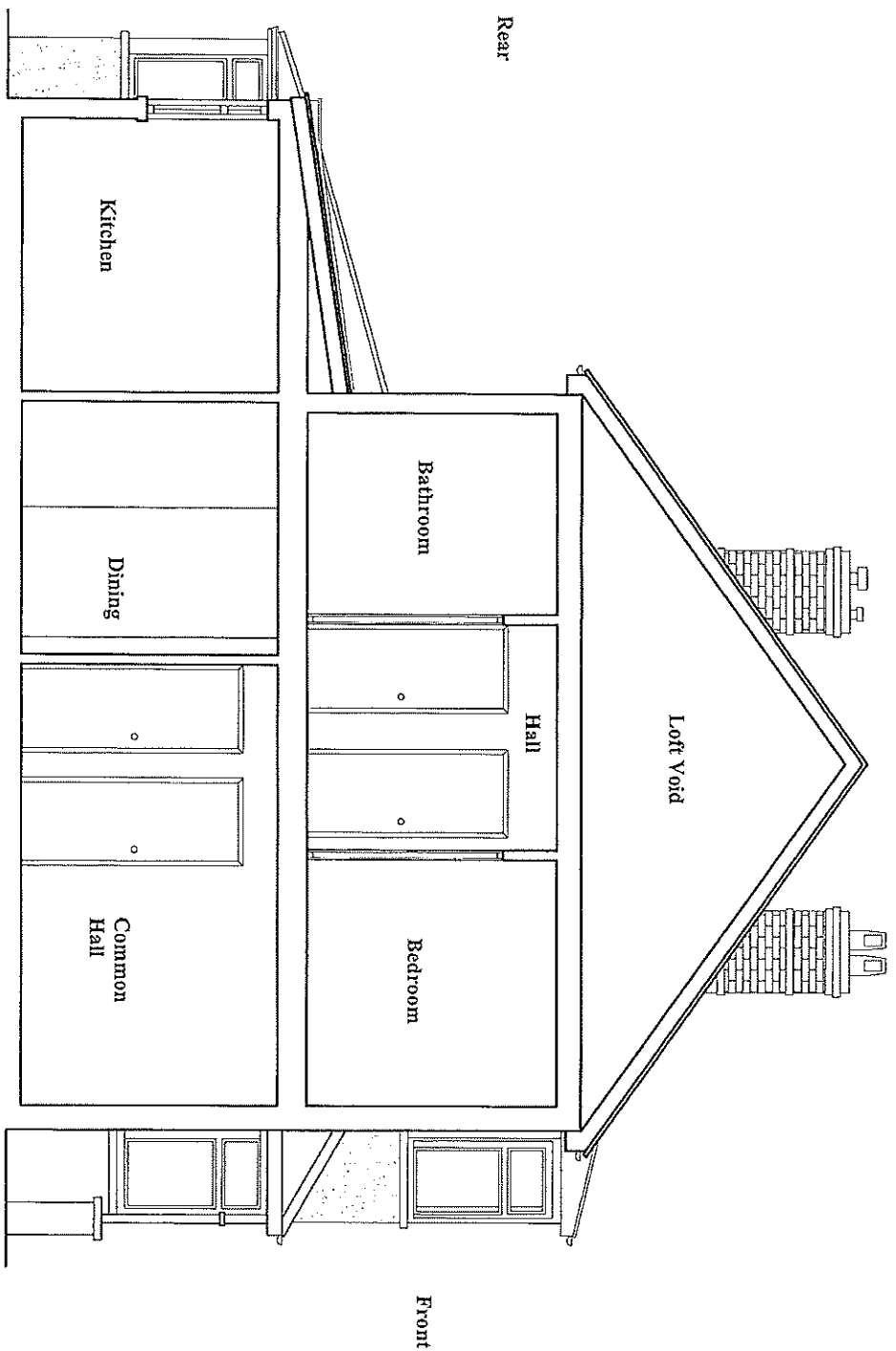
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Section AA As Existing

35 Woodland Way

PROJECT	35 Woodland Way Mitchen CRW 20/21
CLIENT	Mr. K. Yilmaz
TITLE	Section AA As Existing
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**Mr Kadir Yilmaz
Flat 8 Lingfield House
29 Beaufort Road,
Kingston Upon Thames
KT1 2TH**

Planning Department
Merton Civic Centre,
London Rd,
Morden
SM4 5DX

05.01.2022

Dear Sirs,

Re. 35 Woodland Way Mitcham CR4 2DZ

I am the Applicant for the planning submission to convert 35 Woodland Way CR4 2DZ into four dwellings.

I have received pre application advice from Catarina Cheung.

One of the issues discussed has been 'car free' development for at least two of the proposed units.

Leaving aside the merits of the planning argument, this letter is to confirm that the Applicant IS prepared to enter into a legal agreement for parking free development should that ultimately be a condition of consent.

This letter will be part of the submission made by Eurohaus after which the Applicant will be happy to arrange for the matter to be taken further.

If there are any queries please advise

Yours sincerely

Mr. K. Yilmaz

35 Woodland Way, Mitcham, CR4 2DZ



Application Site



Scale 1:1250

Site Location Plan

35 Woodland Way

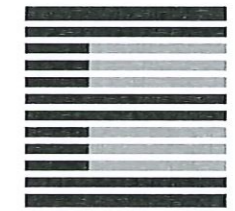
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CLIENT	Mr. K. Yilmaz
TITLE	Site Location Plan
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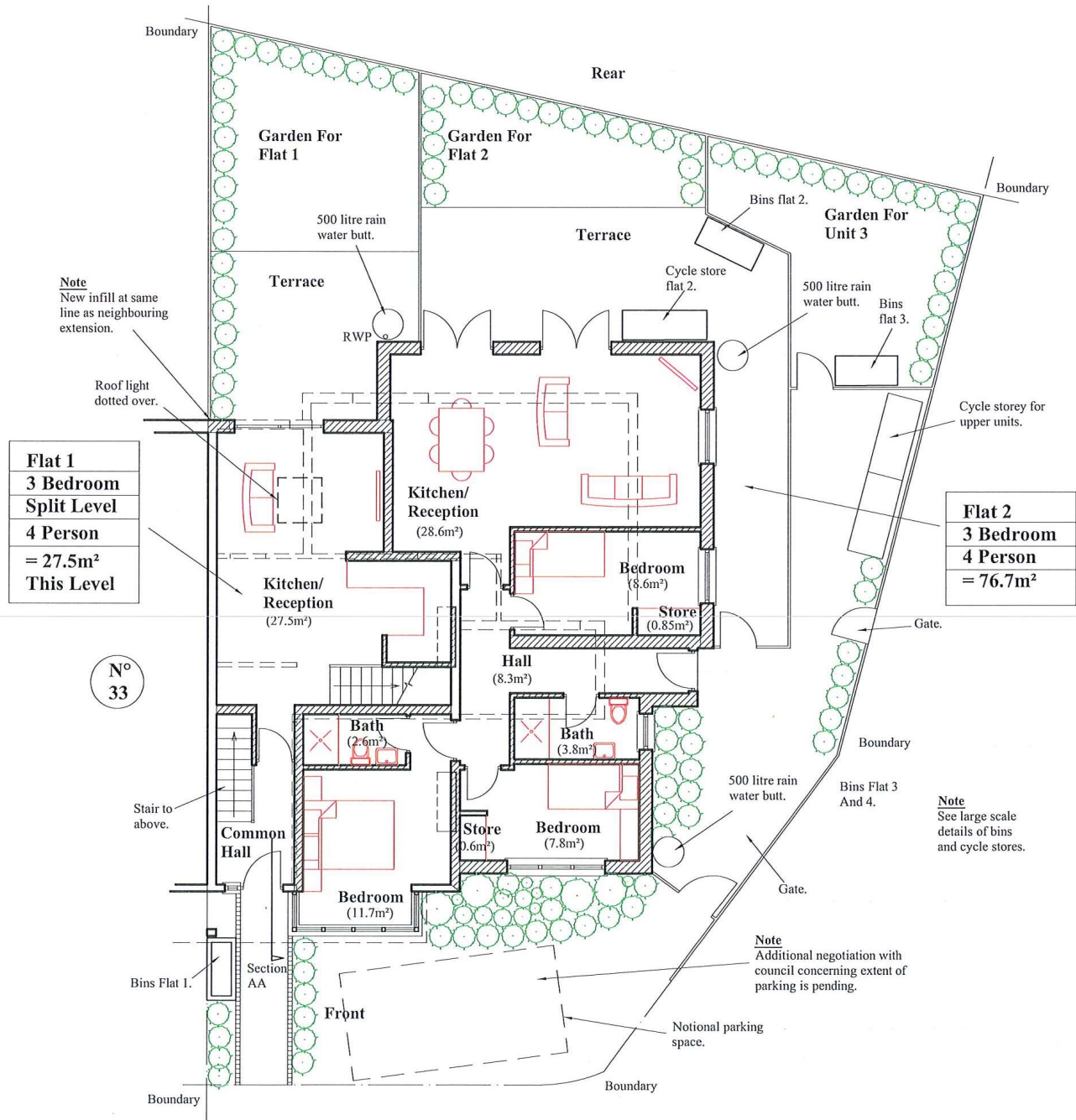
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Dec 2021	Planning	TM	D



Flat 1
3 Bedroom
Split Level
4 Person
= 27.5m²
This Level

Flat 2
3 Bedroom
4 Person
= 76.7m²

N°
33



Scale 1:100

**Overall Ground Floor Plan
As Proposed**

35 Woodland Way



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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Overall Ground Floor Plan As Proposed
DRAWN BY	TM
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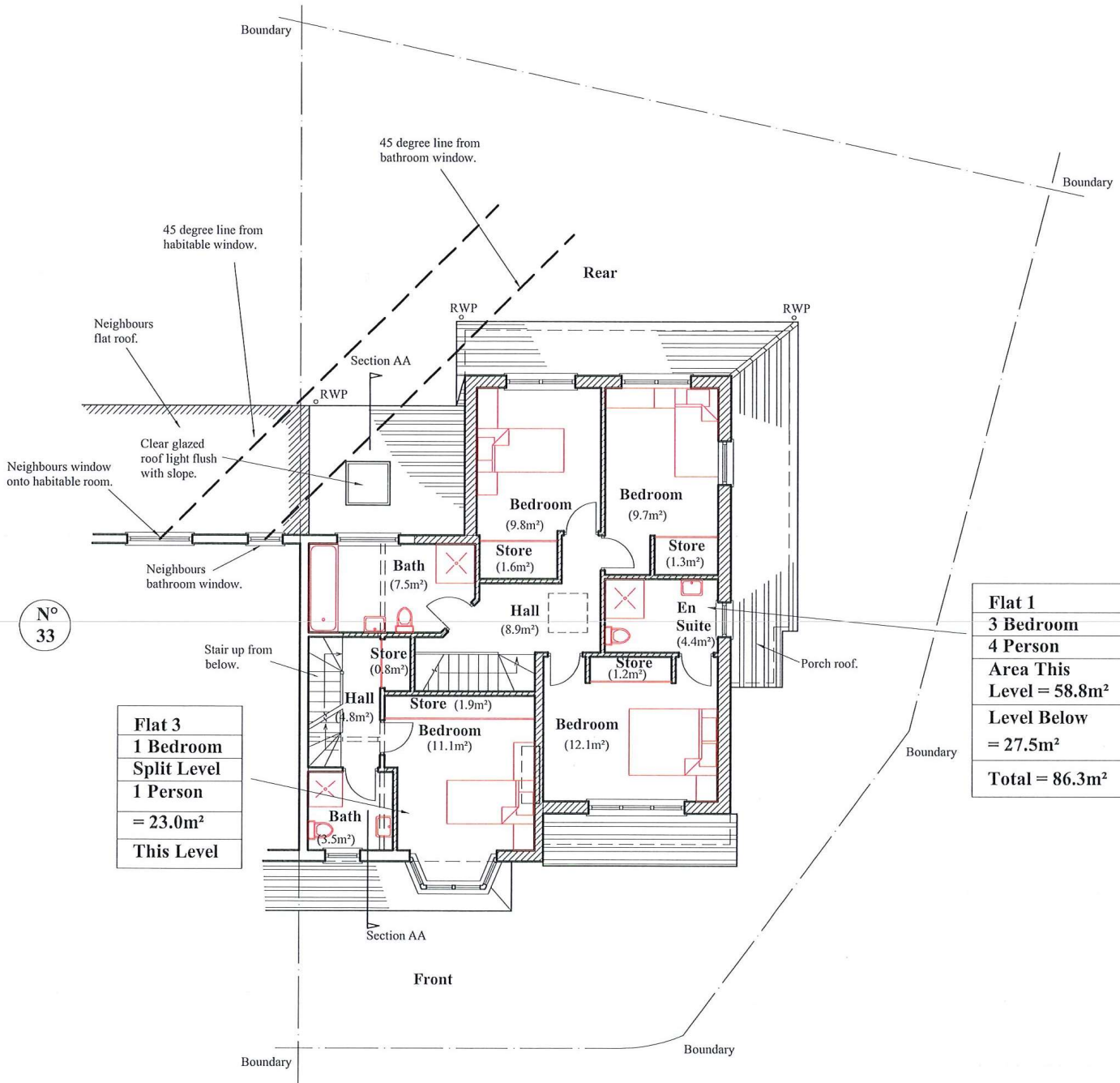
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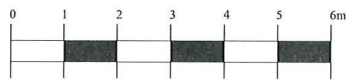
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Flat 3
1 Bedroom
Split Level
1 Person
= 23.0m²
This Level

Flat 1
3 Bedroom
4 Person
Area This Level = 58.8m²
Level Below = 27.5m²
Total = 86.3m²



Scale 1:100

**Overall First Floor Plan
As Proposed**

35 Woodland Way

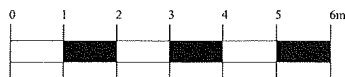
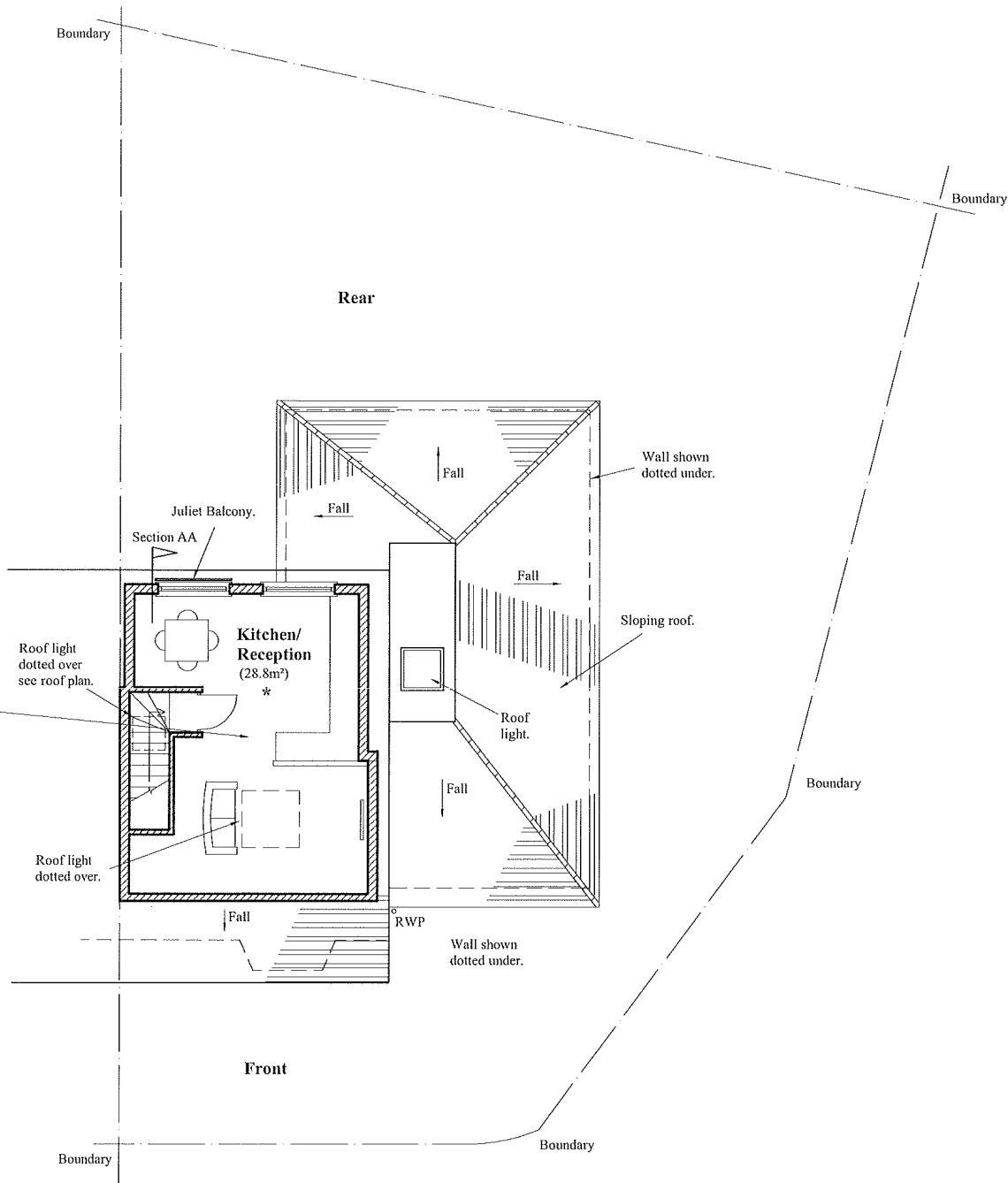
PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Overall First Floor Plan As Proposed
DRAWN BY	TM
SCALE	1:100 @ A3
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Flat 3
1 Bedroom
1 Person
Split Level Unit
This Floor = 28.8m² *
Lower Floor = 23.0m²
Total = 51.8m²
* Full Standing Circa 23.0m²

N^o 33



Scale 1:100

**Overall Loft Floor Plan
As Proposed**

35 Woodland Way

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CLIENT	Mr. K. Yilmaz
TITLE	Overall Loft Floor Plan As Proposed
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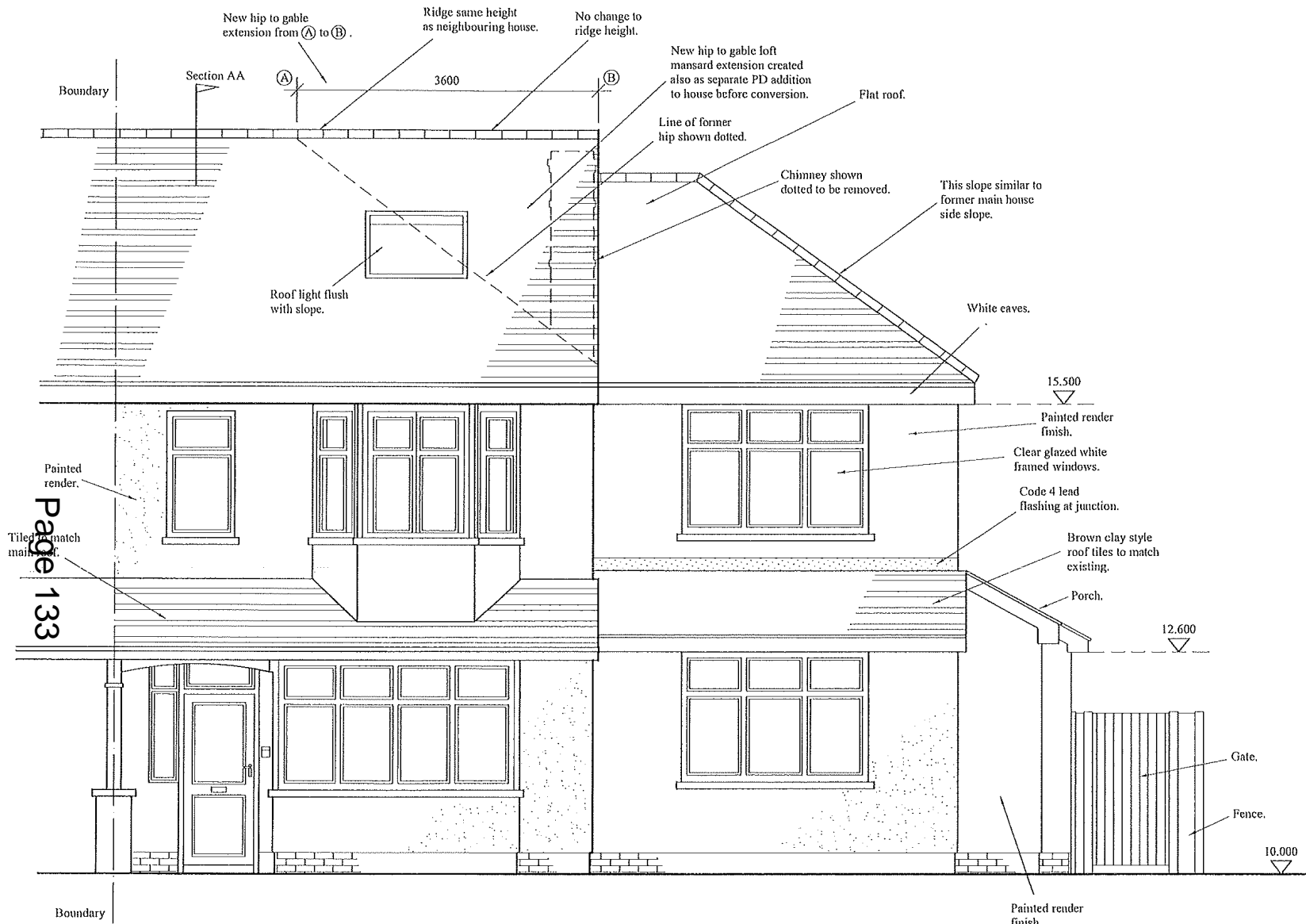
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Front Elevation As Proposed
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Scale 1:50

Front Elevation As Proposed

35 Woodland Way

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Dec 2021	Planning	TM	D



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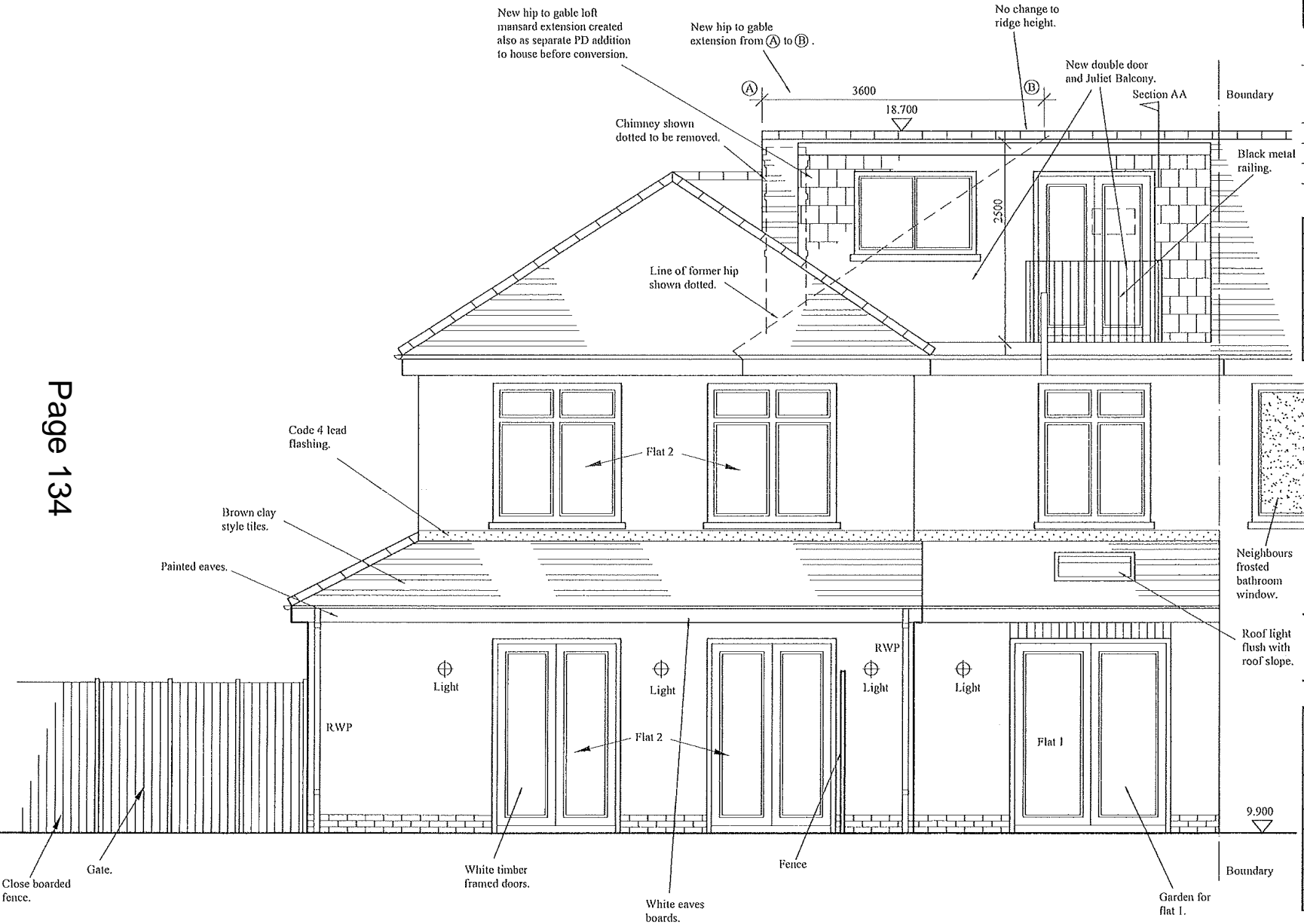
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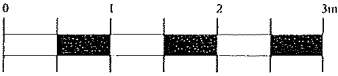
PROJECT	35 Woodland Way Mitcham CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Rear Elevation As Proposed
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

DRNG. NO.	2121/ 023	Rev.	F
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Scale 1:50

Rear Elevation As Proposed

35 Woodland Way

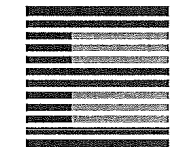
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Dec 2021	Planning	TM	D



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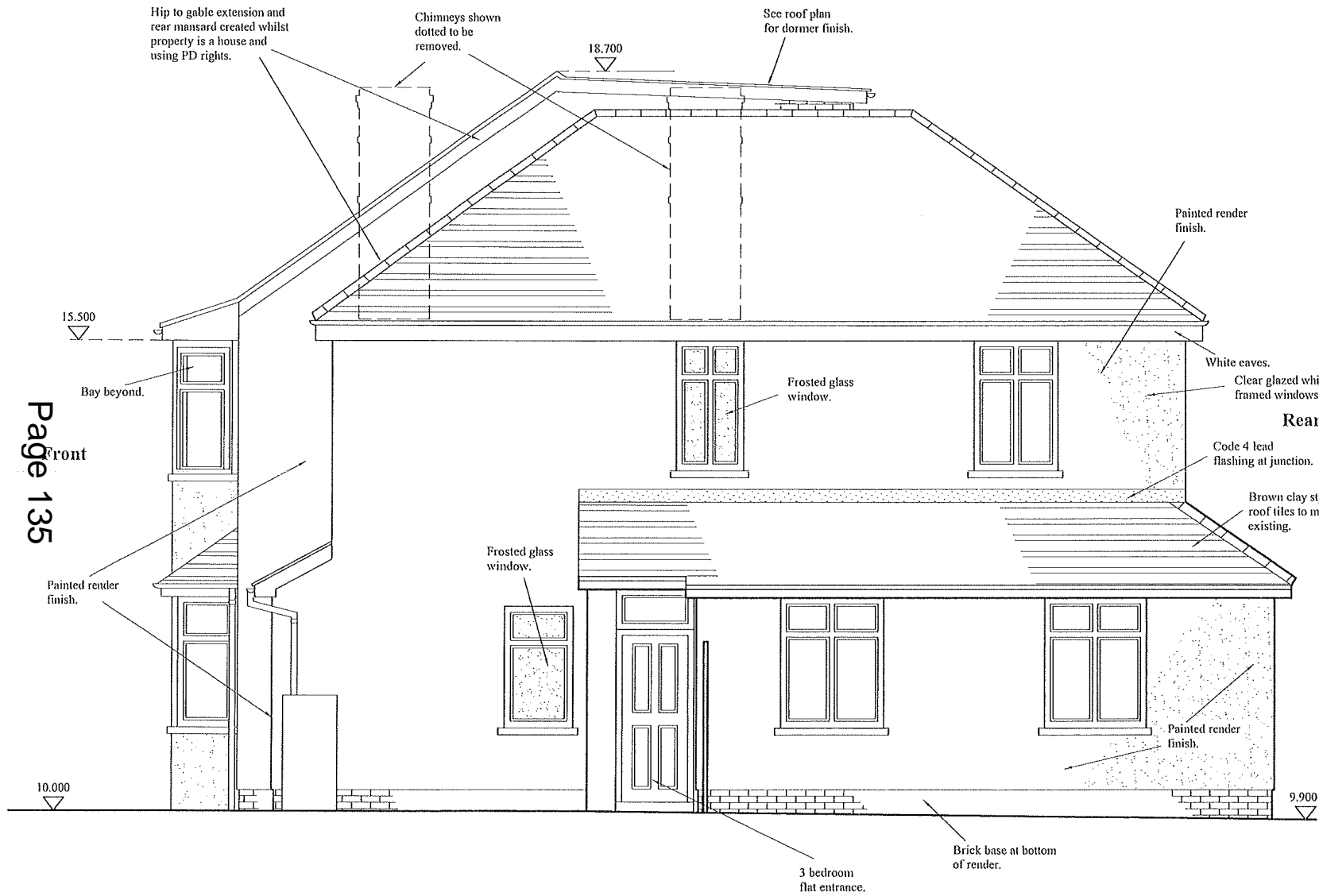
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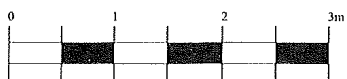
PROJECT	35 Woodland Way Mitcham CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Side Elevation As Proposed
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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front



Scale 1:50

Side Elevation As Proposed

35 Woodland Way

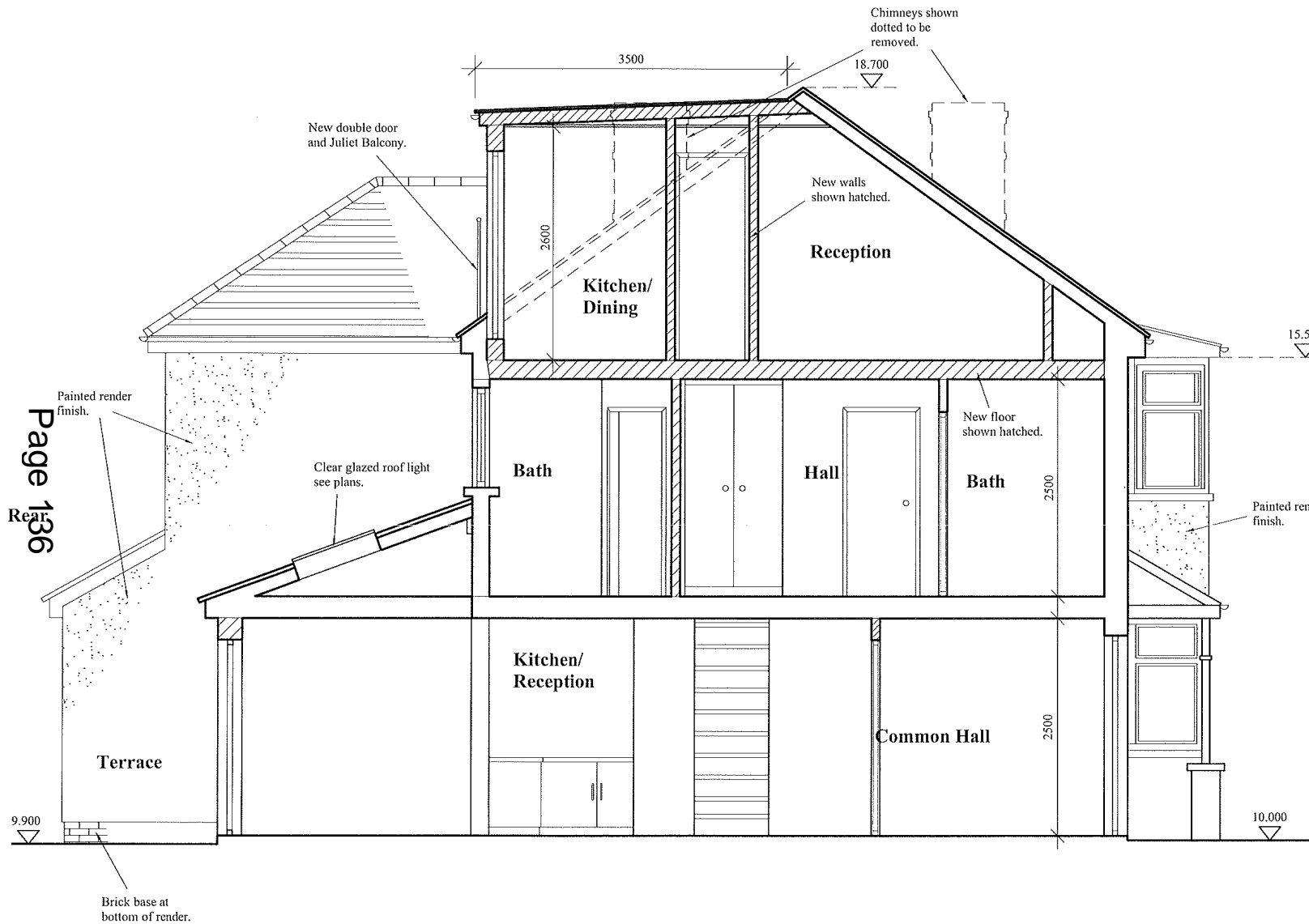
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Mar 2022	Planning Update	TM	E
Dec 2021	Planning	TM	D



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Rev. 1



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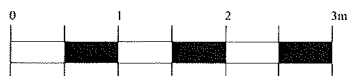
Front

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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Section AA As Proposed
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

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Scale 1:50

Section AA As Proposed

35 Woodland Way

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Dec 2021	Planning	TM	D



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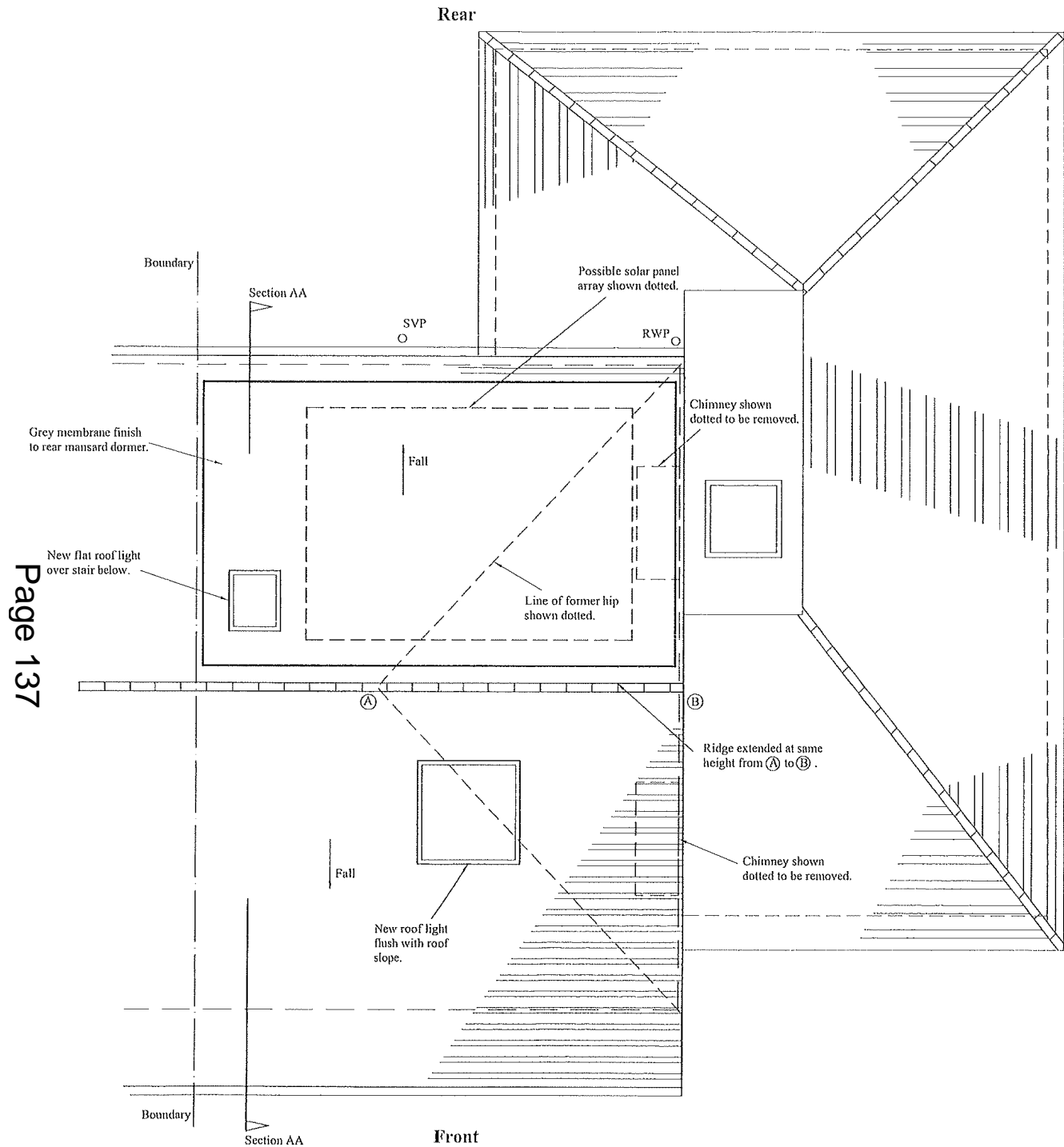
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PROJECT	35 Woodland Way Mitcham CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Main Roof Plan As Proposed
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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Main Roof Plan As Proposed

35 Woodland Way

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Dec 2021	Planning	TM	D



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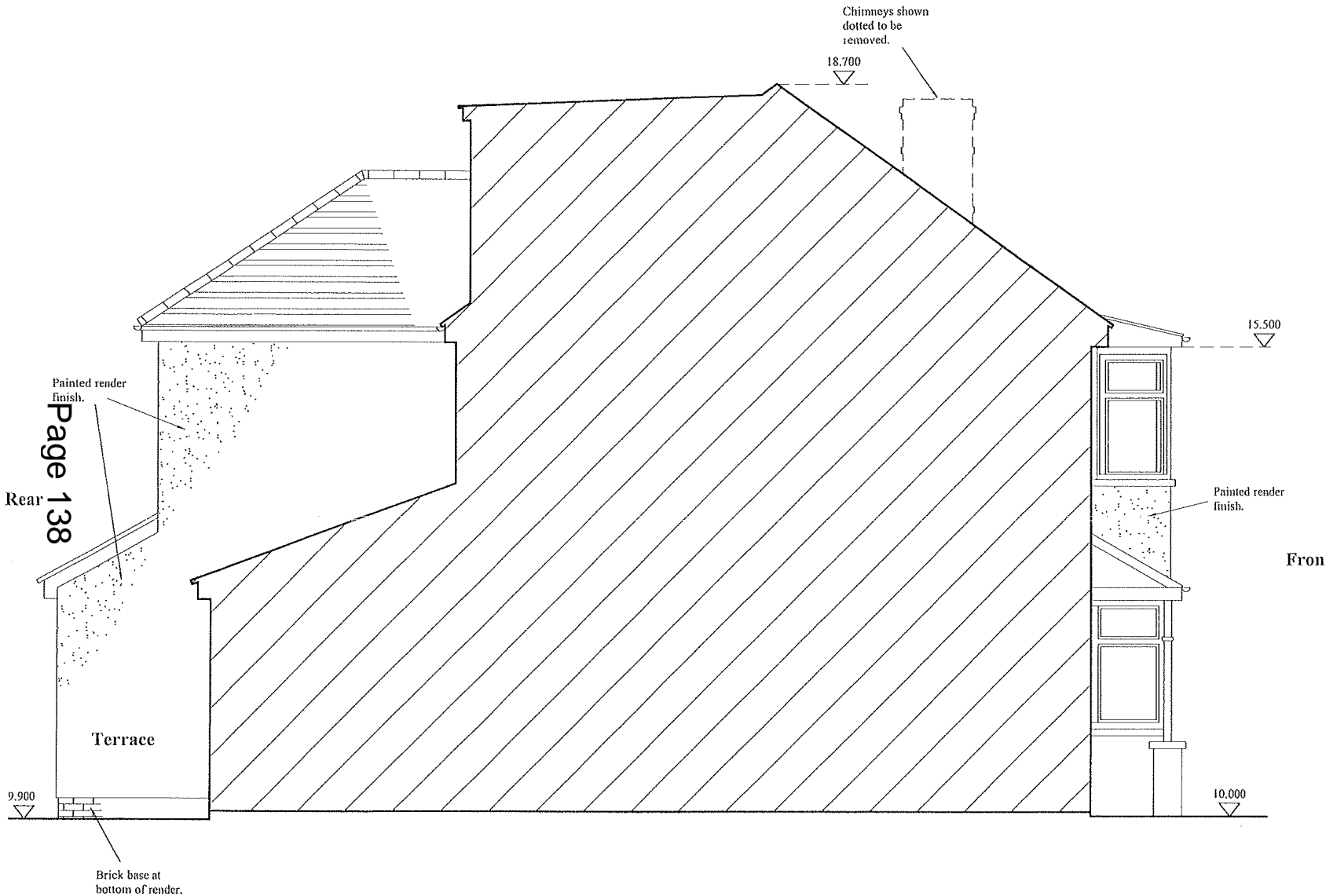
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PROJECT	35 Woodland Way Mitcham CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Side Elevation As Proposed
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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Scale 1:50

Side Elevation As Proposed

35 Woodland Way

Page 138

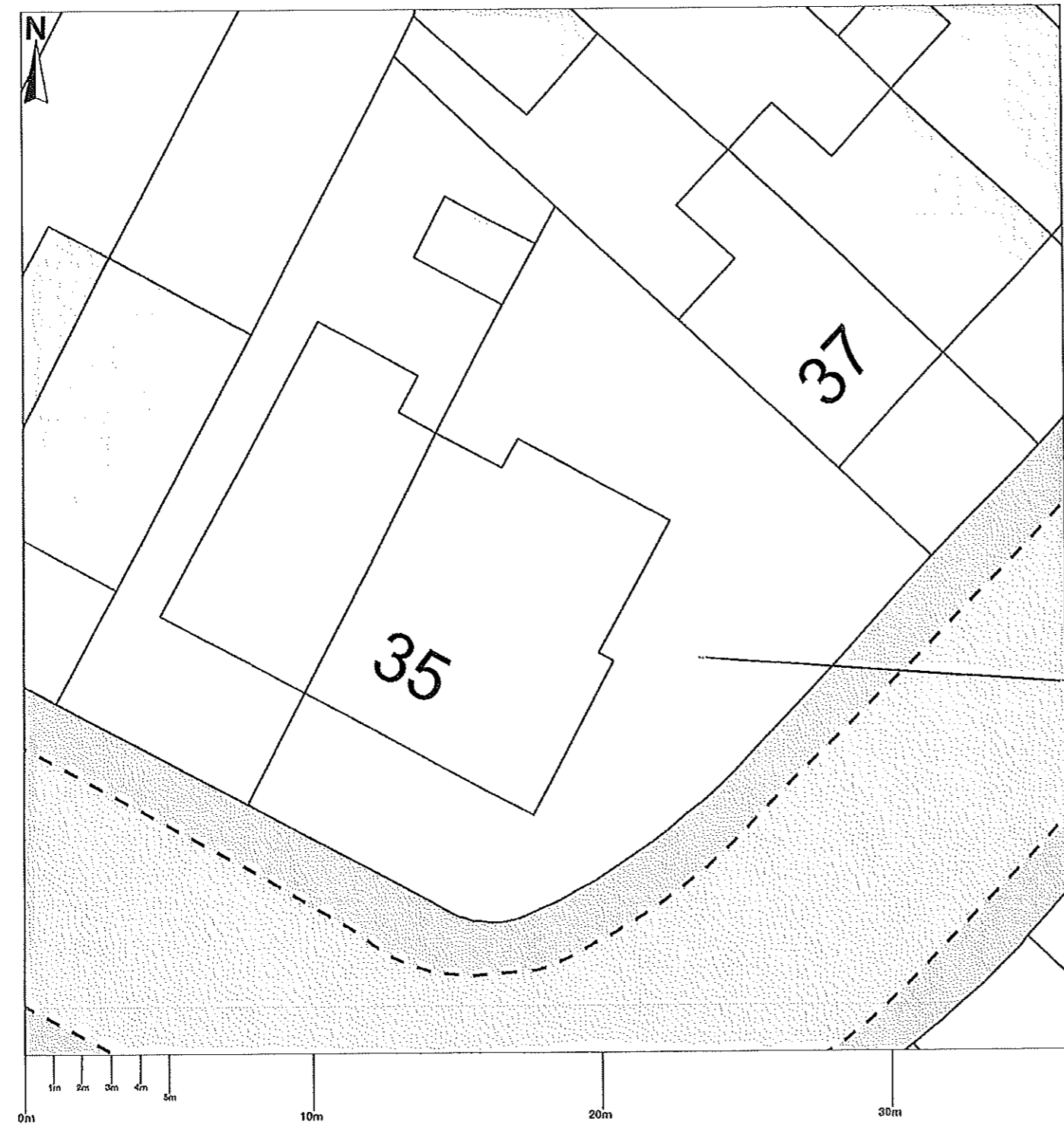
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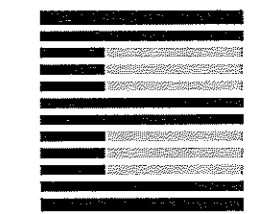
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Application Site



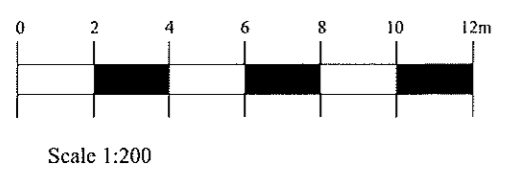
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Plot Plan As Existing
DRAWN BY	TM
SCALE	1:200 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

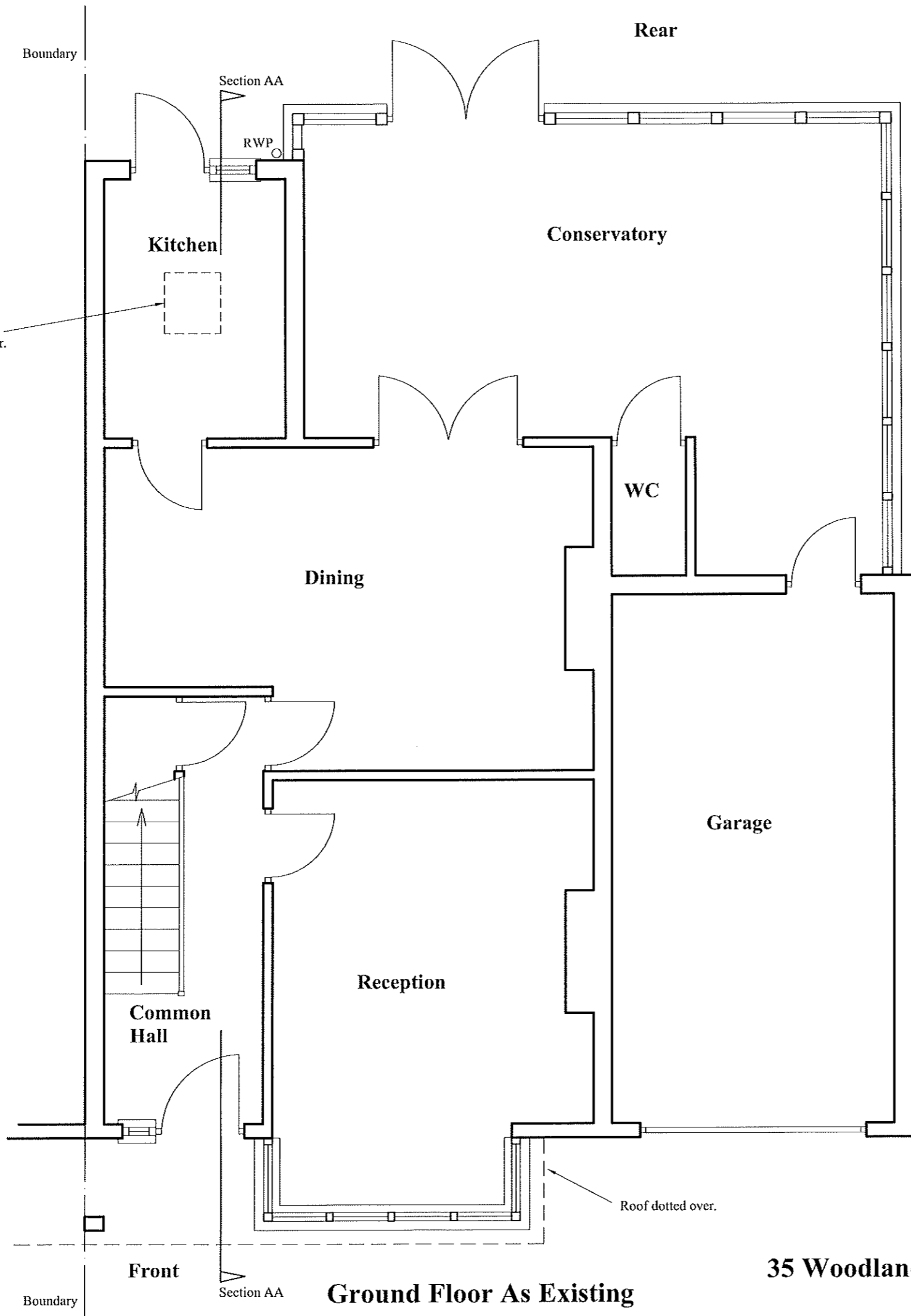
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Plot Plan As Existing

35 Woodland Way

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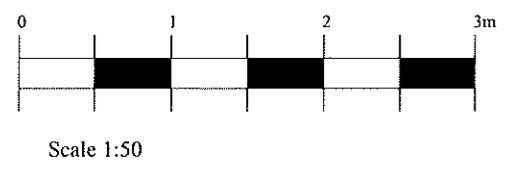
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Ground Floor As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

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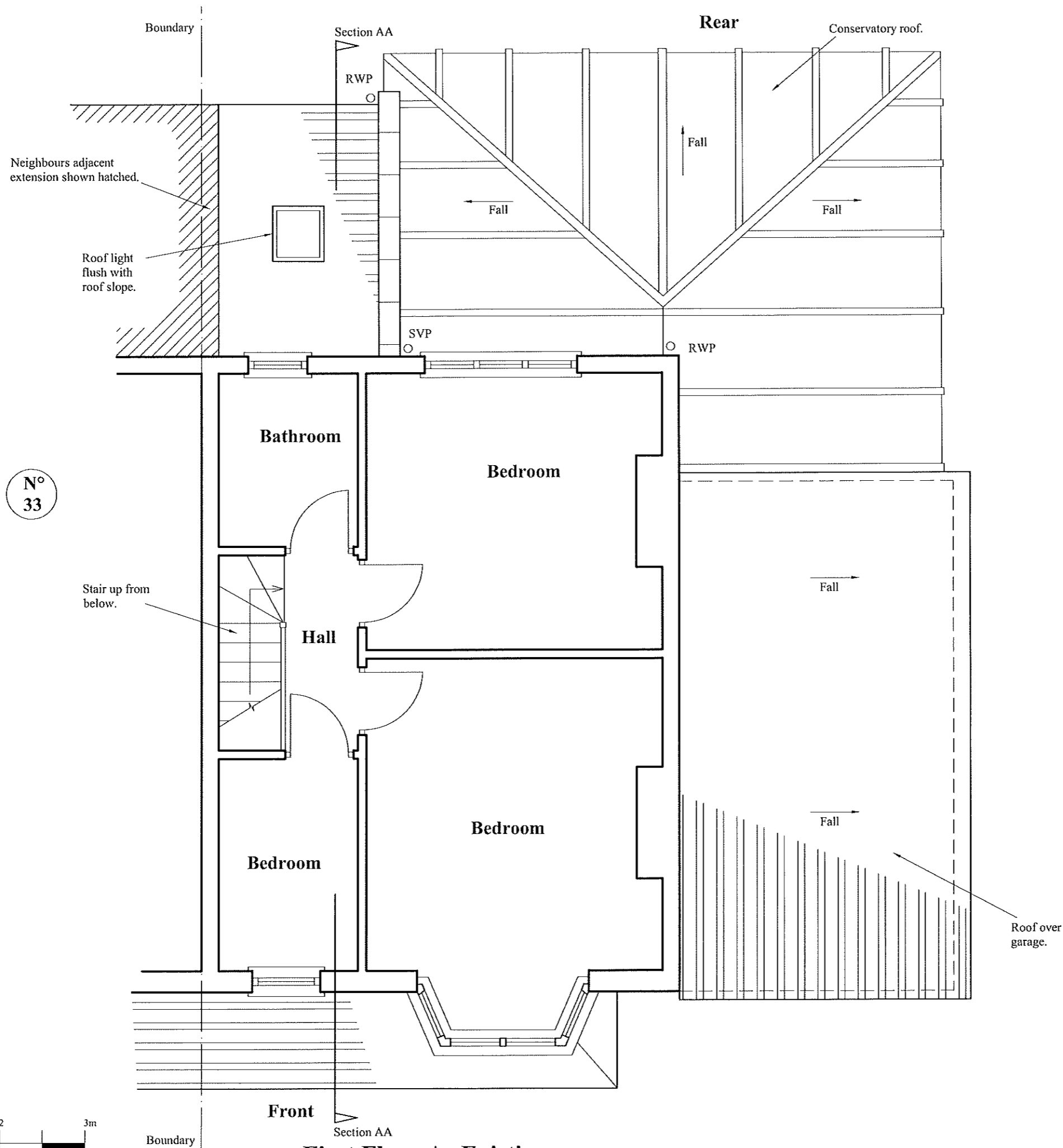
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N° 33



35 Woodland Way

Ground Floor As Existing



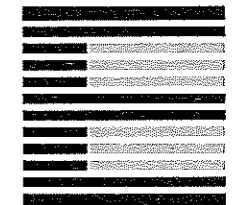
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	First Floor As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

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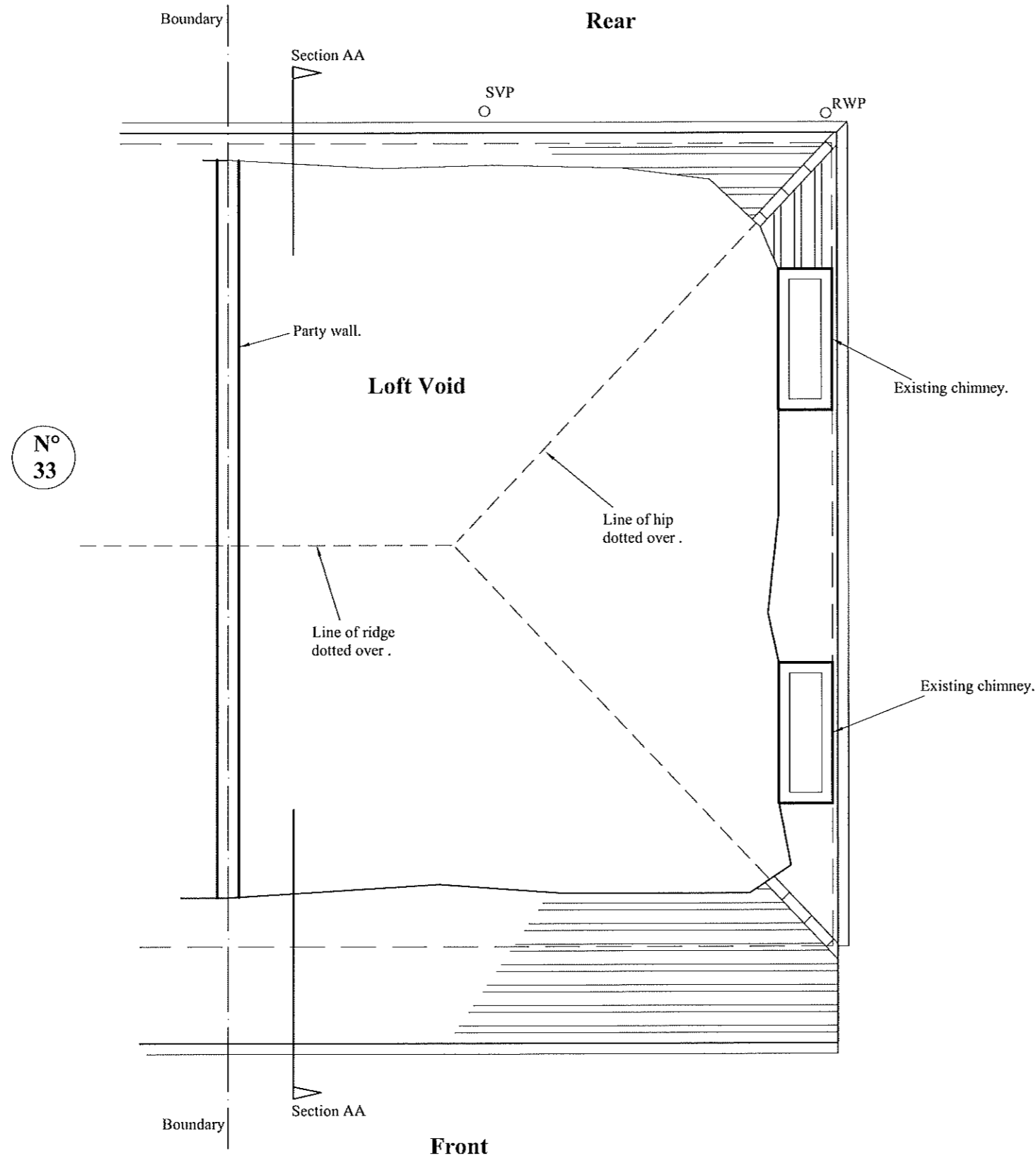


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First Floor As Existing

35 Woodland Way

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Loft Floor As Existing

35 Woodland Way

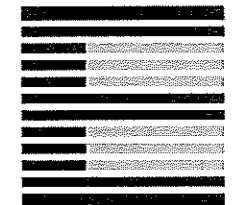
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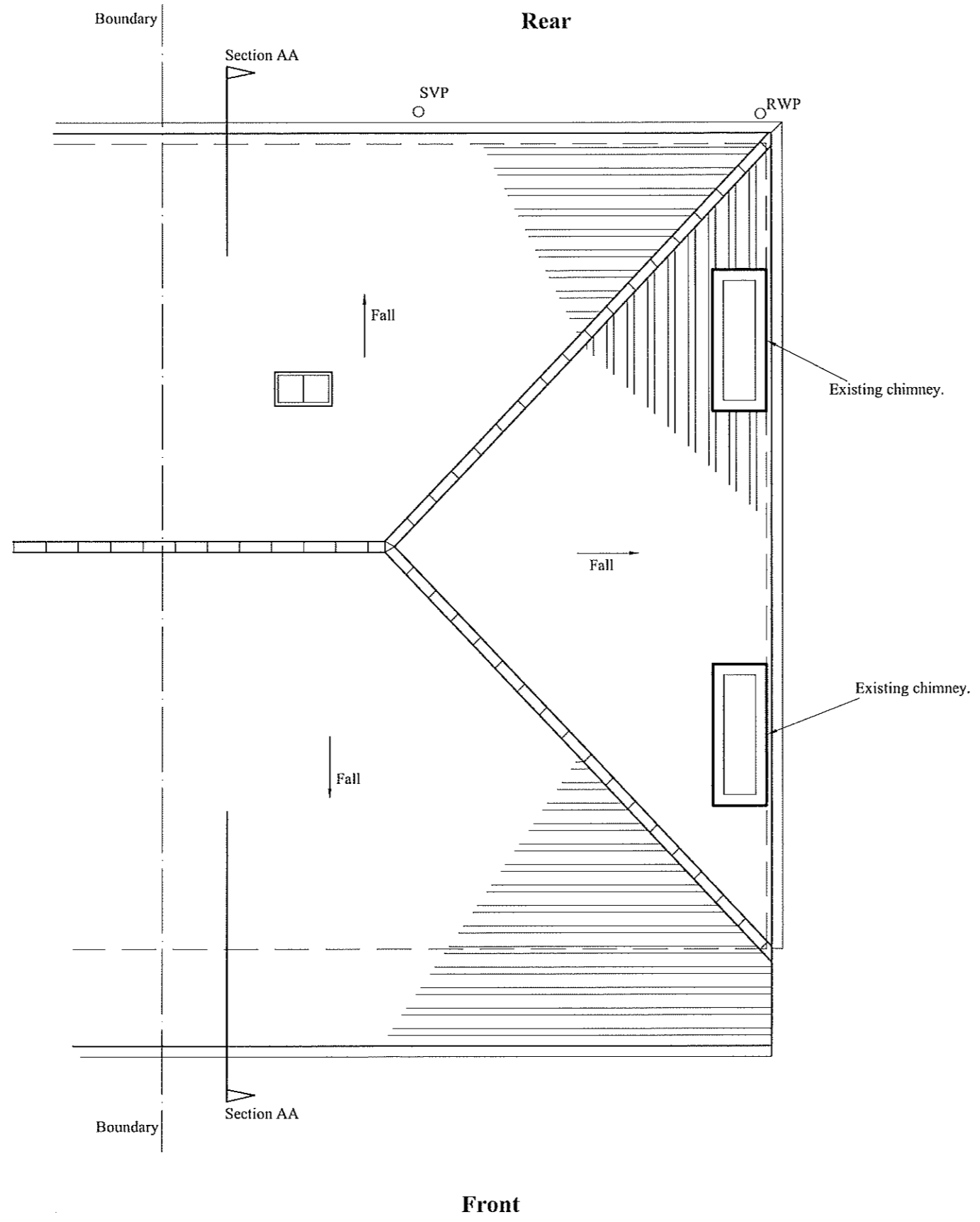
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Loft Floor As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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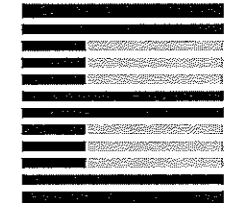
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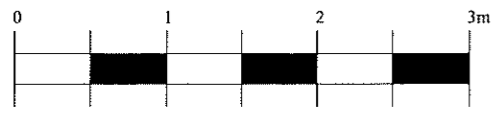
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Roof Plan As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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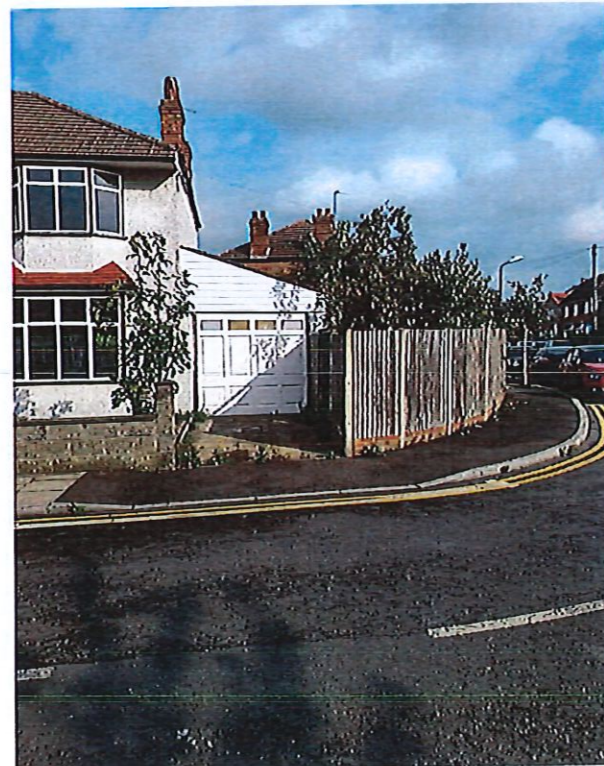
Page 143



Scale 1:50

Roof Plan As Existing

35 Woodland Way



Front Photos

35 Woodland Way

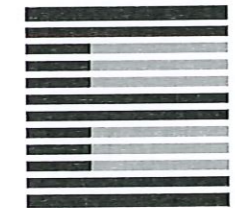
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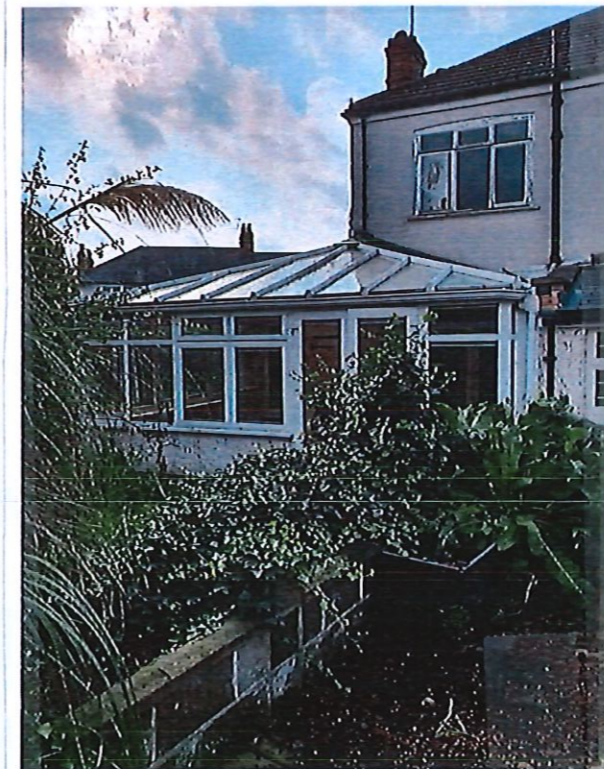
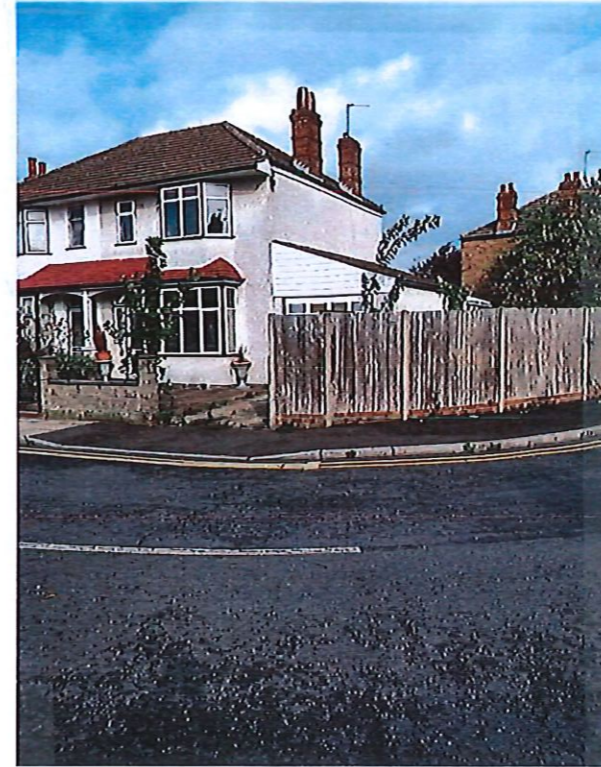
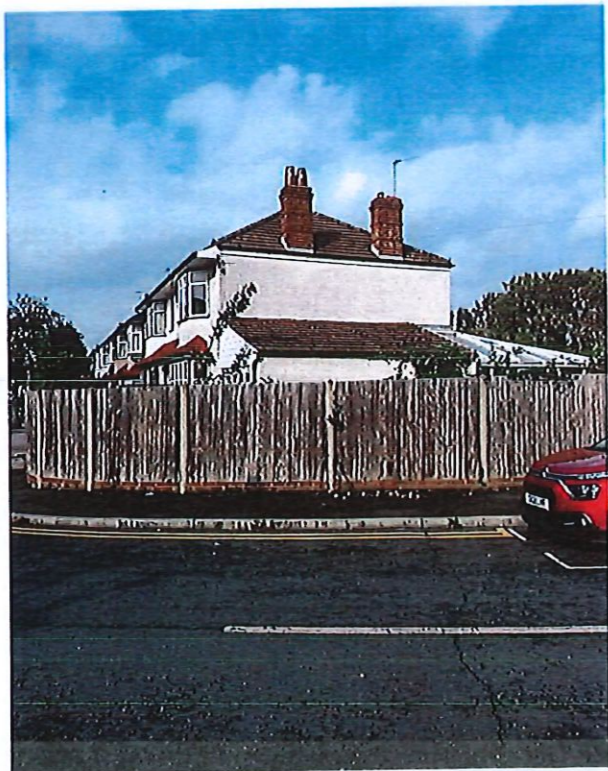
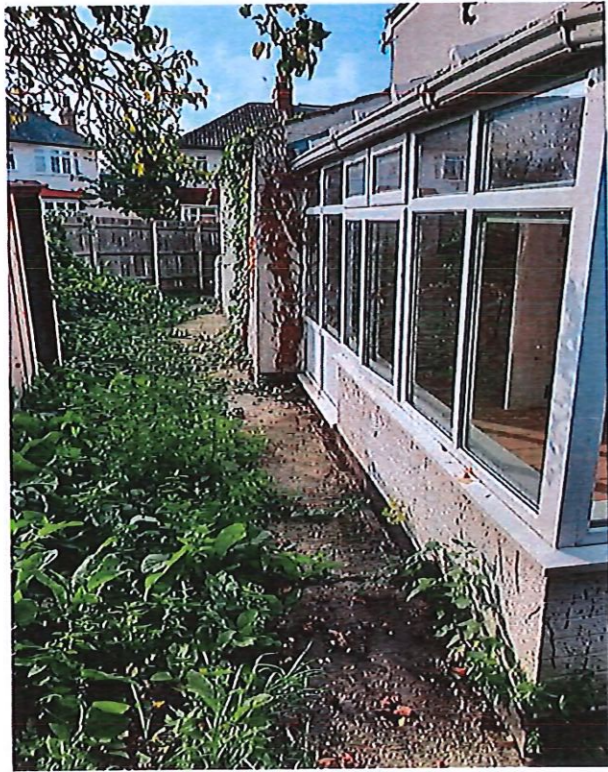
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Front Photos
DRAWN BY	TM
SCALE	NTS
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

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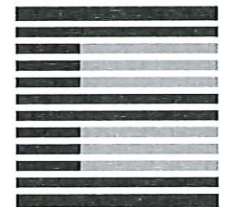
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Rear And Side Photos
DRAWN BY	TM
SCALE	NTS
DATE	Oct 2021
ISSUE FOR	Planning
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Rear And Side Photos

35 Woodland Way

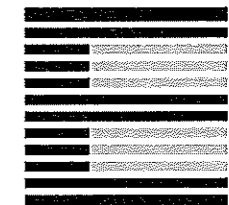
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Front Elevation As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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Scale 1:50

Front Elevation As Existing

35 Woodland Way

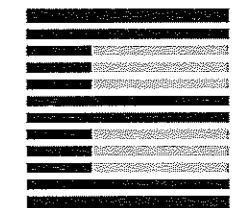
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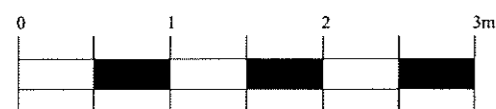
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Rear Elevation As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

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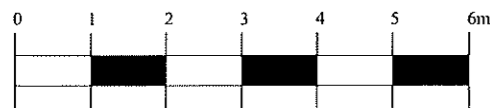
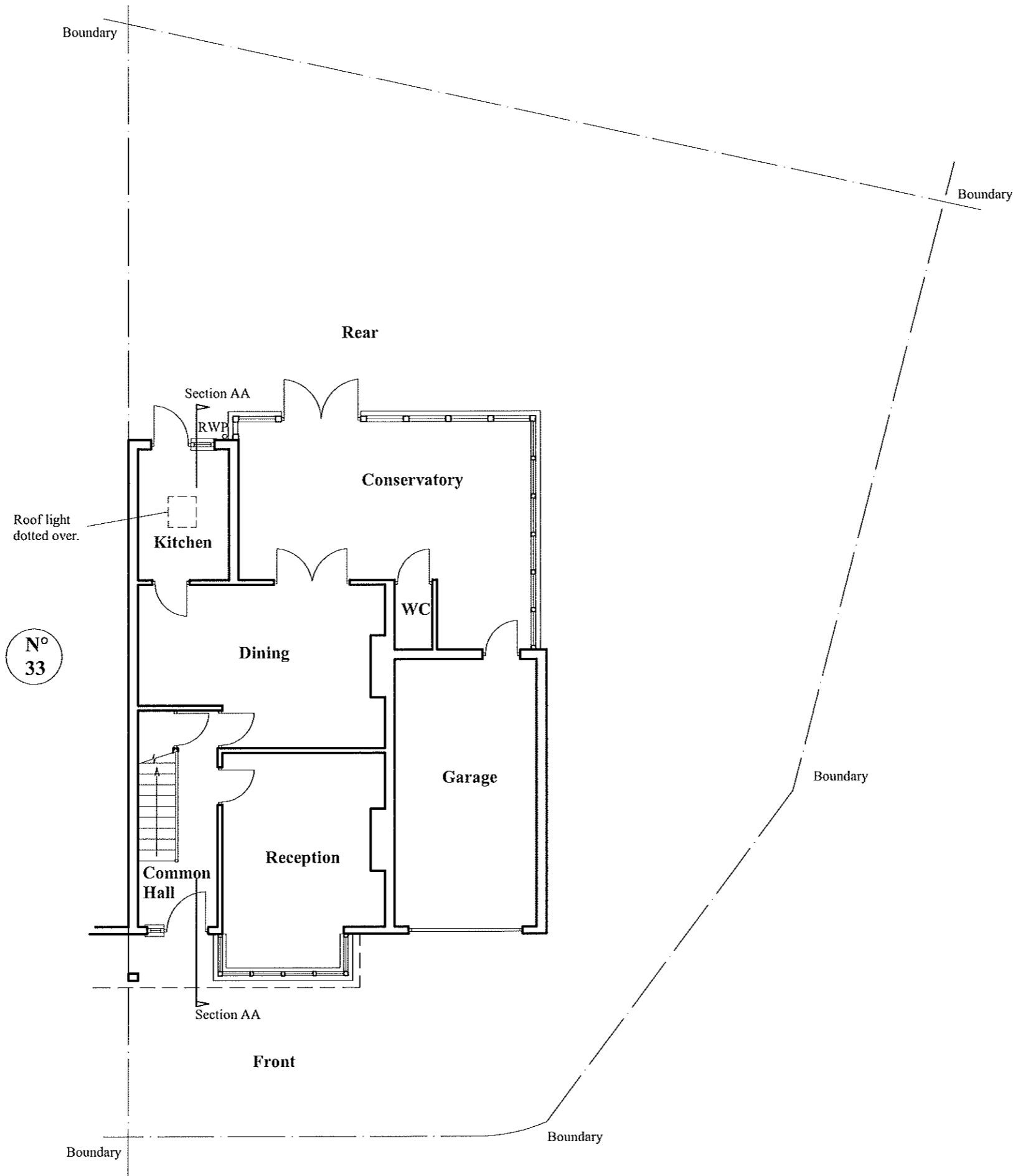
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Rear Elevation As Existing

35 Woodland Way



Scale 1:100

**Overall Ground Floor Plan
As Existing**

35 Woodland Way

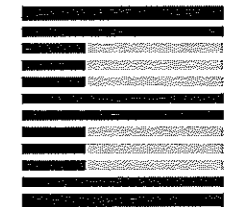
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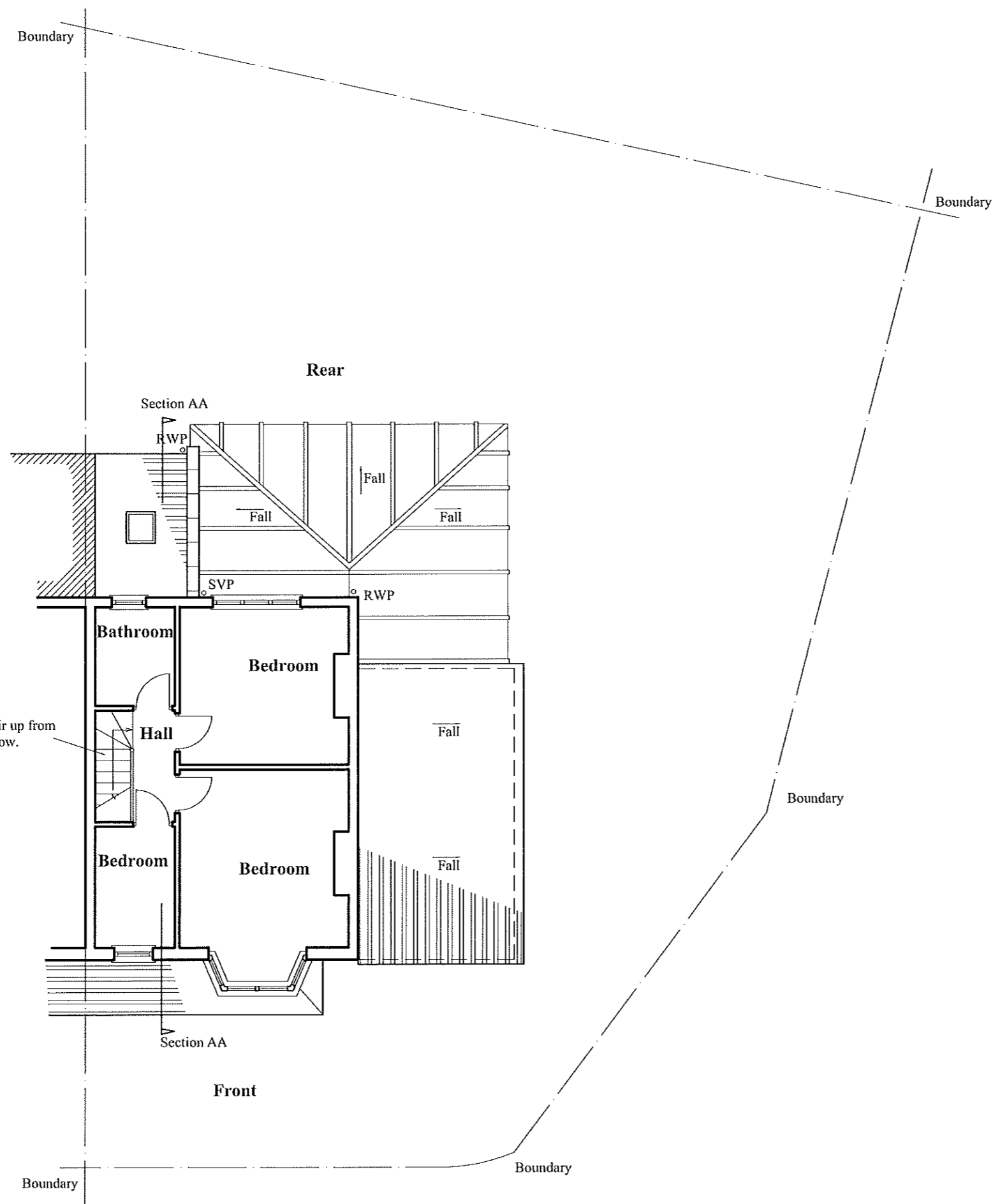
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Overall Ground Floor Plan As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
CHECKED	AJM

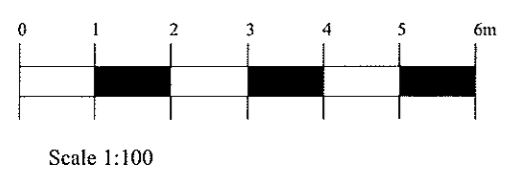
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**Overall First Floor Plan
As Existing**

35 Woodland Way

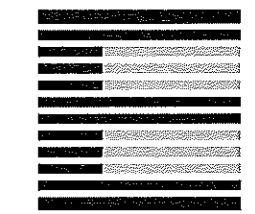
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CONSTRUCTION CONSULTANTS
PROPERTY SERVICES

PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Overall First Floor Plan As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
ISSUE FOR	Planning
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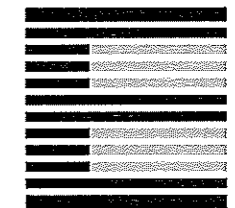
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ARCHITECTURE
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PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Side Elevation As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
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Front
Page 150

Rear



Scale 1:50

Side Elevation As Existing

35 Woodland Way

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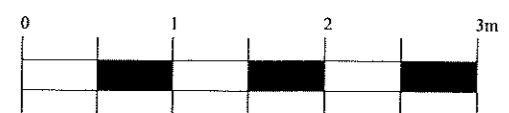
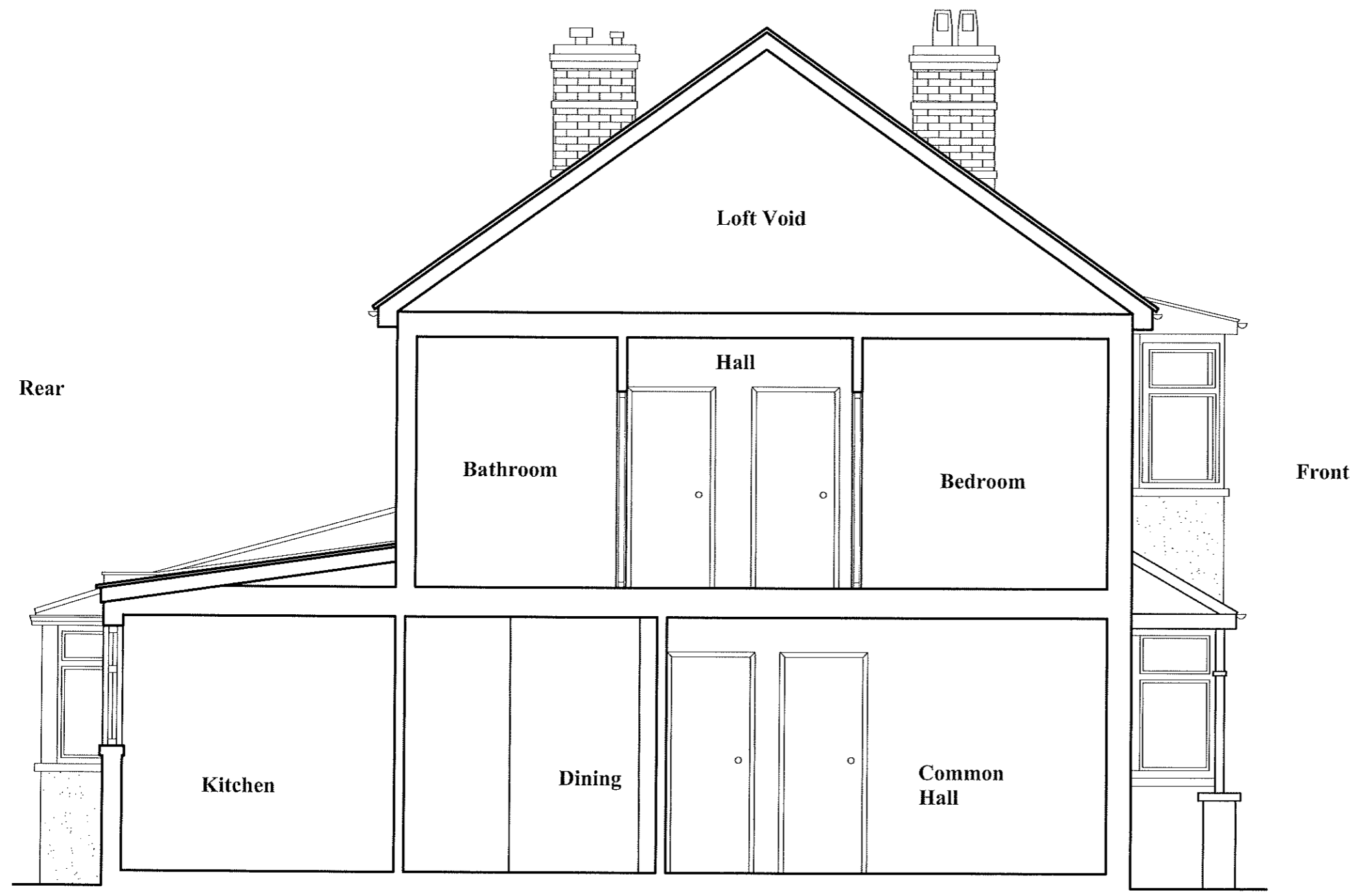
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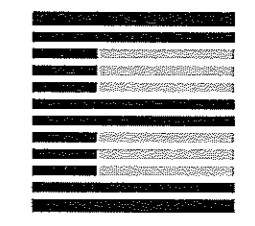
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Scale 1:50

Section AA As Existing

35 Woodland Way



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ARCHITECTURE
CONSTRUCTION CONSULTANTS
PROPERTY SERVICES

PROJECT	35 Woodland Way Mitchan CR4 2DZ
CLIENT	Mr. K. Yilmaz
TITLE	Section AA As Existing
DRAWN BY	TM
SCALE	1:50 @ A3
DATE	Oct 2021
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PLANNING APPLICATIONS COMMITTEE 22nd September 2022

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
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	22/P0533	31/03/2022
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Address/Site 191 Worple Road, Raynes Park, SW20 8RE

(Ward) Raynes Park

Proposal: Demolition of re-fabricated storage building to rear and the erection of a two storey rear extension to provide enlarged commercial floorspace (storage space for existing restaurant) at ground floor and a 1bed flat at first floor level, with rear facing balcony.

Drawing Nos See condition 2

Contact Officer: Tim Lipscomb

RECOMMENDATION

Grant Permission subject to conditions and s.106 legal agreement

CHECKLIST INFORMATION

- Heads of s.106 Agreement: Yes
- 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
- Number of neighbours consulted: 11
- External consultations: No
- Conservation area: Yes
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes
- Flood Zone 1 (low risk)
- PTAL: 5

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections and as a result of a Member request.

2. **SITE AND SURROUNDINGS**

- 2.1 The site is located to the rear of No.191 Worple Road, a three-storey building with a part two-storey, part single storey outrigger to the rear elevation. The ground floor of the main frontage building is in commercial use as a restaurant. The ground floor area to the rear of No.191 (i.e. the application site) is ancillary storage space to serve the restaurant, within a prefabricated single storey building.
- 2.2 The first and second floor of the building is in use as a residential flat, although this is not shown clearly on the existing plans. The existing flat is served by a staircase to the frontage of No.191.
- 2.3 There is a passageway/alley to the rear of the site, which provides access to the rear of Nos.187-193 Worple Road. The alley is an unmade track but provides for a degree of vehicle access.
- 2.4 The building itself is part of the row of a terraced units, constructed of red brick, with a slate roof covering. A number of neighbouring properties also have part two-storey and part single storey outriggers.
- 2.5 The surrounding area is mainly comprised of commercial uses at ground floor level along Worple Road with residential uses above. To the north of the application site (rear) is two-storey suburban, terraced housing. Lantern Methodist Church is to the west of the site, on the other side of Trewince Road.
- 2.6 The site is within the Lambton Road Conservation Area.
- 2.7 The site is subject to the following planning constraints:
 - Conservation Area
 - Town Centre
 - Controlled Parking Zone (RPN)
 - PTAL 5

3. **PROPOSAL**

- 3.1 The proposal is for the erection of a two-storey extension to the rear elevation, following demolition of the existing single storey outrigger. The ground floor would be used as circulation space for the existing restaurant, with the first floor accommodating a 1b/1p flat.
- 3.2 The proposed two-storey extension would have a crown flat roof, with tiled roofslopes to each side and a flat roof at ridge level. A roof terrace of 5.5m would be provided to the southeastern corner of the extension.
- 3.3 The existing rear facing window to the two-storey outrigger, to the main building, would be blocked and two additional side facing windows would be inserted to the west facing elevation of the existing two-storey outrigger.
- 3.4 There would be one side facing (southeast facing), obscurely glazed window and two further windows to the rear elevation (northwest), the smaller of which would be obscurely glazed.
- 3.5 The extension would have a pitched roof, with a small area of flat roof at ridge level. The elevations show brick quoining details, lintels to windows and a slate roof with red roof tiles. The walls would be finished in off-white render, with stock brickwork to

the northeast facing (side) elevation.

- 3.6 The proposed flat would have a GIA of 46sqm. Access to the flat would be via the rear alleyway. A bin and bike store would be provided to the rear of the site, directly adjacent to the rear alleyway.
- 3.7 No car parking is proposed.
- 3.8 The application is accompanied by the following supporting documents:
 - CIL Form
 - Daylight Assessment
 - Design and Access Statement
 - Acoustic Design Report

4. **PLANNING HISTORY**

- 4.1 MER821/70 - CHANGE OF USE TO OFFICE AND STORES. Grant Permission subject to Conditions 19-11-1970.
- 4.2 MER1126/73 - ERECTION OF PORTABLE GARAGE FOR STORAGE USE. Grant Permission subject to Conditions 01-11-1973.
- 4.3 05/P0036 - CHANGE OF USE FROM RETAIL (CLASS A1) TO RESTAURANT/WINE/TAPAS BAR (CLASS A3), INFILL GROUND FLOOR REAR EXTENSION IN REAR YARD AREA WITH FLAT ROOF STRUCTURE AND LANTERN LIGHT, INSTALLATION OF NEW SHOPFRONT, TIMBER DECKING AT FRONT OF PREMISES, 2 CONDENSERS TO FLAT ROOF AREA AND EXTRACT DUCTING TO REAR FRONT TO PROVIDE AN EXTERNAL SEATING AREA, ERECTION OF A KITCHEN EXTRACT DUCT ON THE REAR ELEVATION AND THE INSTALLATION OF 2 CONDENSER UNITS ON FRONT FLAT ROOF. Grant Permission subject to Conditions 28-04-2005.
- 4.4 05/P1925 - VARIATION OF CONDITION 5 & 6 ON PLANNING PERMISSION 05/P0036 TO ENABLE EXTENSION OF OPENING HOURS TO MIDNIGHT AND PERMISSION FOR STAFF TO BE ON THE PREMISES FROM MIDNIGHT TO 1AM. Refuse Permission 04-10-2005, Appeal Dismissed 16-03-2006.
- 4.5 07/P1501 - VARIATION OF CONDITION 5 & 6 ON PLANNING PERMISSION 05/P0036 TO ENABLE EXTENSION OF OPENING HOURS TO MIDNIGHT AND TO ALLOW STAFF TO REMAIN ON THE PREMISES FROM MIDNIGHT TO 01.00AM. Refuse Permission 03-07-2007.
- 4.6 09/P0075 - CONTINUED USE OF GROUND FLOOR AS A RESTAURANT/WINE BAR/TAPAS BAR WITH THE VARIATION OF CONDITIONS 5 (OPENING HOURS 8AM TO 11PM), AND 6 (NO STAFF PRESENT AFTER MIDNIGHT), ATTACHED TO PLANNING PERMISSION REF 05/P0036. THE PROPOSED AMENDMENT TO THE CONDITIONS WOULD ALLOW THE EXTENSION OF OPENING HOURS TO BETWEEN 8AM TO MIDNIGHT AND FOR STAFF TO BE PRESENT TILL 1.AM CHANGE OF USE FROM RETAIL (CLASS A1) TO RESTAURANT/WINE/TAPAS BAR (CLASS A3). Refuse Permission 20-03-2009.

5. **CONSULTATION**

- 5.1 Site notice posted, neighbouring properties notified. A total of 9 objections have been received.

6 letters of objection were received in relation to the first public notification, objecting on the following grounds:

- Site notice was not displayed.
- Query why all properties on the parade were not notified.
- The application fails to recognise that the site is within a Conservation Area.
- No property has been allowed a two-storey extension and it would harm the character of the Conservation Area and set a precedent.
- unacceptable and undesirable form of back land development
- overdevelopment of the site
- Loss of daylight and sunlight
- Overlooking from windows and balcony
- Noise disturbance from balcony
- Noise disturbance from extended restaurant
- Smell disturbance
- Loss of views and outlook to existing first floor flats.
- Adverse impact on access to Children's Therapy Business and overlooking of that premises.
- Concerns that AC unit at restaurant would result in noise disturbance.
- Query whether extension would physically attach to 2a Trewince Road.
- Concerns regarding Thames Water sewage access in the access road.
- Increased waste from restaurant.
- Proposed extension would block TV signal to no.2a Trewince Road
- Substandard residential unit due to its small size.
- Obstruction of side access route, particularly during construction.
- Query how deliveries would work and whether the side alley would be blocked.
- The development would result in a very poor and sub-standard residential environment for future occupiers with limited outlook and inadequate first floor covered and enclosed amenity space.
- No mention is made of parking which is not available and no mention is made of it being a car free development with a S106 not included.
- Means of escape from 191B in the event of a fire would be blocked from the flat rear roof resulting in the development endangering the occupants of 191B (contrary to Policy D5 of the London Plan).
- No mention is made regarding the existing extract ducting from the restaurant on the flat rear roof which would need to be removed/re-sited and would be likely to further harm the amenities of the occupiers of 191B by reason of noise and visual intrusion.
- Shell petrol garage has underground tanks containing highly volatile substances in close proximity.

5.2 A further 5 objections were received following the first amendment to the proposal on 08/06/2022. This amendment was made to reduce the size of the proposed flat in order to set it back from the boundary with No.2 Trewince Road and to set the flat further away from the rear facing windows to the first floor of the main frontage building, serving no.191B. (4 of these objections were from individuals who had objected to the original scheme – i.e. a second letter of objection). The issues raised are as follows:

- Original objections still stand.

5.3 1 further objection (from an individual who had raised objection previously) was submitted in response to the latest amendments on 05/08/2022. This amendment was made to change the position of windows to avoid overlooking to the adjacent roof

lantern at No. and to provide additional architectural detailing. The letter raises the following issues:

- Original comments still stand.
- The changes would make the proposal even worse - with more potential for noise and disturbance from the open first floor small outside space which is only separated from the rear windows of 191B by a glass screen facing onto the flat roof area. Also the changes make the already sub-standard unit smaller.

5.4 LBM Transport Planning (23/08/2022):

Proposal

The proposal is to create a new residential dwelling above the ground floor prefab restaurant structure.

Access

The prefab building is located between a staff car park to No.189 Worple Road and the one and two storey residential flats at 2 Trewince Road and the rear of 191 Worple Road.

PTAL

The location of the property has a Public Transport Accessibility Level rating of 5, which indicates a good level of connections and accessibility to public transport for current and future occupiers.

CPZ

Parking restrictions are in place along Worple Road and Trewince Road.

Worple Road: Mon- Sat 10am- 4 pm or pay at machine with max stay 2hrs

Trewince Road: Mon- Sat 8.30am- 6.30pm or pay at machine with max stay 2hrs.

Car parking

No off street car parking is provided.

Permit free option would be acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.

Cycle Parking

The proposal would require 1cycle space (secure & undercover).

Waste Collection

Waste collection points should be located within 30 metres of residential units and within 20 metres of collection vehicles.

Recommendation: Raise no objection subject to:

- Applicant enters into a Unilateral Undertaking which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- Cycle Parking: One cycle space (secure & undercover).

5.5 LBM Waste Management:

No comments received.

5.6 LBM Environmental Health (Noise) (Original comments 23/05/2022)

Further to your consultation in relation to the above planning application, I do have some reservations regarding potential noise between the extended commercial unit and the proposed residential premises at first floor.

There are no details regarding the sound insulation between the current use and the proposed residential property. The SDP for Food and Drink, albeit dated, states adequate sound insulation should be provided between the proposed development and adjacent premises, including any living accommodation above and details and drawings of the proposed sound insulation works should be submitted for agreement. There is noise no assessment accompanying the application.

The plans show that part of the existing kitchen would be below the proposed residential accommodation, I would recommend that a noise assessment demonstrating how the new residential property would be protect from the commercial unit is submitted for consideration.

5.7 LBM Environmental Health (Noise) additional comments following submission of acoustic assessment (20/07/2022)

ADE states that a higher standard of sound insulation may be required between spaces used for normal domestic purposes and non-domestic purposes and an appropriate level of sound insulation will depend on the noise generated in the non-domestic space.

The noise insulation should at least meet the requirements of BS8233 as stated in the report, provided this is met I have no further observations.

6. **POLICY CONTEXT**

National Planning Policy Framework (2021):

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change

London Plan (2021):

- SD6 Town Centres and high streets
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design

D5 Inclusive design
D6 Housing quality and standards
D14 Noise
H1 Increasing housing supply
H2 Small sites
H10 Housing size mix
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 10 Aggregates
SI 13 Sustainable drainage
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking

Merton adopted Core Strategy (July 2011):

CS 8 Housing choice
CS 9 Housing provision
CS11 Infrastructure
CS 14 Design
CS 15 Climate change
CS 17 Waste management
CS 18 Active Transport
CS 20 Parking servicing and delivery

Merton adopted Sites and Policies document (July 2014):

DM R5 Food and drink / leisure and entertainment uses
DM D2 Design considerations
DM D3 Extensions and alterations
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

Other guidance:

National Design Guide - October 2019
Draft Merton Local Plan
DCLG: Technical housing standards - nationally described space standard
March 2015
Merton's Design SPG 2004
Mayor's Air Quality Strategy - 2010
Mayor's SPG - Housing 2016
Mayor's SPG - Sustainable Design and Construction 2014
Mayor's SPG - Character and Context 2014
LB Merton - Air quality action plan Page 8 of 23.

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

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

- Principle of development
- Provision of housing
- Merton's five year housing land supply
- Design and impact upon the character and appearance of the Lambton Road Conservation Area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Safety and Security considerations
- Refuse storage and collection
- Sustainable design and construction
- Drainage
- Response to issues raised by objectors

7.2 Principle of development

7.2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

7.2.2 The proposal would provide a residential unit within a relatively sustainable location and would provide for improved facilities for the existing restaurant and is considered to be acceptable in principle subject to compliance with the relevant policies of the Development Plan.

7.3 Provision of housing

7.3.1 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.2. Policy H1 of the new London Plan sets the ten-year targets for net housing completions that each local planning authority should plan for. The ten year target for the London Borough of Merton is 9,180 (i.e. 918 per year).

7.3.3 The site represents brownfield land. The site has a good public transport accessibility level (PTAL) of 5 (with 0 the worst and 6b being excellent). The proposals would provide an additional residential unit, thereby meeting NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of sites at higher densities.

7.3.4 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 as detailed in the relevant sections below.

7.3.5 Merton's five year housing land supply

7.3.6 Merton currently does not have a five-year supply of deliverable housing. It is therefore advised that members should consider this position as a significant material consideration in the determination of planning applications proposing additional homes.

7.3.7 Where local planning authorities cannot demonstrate a five year supply of deliverable housing sites, relevant decisions should apply the presumption in favour of sustainable development. This means that for planning applications involving the provision of housing, it should be granted permission unless:

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

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

7.4 Design and impact upon the character and appearance of the Lambton Road Conservation Area

7.4.1 Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

7.4.2 The NPPF, London Plan policies D3 and D4, Core Strategy policy CS 14 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, development proposals must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.

7.4.3 Policies HC1 of the London Plan and DM D4 of the Sites and Policies Plan require development within Conservation Areas to either preserve or enhance the character and appearance of the Conservation Area.

7.4.4 There would be no visual change when viewed from Worple Road as the entirety of the development would be to the rear.

7.4.5 Views of the proposed extension would be possible from the rear windows and yards of neighbouring properties Page 16 of 11 the rear windows and gardens of

residential properties to the north. There would be some views of the proposed extension from the adjacent Trewince Road, along the alleyway.

- 7.4.6 The existing terraced row has undergone a number of extensions to the rear elevation, notably with extensive extensions to the corner property, No.193 Worple Road and Nos.2a and 2b Trewince Road to the rear.
- 7.4.7 The proposed two-storey extension would stand at the same height as the rear extension to No.193 but would project to the rear most part of the site, up to the line of the rear alleyway.
- 7.4.8 The proposed extension is substantial and would infill the majority of the existing space to the rear of the site at first floor level. However, the extension would be subordinate to the main building and the architectural detailing would be suitable to the appearance of the area.
- 7.4.9 The bulk and massing proposed would have some visual impact but officers considered that the appearance would be consistent with the character of the Conservation Area and would satisfactorily preserve the character and appearance of the Conservation Area.
- 7.4.10 The proposed development is considered to comply with Policies D3, D4 and HC1 of the London Plan, Policy CS14 of the Sites and Policies Plan and Policies DM D2, DM D3 and DM D4 of the Sites and Policies Plan 2014.

7.5 Impact upon neighbouring amenity

- 7.5.1 SPP policy DM D2 states 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 loss of light, quality of living conditions, privacy, visual intrusion and noise.

191B/193 Worple Road

- 7.5.2 The proposed two-storey extension would stand in close proximity to the existing rear windows to the terraced, frontage building along Worple Road (above no.191 and no.193). The wall of the proposed extension would be situated just over 7m away from the rear facing windows to the first floor. Whilst there would be some marginal impact on outlook and light to the rear facing windows of the flats on the first floor, the proposed extension would not result in material harm to these units. There would be no proposed windows facing the flatted units above the main parade (on Worple Road) and therefore no material loss of privacy.

189 Worple Road

- 7.5.3 In terms of the first floor units above no.189 Worple Road, due to the separation distance and oblique angle, officers conclude that the impact on these units would not be materially harmful.

2A Trewince Road

- 7.5.4 The proposed extension would be directly adjacent to a flat to the rear of No.193 (2a Trewince Road). This residential property features a roof lantern that is set in a roof valley, directly adjacent to the proposed first floor element of the extensions. Plans as originally submitted showed two windows to the side elevation which would have had some potential for overlooking, despite the rather oblique angle of viewing. Amended plans have been received to show a single obscurely glazed window to this elevation, which would overcome the concerns in terms of loss of privacy. Due to the juxtaposition of the two properties, whilst there would be some marginal impact on light, the impact would not be materially harmful.

2 Trewince Road

- 7.5.5 To the rear of the site is a two-storey, end-of-terrace dwellinghouse, separated by the access road to the rear of the site. Amended plans have been received to reduce the bulk and massing proposed, in close proximity to this property. Effectively, a 'corner' of the building has been omitted to offer some relief to this property. There is a window facing towards the adjacent property, however, this would be obscurely glazed. The resultant relationship is not dissimilar to any suburban setting and given the separation distance created by the intervening access road and the oblique angle between the two properties, and the lack of windows that would offer views of No.2, it is considered that there would be no material harm caused to the amenities of the occupiers of this property.
- 7.5.6 Objections have raised concern in terms of noise disturbance and odour disturbance from the use of the balcony. However, the balcony would be of a modest size and would be entirely enclosed to both sides (including the rear) by high screens which would limit noise emissions. The use of this area as a roof terrace would not be so harmful to neighbouring amenity as to warrant a refusal.

Impact of new commercial ground floor space

- 7.5.7 In terms of the ground floor commercial use, the scheme proposes to remove the existing corrugated shed and replace it with a solid and permanent element of built form. The size of this ground floor area is not objectionable as it would simply fill in the rear yard area, which is mainly developed already. This area is currently used for ancillary storage for the restaurant. However, this would be reconfigured and used as 'commercial area', although the specific function of this area is not shown. Therefore, officers would assume that it could be used for additional seating for diners. Notwithstanding that, this space would be entirely enclosed with no windows and as such there are no concerns regarding noise disturbance.
- 7.5.8 The existing flue serving the restaurant would be unaffected by the proposals.
- 7.5.9 The Council's Environmental Health Officer has reviewed the submitted acoustic assessment and concludes that the proposal would be acceptable in terms of the noise impact.

7.5.10 Whilst the proposal would introduce additional bulk and massing at first floor level, the amendments made to the plans are such that officers conclude that the impacts would not result in material harm to neighbouring amenity. The proposal is considered to comply with Policy DM D2 in terms of the impact on neighbouring amenity.

7.6 Standard of accommodation

7.6.1 Policy D6 of the London Plan states that housing developments should be of the highest quality internally and externally. New residential development should ensure that it reflects the minimum internal space standards.

7.6.2 Policy DMD2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of sunlight and daylight and quality of living conditions for future occupants.

7.6.3 The proposed unit would be a 1b/1p unit with a GIA of 46sqm and a terrace area of 5.5sqm. This would exceed the minimum space standards, which require a GIA of at least 37sqm and a terrace of at least 5sqm.

7.6.4 The proposed flat would have reasonable levels of outlook and would not be directly overlooked by any existing property.

7.6.5 The standard of accommodation is considered to be acceptable.

7.7 Transport, parking and cycle storage

7.7.1 Policy T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking.

7.7.2 The site is fairly constrained and the proposed cycle parking and refuse storage would be in an accessible location, whereby bins could readily be presented at the roadside for collection.

7.7.3 In order to prevent the increase of on street parking pressure in the local area, future occupiers of the proposed units should be restricted from obtaining permits for the CPZ and this can be secured by way of a legal agreement.

7.7.4 Officers note that objections have been raised in relation to potential blocking of the access road. However, in the operational phase there is no indication that the proposed arrangements would result in the access road being blocked. In terms of the construction phase, conditions will be imposed to ensure that any impacts are minimised as far as possible.

7.7.5 Subject to s.106 to restrict parking permits, the proposal is considered to be acceptable in terms of the transport impact.

7.8 Refuse storage and collection

7.8.1 Policies SI8 and SI 10 of the London Plan and policy CS 17 of the Core Strategy requires details of refuse storage and collection arrangements.

7.8.2 A storage area for refuse has been indicated at ground floor level, which provides suitable access to residents and for the transportation of refuse for collection. It is considered this arrangement would be acceptable and a condition requiring its implementation and retention will be included to safeguard this.

7.9 Safety and Security considerations

7.9.1 Policy DMD2 sets out that all developments must provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.

7.9.2 The proposal introduces a new residential unit with no direct street frontage. Therefore, access to the site would be via this access road in any event. The approach to the entrance to the flat along the access road would increase footfall along the access road and whilst an access to the frontage would be better in terms of secure by design principles, the arrangements proposed are not considered so harmful as to warrant a refusal.

7.10 Sustainable design and construction

7.10.1 London Plan policies SI 2 to SI 5 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.

7.10.2 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.

7.10.3 The applicant has outlined that combi-boilers to meet a 25mg/kWh, low flow radiators and AAA rated appliances, along with fabric efficiency built into the construction process. Officers conclude that the details of this can reasonably be addressed by way of condition.

7.10.4 Subject to condition the proposal is considered to be acceptable in terms of sustainable design and construction.

7.11 Air Quality

7.11.1 The London Plan requires all new minor development to be air quality neutral. The proposal includes no additional car parking and a gas boiler with emissions rated less than 40 mg/kWh (the boiler would have emissions rated of 25mg/kWh). Therefore, the proposal would meet both the Building Emission benchmark of the London Plan Guidance on Air Quality Neutral (Consultation

Draft 2021) and the Transport Emissions Benchmark. Therefore, the proposed development can reasonably be assumed to be air quality neutral.

7.11.2 In addition, officers recommend conditions relating to the construction process and air quality to minimise the impact.

7.12 Drainage

7.12.1 Policy SI 13 of the London Plan (Sustainable drainage) sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features.

7.12.2 The application does not include details of any sustainable drainage aspirations and it is noted that opportunities are limited in this instance with most of the site laid to hardstanding currently. However, some measures, such as water butts at the very least could be incorporated and this matter can be addressed by condition.

7.12.3 Officers conclude that subject to condition, the proposed development would be acceptable in terms of drainage and runoff.

8. **Conclusion**

8.1 The proposal would provide one additional residential unit, with some external amenity space, which would contribute to meeting the borough's overall housing need.

8.2 The form and appearance of the proposed addition is considered to complement the existing building and would not appear visually discordant in the streetscene despite the increased bulk and massing.

8.3 The proposal, as a result of the increased bulk and massing, would result in some limited impact on neighbouring properties. However, as explained in this report, the impact is considered to be minimal and would not warrant a reason for refusal in this urban context.

8.4 Officers consider that the proposal is acceptable in planning terms, subject to conditions and a legal agreement and therefore the recommendation is for approval.

9. **RECOMMENDATION**

9.1 Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits for all new units.
- and cost to Council of all work in drafting S106 and monitoring the obligations.

And 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: SV/101, PA/201 Rev A, PA/202 Rev B and PA/203 Rev B.

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

3. The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans 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: policies T4 and T7 of the London Plan 2021, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

5. The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved 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 satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

6. The screening to the balcony as shown on the approved plans shall be implemented before the development is first occupied and retained permanently thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies D3 and D4 of the London Plan 2021, policy CS14 of Merton's

Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

7. Access to the flat roof of the development hereby permitted, other than areas specifically shown to be a roof terrace/balcony, 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: policies D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

8. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater 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 SI 2 and SI 3 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

9. The development hereby approved shall not be occupied until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

10. Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:
- (i) Parking of vehicles of site workers and visitors;
 - (ii) Loading and unloading of plant and materials;
 - (iii) Storage of construction plant and materials;
 - (iv) Control of dust, smell and other effluvia;
 - (v) Control of surface water run-off.

No development shall be carried out except in full accordance with the approved method statement.

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 T4 and T7 of the London Plan 2021, policy CS20

of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

11. The noise insulation between floors shall meet the requirements of BS8233 as a minimum requirement.

Reason: To protect the amenities of neighbouring occupiers and to comply with Policy DM D2 of the Sites and Policies Plan 2014.

INFORMATIVES:

1. In accordance with paragraph 38 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.
- iii) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. **INFORMATIVE**

The applicant is advised to check the requirements of the Party Wall Act 1996 relating to work on an existing wall shared with another property, building on the boundary with a neighbouring property, or excavating near a neighbouring building. Further information is available at the following link:

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

3. **INFORMATIVE:**

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

Water efficiency evidence requirements for post construction stage assessments must provide:

- Documentary evidence representing the dwellings 'As Built'; detailing:
- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
- Water Efficiency Calculator for New Dwellings; 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'.

4. INFORMATIVE

It is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. 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. INFORMATIVE

This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development

unauthorised and possibly subject to enforcement action such as a Stop Notice.

6. INFORMATIVE

This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at the London Borough of Merton

Street Naming and Numbering (Business Improvement Division)
Corporate Services
7th Floor, Merton Civic Centre
London Road
Morden
SM4 5DX
Email: street.naming@merton.gov.uk

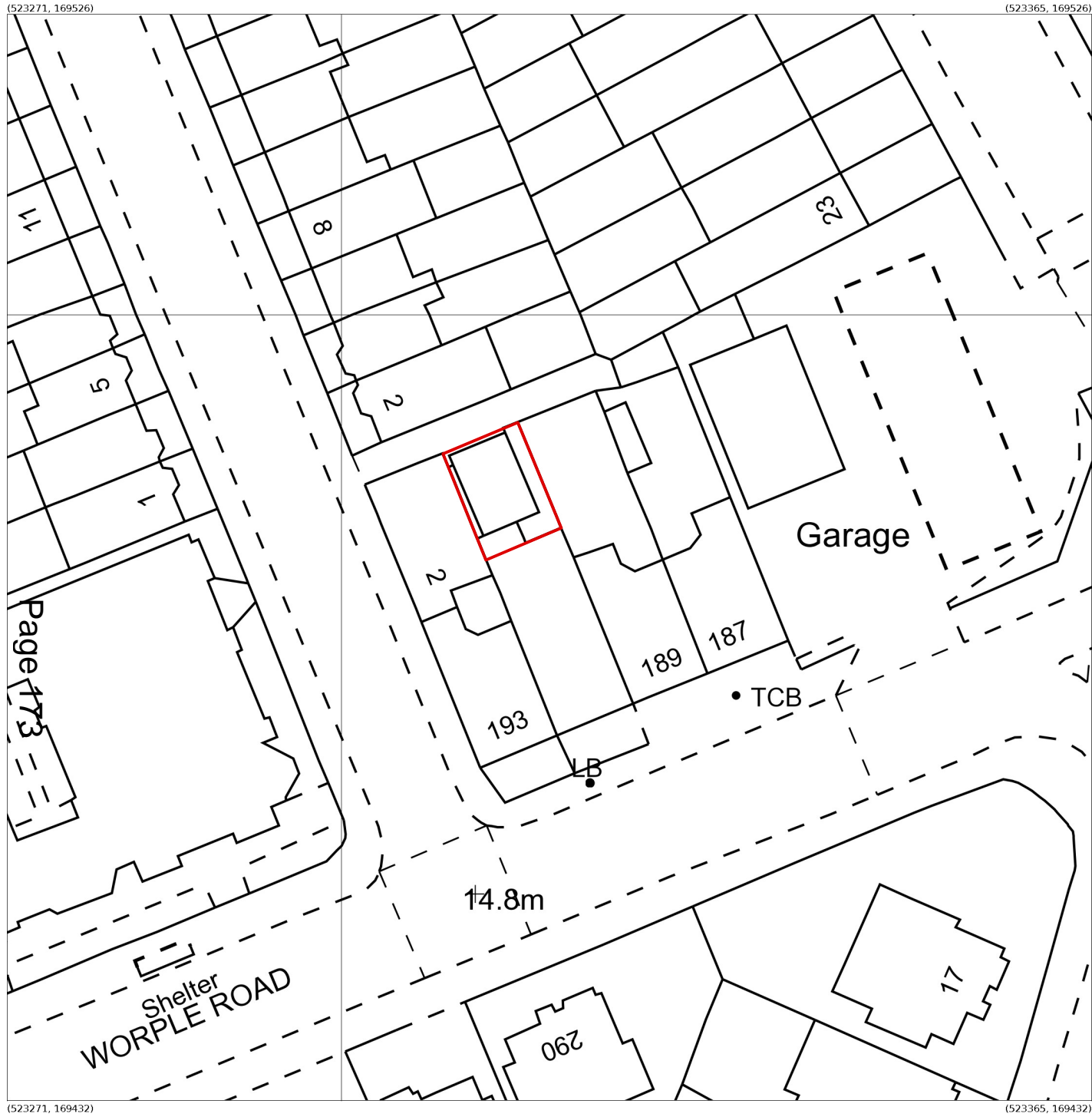
7. INFORMATIVE

The applicant should be aware that the site may provide a useful habitat for swifts. Swifts are currently in decline in the UK and in order to encourage and improve the conservation of swifts the applicant is advised to consider the installation of a swift nesting box/bricks on the site

NORTHGATE SE GIS Print Template

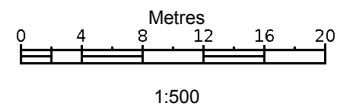


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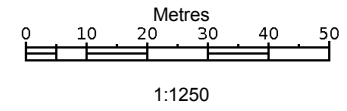
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REVISIONS:

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 t: 07960 290 660
 e: info@atdesign.co.uk

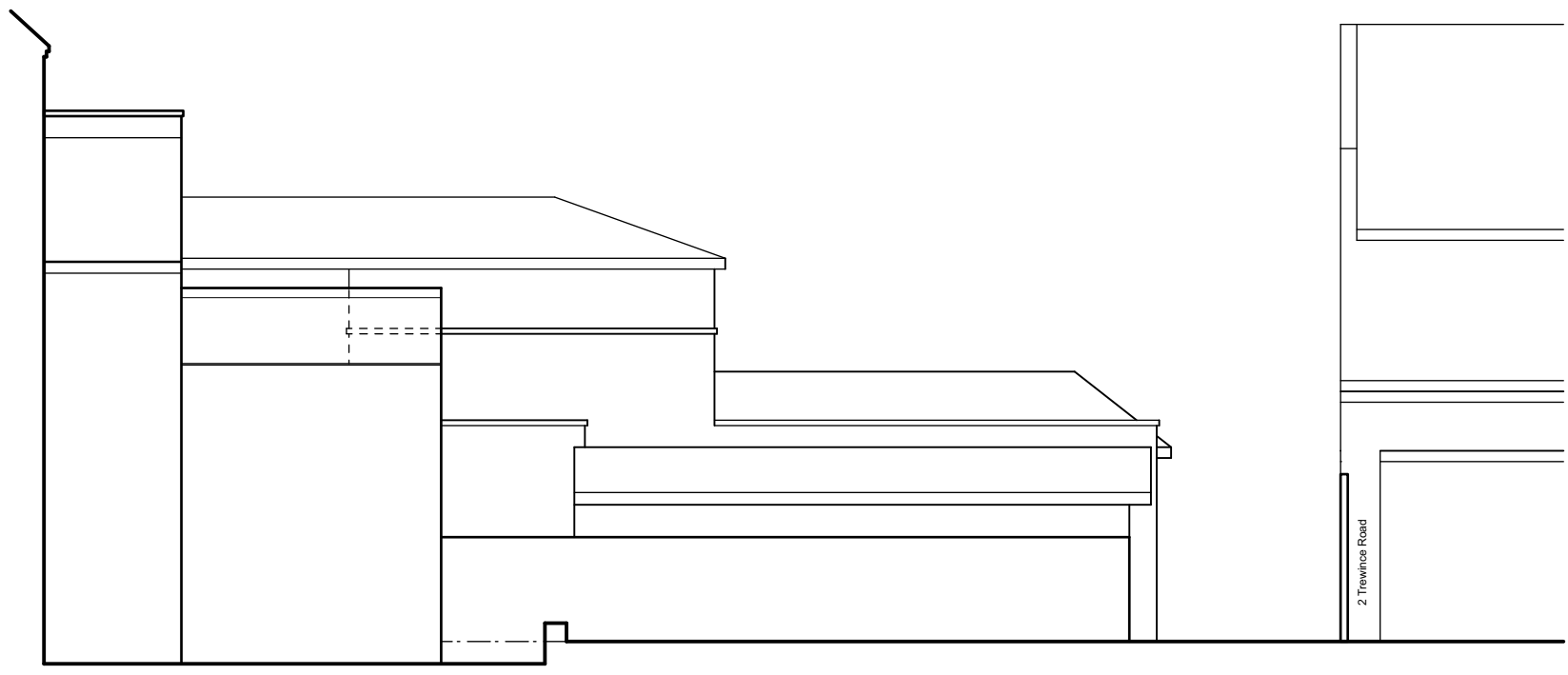
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PROJECT:
191 WORPLE ROAD RAYNES PARK LONDON SW20 8RE

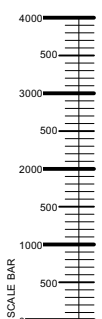
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08/04/21	SV/101	

NOTE:
 No dimensions are to be scaled from this drawing.
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 The designer must be notified of any discrepancies
 in writing.



EXISTING SIDE ELEVATION



REVISIONS:

at design
 82 WESTBOROUGH COTTAGES, 100
 RICHMOND UPON THAMES, TW9 3BA
 t: 07980 290 860
 e: andrew@atdesignarch.com

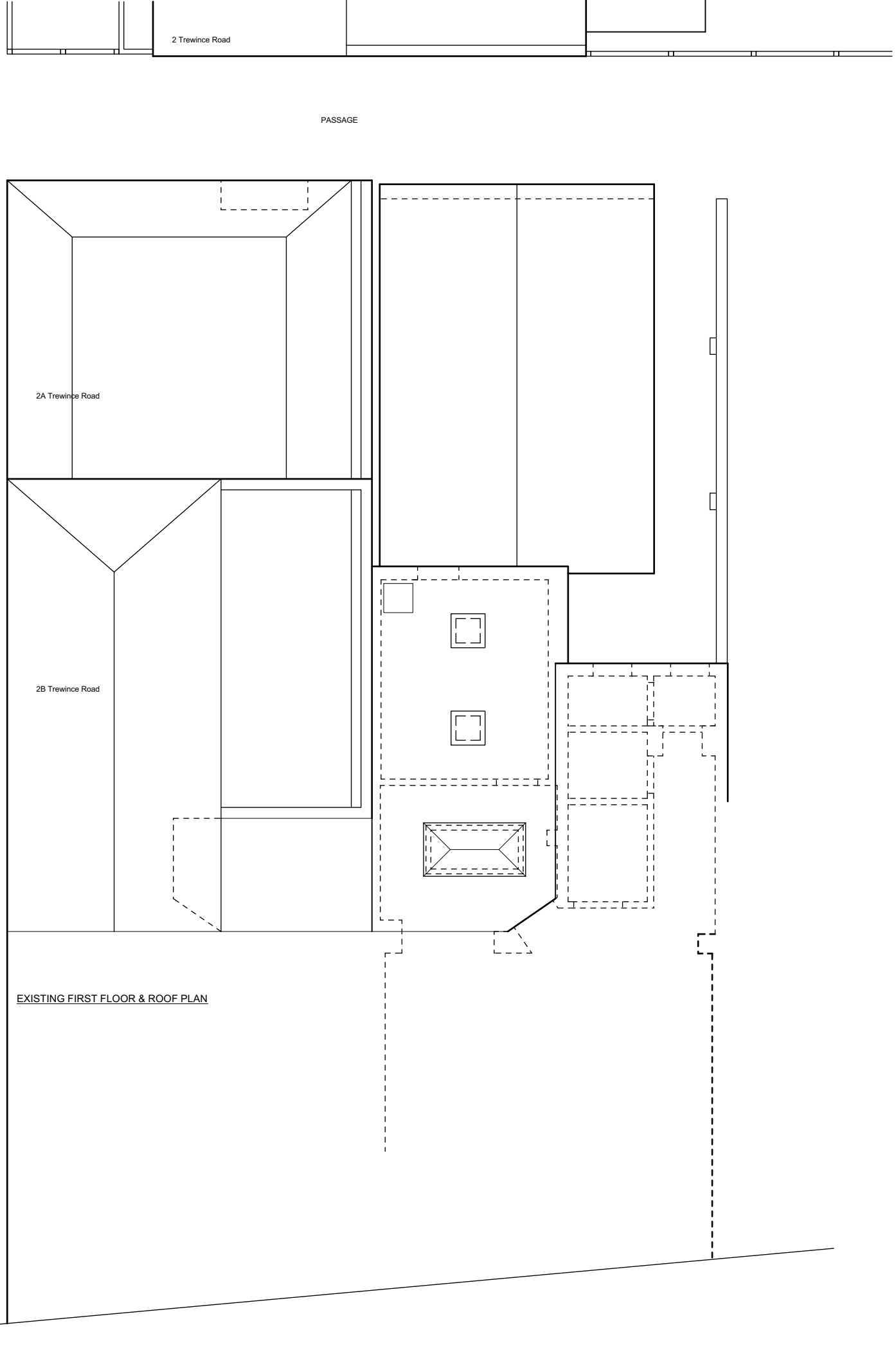
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PROJECT:
 191 WORPLE ROAD
 RAYNES PARK
 LONDON
 SW20 8RE

DRWG TITLE:
 Survey
 Rear & Side Elevations

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DATE:	DRWG No.:
08/04/21	SV/104
	REV.

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EXISTING FIRST FLOOR & ROOF PLAN

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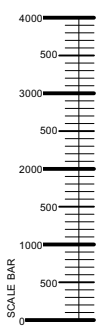
at design
 52 WELLS ROAD, COTTAGE, 191
 WORPLE ROAD, LONDON SW20 8RE
 t: 07980 290 860
 e: andrew@atdesignarch.com

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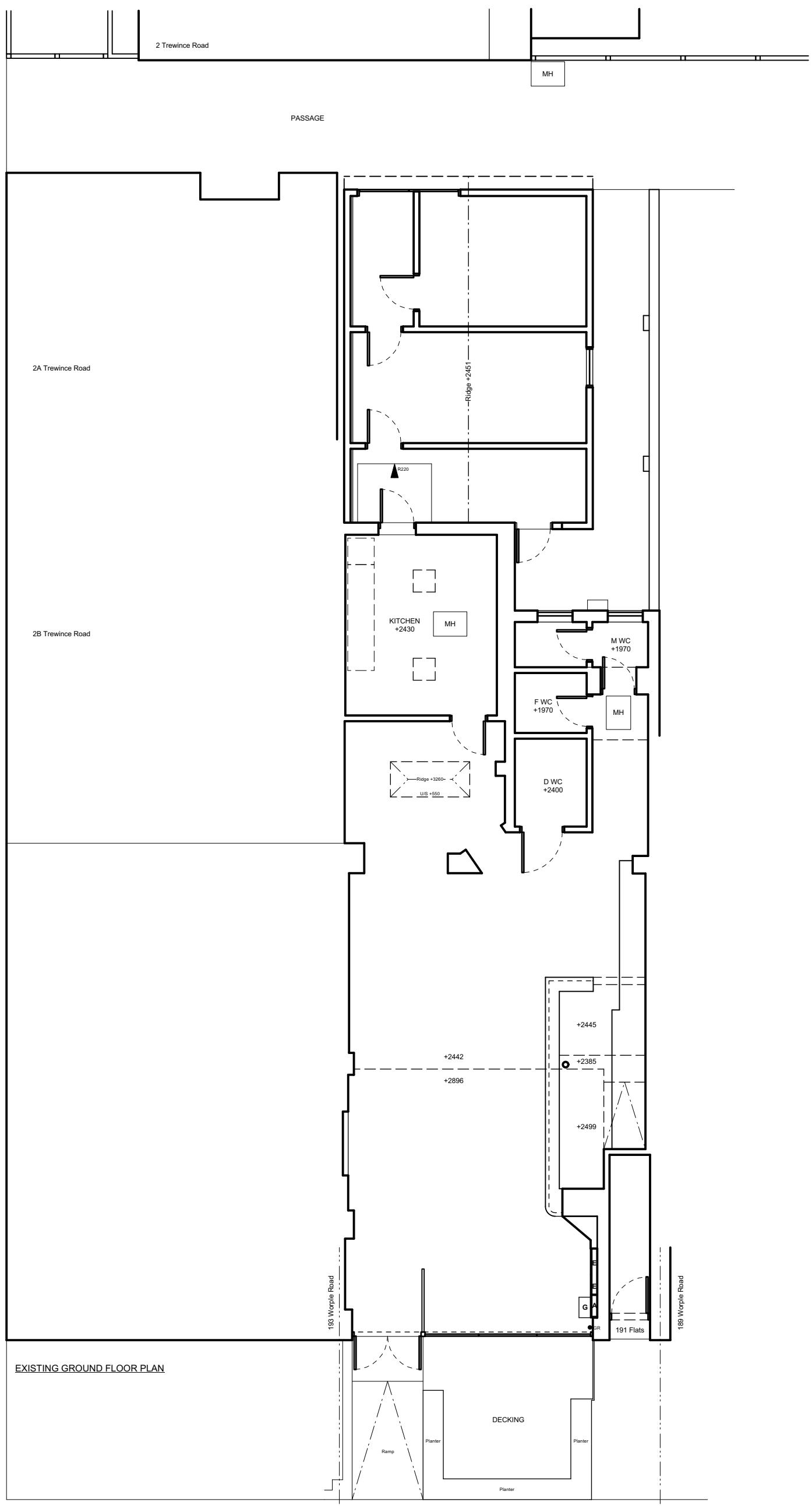
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 191 WORPLE ROAD
 RAYNES PARK
 LONDON
 SW20 8RE

DRWG TITLE:
 Survey
 First Floor
 & Roof Plan

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DATE:	DRWG No.:	REV.
08/04/21	SV/103	



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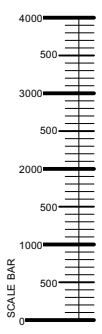
at design
 82 WESTON ROAD, COTTAGE, 191
 RAYNES PARK, LONDON SW20 8RE
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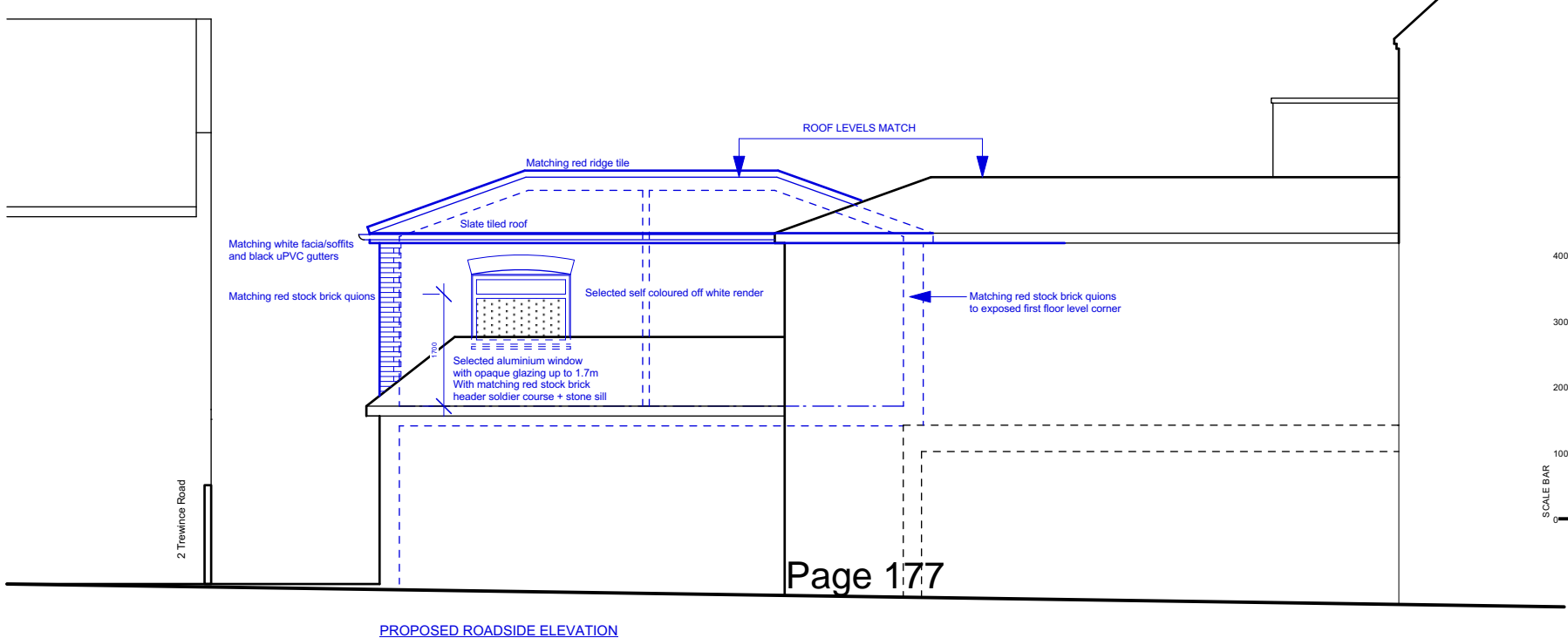
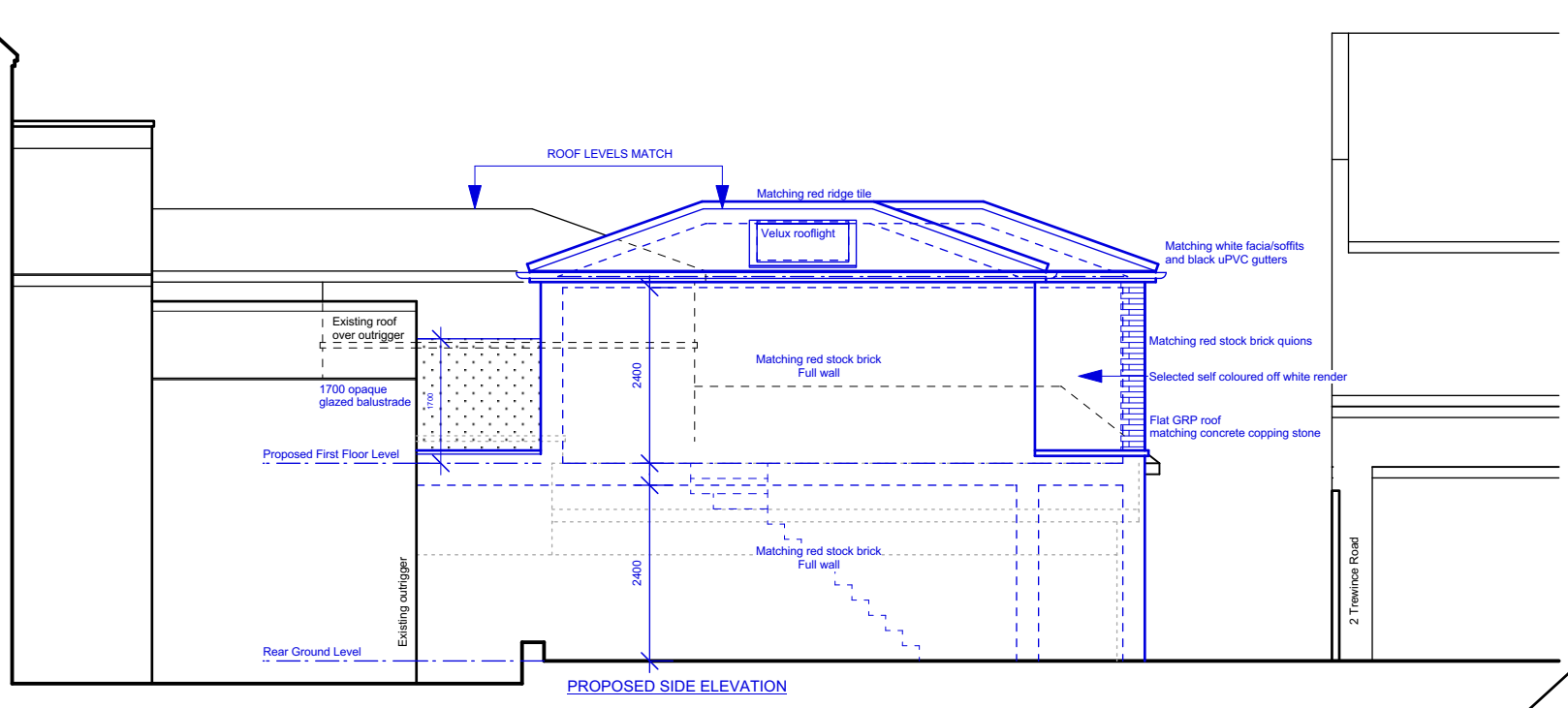
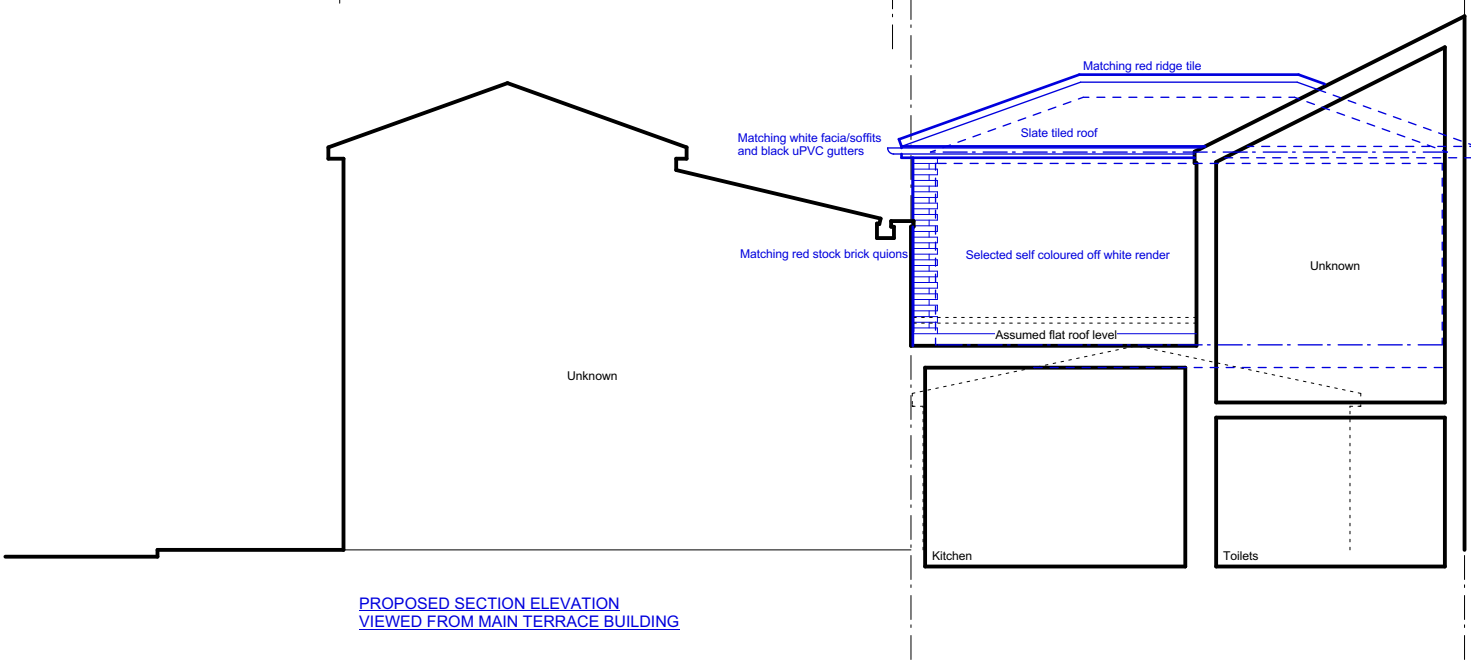
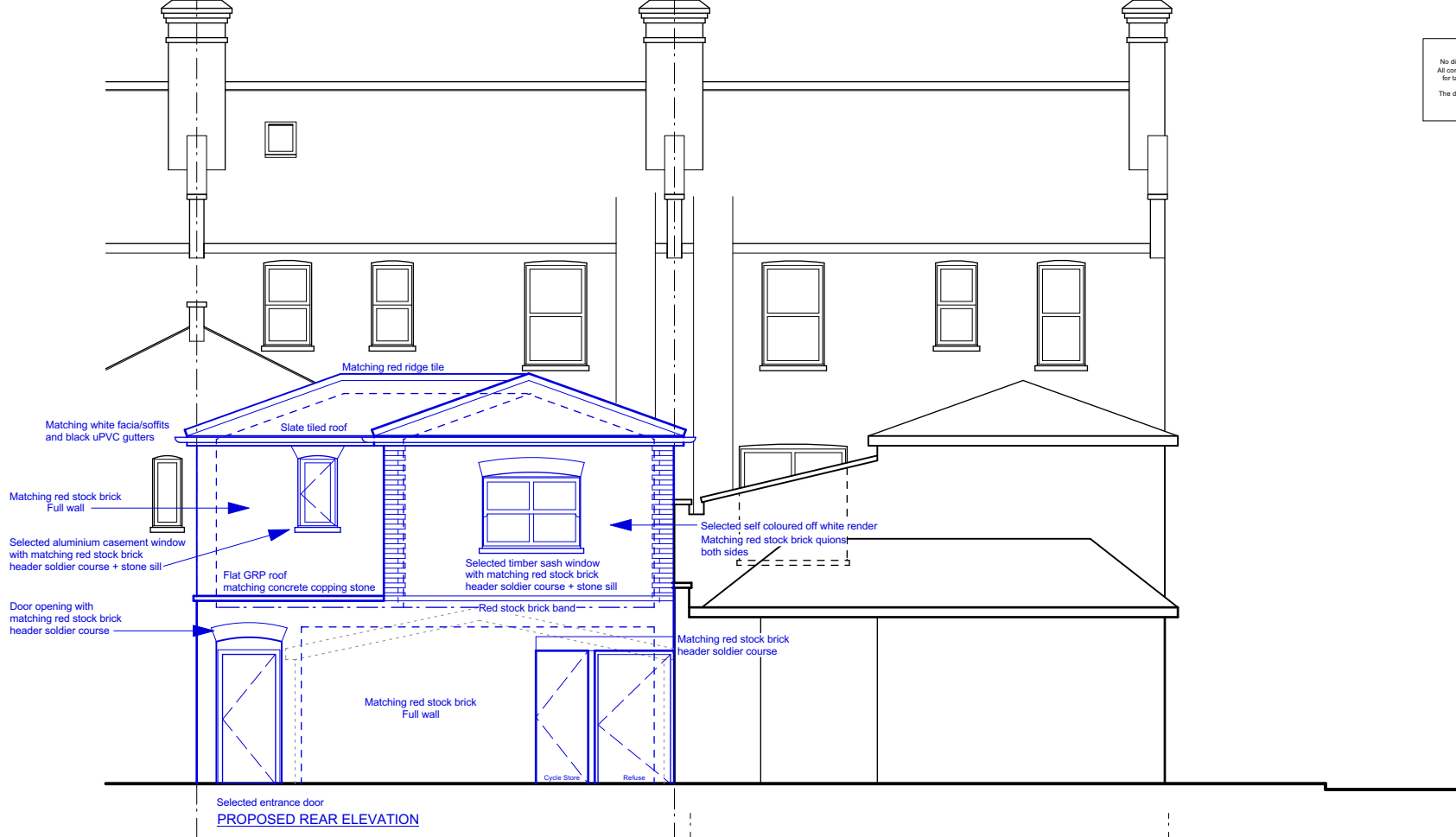
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 RAYNES PARK
 LONDON
 SW20 8RE**

DRWG TITLE:
**Survey
 Ground Floor Plan**

DRWN BY:	SCALE:
DATE:	DRWG No.:
08/04/21	SV/102
	REV.



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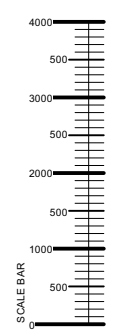
at design
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em: andrew@atdesignarch.com

CLIENT:

PROJECT:
191 WORPLE ROAD
RAYNES PARK
LONDON
SW20 8RE

DRWG TITLE:
PROPOSED ELEVATIONS
PLANNING ISSUE

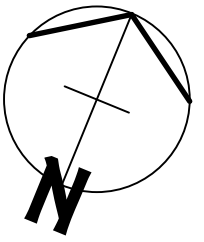
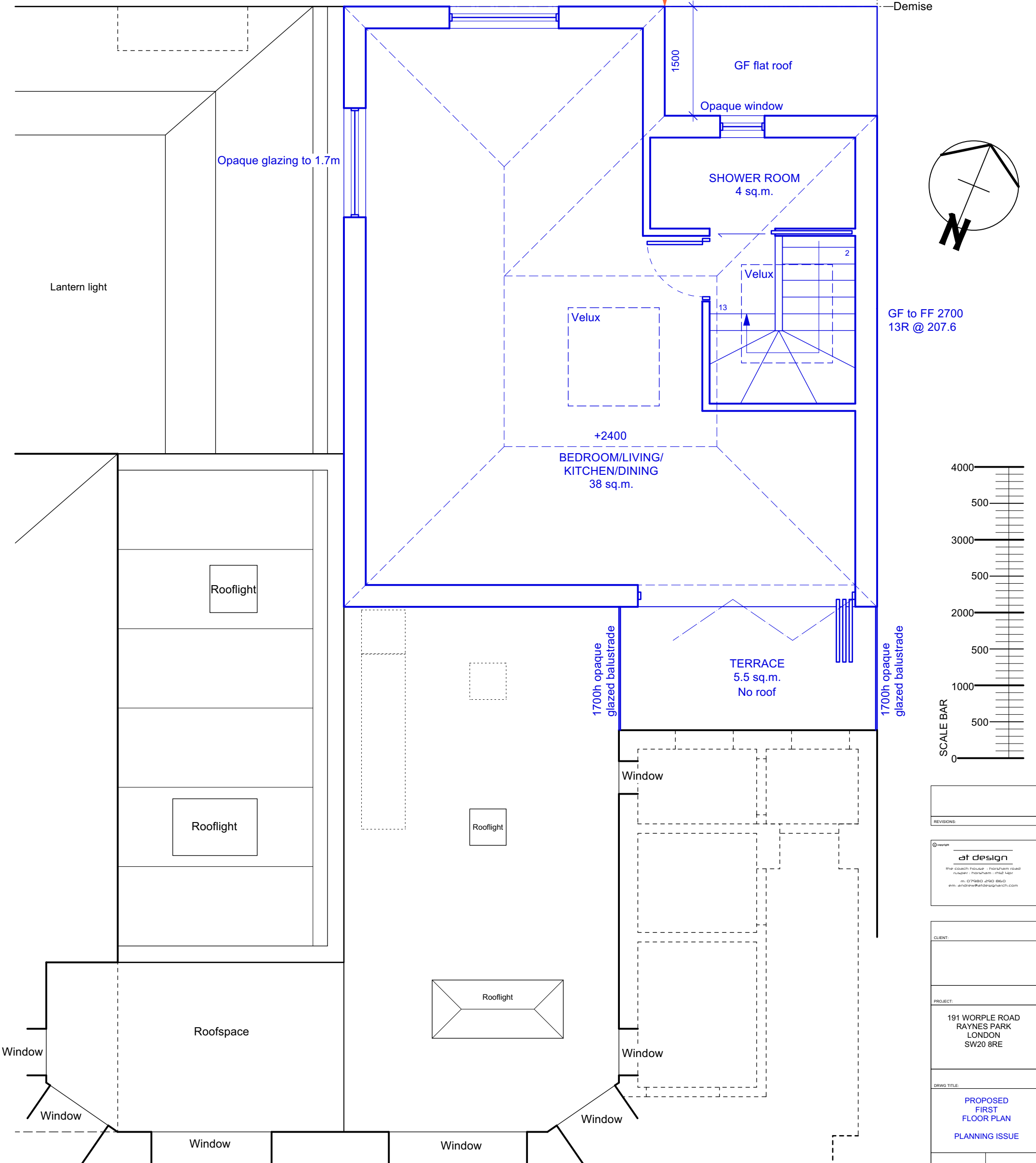
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	REV:
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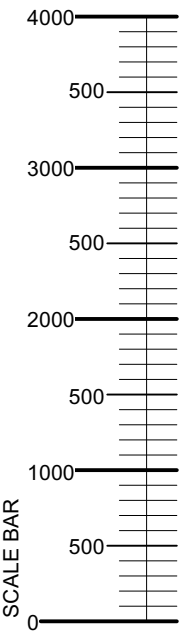
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the work.
The designer must be notified of any discrepancies
in writing.

2 Trewince Road

INTERNAL AREA : 46 SQ.M.
THEREFORE 1B/1P @
46 + 5.5 AMENITY (TERRACE)
TOTAL = 51.5 SQ.M.



GF to FF 2700
13R @ 207.6



REVISIONS:

at design
the coach house - northam road
rusper - northam - mid 44r
m: 07980 400 880
e: andrew@atdesignarch.com

CLIENT:

PROJECT:
191 WORPLE ROAD
RAYNES PARK
LONDON
SW20 8RE

DRWG TITLE:
**PROPOSED
FIRST
FLOOR PLAN**
PLANNING ISSUE

DRWN BY:	SCALE:
	1:50 @ A3
DATE:	DRWG No. REV.
17/01/22	PA/202 B

**PROPOSED
FIRST FLOOR PLAN**

PLANNING APPLICATIONS COMMITTEE 20th October 2022.

CASE OFFICER REPORT

UPRN	APPLICATION NO. 22/P1990	Item No: DATE VALID 28.06.2022
Address/Site	153 Links Road Tooting SW17 9EW	
Ward:	Graveney	
Proposal:	Application for the proposed change of use of a dwelling house to a 7-bed (7 person) House in Multiple Occupation	
Drawing Nos:	Site location plan and drawings LIN-TA-XX-XX-DR-A-301002 P01 & LIN-TA-XX-XX-DR-A-520001 P02	
Contact Officer:	Leigh Harrington (020 8545 3836)	

RECOMMENDATION

Grant planning permission subject to conditions and s106 agreement for permit free.

CHECKLIST INFORMATION.

- Heads of agreement: Permit Free
- 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: 26
- Press notice – No
- Site notice –Yes
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone – Yes, GC
- PTAL Score -2

1. **INTRODUCTION**

- 1.1 The application has been brought before the Committee at the request of Councillor Linda Kirby. The application is subject to a requirement for planning permission because an HMO with more than 6 residents is subject to a requirement for planning permission.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is an end terrace house located on the north side of Links Road at the junction with Jersey Road in Tooting. The property benefits from a rear garage and a hip to gable and rear roof dormer extension.
- 2.2 The site is not located within a conservation area nor is it in anyway listed. The site is located within the GC controlled parking zone and has a public transport accessibility level (PTAL) of 2 (0 being the lowest and 6b being the best).

3. **CURRENT PROPOSAL**

- 3.1 The proposals are for the conversion of the existing C3 Dwellinghouse into a sui Generis 7 resident HMO.
- 3.2 On the ground floor there would be a single occupancy ensuite bedroom to the front with a communal kitchen/dining room and a living room to the rear with access out to the conservatory, communal garden, bike and bin stores.
- 3.3 The first floor would accommodate 4x single bedrooms, two of which would be ensuite.
- 3.4 The roof extensions would accommodate 2 single ensuite bedrooms and a bathroom for the two non-ensuite bedrooms on the first floor.
- 3.5 There are no additions proposed to the building, the only physical exterior changes being a small repositioning of a first floor rear window.

4. **PLANNING HISTORY**

- 4.1 22/P1537 - Application refused for a lawful development certificate in respect of the proposed change of use from C3 (dwellinghouse) to C4 (HMO) and the erection of a single storey rear extension. Reasons for refusal

The proposed level of occupation with 8 bedrooms would exceed the 3-6 occupier threshold as set out in Class C4 (Houses in multiple occupation) of The Town and Country Planning (Use Classes) Order 1987 (As amended). The proposed development would therefore be Sui Generis

(Large Houses in multiple occupation) for which planning permission would be required.

And

The proposed single storey rear extension would not constitute an extension to a dwellinghouse as permitted by Schedule 2, Part 1, Class A (enlargement, improvement or other alteration of a dwellinghouse) of the Town and Country Planning (General Permitted Development (England) order 2015 (as amended). Planning permission would therefore be required.

- 4.2 22/P1279 LAWFUL DEVELOPMENT CERTIFICATE issued IN RESPECT OF THE PROPOSED ERECTION OF A SINGLE STOREY REAR EXTENSION
- 4.3 21/P1096 - THAT THE USE OF GARAGE AT LAND TO THE REAR OF 153 LINKS ROAD AS STORAGE (USE WITHIN CLASS B8) IS LAWFUL FOR PLANNING PURPOSES - Withdrawn
- 4.4 20/P3802 Planning permission granted for the PROPOSED DEMOLITION OF OUTBUILDINGS AND ERECTION OF A REPLACEMENT GARAGE.
- 4.5 06/P0490 CERTIFICATE OF LAWFULNESS issued FOR A PROPOSED REAR ROOF EXTENSION.

5. CONSULTATION

- 5.1. Consultation letters sent to 26 neighbouring properties and site notice posted. No objections were received
- 5.2 The Council's HMO Officer

Based on the information provided below we have no objections as it would meet our requirements/standards.

- 5.3 The Council's Waste services

These would be treated as kerbside waste collection service.

So for the 7x units, the following sets of bins are recommended for a fortnight collection service. Food waste remains a weekly service:

- 2x 240L wheelie bins for general refuse
- 2x 240L wheelie bins for paper/card
- Individual mixed recycling boxes or 1x 240L wheelie bin for mixed recycling
- Individual food caddies

No further concern from waste services”.

6. POLICY CONTEXT

- 6.1 Relevant policies in the London Plan 2021:
 - D3 Optimising site capacity through the design-led approach
 - D6 Housing quality and standards
 - D11 Safety and security
 - D14 Noise
 - H1 Increasing housing supply
 - H6 Housing standards
 - H9 Ensuring the best use of stock
 - T5 Cycling
 - T6.1 Residential parking
 - T4 Assessing and mitigating transport impacts
 - SI 7 Reducing waste and supporting the circular economy

- 6.2 Merton adopted Core Strategy (July 2011):
 - CS2 Mitcham Sub-Area
 - CS8 Housing Choice
 - CS9 Housing Provision
 - CS14 Design
 - CS15 climate change
 - CS17 Refuse
 - CS18 Active transport
 - CS20 Parking, servicing and delivery

- 6.3 Merton adopted Sites and Policies Plan (July 2014):
 - DM H5 Student housing, other housing with shared facilities and bedsits
 - DM D2 Design considerations in all developments
 - DM D3 Alterations and extensions to existing buildings
 - DM EP2 Reducing and mitigating noise
 - DM T1 Support for sustainable transport and active travel
 - DM T2 Transport impacts of development
 - DM T3 Car parking and servicing standards

- 6.4 Other guidance:
 - London Housing SPG - 2016
 - London Character and Context SPG - 2014
 - Accessible London: Achieving an Inclusive Environment – 2014
 - London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2019)
 - Waste and Recycling Storage Requirements, a Guidance note for Architects

7. PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case relate to the impact that the proposed development would have on the existing building, the character of the local area, the impact that it would have on the amenity of neighbouring residents and future occupiers.

7.2 Principle

7.2.1 Policy CS 8 states that the Council will seek the provision of a mix of housing types, sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units, provision for those unable to compete financially in the housing market sector and for those with special needs. Property managed and regulated Houses in Multiple Occupation can offer good quality affordable accommodation to people who cannot afford to buy their own homes and are not eligible for social housing.

7.2.2 Policy H9 of the London Plan notes that HMO accommodation is a strategically important element of London's housing offer although it does acknowledge that it's quality can give rise to concern. In terms of the standard of accommodation for the HMO, this is largely addressed under Licencing requirements as opposed to through the planning system. Members will note within the planning history section of this report that the applicant applied for an 8 bedroom HMO under a lawful development certificate but this was refused. The application before members of the planning committee has been assessed on 7 bedrooms which are single bedrooms in terms of size and therefore designed for 1 occupant per bedroom, so a total of 7 persons. The level of occupancy would be set out in the decision notice and controlled via a planning condition. Should the applicant wish to increase the number of persons within the HMO this would be subject of a separate application and assessed on its own merits.

7.2.3 As a matter of background for members, where HMO applications have been refused elsewhere in the borough this has often been due to the high numbers of occupiers and the impact of so many people living in one property. In this instance the proposed level of occupancy is 7 persons, which is only one greater than would be allowable under permitted development.

7.3 Impact on the existing building.

7.3.1 The proposals do not involve any additions to the existing building. The additional facilities that would be required, namely the cycle storage and refuse facilities, would be accommodated in the rear garden from where there is direct access out to Jersey Road. The changes to the first floor rear fenestration involve blocking up an existing window and replacing it with a window to match the existing such that both windows appear to match. Consequently it is considered that the impact on the appearance of the existing building would be minimal.

7.4 **Impact on the character of the area.**

7.4.1 Policy DM H5 of the Site and Policies (July 2014) aims to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. The policy states that Houses in Multiple Occupation Housing will be supported provided that the following criteria are met:

- i. The proposal will not involve the loss of permanent housing;

Officer comment

The current lawful use of the existing application property is as a single dwelling and the current application involves the use of existing rooms. A house in multiple occupation is a form of permanent housing where occupants have their own bedrooms, have access to shared facilities and take care of their own everyday needs. Paragraph 2.59 in the Supporting text to the policy also states that short stay accommodation is intended for occupancy of less than 90 days. The proposal is therefore, considered acceptable in regard to this criteria.

- ii. The proposal will not compromise the capacity to meet the supply of land for additional self-contained homes;

Officer comment

The current application involves the use of existing building and will therefore not compromise any capacity to meet the supply of land for additional self-contained homes.

- iii. The proposal meets an identified local need;

Officer comment

The Merton Strategic Housing Market Assessment was commissioned by the Council to guide the Council's future housing policies including the adopted Sites and Policies Plan.

The report of the Housing Market Assessment findings advises that "Much of the growth of extra households in both the low and high estimates is expected to be single persons. For the low estimates there is projected to be a rise of 6,900 in number of non-pensioner single person households and 1,900 single pensioners in the period 2006-2026. The high estimates show there are projected to be rises of 7,900 non-pensioner single person households and 2,600 single pensioners". The assessment further advises

that “The implication of this situation for younger person single households is that they create demand for the private rented sector and this in turn drives its growth. Given that the income of many single people is below the threshold for market housing there would be a considerable demand for intermediate affordable housing”. The Housing Market Assessment found that much of the growth of extra households is expected to be single persons. The proposal is therefore considered to meet an identified local need.

- iv. The proposal will not result in an overconcentration of similar uses detrimental to residential character and amenity;

Officer comment

The application site is in an area of predominantly family housing and the submitted proposal for the house in multiple occupation will increase the range of residential accommodation that is available locally. Please note that the Housing Strategy Statistical Appendix (HSSA) 2007 for Merton estimated that only 0.55% of Merton’s population live in communal residences whereas the London average was 1.8%, which means there is a significantly lower concentration of this type of accommodation in Merton compared to the rest of London.

In relation to numbers of registered HMOs in the area there are 25 in SW17, of which this would be the 6th in Links Road but this would only represent around 2.5% of the 265 houses in Links Road. In the CR4 2- - postcode area which covers much of Graveney Ward there are 63 registered HMOs, around 10 of which are in an adjoining ward (Figges Marsh). NB properties are registered by address and not ward but as an approximation there are around 75-80 Registered HMOs in Graveney Ward but smaller HMOs on only two floors do not have to be registered. Officers therefore consider that whilst there are other HMO’s in the surrounding area, the prevailing properties remain either single family dwellings or flats, in this instance, there is no evidence that the conversion of this property into a HMO would result in an overconcentration.

It is noted that Councillor Kirby has raised concerns relating to the cumulative effect of high numbers of HMO premises in the borough and in particular in this ward. Members should note that there is currently a review of HMOs in the borough into whether an Article 4 Direction restricting them under permitted development (3-6 persons) can be justified. If the Article 4 Direction is adopted, this would not completely prevent HMO’s, but would require all HMO’s (regardless of the number of persons) within the affected areas to require full planning permission. The lead officer working of the Article 4 Direction confirmed that if adopted would not come in before next September and be restricted to certain wards within Merton.

Officer therefore consider that the proposal will not result in an overconcentration of similar uses and will not be detrimental to residential character. The impact of amenity is considered later will this assessed further later in this report.

- v. The proposal complies with all relevant standards;

Officer comment

The proposal complies with relevant standards including those set out in the London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2021)

- vi. The proposal is fully integrated into the residential surroundings;

Officer comment

The current application does not include any external alterations other than a small repositioning of a first floor rear window. It is therefore considered that the proposal is fully integrated into the residential surroundings.

- 7.4 The Mayor of London Supplementary Planning Guidance (2016) on housing advises that “Outside London they are sometimes associated with concentrations of particular types of occupier e.g. students, leading to concerns about the social mix of some localities. In London, the occupier profile tends to be more broadly based and HMOs play a particularly important role in supporting labour market flexibility (especially for new entrants), and in reducing pressure on publicly provided affordable housing. However, as elsewhere in the country, their quality can give rise to concern”.

7.5 **The impact on neighbour amenity**

- 7.5.1 SPP Policies DM D2 and DM D3 and London Plan Policy D3 require proposals to ensure that development does not adversely impact on the amenity of nearby residential properties and that people feel comfortable with their surroundings.

- 7.5.1 There have been no neighbour objections to the proposals. There are no physical exterior works proposed and therefore there are not considered to be any concerns in relation to overlooking, loss of light, visual intrusion etc.

- 7.5.2 With seven adults living on site there is the potential for greater levels of noise and activity including later at night than might be the case with a single-family dwelling. However, with 7 residents this would only be 1 more than was allowable under permitted development rights. It is therefore considered that this would not

represent enough of a difference to robustly justify the proposals on the grounds of harm to the amenity of neighbours.

7.6 Standard of accommodation

- 7.6.1 London Plan policy H9 notes that the quality of some HMO properties can be a cause for concern whilst policy D3 requires that developments achieve indoor and outdoor environments that are comfortable and inviting for people to use. As noted above, certain standards of accommodation are addressed through the requirement to Licence an HMO.
- 7.6.2 The HMO Licensing requirements relate to the number and size of shared facilities, internal bedroom size etc. This would not override the requirement for the accommodation to be of a high and well-designed standard. The rooms all exceed the minimum space standards (some bedrooms have ensuite bathrooms), are all of a relatively regular shape which allows for a more efficient use of the space and benefit from acceptable levels of natural light (although room 3B in the roof has limited outlook). In addition, the shared living spaces would include a 21sqm kitchen/dinning area, 12sqm living space, rear conservatory and access to a good sized rear garden area.
- 7.6.3 Merton's HMO guidance document suggests that residents should not have to travel more than one floor to a kitchen, however this does not apply where a living room is provided on the same floor as the kitchen as would be the case with the proposed scheme.
- 7.6.4 The Council's HMO officer has confirmed no objection to the proposal as it would meet our requirements/standards.

7.7 Parking and highway considerations

- 7.7.1 Planning Policy T1 (Strategic approach to transport) of the London Plan 2021 states that the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 7.7.2 Planning Policy DM T2 (Transport impacts of development) of Merton's Sites and Policies Plans seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment.

Car Parking

- 7.7.3 The application site has a low level of accessibility to public transport with a PTAL rating of 2 although the site is located a short distance from a number of bus routes and Tooting Railway Station. The application site is also located in a

Controlled Parking Zone (Zone GC) and as such is located in an area of the borough subject to high parking stress.

- 7.7.3 At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking. The site is within CPZ GC but does not provide any off-street parking spaces for future residents, either for cars or motorcycles/scooters. Given the proposal would likely accommodate a higher number of adult occupiers there will likely be an increase in on-street car parking demand. Consequently, in order to protect parking facilities in the area and to reinforce the Council's drive for reduced levels of car ownership it is recommended that a s106 agreement to make the property permit free is entered into. This can be controlled via a S106 agreement.

Cycle Parking

- 7.7.4 London Plan Policy T5 requires 1 long stay space per 1 bedroom (1 person) dwelling, which means a total of 7 spaces should be provided. It is considered that the proposal would comply with this policy with 7 secure covered cycle spaces provided at the rear of the property.

7.8 **Refuse facilities**

- 7.8.1 London Plan policy D6 states Housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food waste as well as residual waste.

- 7.8.1 The need for adequate levels of refuse facilities can often have a detrimental impact on the appearance of a building when the frontage becomes dominated by large numbers of wheelie bins. In this instance there is scope to store these to the rear ready for kerbside presentation on collection day and waste services raise no objection to the proposed facilities.

8. **ENVIRONMENTAL IMPACT ASSESSMENT**

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

9. **CONCLUSION**

- 9.1 It is considered that the proposed HMO would offer good quality affordable accommodation to people who cannot afford to buy their own homes and are not eligible for social housing. Whilst there are other HMOs in the local area, the prevailing character of the area remains single family houses and flats. It should

also be noted that there is currently a fallback position whereby the property could be converted to a six person small House in Multiple Occupation under permitted development, (without planning permission). The consideration therefore with this application is the impact of having one additional occupant.

- 9.2 One additional occupant is not considered likely to result in such a significant increase in noise and disturbance so as to warrant a refusal of the application. The internal facilities can accommodate the one extra person without a detrimental impact on the amenity of other occupiers and the residential facilities for all the occupiers are considered acceptable.
- 9.3 The proposal involves no additions to the existing building and the refuse and cycle facilities to serve the seven occupiers, which are considered acceptable, can be readily housed out of sight within the back garden and therefore there would be no harm to the appearance of the host building.
- 9.4 As this is a planning application it can be made subject to the development being parking permit free, this is not an option with permitted development. This would ensure the proposal did not have a negative impact on car parking capacity in the CPZ.
- 9.5 In view of these factors and in light of the permitted development rights it is considered that there would be no robust reasons to refuse the application and therefore it is recommended that the proposal be approved subject to conditions and a section 106 agreement.

10. **RECOMMENDATION**

GRANT Planning Permission subject to:

The completion of a Legal Agreement covering the following heads of terms:-

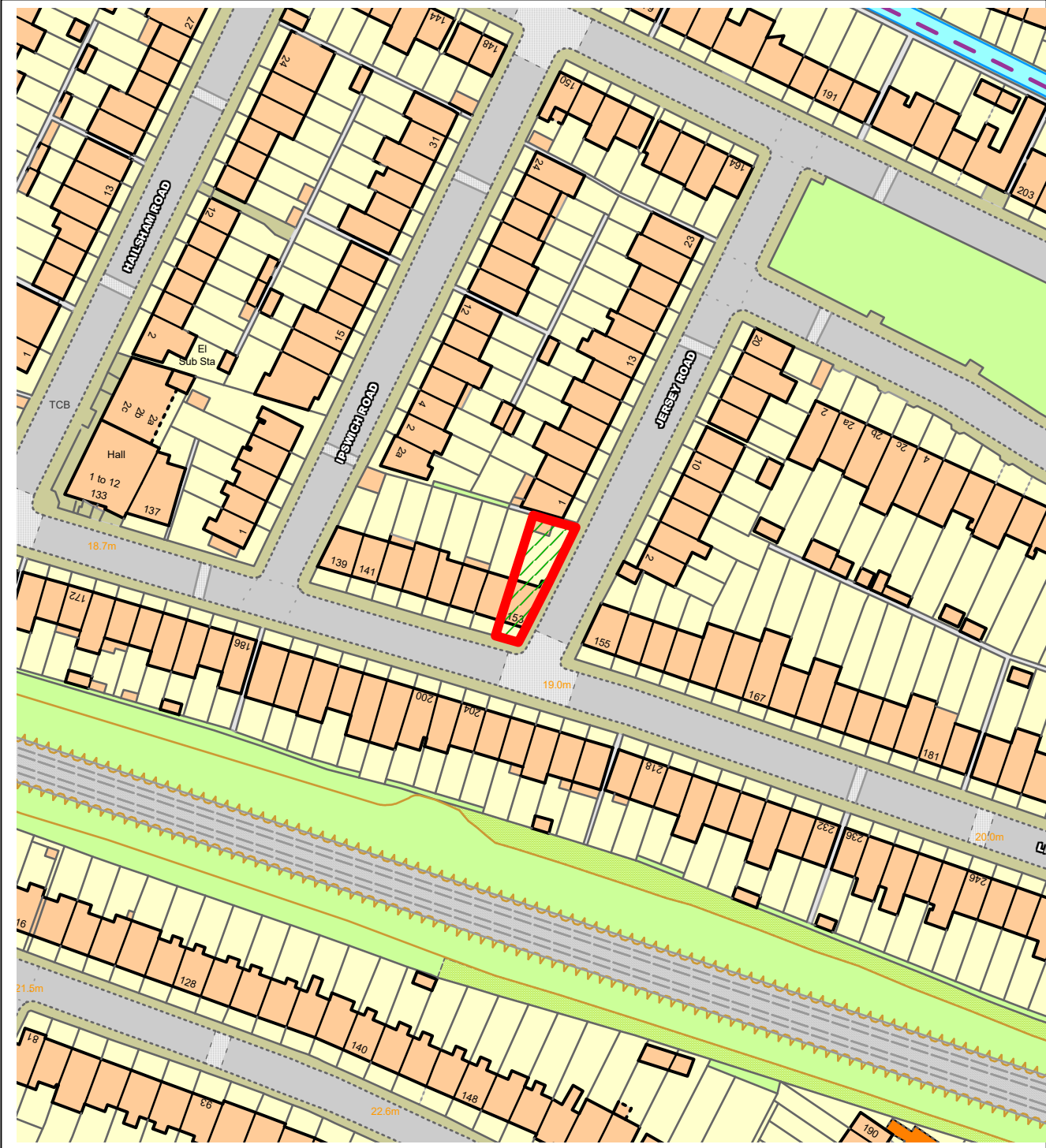
1. Permit free development
2. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And Conditions

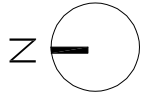
1. A1 Commencement of Development
2. A7 Approved Plans; Site location plan and drawings LIN-TA-XX-XX-DR-A-301002 P01 & LIN-TA-XX-XX-DR-A-520001 P02

3. C07 Refuse & Recycling – The use shall not commence until the refuse facilities shown on the approved plans are available and operational.
4. D11 Construction Times – No demolition, construction or conversion 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.
5. H7 Cycle facilities - The use shall not commence until the refuse facilities shown on the approved plans are available and operational.
6. 7 Person HMO

NORTHGATE SE GIS Print Template



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Covered cycle storage for 7no bicycles accessed from rear garden on Jersey Road

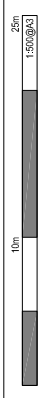
6no wheelle bins including mixed recycling accessed from rear garden on Jersey Road



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P01	22.06.22	ED	RM	FIRST ISSUE

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PROJECT: 153 Links Road
 SW17 3EW
 DATE: 06/22
 DRAWING: Site Plan
 SCALE (B/A): 1 : 500

PROJECT STAGE: **Stage 3**

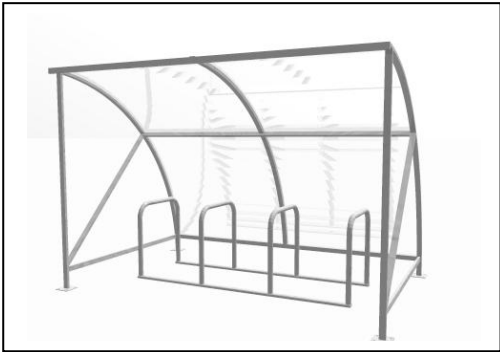
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 DOCUMENT REFERENCE: **LIN-TA-XX-XX-DR-A-301002**
 DRAWING: **P01**



3 D Lee Moor Business Park
Rennington, Alnwick
NE66 3RL

Tel 01665577022
Fax 01665577901

ECO CYCLE SHELTER RANGE



Product Name: Eco Cycle Shelter and Rack

Product Code: USP/ES8/4HR

Size: 3050 mm Long x 2040 mm Wide x 2100 mm High

Description: 8 Cycle Capacity Shelter Complete with Sheffield toast rack

Price: £ 889.00 plus Vat

Total Price including Vat £ 1066.80

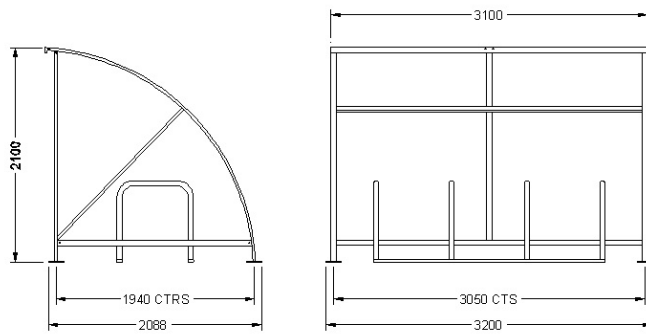
Side Panel option Kit £ 252.00 plus Vat Total for side panel kit including vat £ 302.40

LEAD TIME EX STOCK 4 TO 5 DAYS

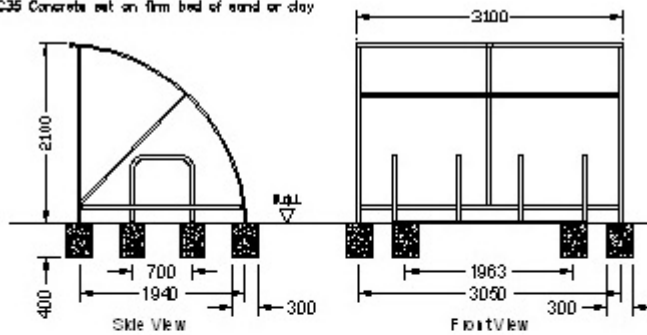
Carriage: Free UK Mainland delivery (other destinations please telephone for a quote)

Product information: The Cycle Shelters are made with a mild steel frame and are Plate Mounted Bolt down. The Eco Cycle Shelter is very easy to assemble and is delivered flat pack. The shelter is lightweight yet robust and being galvanised will give maximum protection from rust for many years. This is a full size shelter and will take up to 10 adult cycles. The assembly is very straight forward. The shelters are available in Galvanised finish only however if you want a painted shelter, simply assemble the frame and paint it to the desired colour (leave it to dry) and then fit the sheeting. To hand paint a shelter will only take about 45 minutes.

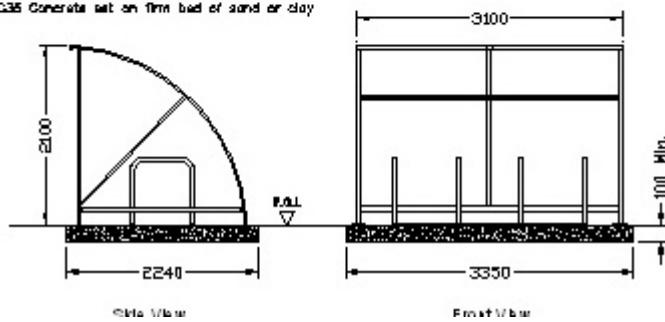
The Cycle Rack is manufactured with 50 mm diameter tube and is also fully galvanised to BS EN ISO 1461:1999. Complete with flanges for bolting directly to suitable ground surface. Easy to fit and supplied as a full section so no assembly other than ground fixing.



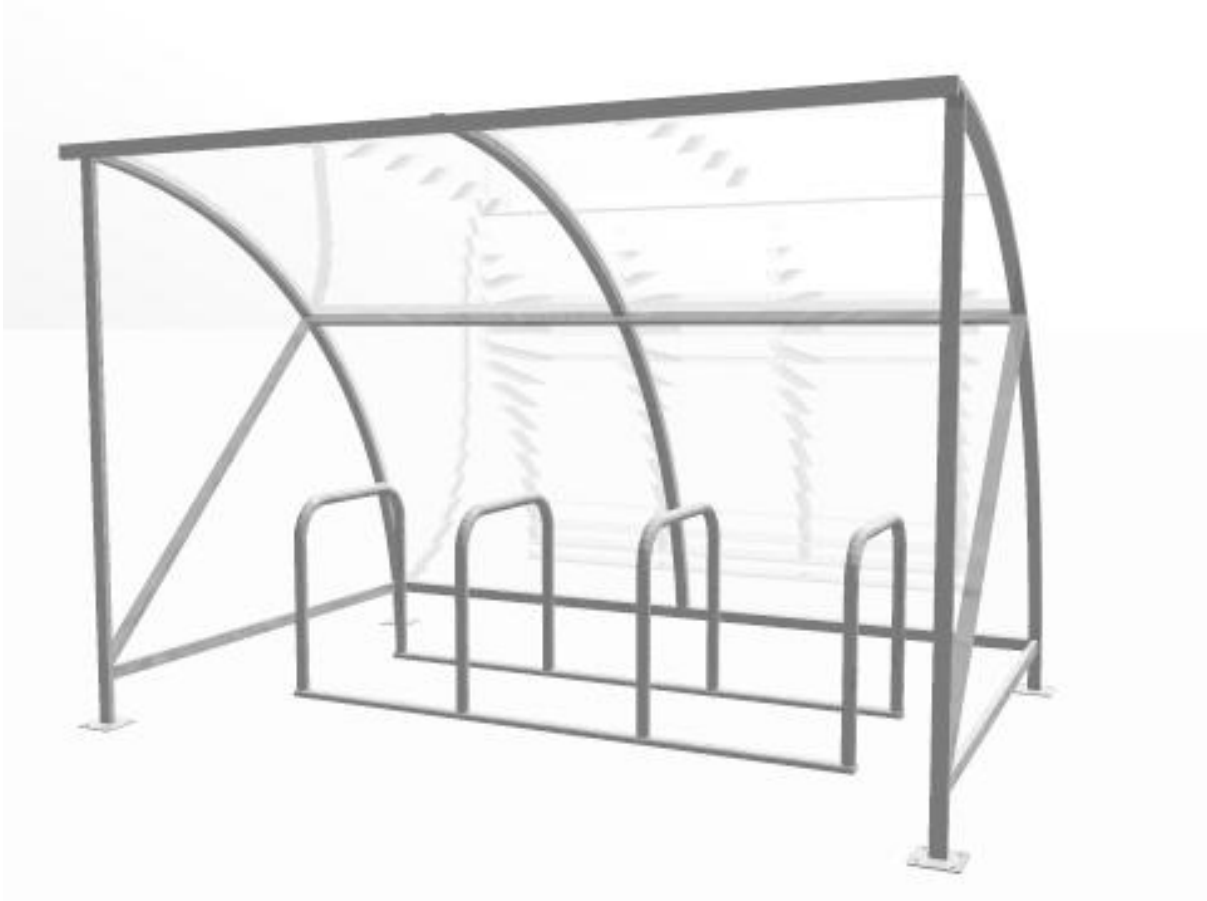
Pads Foundations:
 C35 Concrete set on firm bed of sand or clay



Plinth Foundations:
 C35 Concrete set on firm bed of sand or clay

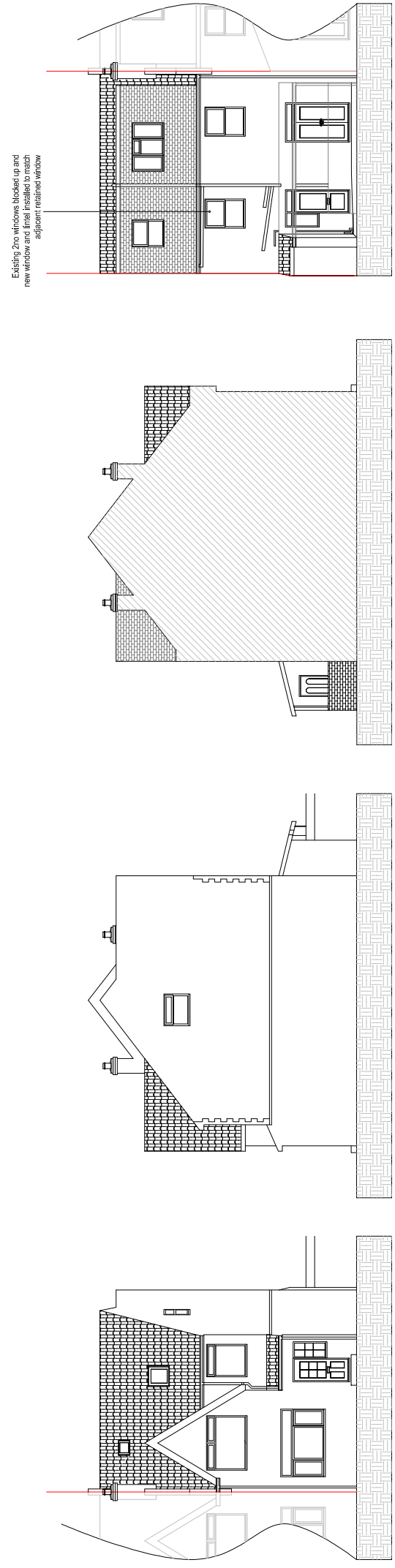


To order this product please telephone 01665577022 or email sales@urbanfab.com. We will need to know the delivery address including post code and how soon you want delivery. The shelter is manufactured in large sections however assembly is a straight forward two person job.



Product Code USP/ES8/4HR





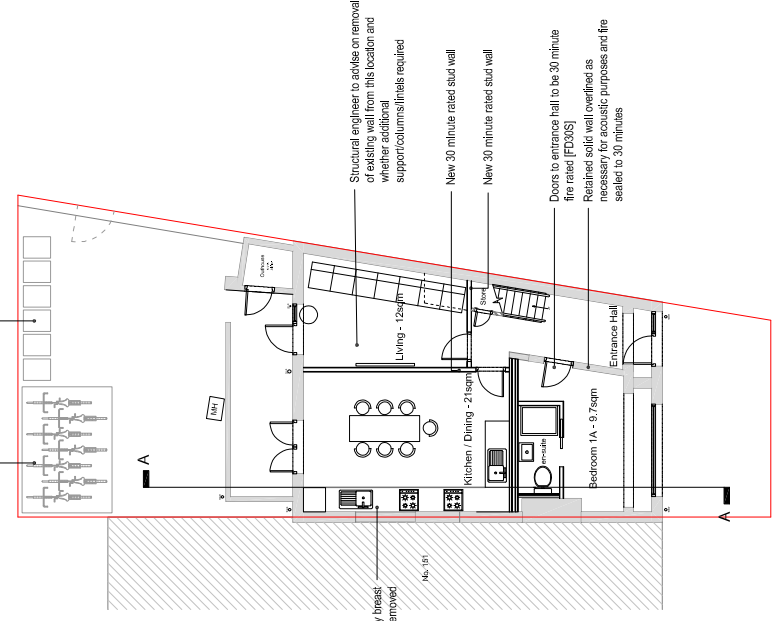
Proposed Front Elevation

Proposed Side Elevation

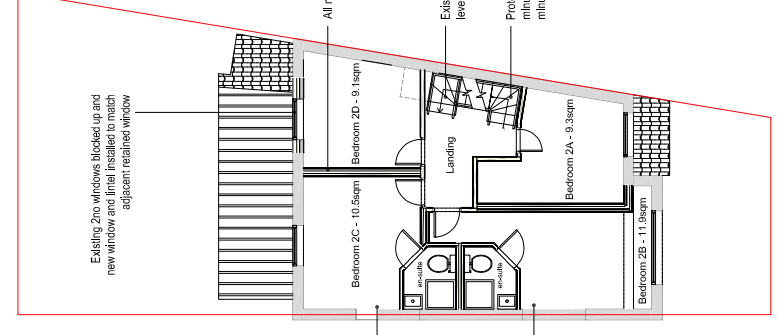
Proposed Side Elevation (from No. 151)

Proposed Rear Elevation

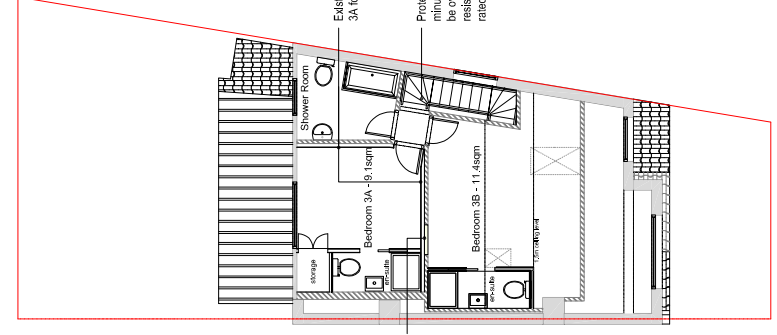
Covered cycle storage for 7no bicycles accessed from rear garden on Jersey Road



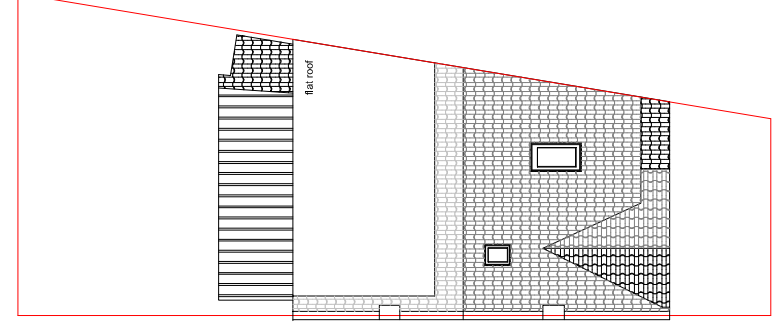
Proposed Ground Floor



Proposed First Floor



Proposed Loft



Proposed Roof

REV	DATE	ISSUED BY	CHKD BY	DESCRIPTION
P02	27.06.22	JA	KM	REISSUED WITH CLIENT AMENDMENTS
P01	17.05.22	JA	KM	ISSUED FOR INFORMATION

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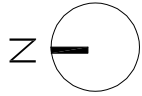
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 33 HIGH HOLBORN, LONDON WC1V 6AX 020 7421 1790 www.trehearne.co.uk

PROJECT: 153 LINKS ROAD RESIDENTIAL L2159
 LOCATION: LONDON SW17 9EW
 DOCUMENT TITLE: PROPOSED GA PLANS
 SCALE (MM): 1:100

PROJECT PHASE: **Stage 2**

FOR INFORMATION ONLY
S2 Suitable for Information

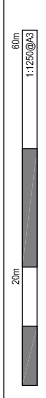
DOCUMENT NUMBER: LIN-TA-XX-XX-DR-A-520001
 DRAWING: P02



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P01	22.06.22			FIRST ISSUE

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PROJECT:
153 Links Road
SW17 3EW
DATE:
06/22
SCALE (A3):
1 : 1250

PROJECT STAGE:
Stage 3

SUBMITTAL CODE DESCRIPTION:
S2 Suitable for Information

DRAWING NUMBER:
P01

DOCUMENT REFERENCE:
LIN-TA-XX-XX-DR-A-301001

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PLANNING APPLICATIONS COMMITTEE
22nd September 2022

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P3808	
Address/Site	225 Streatham Road Streatham London SW16 6NZ	
(Ward)	Graveney	
Proposal:	Demolition of existing single storey buildings (shops and garage/workshop) and erection of a steel frame single storey structure for use as motor repairs (class B2), provision of hand car wash business (Sui Generis) and car sales (Sui Generis)	
Drawing Nos:	Site drainage plans x 2 by BIM Architectural Services 2021, Existing site drainage document by BIM Architectural Services 2021, Existing site plan, New Temporary Structure drawing, NOISE IMPACT ASSESSMENT Report 17500-NIA-01-RevB Prepared on 24 August 2022 amended 25th May 2022, Proposed elevations, Proposed site plan amended 28th July 2022, Site location plan, Swept Path Analysis amended 7th August 2022 and Transport Statement amended 24th May 2022. (Drawings are not individually numbered but the job reference on all drawings is: Ag/21/10/FP/Ex)	
Contact Officer:	Tim Lipscomb (0208 545 3496)	

RECOMMENDATION

Refuse permisison.

CHECKLIST INFORMATION

- Heads of Agreement: n/a
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 170
- External consultations: No
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (Zone GC1)
- Green corridor – Yes (bordering the site to the south)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the south)
- PTAL 2

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is located at 225 – 231 Streatham Road and 1 The Bungalows. Along the northern boundary, the site has a frontage to Ridge Road, a residential cul-de-sac; along the western boundary, the site has a frontage to Streatham Road, a main arterial route; and along the southern boundary the site is bordered by railway tracks and associated buffer/embankment land. Streatham Road at the location of the site reduces in height as the road goes under the railway bridge. The site is roughly triangular in shape, coming to an elongated point where the railway land intersects Streatham Road. The site has an area of 975sq.m (0.0975ha). The site has a public transport access level of 3 (1 being poor and 6 being excellent).
- 2.2 The site is currently occupied by a parade of 4 single storey shops and a garage/workshop (225 – 231 Streatham Road) which front Streatham Road along with a single storey building (1 The Bungalows) that fronts The Bungalows. The remainder of the site is hardstanding and has been used for a variety of purposes including storage of plant and vehicles along with mechanical repairs (Use Class B8/Sui Generis). No. 1 The Bungalows has been associated with this use and has been used as an office and for storage. The B8/Sui Generis use does not appear to have been authorised, albeit it has become lawful for planning purposes through the passage of time (continued use for over 10 years). The site has a vehicle access from the Bungalows, near its junction with Streatham Road.

- 2.3 The site was operating as a hand car wash and motor repair business, up until the last few months when the planning Enforcement Team issued a Stop Notice. A metal garage, workshop building, and canopy have been erected. 2m high palisade fencing encloses the site. Cars have been sold at the site recently also as part of this use. The existing use is unauthorised and is the subject of a planning enforcement investigation. This application seeks to regularise the existing unauthorised use.
- 2.4 The site has approximately 40m of frontage along Streatham Road and 19m of frontage along The Bungalows. Immediately to the south is an elevated railway line which is a designated 'green corridor' and 'site of importance for nature conservation' (SINC). There is a railway bridge bordering the southwest corner of the site where the railway crosses Streatham Road. Immediately to the east of the site is a residential property occupied by a bungalow (No.2 The Bungalows).
- 2.5 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. The Bungalows is a residential cul-de-sac which is characterised by a mixture of bungalows and two storey dwellings with pitched roofs. To the north of the site are two storey dwellings with high pitched roofs, the equivalent height of a three storey building. To the immediate west are two storey dwellings with pitched roofs. Immediately to the east are single storey dwellings, beyond which are two storey dwellings with pitched roofs. Beyond the railway bridge to the south are three storey buildings with pitched roofs, buildings of this scale are present on both sides of Streatham Road.
- 2.6 Immediately to the south of the railway bridge is 223 Streatham Road, a former industrial site, now demolished with a residential flatted scheme on the site.
- 2.7 The site is not located within a Conservation Area and is within Flood Zone 1 (low risk of flooding).
3. **PROPOSAL**
- 3.1 The proposal is for the use of the site as a hand car wash, motor repairs garage, tyre sales and fitting and motor sales.
- 3.2 In terms of built form, a three bay workshop building is proposed towards the southern boundary of the site. 6 car parking spaces (one of which would be a Blue Badge holders space) are proposed to the eastern boundary, to serve the motor repair garage.
- 3.3 The south-eastern most corner of the site would be used to store cars for sale – up to 6 cars are indicatively shown on the submitted drawings. The 3D rendering of the site layout shows the workshop building and the proposed canopy but the canopy is not shown on the site layout drawings (the canopy is, however, shown on the elevation drawings).

- 3.4 4 car parking spaces are proposed for cars waiting to be washed, with two washing bay spaces. A further unmarked parking area for approximately 3 cars would be provided adjacent to the north-west boundary, beneath the proposed canopy. This area would be used for cars awaiting pick up following tyre fitting or servicing works.
- 3.5 All vehicles would enter the site from Streatham Road and then exit via The Bungalows.
- 3.6 The site plans sets out that the garage workshop building is temporary in its construction (however, the application is for a permanent planning permission). An enclosed canopy forms the boundary with Streatham Road, with the only opening being the vehicular entrance to the site.
- 3.7 Three water butts are proposed around the site.
- 3.8 A Silt Trap with Metal Grille over, which collects any residue below, is proposed. Any overflow goes to Foul Drain at Manhole.
- 3.9 The submitted noise impact assessment sets out that there would be a 3m high acoustic barrier to the perimeter of the site.
- 3.10 The application is accompanied by a Design and Access Statement, drainage information, noise impact assessment, swept path analysis and Transport Statement.

4. PLANNING HISTORY

- 4.1 89/P1195: Continued use for display and sale of motor vehicles with ancillary office – Refused.
Reasons for refusal:
- The proposal represents an unneighbourly form of development which is detrimental to the amenities of local residents by reason of general disturbance and visual intrusion in the street scene, contrary to Policy E.30 of the Draft Reviewed Borough Plan.
 - The proposal is leading to an increase in on-street parking to the detriment of the safety and convenience of pedestrians and highway users contrary to Policies M.13 and M.18 of the Draft Revised Merton Borough Plan.
- 4.2 99/P1943: Continued use of the site for the following purposes;
- A) Parking and storage of vehicles, plant and equipment associated with a concrete pumping business.
 - B) Parking and storage of vehicles, plant and materials associated with a construction site clearance landscaping business.
 - C) Retention of a portacabin for storage of tools and spare parts – Refused.
- Reasons for refusal:
The use represents an unneighbourly form of development detrimental to the amenities of neighbouring residents through general disturbance caused by increased vehicular activity associated with the uses, visual intrusion, increased demand for on-street vehicle parking within The Bungalows, and obstruction of

the public highway, detrimental to highway safety and residential amenity, contrary to policies W.8, M.12 and M.29 of the Adopted Unitary Development Plan (April 1996) and policies E.11, PE.3 and PK.3 of the Deposit Draft Unitary Development Plan (September 1999).

- 4.3 99/P1945: Application for a certificate of lawfulness in respect of the existing use for vehicle maintenance and repairs and storage of skips and other machinery – Refused.
Reason for refusal: The Existing Use began less than 10 years and therefore requires planning permission.
- 4.4 01/P0533: Application for a certificate of lawfulness in respect of the existing use for servicing and repair of cars, vans and lorries – Refused.
Reason for refusal: The use of the site currently taking place is not solely the use the subject of the Application for the Lawful Development Certificate. As a consequence a number of elements of the said use began less than 10 years prior to the date of the Application.
- 4.5 16/P3598 - Demolition of existing single storey buildings on site, comprising retail, a workshop, and a storage yard with associated office, and redevelopment of the site to provide a part three, part four and part five storey mixed-use building, comprising retail use at ground floor and 25 residential units above. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 23-06-2017.
- 4.6 17/P3632 - APPLICATION FOR DISCHARGE OF CONDITION 22 PART 1 (Contamination remediation strategy) ATTACHED TO APPLICATION 16/P3598 RELATING TO THE Demolition of existing single storey buildings on site, comprising retail, a workshop, and a storage yard with associated office, and redevelopment of the site to provide a part three, part four and part five storey mixed-use building, comprising retail use at ground floor and 25 residential units above. N.B: Parts 2 and 3 of condition 22 require separate discharge. Partial Grant Discharge of Condition 17-11-2017.
- 4.7 19/P0866 - DEMOLITION OF EXISTING SINGLE STOREY BUILDINGS AND ERECTION OF A PART THREE, PART FOUR, PART FIVE AND PART SIX STOREY MIXED USE BUILDING COMPRISING RETAIL (CLASS A1) ON GROUND FLOOR AND 28 x RESIDENTIAL UNITS ABOVE. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 20-04-2020

5. **POLICY CONSIDERATIONS**

5.1 **POLICY CONTEXT**

- 5.2 National Planning Policy Framework (2021)
2. Achieving sustainable development
 4. Decision-making
 6. Building a strong, competitive economy
 8. Promoting healthy and safe communities
 9. Promoting sustainable transport

- 11. Making effective use of land
 - 12. Achieving well-designed places
 - 14. Meeting the challenge of climate change, flooding and coastal change
- 5.3 London Plan (2021)
- D1 London's form, character and capacity for growth
 - D2 Infrastructure requirements for sustainable densities
 - D3 Optimising site capacity through the design-led approach
 - D4 Delivering good design
 - D5 Inclusive design
 - D11 Safety, security and resilience to emergency
 - D12 Fire safety
 - D13 Agent of Change
 - D14 Noise
 - E2 Providing suitable business space
 - E11 Skills and opportunities for all
 - G1 Green infrastructure
 - G4 Open Space
 - G5 Urban greening
 - G6 Biodiversity and access to nature
 - SI 1 Improving air quality
 - SI 5 Water infrastructure
 - SI 7 Reducing waste and supporting the circular economy
 - SI 8 Waste capacity and net waste self-sufficiency
 - SI 10 Aggregates
 - SI 12 Flood risk management
 - SI 13 Sustainable drainage
 - T3 Transport capacity, connectivity and safeguarding
 - T4 Assessing and mitigating transport impacts
 - T5 Cycling
 - T6 Car parking
 - T7 Deliveries, servicing and construction
- 5.4 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)
- 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 20 Parking servicing and delivery
- 5.5 Merton Sites and Policies Plan – 2014 (SPP)
- DM E4 Local employment opportunities
 - DM EP2 Reducing and mitigating noise
 - DM EP3 Allowable solutions
 - DM EP4 Pollutants
 - DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure

DM O2 Nature conservation, Trees, hedges and landscape features
DM D2 Design considerations
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards

- 5.6 Supplementary planning considerations
National Design Guide – October 2019
London Environment Strategy - 2018
Mayor's Air Quality Strategy - 2010
LB Merton – Air quality action plan - 2018-2023.
LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018

6. **CONSULTATION**

- 6.1 Press Notice, Standard 21-day site notice procedure and individual letters to 170 neighbouring occupiers. 37 representations have been received, raising objection on the following grounds:

- Noise impact
- Fails to provide housing
- Low quality development
- Unsightly appearance, industrial appearance – not in keeping with the area.
- Environmental concerns from water and chemicals entering the drainage system and local area.
- Air quality impact – no air quality report submitted.
- Traffic and congestion increase/highway danger
- Road safety concerns
- Parking in the area is limited and this would exacerbate the impact.
- The buildings have been constructed and signs erected without planning permission.
- A car wash is not needed, there are plenty nearby.
- Legal covenants prevent the erection of buildings on the land
- Owners have damaged water mains when erecting the fencing.
- Suggestion of potential illegal activities.
- Query whether site address is correct.
- Planning permission should not be granted retrospectively.

- 6.2 Following the submission of additional information relating to noise and transport impacts, a further 10 objections have been received, making a total of 47. The objections raise the same concerns as those listed above.

- 6.3 One of the representations received expressed support in for the development for the following reasons:

- Small scale commercial use is suitable and would be an improvement to the site.
- The provision of further residential uses would add pressure to local infrastructure and services.

6.4 Internal consultees:

6.5 LBM Environmental Health Officer (contaminated land):

With regards contaminated-land we recommend three conditions, the first two, subject to prior agreement:

- 1) No development shall occur until a preliminary risk-assessment is submitted to the approval of the LPA. Then an investigation conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.
- 2) No development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, and shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.
- 3) Prior to first occupation, the remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

6.6 LBM Environmental Health Officer (noise) (updated comments following the submission of additional information 25/08/2022):

Further to your consultation in relation to the above planning application and having considered the additional information submitted, should you be minded to approve the application then I would recommend the following planning conditions:-

- 1) The noise criteria and mitigation within the Noise Impact Assessment Report 17500-NIA-01-RevB Prepared on 24 August 2022 by Clement Acoustics shall be implemented to that standard or higher.
- 2) No mechanical jet wash equipment or similar for the purpose of washing vehicles shall be used at the premises at any time.

- 3) No development shall take place until a Construction Environmental 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 and monitoring 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.

6.7 LBM Environmental Health Officer (noise) (Original comments 09/02/2022):

The acoustic report seems to relate to a previous development for residential/commercial, which states '*The development will provide a mixed-use scheme comprising 28 residential apartments on the first to fifth floor and 315m2 of retail/commercial space on the ground floor level.*' This does not deal with the noise associated with proposed use of the site in this application. I would require further details in the report which are more specific to the end use and plant/equipment used at the site together with the likely impact on local residents.

I do not support the application until additional information regarding the emission and control of noise from the end use of the development is assessed.

6.8 LBM Highway Officer:

H9, INF9 and INF12 Highways must be contacted prior to any works to ensure all relevant highway licenses are in place

6.9 LBM Transport Officer (updated comments following the submission of additional information 25/08/2022):

Proposal

The proposal is for the use of the site as a hand car wash, motor repairs garage, tyre sales and fitting and motor sales.

The site is currently operating as a hand car wash and motor repair business.

This application seeks to regularise the existing unauthorised use and erection of new buildings.

Location

The application site is accessed via A216 Streatham Road, which is a single carriageway road running on a north/south alignment from the A23 Streatham High Road to the A217 London Road.

Streatham Road is approximately 11 metres wide in the vicinity of the site and is subject to a 30 mph speed limit.

There are double yellow lines present on both sides of the carriageway with two sections of on-street parking bays provided on the site frontage, either side of a vehicular access protected by double yellow lines. There are no loading restrictions in place on the development site frontage.

PTAL

The site lies within an area PTAL 2 which is considered to be poor. A poor PTAL rating suggests that only a few journeys could be conveniently made by public transport.

CPZ

The site is located within zone GC1 of the local Controlled Parking Zone (CPZ) which operates from 08:30 to 18:30 hours Monday to Friday, with Pay and Display.

Within the CPZ the surrounding area has a mixture of Pay and Display only and resident permit holder parking bays. To the north and west is the GC CPZ and to the south-west the GC2 CPZ that was implemented in July 2018.

Internal layout

The layout indicates two vehicular accesses to service the proposal. One off Streatham Road and the second from an existing access on The Bungalows near to the main Streatham Road.

A three bay workshop building is located towards the southern boundary of the site. 6 car parking spaces (one of which would be a Blue Badge holders space) are located to the eastern boundary, to serve the motor repair garage.

The south-eastern most corner of the site would be used to store cars for sale – up to 6 cars are indicatively shown on the submitted drawings.

4 car parking spaces are proposed for cars waiting to be washed, with two washing bay spaces. A further unmarked parking area for approximately 3 cars would be provided adjacent to the north-west boundary, beneath the proposed canopy. This area would be used for cars awaiting pick up following tyre fitting or servicing works.

Internal layout to be one way operation with all vehicles entering the site from Streatham Road and exit via The Bungalows.

Swept path analysis showing the one way operation of vehicle movement is acceptable.

Cycle Parking

The proposal would require minimum 3 cycle spaces for the staff (secure & undercover)

Recommendation: Raise no objection subject to:

- All vehicles to enter the site from Streatham Road and exiting via The Bungalows. (one way internal operation)
- Cycle Parking: 3 cycle spaces (secure & undercover).

6.10 LBM Transport Officer (Original comments 01/03/2022):

Proposal

The proposed development would involve proposed change of use from E to B2 (General Industrial) for use as a Hand Car Wash, Motor repairs, Tyre Sales and Car Sales

Location

The site is bounded by Kingston Road to the north, Rutlish Road to the east and the Tram lines to the west. Kingston Road forms part of the Strategic Road Network (SRN) for which TfL is the traffic authority.

The site has a vehicle access from The Bungalows, near its junction with Streatham Road (A216).

CPZ

The local area forms part of Controlled Parking Zone GC1. Restrictions are enforced from Monday to Friday between 8:30 am and 6.30 pm with a maximum stay of 2 hours for pay and display customers.

Transport Statement

The transport statement submitted relates to an earlier scheme and is not relevant to the current proposal.

Layout

The layout indicates two vehicular accesses to service the proposal. One off Streatham Road and the second from an existing access on The Bungalows near to the main Streatham Road.

Entrance to car wash is taken off streatham road using existing dropped kerb.

The second access will be used by all other vehicles including those who have used car wash services.

Second access will also be used by other service vehicles such as heavy goods vehicles delivering tyres and car carrying transporter trailers.

There will be a severe impact at this exit for those vehicles leaving the site and those on Streatham Road waiting to get into the site.

HGV's and large car transporters will be unable turn into to the site due to the restricted geometry of the Streatham Road with The Bungalows.

Cycle Parking

The proposal does not provide cycle parking for the staff in accordance with the London Plan cycle parking standards.

Recommendation: Refuse

The increased use of the existing access on to The Bungalows with the generation of additional conflicting traffic movements, resulting from the proposed development, would be prejudicial to road safety.

6.11 LBM Flood Risk Engineer:

I have reviewed this application and have no objections on flood risk grounds.

With regards to drainage, the scheme must be implemented in accordance with the drainage layout and must comply with the drainage notes submitted here:

https://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000116000/1000116531/21P3808_Drainage%20Notes.pdf

All drainage must be connected and discharged to the foul sewer network and not surface water.

Thames Water should be consulted on the planning application. Please include the following condition/informative.

Condition:

Prior to the commencement of development, a detailed final scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority.

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.

Informative:

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).

No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

6.12 Thames Water

No response received.

7. **PLANNING CONSIDERATIONS**

7.1 Key Issues for consideration

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

- Principle of development
 - Planning history background
 - Housing Need & Optimising the Site
 - Site Condition
 - Policy
 - PTAL Score
 - Proposed Use
 - Principle on principle of development
- Design and impact upon the character and appearance of the area
- Impact on neighbouring amenity
- Transport, highway network, parking and sustainable travel
- Air quality and potentially contaminated land
- Flooding and site drainage
- Response to issues raised in objection letters

7.2 Principle of development

7.2.1 S.38 (6) of the Planning and Compulsory Purchase Act 2004, which essentially requires that a determination made under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

7.2.2 The site has historically been used as an employment site and would amount to a 'scattered employment site' for the purposes of Policy DM E3. Generally, the policy seeks to resist the loss of employment sites. Therefore, the use for a car repair, tyre fitting and car wash would be acceptable in principle on this site.

7.3 Planning history background

7.3.1 Planning permission has been granted under application ref.19/P0866 for the erection of a part three, part four, part five and part six storey mixed use building comprising retail (Class A1) on the ground floor and 28 x Residential units above. The permission has not been implemented (it expires on 20th April 2023).

7.3.2 The current planning application was reported to the planning applications committee on 17th March 2022, with an officer recommendation for refusal, as insufficient information relating to transport impacts and noise impacts had been provided. Members took the view that the applicant should be offered the opportunity to provide additional information in order to overcome the concerns raised. As such, Officers have liaised with the agent and a formal noise assessment and 'swept path analysis' drawings have been provided. The Environmental health Officer and Transport Planner raise no objection, subject to conditions, and accordingly, the officer recommendation no longer includes these as reasons for recommended refusal.

7.4 Optimising the Site

7.4.1 Policy GG2 of the London Plan requires those involved in planning and development to enable the development of brownfield land such as the application site. It also requires the proactive exploration of the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development.

7.4.2 London Plan policy D3, Optimising site capacity through the design-led approach, sets out that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

7.4.3 London Plan, Policy D6 sets out that:

“Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context
2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
3. the capacity of surrounding infrastructure”

7.4.4 In terms of site optimization, the NPPF sets out at para 130.

“Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

7.4.5 At a regional level, Policy D3 of the London Plan states:

“The design-led approach

All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site’s context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D.

7.4.6 In supporting text para 3.3.1 “For London to accommodate the growth identified in this Plan in an inclusive and responsible way every new development needs to make the most efficient use of land by optimising site capacity. This means ensuring the development’s form is the most appropriate for the site and land uses meet identified needs. The optimum capacity for a site does not mean the maximum capacity; it may be that a lower density development – such as gypsy and traveller pitches – is the optimum development for the site.”

7.4.7 In relation to the delivery of housing, Policy H1 of the London Plan sets out:

2) optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:

a) sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary

b) mixed-use redevelopment of car parks and low-density retail parks and supermarkets

c) housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses

d) the redevelopment of surplus utilities and public sector owned sites

e) small sites (see Policy H2 Small sites)

f) industrial sites that have been identified through the processes set out in Policy E4 Land for industry, logistics and services to support”

7.4.8 The National Planning Policy Framework 2021, London Plan 2021 and the Council’s Core Strategy Policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types dwellings at locations with good public transport accessibility.

Site Condition

7.4.9 The agent has set out that “the site had fallen into disrepair and parts were unsafe and it recently was attracting a very unsociable group that were squatting there or carrying out the dealing of drugs.

7.4.10 Officers note that the site has been in various states over the last few years with illegal fly-tipping and anti-social behaviour occurring. The use of the site for a commercial business, with suitable fencing will assist in reducing this issue.

Policy

7.4.11 The site is not allocated for residential use in the Development Plan. Whilst the site is considered as a small site, which could deliver housing, there is no adopted policy allocation for housing on the site or legal mechanism for the extant permission to be implemented.

PTAL Score

7.4.12 In relation to the delivery of housing, Policy H1 of the London Plan sets out:

2) optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:

a) sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary

7.4.13 The site has a PTAL score of 2 and is not within 800m of a station or town centre boundary and therefore this site does not have the characteristics identified in Policy H1 and thus it is considered there would be no justification for refusal due to housing not being included within the proposal.

Proposed Use

7.4.14 The agent has confirmed that the structures on site are temporary in nature and could be removed should the residential scheme be implemented in the future. However, it is noted that the application is not for a temporary planning permission. Therefore, Members should consider the application on the basis of that it is submitted as permanent planning permission and not time limited.

Conclusion on principle of development

7.4.15 Officers acknowledge that the site has the potential to deliver new housing in the future which would be fully supported and welcomed, however each site must be considered on its own merits, its context and planning policy. In this instance, the site is not an allocated site for residential in the Local Plan, the site remains commercial, there is no legal requirement for planning permission 19/P0866 for housing to be implemented and the site has relevantly poor access to public transport with a low PTAL score of 2.

7.4.16 It is noted that planning permission has been granted for a mixed use scheme on the site which involves the provision of residential units. Whilst the provision of residential units meets a specific need in Merton, officer conclude that the application could not reasonably be refused on the basis of a failure to optimise the site to include residential uses. The site is not allocated in any site allocation document to be used for residential purposes and it has a low PTAL. Therefore, whilst the provision of a mixed use scheme is welcomed, it is considered that insufficient justification exists to refuse the application on the basis of failing to optimise the site.

7.4.17 As set above, the land had fallen into disrepair, parts are unsafe and overall the plot detracts from the character of the area. Due to the brown field nature of the centre of the site, it's redevelopment is therefore desirable and accords with London Plan 2021 Policy GG2. The proposal will include the creation of jobs and thus accords with Policy DM E3. For these reasons, the principle of development is considered in accordance with Policy and acceptable.

7.5 Design and impact upon the character and appearance of the area

7.5.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan (2021), in Policy D1-D5. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

7.5.2 Policy DM D2 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 these SPP Policies.

- 7.5.3 The proposed buildings are not of a high architectural quality, however, they are suitable for the intended purpose and the modest size buildings would not have an adverse impact on the character of the area. However, the building is not considered to be the main visual feature of the proposed development.
- 7.5.4 The development will be a large hard surfaced area with no landscaping proposed such as trees, grassed areas or SUDs. As this is not a temporary permission this is not considered acceptable to completely miss any opportunity for visual enhancement and biodiversity net gain.
- 7.5.5 To make the development acceptable in terms of residential amenity specifically noise, a 3m acoustic fence is proposed around the site's perimeter bar the access and egress points. The entire development will therefore visually turn its back to the surrounding area. The visual impact of a solid 3m fence to Stratham Road and The Bungalows, which creates no interaction or variation to these street scenes is considered to create a moderate to high negative visual impact.
- 7.5.6 For the reasons detailed above the proposed developments' impact to visual amenity of the public realm is considered unacceptable and conflicts with London Plan Policies (2021) Policy D1-D5 and Policy DM D2 together with the requirements of the NPPF 2021.

7.6 Impact on neighbouring amenity

- 7.6.1 Planning policy CS policy 14 of Merton's Core Planning Strategy and policy DM D2 of Merton's Sites and Policies Plan seek to ensure new developments do not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties.
- 7.6.2 Planning policy DM D2 (Design considerations in all developments) states that amongst other planning considerations that proposals will be expected to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens.
- 7.6.3 Planning policy DM EP2 (Reducing and mitigating noise) Merton's Sites and Policies Plan seeks to ensure that that development is sustainable and managed to minimise its impact on the local environment and residential amenity. Development which would have a significant effect on existing or future occupiers or the local amenity due to noise or vibration will not be permitted unless the potential noise problems can be overcome by suitable mitigation measures.
- 7.6.4 The proposed use, as a motor repair business, tyre fitting service, car sales and car wash has the potential to adversely impact on neighbouring amenity, primarily by way of noise as the bulk and massing of the building themselves is not objectionable.

7.6.5 Initially Officers raised concern in that the application had provided insufficient detail to demonstrate that the impact on neighbouring amenity would be acceptable. No details of likely noise levels, mitigation, hours of operation or any other restrictions or management measures were set out. Therefore, officers had concluded that the applicant has failed to demonstrate that the impact on residential amenity would be acceptable.

7.6.6 Following the committee meeting of 17th March 2022, the applicant has provided a formal noise impact assessment. The assessment sets out:

- Noisy operations will only take place between the hours of 08:00 and 18:00
- The noise emissions data for the proposed activities as obtained from measurements undertaken at a similar premises.
- Source and receiver locations are as established in this report and marked on the attached site plan
- Mitigation is applied as recommended in this report, in the form of upgraded acoustic screening around the perimeter of the site.

The proposed development now includes an acoustic barrier of 3m in height around the perimeter of the site.

7.6.7 The submitted noise impact assessment takes into account the relevant noise receptors close to the site. The Council's Environmental Health Officer has reviewed the report and mitigation measures proposed. These mitigation measures can be secured by way of condition, as recommended by the Council's Environmental Health Officer.

7.6.8 Subject to condition, officers consider that the impact of noise on nearby properties would be sufficiently mitigated and the overall impact would not be materially harmful.

7.7 Transport, highway network, parking and sustainable travel

7.7.1 Policies DMT1-T3 of the London Plan seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking. Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

7.7.2 Planning Policy T5 (Cycling) of the London Plan 2021 states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.

7.7.3 The site has a vehicle access from The Bungalows, near its junction with Streatham Road (A216).

7.7.4 The local area forms part of Controlled Parking Zone GC1. Restrictions are enforced from Monday to Friday between 8:30 am and 6.30 pm with a maximum stay of 2 hours for pay and display customers.

- 7.7.5 The layout indicates two vehicular accesses to service the proposal. One off Streatham Road and the second from an existing access on The Bungalows near to the main Streatham Road.
- 7.7.6 Entrance to the site is off Streatham Road using the existing dropped kerb. The second access will be used to exit the site onto The Bungalows.
- 7.7.7 Initially, Officers raised concern as the Transport Statement had very little information within. Following discussions with the Council's Transport Planner, the applicant has provided additional information, including swept path analysis drawings which indicate that vehicles can safely enter and exit the site. There would be no HGVs accessing the site.
- 7.7.8 Subject to conditions to include a one-way system entering and leaving the site and a condition to secure cycle parking, the Council's Transport Planner has confirmed that the proposed arrangements would be acceptable in highway terms. Therefore, Officers consider that the impact on the local highway network would be acceptable.
- 7.8 Air quality and potentially contaminated land
- 7.8.1 Planning Policy SI 1 (Improving air quality) of the London Plan 2021 states that to tackle poor air quality, protect health and meet legal obligations development should not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits, delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits or create unacceptable risk of high levels of exposure to poor air quality. In order to meet the policy requirements, development proposals must be at least Air Quality Neutral, use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures.
- 7.8.2 Planning Policy DM EP4 of Merton's Adopted Sites and Policies plan (2104) seeks to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on people, the natural and physical environment in Merton. The policy states that to minimise pollutants, development:
- a) Should be designed to mitigate against its impact on air, land, light, noise and water both during the construction process and lifetime of the completed development.
 - b) Individually or cumulatively, should not result in an adverse impact against human or natural environment.
- 7.8.3 In accordance with the aims of the National Air Quality Strategy, the Mayor's Air Quality Strategy seeks to minimise the emissions of key pollutants and to reduce concentration to levels at which no, or minimal, effects on human health are likely to occur.

- 7.8.4 To meet the aims of the National Air Quality Objectives, the Council has designated the entire borough of Merton as an Air Quality Management Area (AQMA). Therefore, development that may result in an adverse air quality including during construction, may require an Air Quality Impact Assessment in order for the Council to consider any possible pollution impact linked to development proposals.
- 7.8.5 The application includes no supporting information relating to the impact on air quality or necessary mitigation. Therefore, a number of safeguarding conditions are recommended to ensure that the impacts of the operation of the proposed use is minimised where reasonable and practicable.
- 7.8.6 In relation to potentially contaminated land issues, it is noted that the Environmental Health (contaminated land) officer has raised no objection. Conditions would be imposed relating to any potential contamination of the land on the site, to include remediation measures if necessary. Therefore, no objection is raised in relation to potentially contaminated land issues.

7.9 Flooding and site drainage

- 7.9.1 London Plan policies SI 12 and SI 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.
- 7.9.2 The site is within Flood Zone 1 (low risk of flooding). The details provided relating to site drainage have been considered by the Council's Flood Risk and Drainage Officer and it is concluded that the proposals would be acceptable in this regard, subject to a condition to secure a detailed final scheme for the provision of surface and foul water drainage.

8. Conclusion

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.
- 8.2 As set out above, officers conclude that the principle of development is acceptable and that the failure to provide a mixed-use commercial and residential scheme does not provide sufficient justification to refuse the application based on site optimisation considerations.
- 8.3 The development includes a large amount of hard surfacing, with no tree planting or landscaping areas together with a solid 3m perimeter fence. The visual appearance of development is considered to be very poor and opportunities to create enhancement missed such as setting back the fence and creating landscaping areas along the public highway. As such the visual appearance is not considered acceptable and would result in an unfriendly development which

does not successfully integrate with the adjacent residential streets. The development therefore does not comply with the requirements of London Plan (2021) Policies D1-D5, D8 and G7 and Policy DM D2 together with the requirements of the NPPF 2021.

- 8.4 The development site has no restrictions which would prevent it delivering an on-site biodiversity net gain given its current low biodiversity value. No biodiversity features have been proposed such as trees. As such the development fails to meet the requirements of paragraph 174 of the National Planning Policy Framework 2021 together with the London Plan (2021) Policies GG2 and D8.

9. **RECOMMENDATION**

- 9.1 The application is recommended for refusal for the following reasons:

- A. The development seeks permanent planning permission and includes no design and landscaping proposals to mitigate the harsh visual appearance of the proposed development including the 3m solid perimeter fence and large amounts of hardstanding. As such the development is considered very poor design and will have a moderate to high negative visual impact to the character of the area. The development therefore conflicts London Plan (2021) Policies D1-D5, D8 and G7 and Merton Sites and Policies Plan – 2014 (SPP) Policy DM D2 together with the requirements of Section 12 of the National Planning Policy Framework 2021.
- B. Biodiversity net gain proposals have not been incorporated into the proposal and there have been no reasons identified which demonstrate this cannot be achieved for this application site. As such the proposal conflicts with paragraph 174 of the National Planning Policy Framework 2021 and London Plan (2021) Policies GG2 and D8.

NORTHGATE SE GIS Print Template



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Existing site's surface water drainage

The site is located in Mitcham, south-west London. The site has had the parade of 4 single storey shops (225 – 231 Streatham Road) fronting Streatham Road and a single storey building (no. 1 The Bungalows) fronting onto The Bungalows demolished. The considerable rubbish that accrued from the fly tipping that went on has also been removed along with containers used for storage. The remaining area within the site is made up of a concrete hardstanding area. The vehicular access into the site is located at Streatham Road/The Bungalows junction.

The existing site levels are approximately 22.30m AOD in the south-west corner of the site. Levels rise to a high point of 23.00m AOD in the south-east corner of the site and 22.70m AOD in the north of the site, where the existing vehicular access is located.

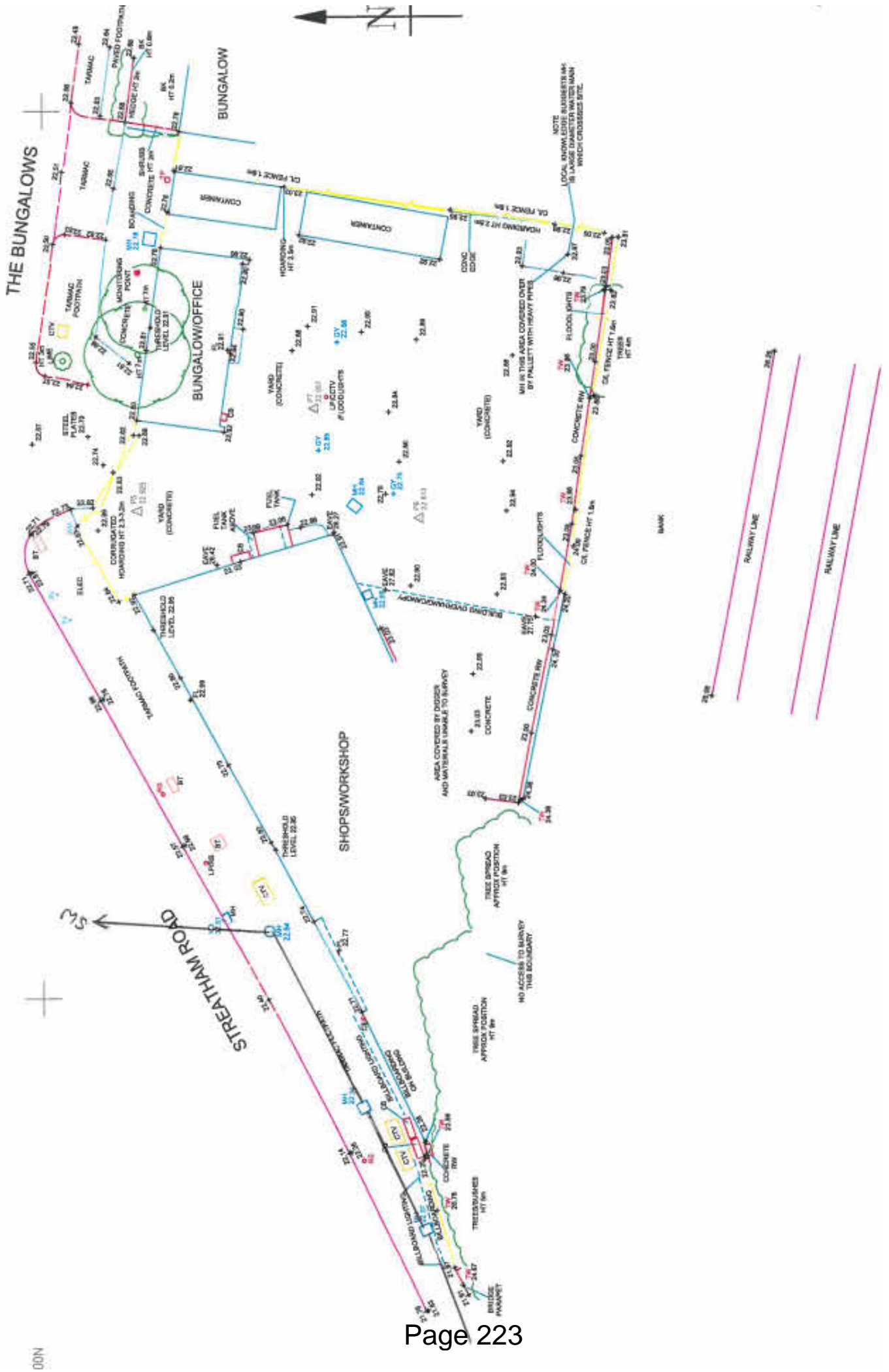
Immediately to the south is an elevated railway line which is a designated 'Green Corridor' and 'Site of Importance for Nature Conservation' (SINC). There is a railway bridge bordering the south-west corner of the site where the railway crosses Streatham Road. Immediately to the east of the site is a residential property occupied by a bungalow. The site levels are fairly flat and within the hardstanding concrete area there are a number of existing gullies located at the low points. A site location drawing and topographical survey for the site are provided.

The site occupies a gross area of approximately 975sq. m, and the peak discharge run-off from the site's impermeable area, using the Modified Rational Formula ($Q=2.78CiA$), is 13.1l/s.

Thames Water Utilities have existing surface water sewers locating in Streatham Road. Thames Water records are provided.

Taking advantage of the recent report carried out on the surface water drains for the last application we know that this site has reasons for not utilising SUDS and falls within a Groundwater Source Protection Zone and therefore the Environment Agency will not allow disposing of surface water to a soakaway as there is a risk of polluting ground water.

We are not able with this application to make use of Green Roofs but have introduced storage facilities with our Butts and we will undertake further talks with EA and take their advice, maybe some landscaping could be introduced if required. The technical note told us that infiltration is not possible at this site due to its location to the Source Protection Zone. The purpose of SPZs is to provide additional protection to safeguard drinking water quality through constraining the proximity of an activity that may impact upon a drinking water

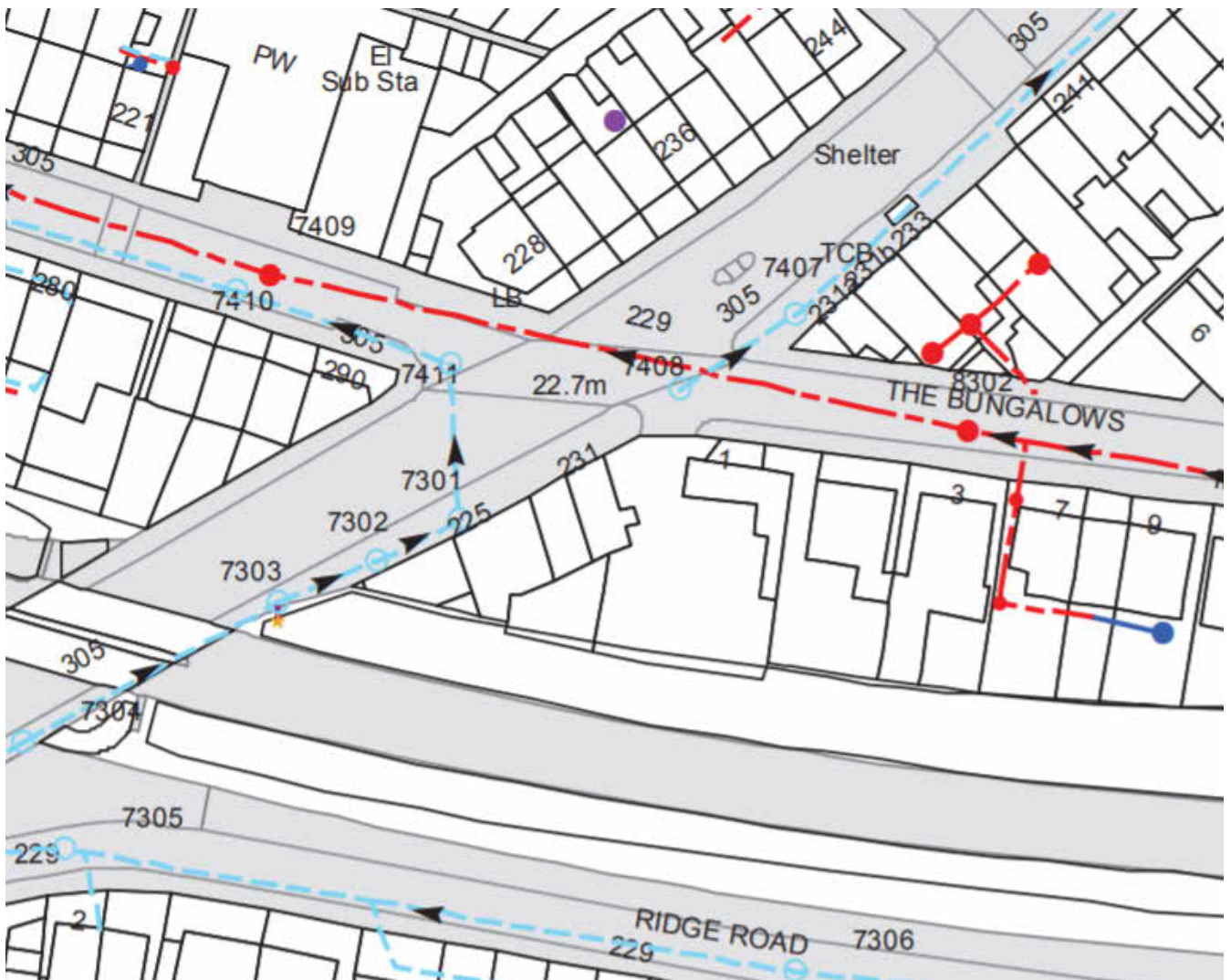


From the technical note for previous application we know:

There are no nearby watercourses available to discharge to.

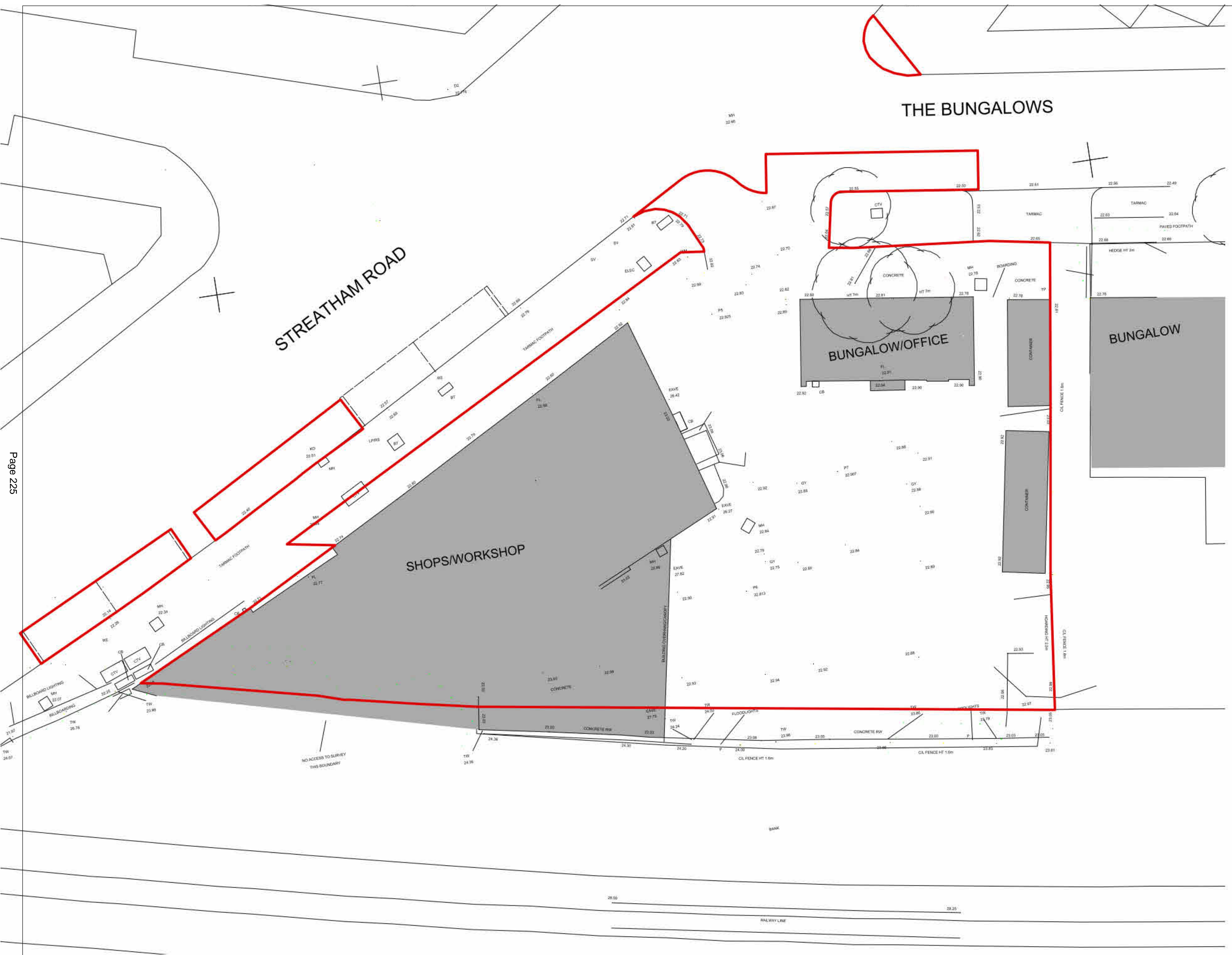
The proposed surface water drainage network for the development will be connected to the existing public sewer in Streatham Road via either an existing or a new lateral surface water drain to the public sewer.

The surface water drainage network for the development is proposed to be connected to the existing public sewer in Streatham Road via either an existing or a new lateral surface water drain to the public sewer.



EXISTING DRAIN RUNS by Application Site.

Majority of the site will remain as existing connections with the addition of reducing the amounts of surface water and ensuring that any run off due to car washing or other activities do not discharge as already explained on drainage sheets submitted. We will communicate with EA and keep the council informed.



THE BUNGALOWS

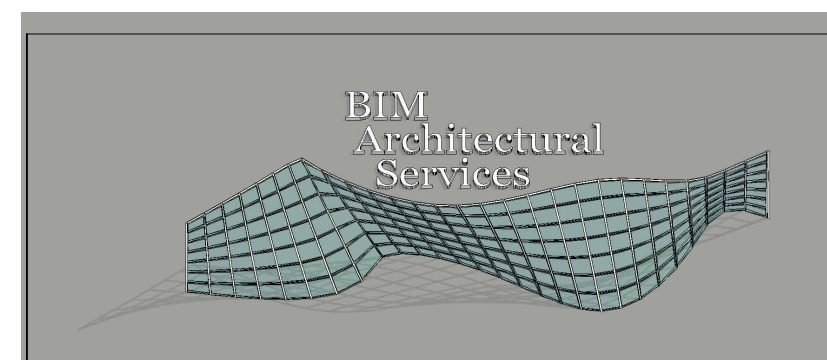
STREATHAM ROAD

SHOPS/WORKSHOP

BUNGALOW/OFFICE

BUNGALOW

Page 22/25



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Planning Application for Change of Use
to Car Valeting, Tyre Supplies and Motor
Detailing Products.

PROJECT NUMBER	Ag/21/10/FP/Ex
DATE	october 2021
DRAWN BY	Vanbrugh
CHECKED BY	checkerman

**EXISTING SITE PRE
DEMOLITION**

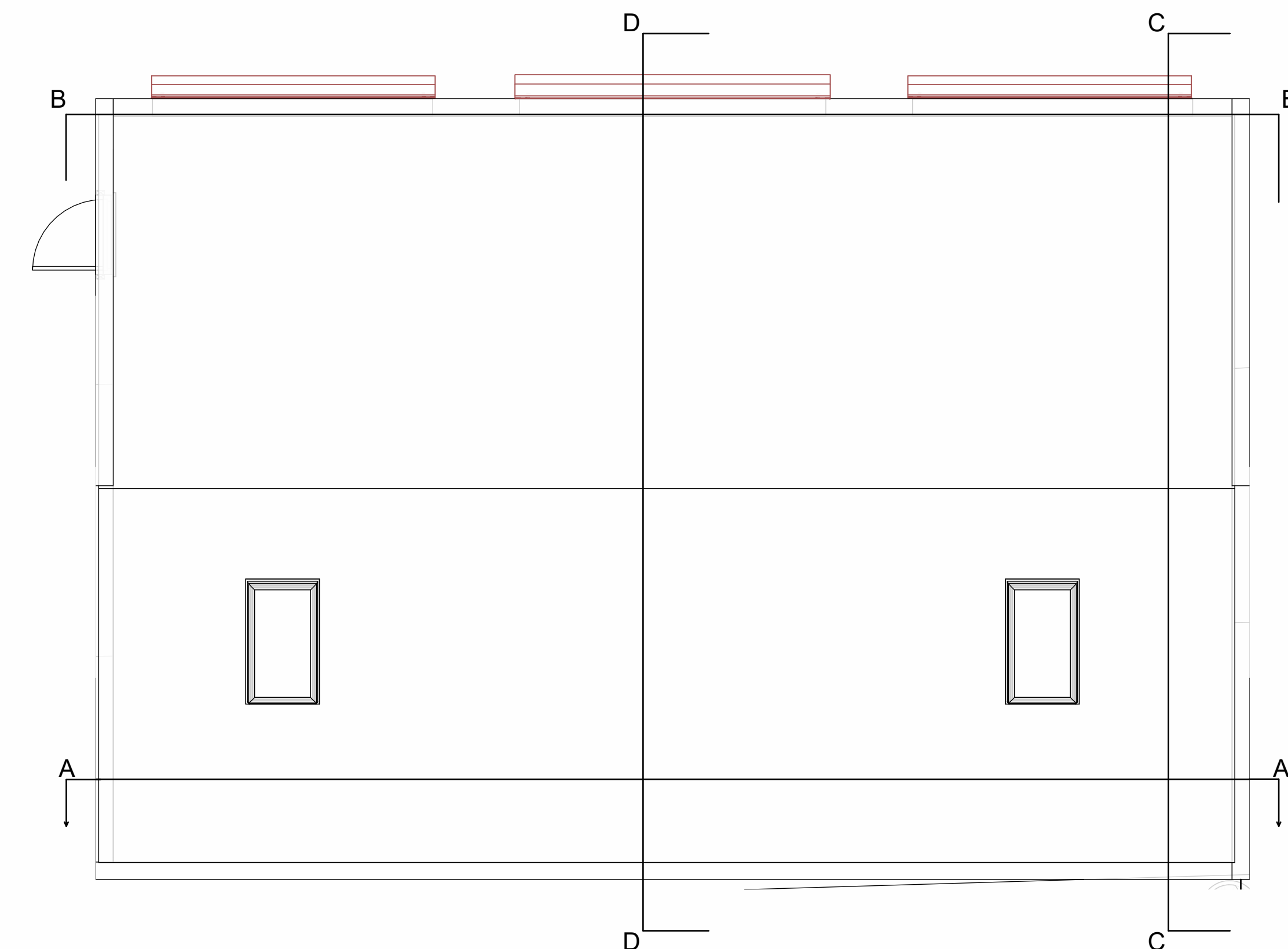
SCALE as stated

EXISTING SITE PLAN

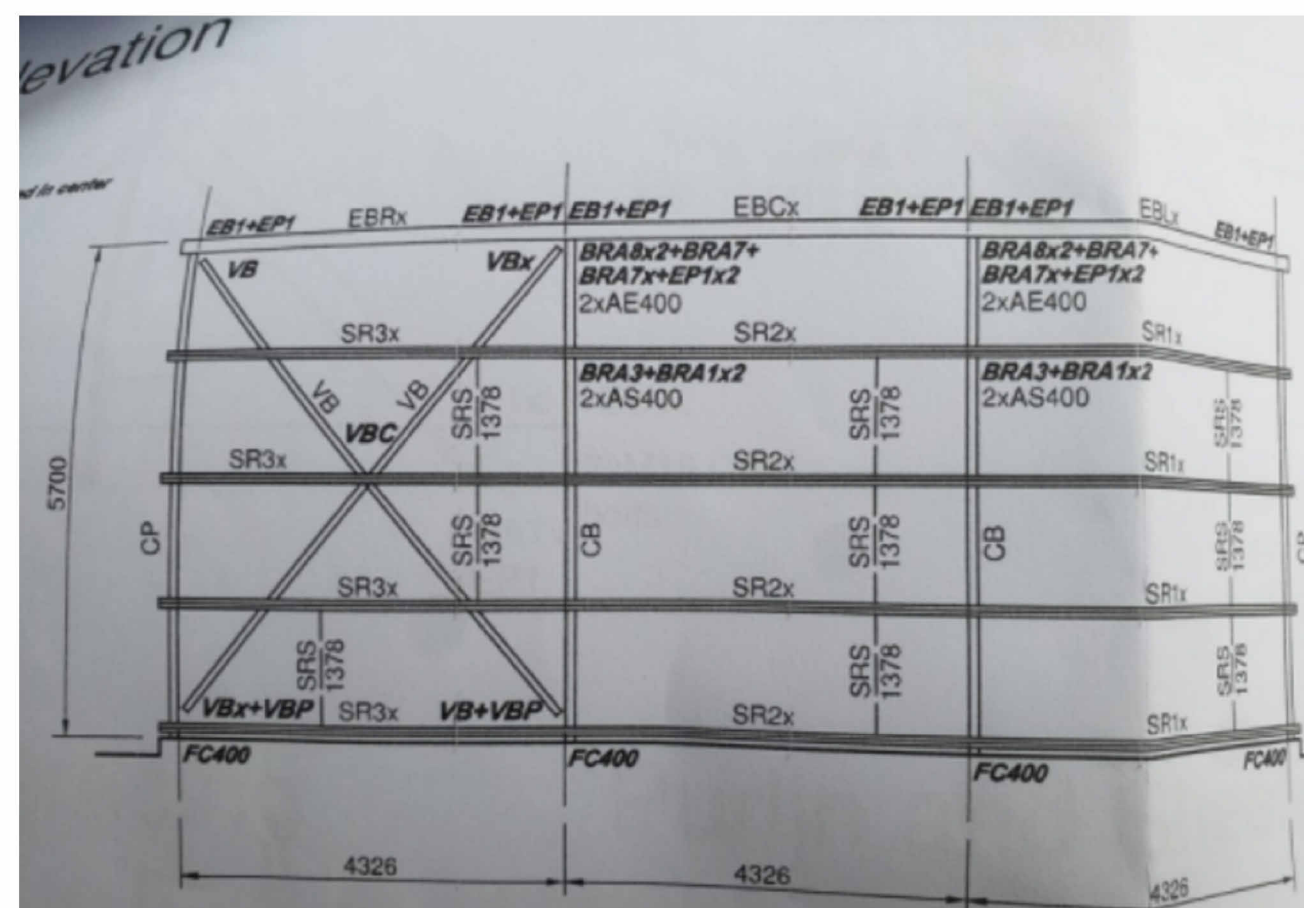


PROPOSED MODEL OF SW16 CAR WASH and MOTOR SERVICES. Scale 1:200

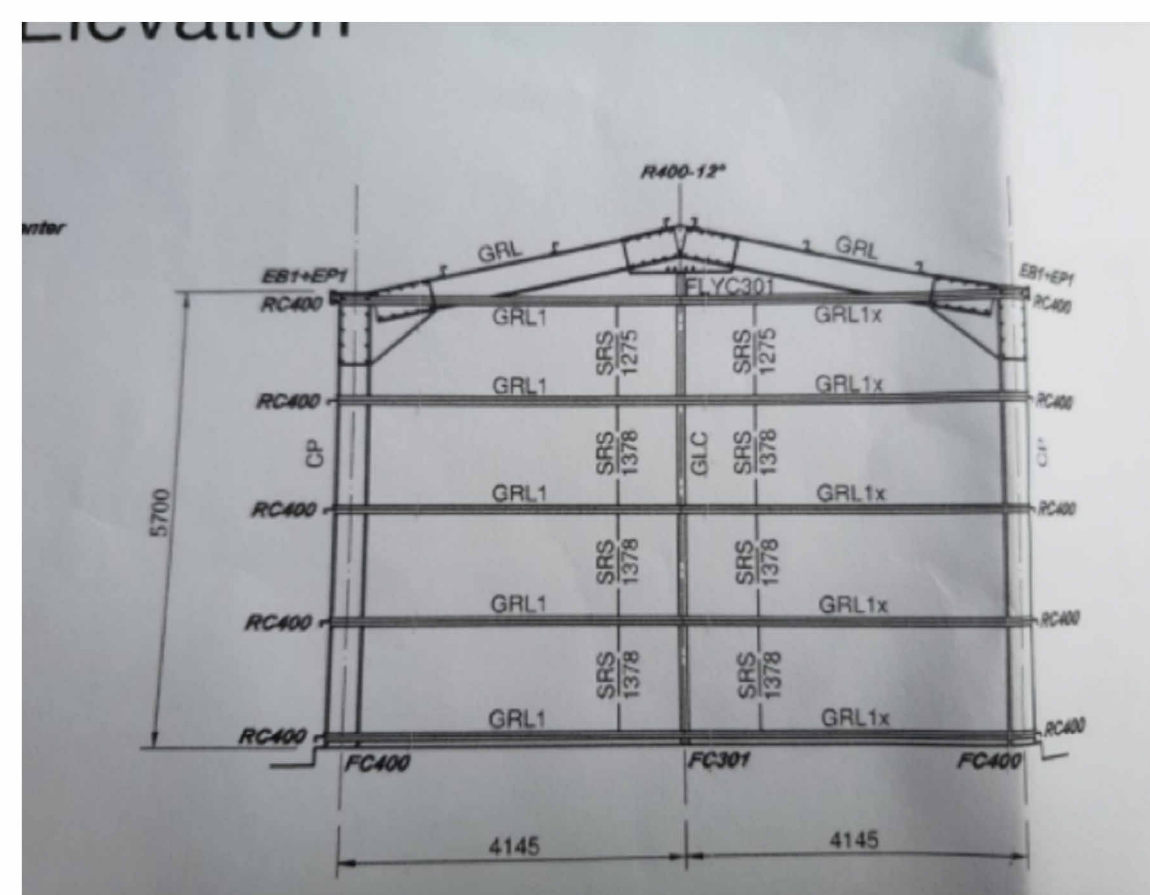
New Steel (Kit Form) Building.
Construction Details on this sheet.



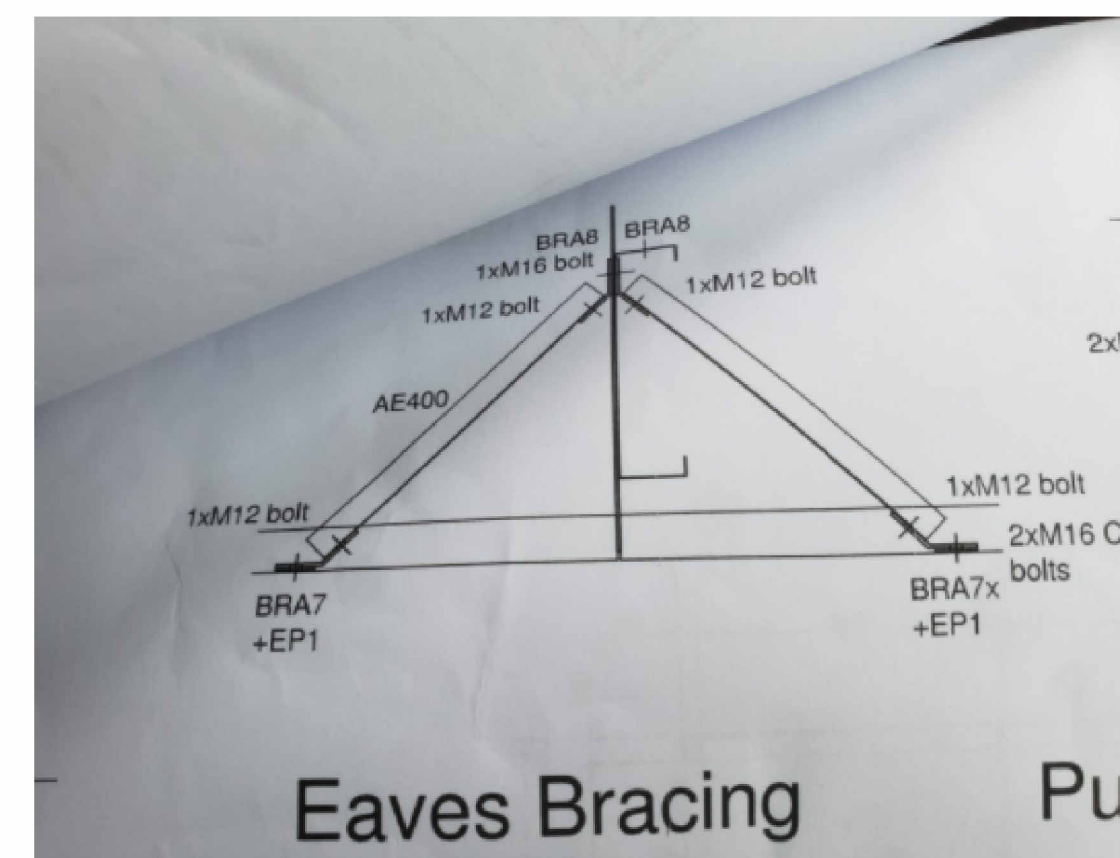
ROOFPLAN SCALE 1:59



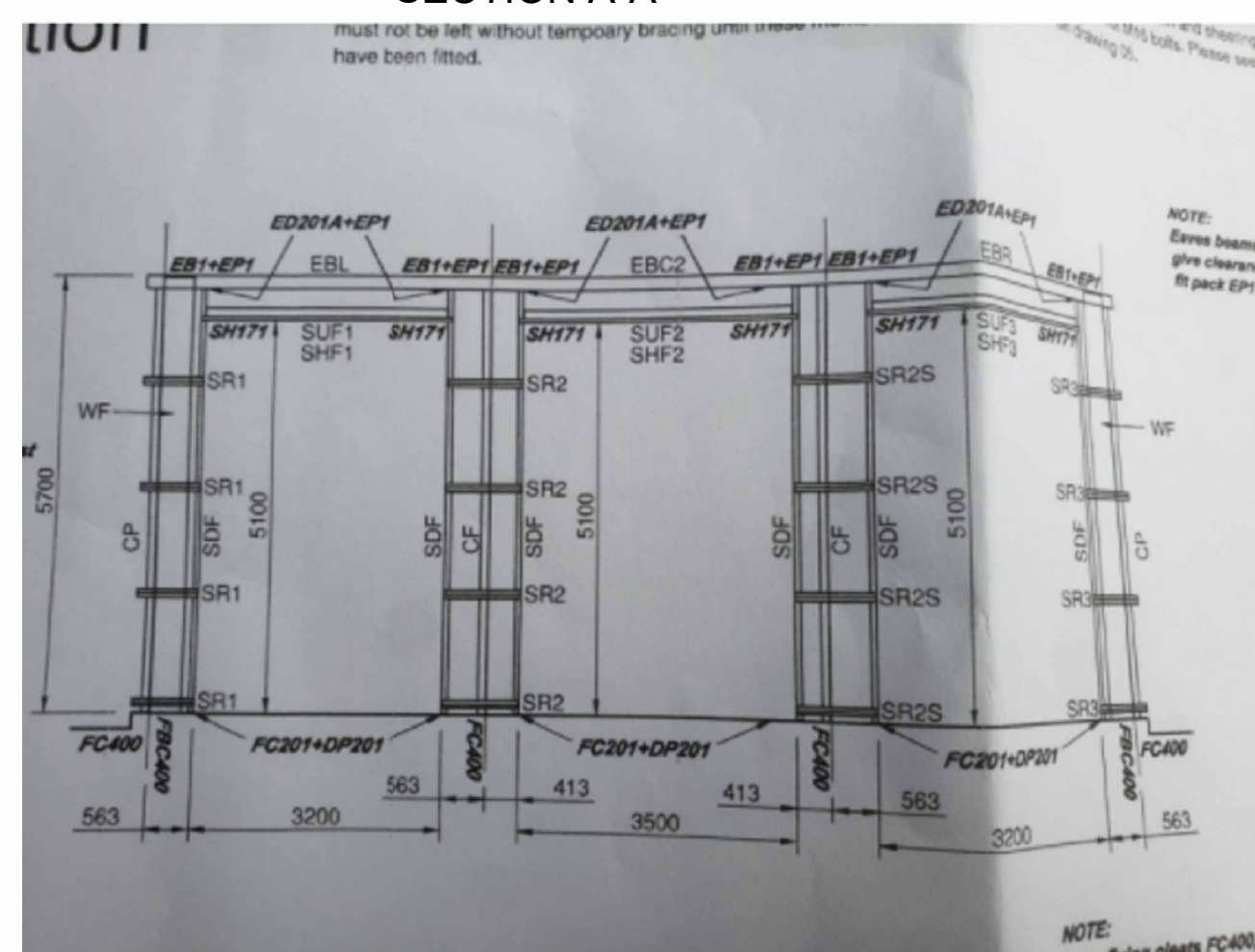
SECTION A-A



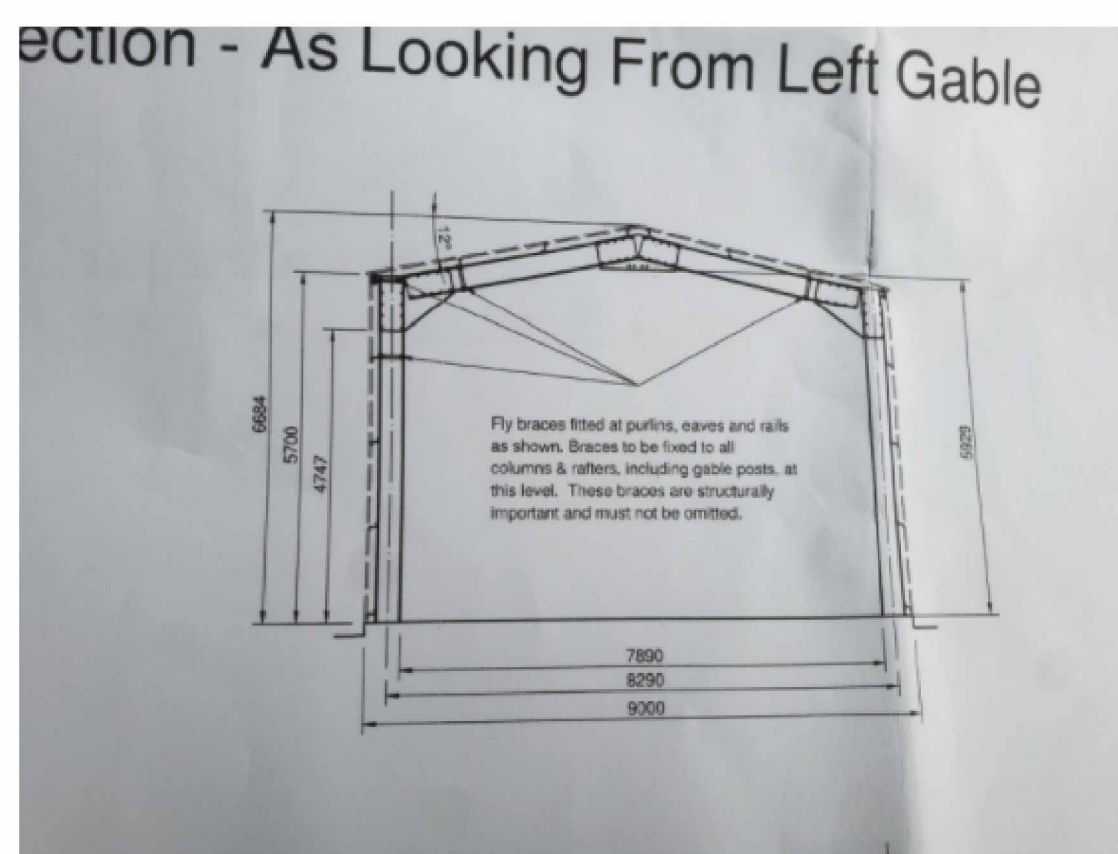
SECTION C-C



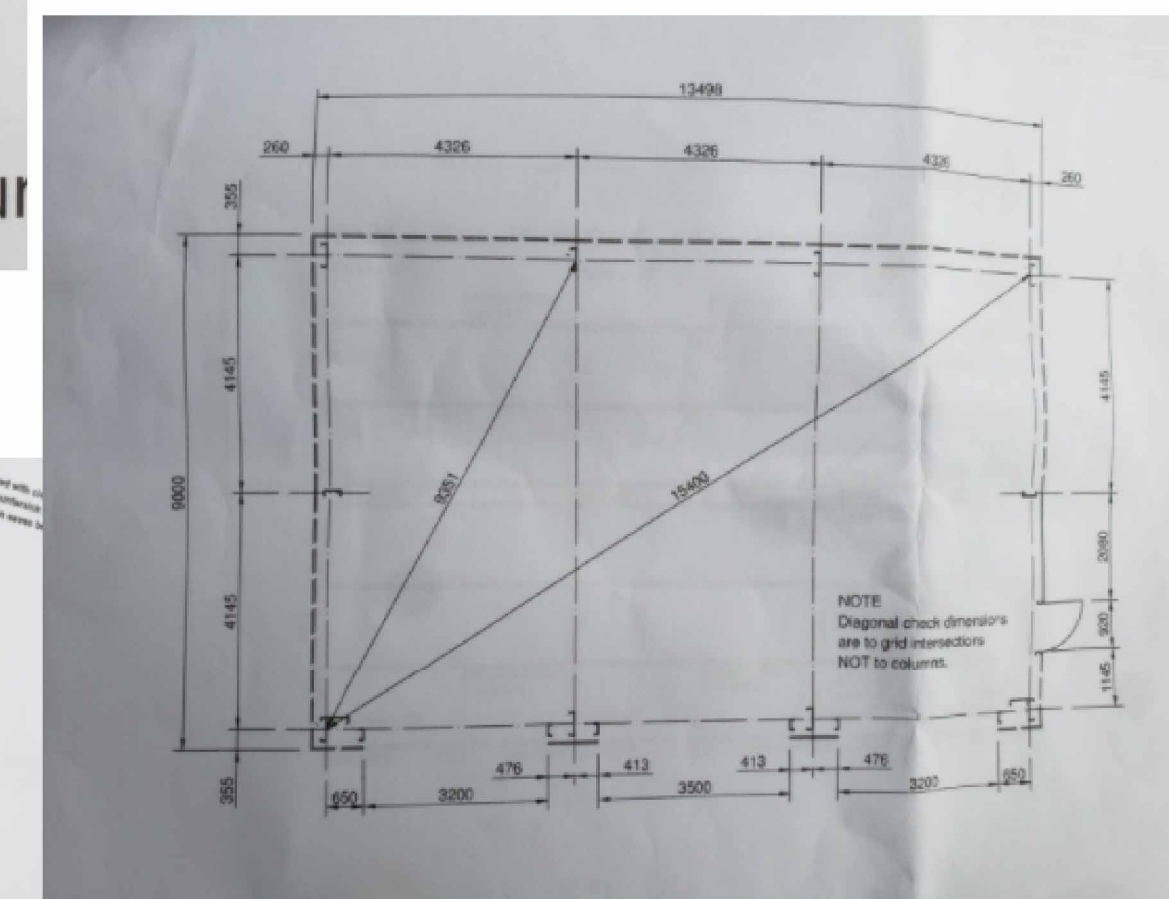
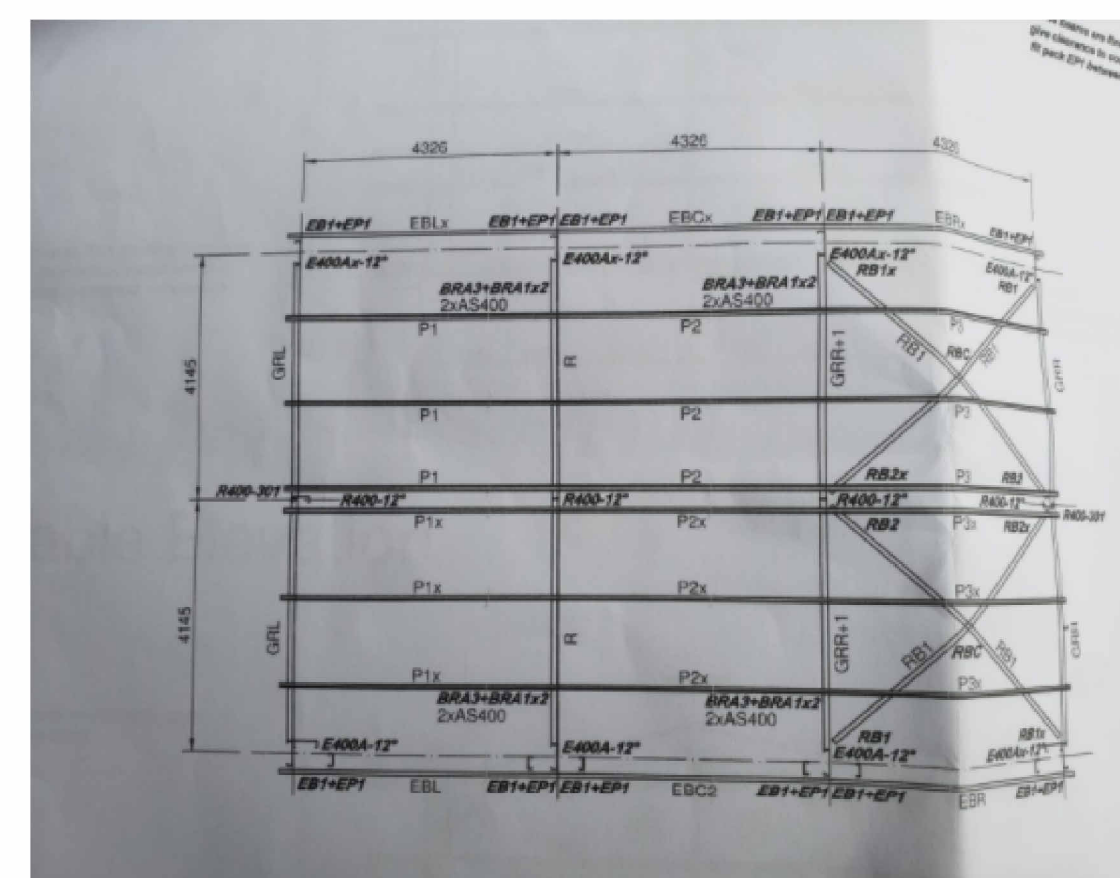
Eaves Bracing



SECTION B-B Front Elevation



SECTION D-D



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DATE october 2021

DRAWN BY Vanbrugh

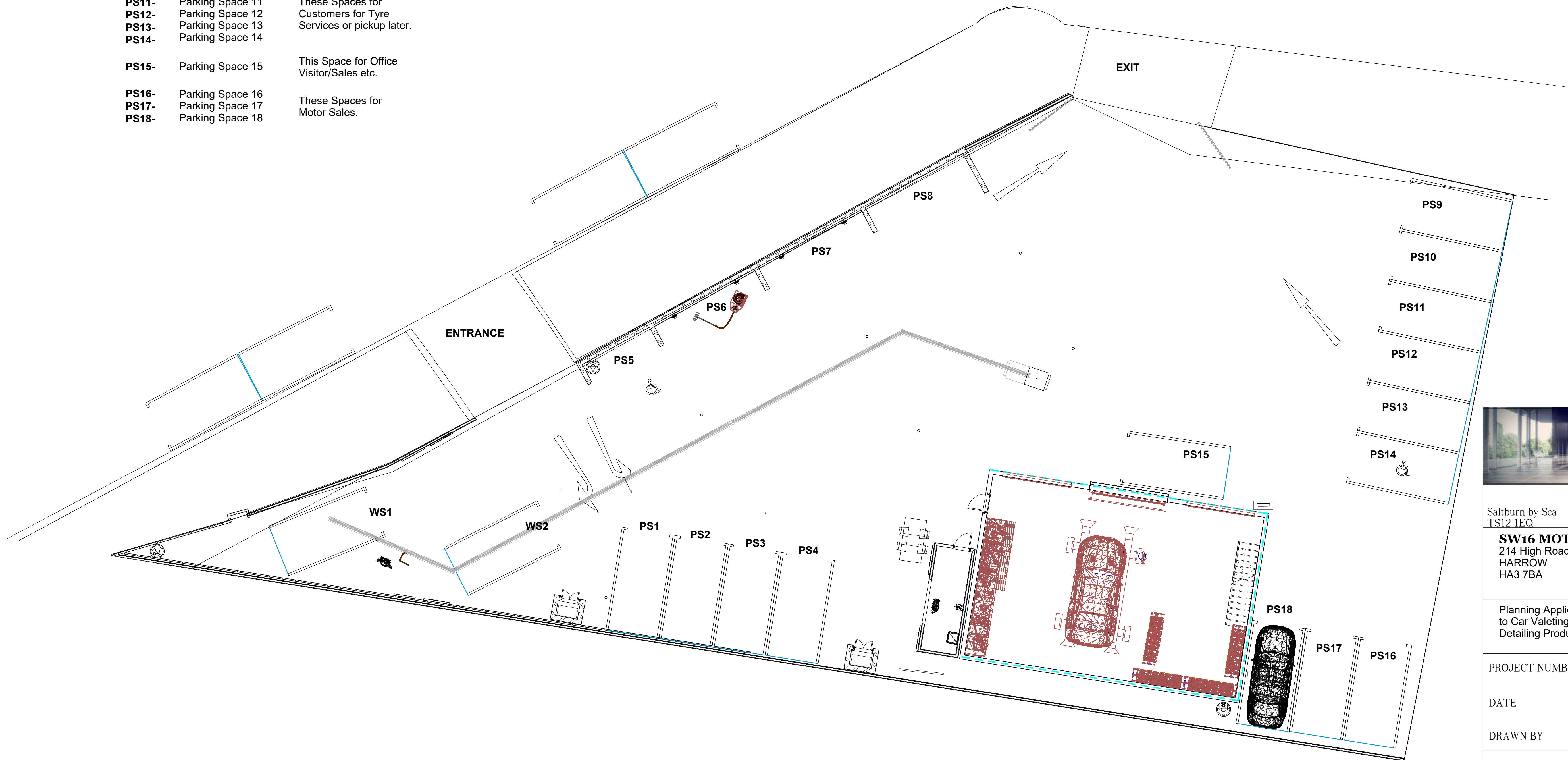
CHECKED BY checkerman

NEW TEMPORARY STRUCTURE
HOUSING TYRES, MOTOR REPAIRS
AND OFFICE. KIT FORM STEEL

SCALE

- WS1-** Washing Station 1
 - WS2-** Washing Station 2
 - PS1-** Parking Space 1
 - PS2-** Parking Space 2
 - PS3-** Parking Space 3
 - PS4-** Parking Space 4
- These Spaces for waiting/finished cars from Carwash.
- PS5-** Parking Space 5
 - PS6-** Parking Space 6
 - PS7-** Parking Space 7
 - PS8-** Parking Space 8
- These spaces for Valeting and direction for leaving the site.
- PS9-** Parking Space 9
 - PS10-** Parking Space 10
- Staff Car Spaces
- PS11-** Parking Space 11
 - PS12-** Parking Space 12
 - PS13-** Parking Space 13
 - PS14-** Parking Space 14
- These Spaces for Customers for Tyre Services or pickup later.
- PS15-** Parking Space 15
- This Space for Office Visitor/Sales etc.
- PS16-** Parking Space 16
 - PS17-** Parking Space 17
 - PS18-** Parking Space 18
- These Spaces for Motor Sales.

NOTE:
 IN RESPONSE TO CONCERNS OF MERTONS HIGHWAYS DEPARTMENT WE HAVE REDUCED ON SITE PARKING BY 2 SPACES, (Nos 19 & 20 on previous drawing) THIS DRAWING SUPERCEDES ALL EARLIER SUBMISSIONS. IT IS PROPOSED TO RETAIN THE 4 EXISTING VEHICLE SPACES ON STREATHAM RD. DISABLED PERSONS WHO HAVE VALID BLUE BADGES CAN PARK IN THESE BAYS WITH NO TIME LIMIT. AS THE BUNGALOWS ARE NOW DEMOLISHED THEY ARE INCORPORATED INTO A WIDER CPZ SO REDUCES INCIDENCE OF OBSTRUCTIVE PARKING IN THE VICINITY OF THE SITE.
 08/07/2022



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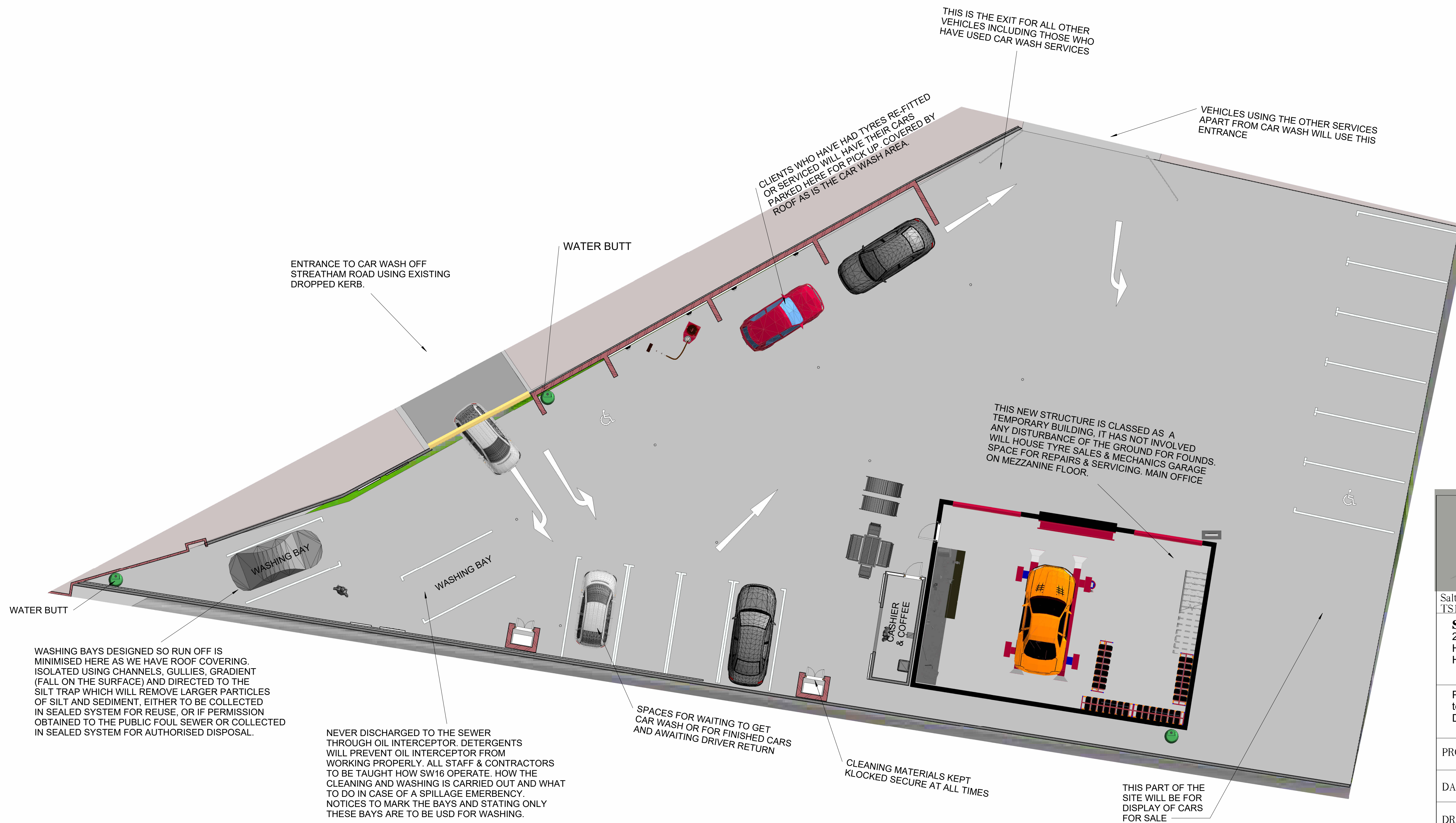
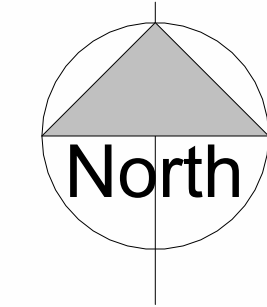
DATE october 2021

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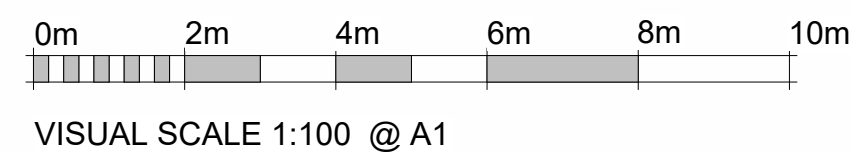
INTERNAL CONFIGURATION FOR TRAFFIC STATEMENT SUPERCEDED JULY 2022

SCALE

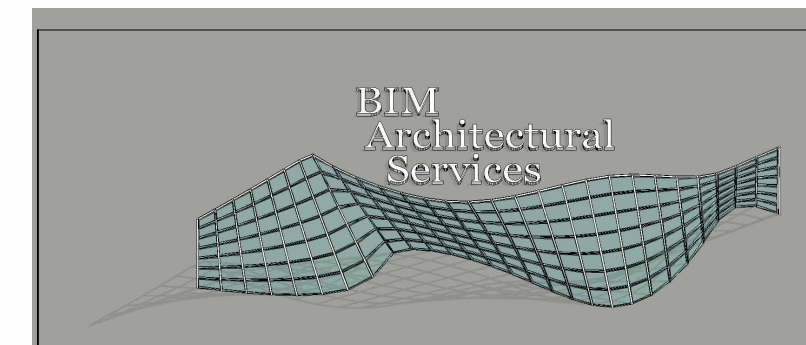


WASHING BAYS DESIGNED SO RUN OFF IS MINIMISED HERE AS WE HAVE ROOF COVERING. ISOLATED USING CHANNELS, GULLIES, GRADIENT (FALL ON THE SURFACE) AND DIRECTED TO THE SILT TRAP WHICH WILL REMOVE LARGER PARTICLES OF SILT AND SEDIMENT, EITHER TO BE COLLECTED IN SEALED SYSTEM FOR REUSE, OR IF PERMISSION OBTAINED TO THE PUBLIC FOUL SEWER OR COLLECTED IN SEALED SYSTEM FOR AUTHORISED DISPOSAL.

NEVER DISCHARGED TO THE SEWER THROUGH OIL INTERCEPTOR. DETERGENTS WILL PREVENT OIL INTERCEPTOR FROM WORKING PROPERLY. ALL STAFF & CONTRACTORS TO BE TAUGHT HOW SW16 OPERATE. HOW THE CLEANING AND WASHING IS CARRIED OUT AND WHAT TO DO IN CASE OF A SPILLAGE EMERGENCY. NOTICES TO MARK THE BAYS AND STATING ONLY THESE BAYS ARE TO BE USED FOR WASHING.



VISUAL SCALE 1:100 @ A1



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PROJECT NUMBER Ag/21/10/FP/Ex

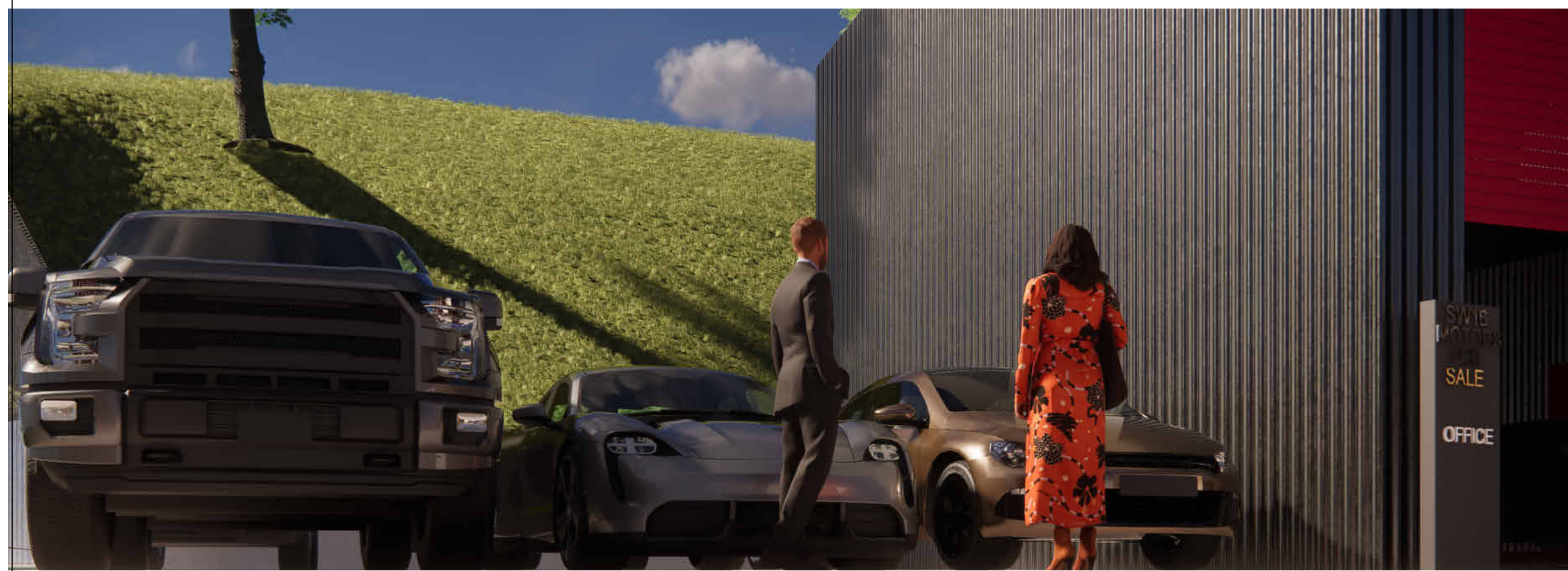
DATE october 2021

DRAWN BY Vanbrugh

CHECKED BY checkerman

PROPOSED SITE LAYOUT AT SW16 MOTOR SERVICES AND CARWASH

SCALE as stated



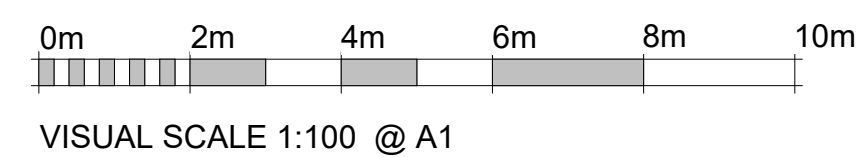
RENDERED VIEW OF CAR SALES PLOT



RENDERED VIEW OF CAR WASHING WAITING AREA and CASHIER



RENDERED VIEW OF KIT STEEL STRUCTURE



VISUAL SCALE 1:100 @ A1

Video Link

<https://youtu.be/9eDccFms7Hg>



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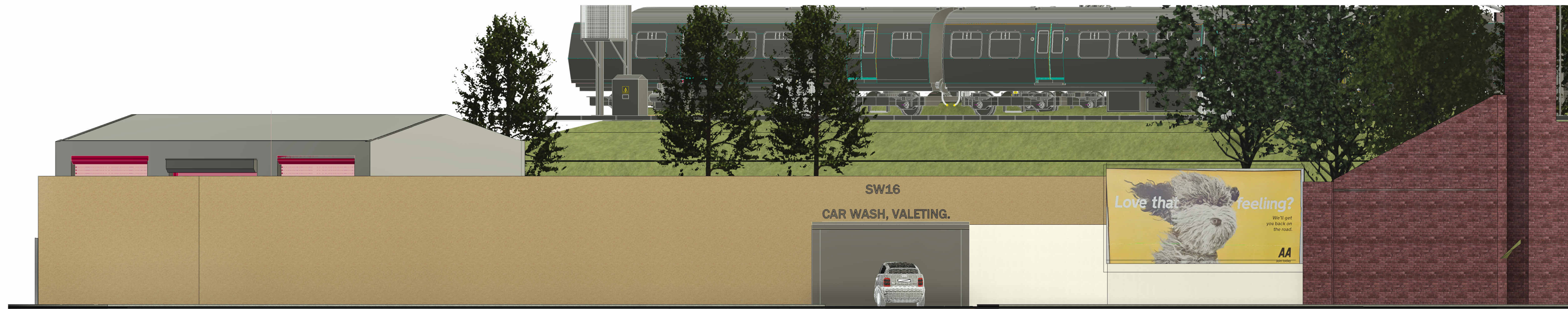
DATE october 2021

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EXTERNAL RENDERS

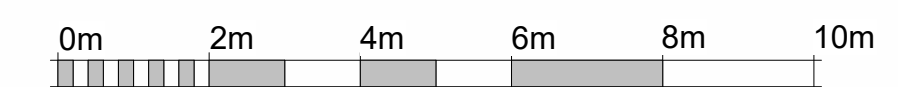
SCALE as stated



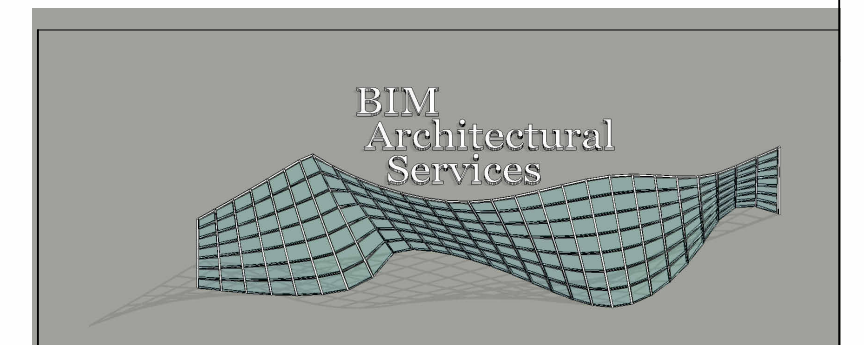
PROPOSED FRONT ELEVATION ALONG 225-231 STREATHAM ROAD Scale 1:100



SIDE ELEVATION ALONG THE BUNGALOWS. SCALE 1:100



VISUAL SCALE 1:100 @ A1



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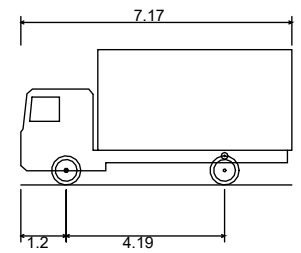
DATE october 2021

DRAWN BY Vanbrugh

CHECKED BY checkerman

PROPOSED ELEVATIONS

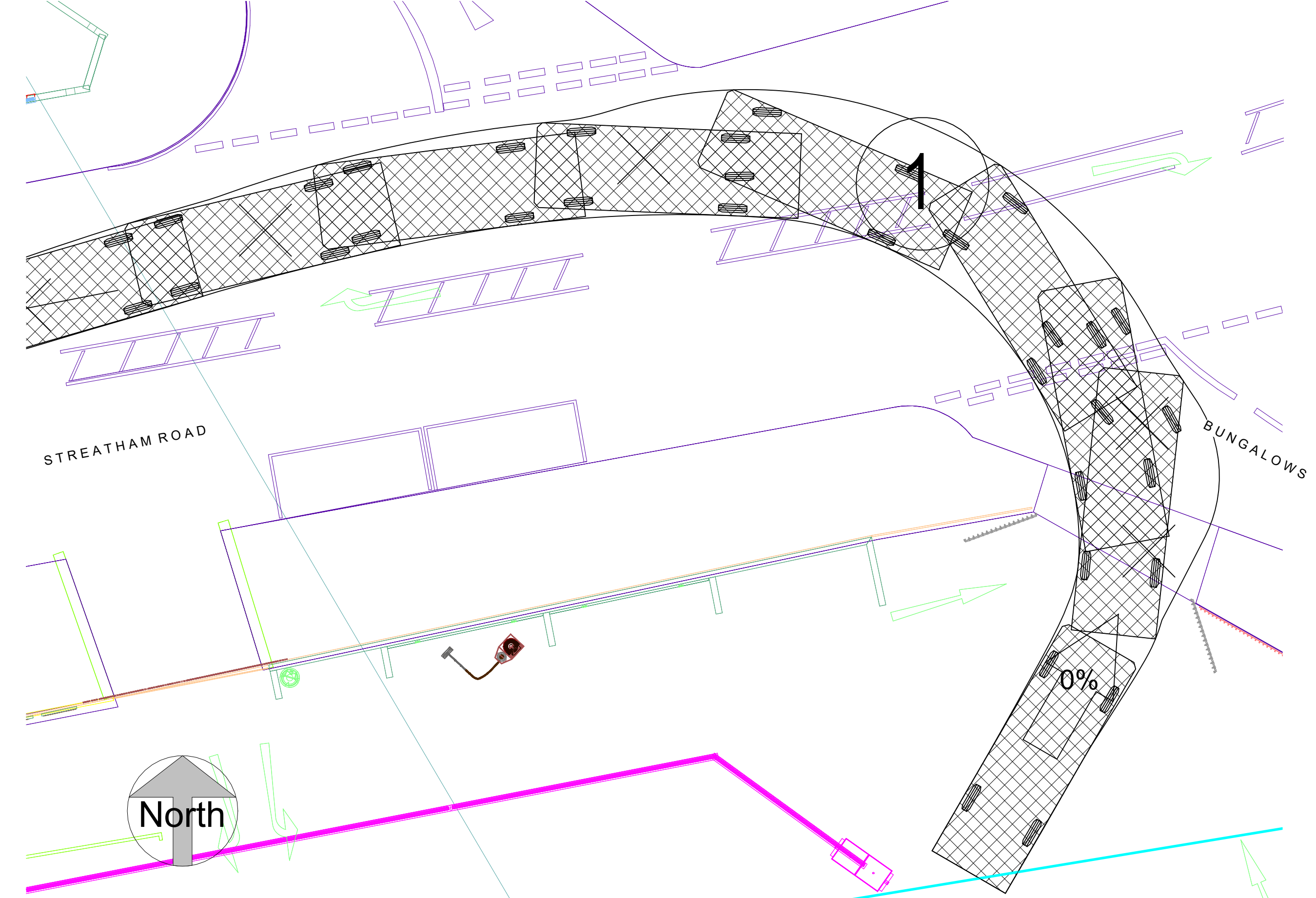
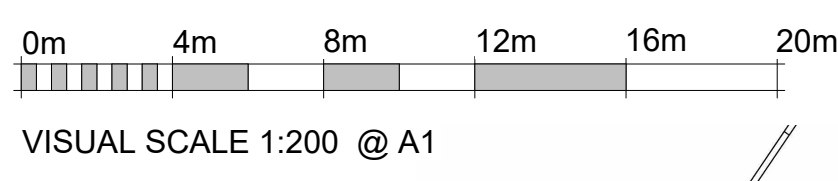
SCALE



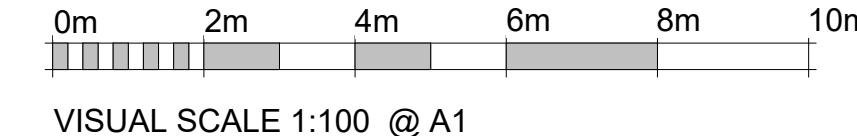
FTA Design 7.5 Tonne Rigid Vehicle (2016)
 Overall Length 7.170m
 Overall Width 2.300m
 Overall Body Height 3.580m
 Min Body Ground Clearance 0.375m
 Track Width 2.120m
 Lock to lock time 3.00s
 Kerb to Kerb Turning Radius 7.000m



SWEPT PATH ANALYSIS ON EXITING 225 STREATHAM ROAD SITE AND TRAVELLING SOUTH WEST DOWN STREATHAM ROAD. SCALE 1:200



SWEPT PATH 225 STREATHAM ROAD EXIT. SCALE 1:100



NOTE:
 THIS DRAWING SUPERCEDES EARLIER SWEPT PATH DRAWING AND NOW SHOWS CORRECT DIRECTION OF LEAVING THE SITE and ENTERING SITE ADDED TO THIS DRAWING SHEET. 03/08/2022



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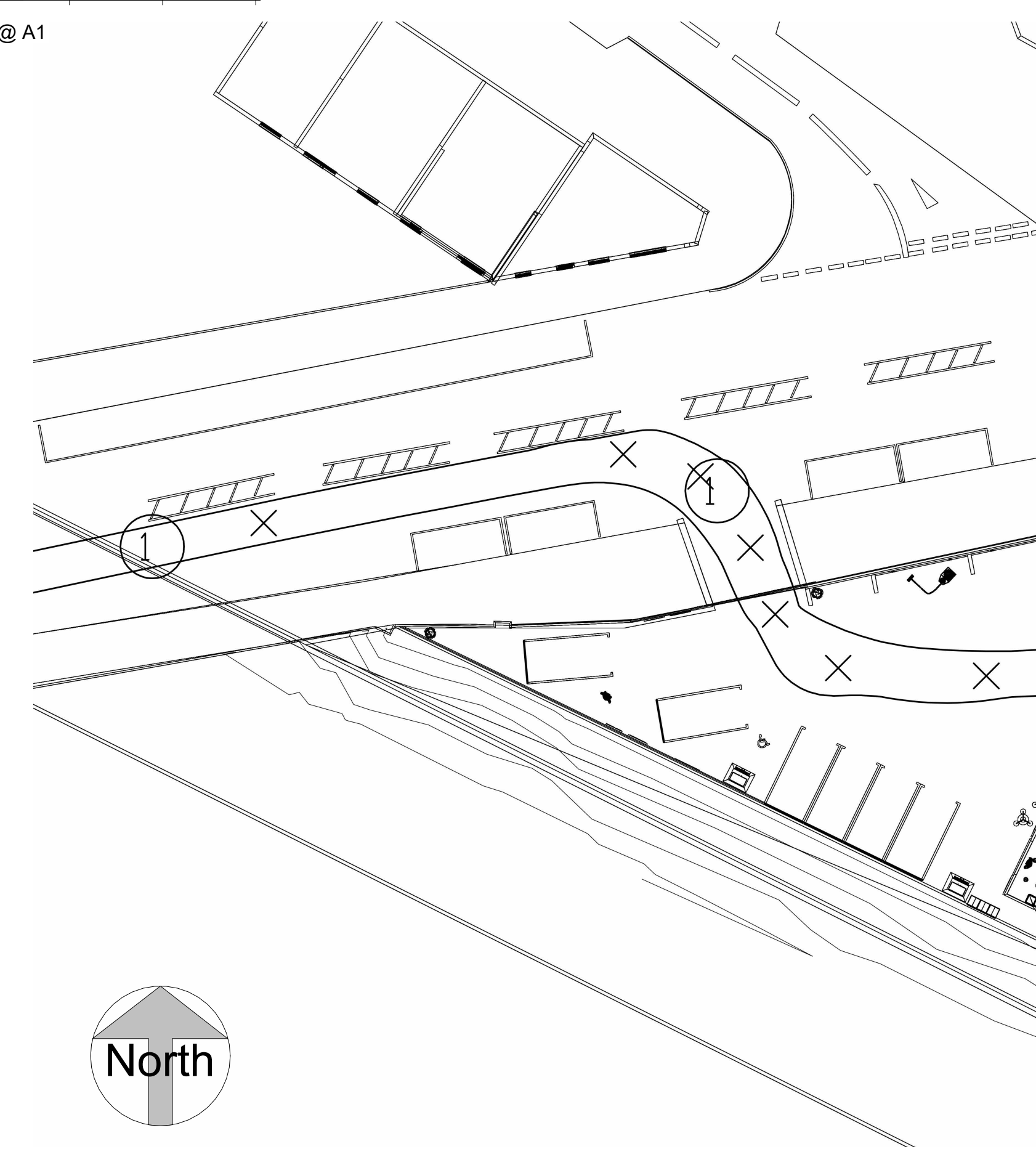
SW16 MOTORS LTD.
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Planning Application for Change of Use to Car Valeting, Tyre Supplies and Motor Detailing Products.

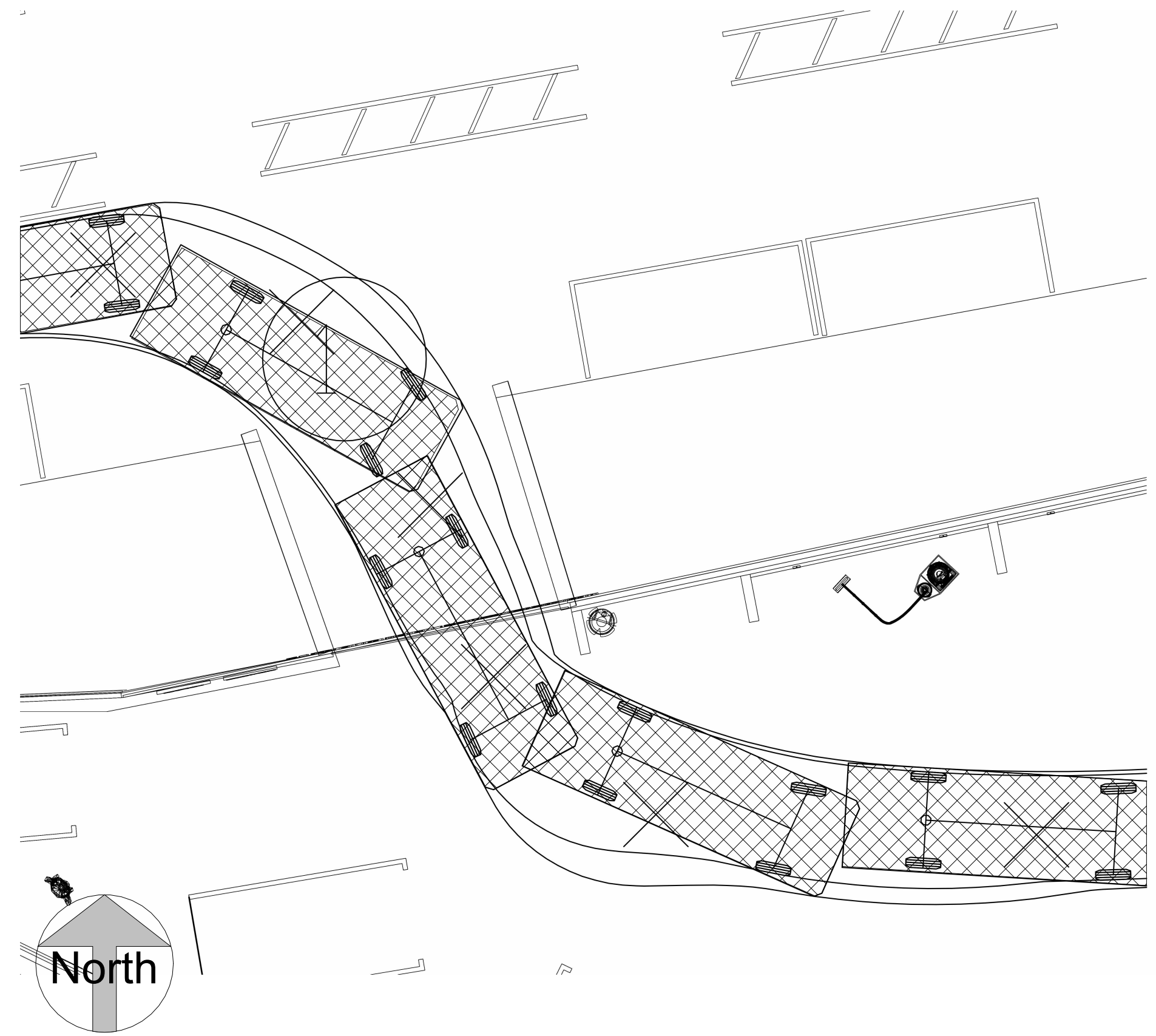
PROJECT NUMBER	Ag/21/10/FP/Ex
DATE	July 2022
DRAWN BY	Vanbrugh
CHECKED BY	checkerman

SWEPT PATH ANALYSIS OF 7.5 TONNE RIGID VEHICLE ENTERING & EXITING AT 225 STREATHAM ROAD

SCALE as stated



SWEPT PATH ANALYSIS ON ENTERING SITE WITH 7.5 TONNE RIGID VEHICLE AT 225 STREATHAM ROAD SCALE 1:200



SWEPT PATH OF 7.5 TONNE RIGID VEHICLE ENTERING SITE. SCALE 1:100

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Committee: Planning Applications

Date: 20th October 2014

:

Wards: All

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Contact officer: Stuart Humphreys

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 Number: 20/P3451
Site: 7 Streatham Road, Mitcham CR4 2AD
Development: DEMOLITION OF EXISTING BUILDING AND ERECTION OF 1 x 1 BED DWELLING
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 6th October 2022

[Link to Appeal Decision](#)

Application Number: 21/P0280
Site: 479 London Road, Mitcham CR4 4BB
Development: LISTED BUILDING CONSENT FOR NEW/REPLACEMENT
INTERNAL DOORS
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 21st September 2022

[Link to Appeal Decision](#)

Application Number: 22/P0132
Site: Flank wall of 77 Streatham Road, Mitcham CR4 2AH
Development: DISPLAY OF 1 x INTERNALLY ILLUMINATED ADVERTISING
HOARDING.
Recommendation: Refuse Permission (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 30th September 2022

[Link to Appeal Decision](#)

1 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).

2 CONSULTATION UNDERTAKEN OR PROPOSED

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

3 TIMETABLE

- 3.1. N/A

4 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

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

5 LEGAL AND STATUTORY IMPLICATIONS

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

6 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 6.1. None for the purposes of this report.

7 CRIME AND DISORDER IMPLICATIONS

- 7.1. None for the purposes of this report.

8 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 8.1. See 6.1 above.

9 BACKGROUND PAPERS

- 9.1. 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: 20th October 2022

Agenda item: Enforcement Report

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF CASES

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

COUNCILLOR Aidan Mundy, CHAIR of PLANNING APPLICATIONS COMMITTEE

Contact Officer Raymond Yeung: 0208 545 4352
Raymond.Yeung@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 casework 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 Enforcement Cases:	343	New Appeals:	(0)
New Complaints	21	Instructions to Legal	2
Cases Closed	4	Existing Appeals	1
New Enforcement Notices Issued		TREE ISSUES	
Breach of Condition Notice:	1	Tree Applications Received	42
New Enforcement Notice issued	2	% Determined within time limits:	98%
S.215: ³	0	High Hedges Complaint	0
Others (PCN, TSN)	0	New Tree Preservation Orders (TPO)	2
Total	3	Tree Replacement Notice	0
Prosecutions: (instructed)	0	Tree/High Hedge Appeal	0
		5-Day notice	4

Note (**figures are for the period from (from 13th September to 10th October 2022).**)

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.

It should be noted that due to the pandemic the Planning Inspectorate have over a year's backlog of planning enforcement appeals to determine.

2.0 Recent Enforcement Actions

31 Dundonald Road, Wimbledon, London, SW19 3QH

An enforcement notice has been served to remove the front, ground floor single storey extension from the front of the shop unit. This came after 2 retrospective planning applications and 2 refusals.

The unauthorised ground floor single storey extension from the front of the shop unit would fail to relate positively and appropriately to the rhythm, siting and scale of the building and existing pattern of development along the street to the detriment of the character and appearance of the building, street and surrounding area.

The requirement is to return the ground floor shop front to its former unaltered state before the unauthorised front, ground floor single storey extension.

28 Oakleigh Way, Mitcham, CR4 1AL

This notice is intended to resolve the breach of planning control relating to the unauthorised conversion of the rear extension into a self-contained unit and rear canopy.

The conversion of rear extension to a self-contained unit would deliver one additional residential unit within the borough, which is a strategic objection of the Council. However, the local development framework also requires that development have a high quality design and form that responds to the local area, parking provisions should maintain the safe and efficient operation of the highway, and proposals should not adversely impact adjoining neighbours. Weighing up the merits of the scheme the proposal is considered unacceptable due to the standard of accommodation, impact on the local highway and absence of cycle and refuse storage.

The rear canopy is not be sympathetic in terms of massing, form or overall design. Although it is at the rear, it is assessed not to be sympathetic to its surroundings. It is inappropriate in terms of scale and design. Therefore it is considered expedient to issue the notice. The notice requires to cease the self-contained residential unit and to remove the canopy.

8 Dahlia Gardens

On 16th August 2022 the Council issued an enforcement notice the unauthorised construction of an upper-floor extension to an existing detached outbuilding without the benefit of planning permission. This came immediately after the refusal of planning application for the same under ref no. 22/P1540.

What was single storey outbuilding was altered into a two storey outbuilding, and by reason of its design and form fails to blend and integrate well with its surroundings, is considered to be unduly dominant and visually intrusive, having a negative impact on the character and appearance of Dahlia Gardens and Hadley Road. It created unacceptable loss of light, privacy and outlook toward the adjoining properties along Dahlia Gardens and Hadley Road.

LAND AT 8A-F SOUTH PARK ROAD, WIMBLEDON, LONDON, SW19 8ST

Breach of condition notice following Temporary Stop Notice

On 12th July 2022, the Council has issued this temporary stop notice alleging that there has been a breach of planning control on the land described in paragraph 4 below.

This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the Act, because they think that it is expedient that the activity specified in this notice should cease on the land described. The Council now prohibits the carrying out of the activity specified in this notice.

A breach of planning control has taken place as a result of the commencement of development works on the Land carried out prior to the discharge of condition 6 (Construction management plan) of planning permission granted by the Council bearing reference number 21/P3487 for the erection of an additional floor comprising 3 x self-contained residential flats.

The commencement of development works creates an amenity harm to the neighbouring occupiers with regards to noise, dust and general safety, the pedestrians and traffic flow on the highway, the appearance of the property and adjacent highway is a detriment to the visual appearance of the property and streetscene as a result of the commencement of works. For the reasons above it is considered expedient to serve a Temporary Stop Notice to remedy the breach of planning control identified.

Following the temporary stop notice, the construction management plan, was approved and works commenced.

However works were continuing but were contrary of conditions 4 and 6;

Condition 4- 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.

Condition 6-The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process. The details shall include how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

A site visit/meeting with the planning officer, residents, councillor and MP on 8th July 2022, confirmed that works had commenced prior to the discharge of condition 6 ref:22/P1840 and safety measures to mitigate dust had not been put in place. Dust mitigation had not been implemented - polythene dust sheets around the scaffolding had not been put on, and therefore there is no dust barrier between the site and surrounding properties. Debris from the construction works are not confined, posing a danger to the public and residents. Site Access and Hoarding requirement – hoarding to be constructed and all works are to be within the hoarding line. Hoarding around the building has not been erected.

310 & 372 Grand Drive SW20 9NQ – Untidy land

Before



After



An unannounced visit was made by the council as shown in the photograph on the left, soon after the investigation by an enforcement officer and making contact to the property owners, the land was cleared soon after.

70 Linkway, SW20 9AZ. Unauthorised hardsurfacing of front garden.

Before



After



The breach has now been rectified the hardsurfacing or cement has been removed and the front garden has been reinstated with a grassed area and a wooden boundary fence.

Land at 22 Vectis Road London SW17 9RG -Untidy land

A section 215 notice has been served to the above property, the rubbish and vegetation to the front and the rear of the property increases its adverse impact on the amenity of the area. Section 215 of the Town and Country Planning Act (1990) provides local authorities with an additional discretionary power for requiring landowners to clean up 'land adversely affecting the amenity of the neighbourhood'

This matter concerns the adverse impact that the condition of the land at 22 Vectis Road has on the amenity of the surrounding area. The owner of the land has failed to clear rubbish and vegetation to the front and to the rear. To the front this includes, but is not limited to: large weeds in excess of three metres in height, trees and bushes, abandoned bins, abandoned car parts, household plastics, wooden boards, bricks which have been abandoned, motorcycle helmet, wooden boards, a mattress, a white household appliance. To the rear this includes, but is not limited to: overgrown vegetation, including overgrowth of seedling trees and shoots, household waste and appliances, garden waste and appliances and a derelict outbuilding which is in a state of disrepair.

Enforcement officers will be re-visiting the site soon to see if the notice has been complied with.

61a WORPLE ROAD LONDON SW19 4LB. A Breach of Condition Notice was served. The developers failed to provide screening required by condition on a planning permission for a new residential development, no screening leads to an overlooking and loss of privacy issue towards existing neighbouring adjoining residents.

The owner has not complied with the notice following a compliance site visit check. A letter of alleged offence was served at the beginning of August.

12A Deer Park Road, South Wimbledon, London SW19 3TL.

An enforcement notice was served from a change of industrial/office unit into a 16 unit House In Multiple Occupation (HMO), it did not receive planning permission and is expedient due to the creation of the poor residential accommodation in a commercial area. The notice requires the cessation of the HMO use requiring to remove kitchen and toilets from the units.

100 Garth Road, Morden, SM4 4LR. Relates to the unauthorised erection of a self-contained residential unit on top of an existing garage. An enforcement notice has been served dated 28th March 2022, the Notice will take effect on 2nd May 2022 with a 3 months compliance period unless an appeal is submitted. The notice requires: Completely demolish the Unit or Restore that part of the property to its condition prior to the breach of planning control by complying with approved drawing number E-1672-PJ-03A planning permission 17/P2214.

Land to the rear of 42 Tamworth Lane, Mitcham, CR4 1DA. This is concerning a s215 notice served on untidy land. A s215 notice was issued on 10th May 2021. This notice requires compliance at the end of July 2021 requiring the Land to be tidied up / cleared.

The Land is again being fly tipped a further s215 Notice was issued on 28th February 2022 including enclosing and clearing the untidy / overgrown Land.

The council are looking to re-serve a notice but to reinstate the garage and rear boundary adjacent to Acacia Road.

Successful Prosecution case-update

7 Streatham Road, Mitcham, CR4 2AD

The Council served two enforcement notices on 6th June 2019, requiring the outbuilding to be demolished and to clear debris and all other related materials.

To date the notice still has not been complied with, in September 2022, talks has taken place with contractors in consideration of direct action and to get quotes. A letter has been written to the land owner to state that The Council is minded to take direct action to undertake the works to secure compliance with the enforcement notices, pursuant to section 178, Town and Country Planning Act 1990 (as amended). This would result in further costs that would be recoverable from you directly.

A brief summary:

The plea hearing took place at Lavender Hill Magistrates Court, where the defendant pleaded not guilty and the second hearing is due on the 14th January 2020.

A second hearing was held on 14th January 2020, and adjourned until 4th February 2020 in order for the defendant to seek further legal advice.

The defendant again appeared in court and pleaded not guilty, a trial date was set for 21st May 2020. Due to the Covid-19 pandemic this has been postponed. The case has been listed for a 'non-effective' hearing on Tuesday 14 July 2020, where a new trial date will be set.

This was postponed until another date yet to be given. The Council has now instructed external Counsel to prosecute in these matters.

The next 'non-effective' hearing date is 2nd October 2020. This date has been re-scheduled to 27th November 2020. This was again re-scheduled to 4th January 2021. Outcome not known at the time of compiling this report.

A trial date has now been set for 28th and 29th April 2021.

At trial the defendant changed his plea from not guilty to guilty on the two charges of failing to comply with the two Planning Enforcement Notices, however due to the current appeals with the Planning Inspectorate relating to two planning application appeals associated with the two illegal developments, sentencing was deferred until 7th October 2021 at Wimbledon Magistrates Court.

The two planning appeals were dismissed dated 5th October 2021.

Sentencing was again deferred until 16th December 2021 at Wimbledon Magistrates Court.

The result of the sentencing hearing was:

1. Fine for the outbuilding EN: £6,000, reduced by 10% so £5,400
2. Fine for the dormer EN: £12,000, reduced by 10% so £10,800
3. Surcharge: £181
4. Costs: £14,580
5. Total being £30,961. To be paid over a period of three years in monthly instalments.

The defendant was fined for the outbuilding and the dormer extensions due to non-compliance with two enforcement notices.

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

32 Glossary of terms

Glossary of Terms:

A complete glossary of planning terms can be found at the Planning Portal website: <http://www.planningportal.gov.uk/> The glossary below should be used as a guide only and should not be considered the source for statutory definitions.

Affordable Housing - Affordable Housing addresses the needs of eligible households unable to access or afford market housing. Affordable housing includes social rented and intermediate housing and excludes low cost market housing. Affordable housing should be available at a cost low enough for eligible households to afford, determined with regard to local incomes and local house prices. Provision of affordable housing should remain at an affordable price for future eligible households or if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision. Further information can be found in Planning Policy Statement 3 (Housing)

Area Action Plan (AAP) – Area action plans are part of the Local Development Framework. They should be used when there is a need to provide the planning framework for areas where significant change or conservation is needed. Area action plans should deliver planned growth areas, stimulate regeneration, protect areas particularly sensitive to change, resolve conflicting objectives in areas subject to development pressures or focus the delivery of area based regeneration initiatives.

Area for Intensification (AFI) – As defined in the London Plan. Areas that have significant potential for increases in residential, employment and other uses through development of sites at higher densities with more mixed and intensive use.

Brownfield land - Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed-surface infrastructure. The definition covers the curtilage of the development. Planning Policy Statement Note 3 (Housing) has a detailed definition

Community Plan – refer to Sustainable Community Strategy (SCS).

Comparison Retailing - Comparison retailing is the provision of items not obtained on a frequent basis. These include clothing, footwear, household and recreational goods.

Convenience Retailing - Convenience retailing is the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionery.

Conservation Area - An area of special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance.

Core Strategy (CS) - The Core Strategy is the key plan within the Local Development Framework. Every local planning authority should produce a core strategy which includes:

- an overall vision which sets out how the area and the places within it should develop;
- strategic objectives for the area focusing on the key issues to be addressed;
- a delivery strategy for achieving these objectives. This should set out how much development is intended to happen where, when, and by what means it will be delivered. Locations for strategic development should be indicated on a key diagram; and
- clear arrangements for managing and monitoring the delivery of the strategy.

Development Plan Documents (DPD) – The statutory component parts of the [local development framework](#). Core strategies, area action plans and site-specific allocations are all DPDs. The procedure for their creation is set out in [Planning Policy Statement 12](#).

District Centre – District centres comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library.

Floodplain - Generally low lying areas adjacent to a watercourse, tidal lengths of the river or sea, where water flows in times of flood or would flow but for the presence of flood defences.

Floorspace (gross) - all floorspace enclosed within the building envelope

Floorspace (net - for retail purposes) - area of a shop that is accessible to the public: sales floor, sales counters, checkouts, lobby areas, public serving and in-store cafes. Excludes goods storage, delivery, preparation area, staff offices, staff amenity facilities, plant rooms, toilets and enclosed public stairwells and lifts between floors.

Historic environment – All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Those elements of the historic environment that hold significance are called heritage assets.

Independent Examination - The process by which a planning inspector may publicly examine a [development plan document](#) before issuing a binding report.

Intermediate Housing – housing at prices and rents above social rent but below market price or rents. This includes various forms of shared equity products. Homes provided by the private sector or without grant funding may be included for planning purposes as affordable housing, providing these homes meet the affordable housing definition as set out in Planning Policy Statement 3 (Housing).

Issues, Options and Preferred Options - The pre-submission/ pre-production consultation stages on a [development plan document \(DPD\)](#) with the objective of gaining public consensus before submission of documents for [independent examination](#).

32 Glossary of terms

Listed Buildings - These are buildings or other built structures included in the statutory list of buildings of special architectural or historic interest of national significance, which is compiled by the Secretary of State for Culture, Media and Sport. Buildings are graded and are protected both internally and externally. [Listed building consent](#) is required for almost all works to a listed building.

Local Area Agreement (LAA) - Local Area Agreement is normally a three year agreement, based on the Sustainable Community Strategy vision that sets out improvement targets for the priorities of a local area. The agreement is made between central government and local authorities and their partners on the Local Strategic Partnership.

Local Centre - Local centres include a range of small shops of a local nature, serving a small catchment. Typically, local centres might include services such as a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette.

Local Development Framework (LDF) - The Local Development Framework is the collection of local development documents produced by the local planning authority which collectively delivers the spatial planning strategy for its area.

Local Development Scheme (LDS) - This is the business plan for production of the [local development framework](#) (LDF). It identifies and describes the [development plan documents](#) (DPDs) and when they will be produced. It covers a three-year timespan and is subject to updating following production of an annual monitoring report to check progress.

Local Planning Authority (LPA) - The statutory authority (usually the local council) whose duty it is to carry out the planning function for its area.

Local Strategic Partnerships (LSP) - Local Strategic Partnerships are not statutory bodies, but they bring together the public, private and third sectors to coordinate the contribution that each can make to improving localities.

London Plan - the London Plan is the Spatial Development Strategy for London. Produced by the Mayor of London, it provides the overall spatial vision for the entire region, identifying the broad locations for growth, often by identification of sub-regions, and major infrastructure requirements, together with the housing numbers to be provided for in boroughs' LDFs. It is part of the development plan for Merton together with the borough's LDF documents and should be used to guide planning decisions across London. All LDF documents have to be in general conformity with the London Plan

Major Centre – Major Centres normally have over 50,000 square metres of retail floorspace and their retail offer is derived from a mix of both comparison and convenience shopping. Some Major Centres, which have developed sizeable catchment areas, also have some leisure and entertainment functions.

Neighbourhood parades: convenience shopping and other services easily accessible to those walking or cycling or those with restricted mobility.

Planning Application - Administrative process by which permission to carry out development is sought from the [local planning authority](#). The form and content of the application is laid down in guidance. Application can be made in outline or detailed form for some categories of development.

Planning Permission - The consent given by the [local planning authority](#) for building operations as defined in the Town and Country Planning Act that do not constitute permitted development as defined in the general permitted development order (GPDO) or uses permitted by the use classes order. Usually subject to conditions and sometimes a legal agreement.

Planning Policy Guidance Notes (PPG) - Former central government guidance on a range of topics from transport to retail policy giving advice to regional and local policy makers on the way in which they should devise their policies in order to meet national planning goals. Most PPGs have now been replaced by [Planning Policy Statements](#).

Planning Policy Statements (PPS) - Planning Policy Statements set out the government's policies on different aspects of spatial planning in England.

Public realm - This is the space between and surrounding buildings and open spaces that are accessible to the public and include streets, pedestrianised areas, squares, river frontages etc.

Spatial Development Strategy - (see London Plan)

Registered Social Landlords (RSLs) - Technical name for independent, not-for-profit organisations registered with and regulated by the Housing Corporation. These organisations own or manage affordable homes and are able to bid for funding from the Housing Corporation.

Sequential Test - A planning principle that seeks to identify, allocate or develop certain types or locations of land before others.

Scattered Employment Sites - An employment site that is not a designated employment site (a site that is not a Strategic Industrial Location or Locally Significant Industrial Site) as detailed in Merton's adopted Proposals Map (as amended).

Sites of Importance for Nature Conservation (SINC) - Locally important sites of nature conservation adopted by local authorities for planning purposes and identified in the local development plan.

Site of Special Scientific Interest (SSSI) – A site identified under the Wildlife and Countryside Act 1981 (As amended by the Countryside and Rights of Way Act 2000) as an area of special interest by reason of its plants, animals and natural features relating to the earth's structure.

Socially Rented Housing - Planning Policy Statement 3 (Housing) states that this is rented housing owned and managed by local authorities and registered social landlords for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements (specified in Planning Policy Statement Note 3) as agreed with the local authority or the Housing Corporation as a condition of grant.

Statement of Community Involvement (SCI) - This sets out how, when and where the council will consult with local and statutory stakeholders in the process of planning for the local authority area, both in producing development plan documents and in carrying out the development control function.

Strategic Environmental Assessment (SEA) - A process of environmental assessment of certain plans and programmes which are likely to have significant effects on the environment. It is required by European Directive 2001/42/EC (the Strategic Environmental Assessment or SEA Directive)

Supplementary Planning Documents (SPDs) - Supplementary planning documents (SPDs) give further guidance on specific policy topic areas such as [affordable housing](#) provision, that have been identified in core policy in the [local development framework](#) (LDF), or to give detailed guidance on the development of specific sites in the form of a [master plan](#) framework plan or [development brief](#).

Sustainability Appraisal (SA) - A form of assessment used in the UK, particularly for regional and local planning, since the 1990s. It considers environmental, social and economic effects of a plan and appraises them in relation to the aims of sustainable development. Sustainability appraisals that fully incorporate the requirements of the [SEA Directive \(2001/42/EC\)](#) are required for [local development documents](#) and [regional spatial strategies](#) in England under the Planning and Compulsory Purchase Act 2004.

Sustainable Community Strategy (SCS) – The overarching strategy for the local area, which sets out of the overall direction and vision for the borough over the next 10 years. It tells the story of a place, and what needs to be achieved for the local area and its residents, based on what is most important to them. It is also known as the Community Plan.

Sustainable development - Development which meets the needs of the present generation without compromising the ability of future generations to meet their own needs.

Town centre type uses – In accordance with PPS4 Planning for Sustainable Economic Development, the main uses to which town centres policies can apply are:

- retail development (including warehouse clubs and factory outlet centres)

- leisure, entertainment facilities, and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls)
- offices, and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)

Unitary Development Plan (UDP) - This is the former statutory development plan system and contains the framework to guide development in local areas. Under the Planning and Compulsory Purchase Act 2004 it was replaced by Local Development Frameworks. UDP policies will continue to operate for a time after the commencement of the new development plan system in 2004, by virtue of specific transitional provisions, though they should all be eventually superseded by LDF policies

Use Classes Order – Schedule of class of use for land and buildings under Town and Country Planning (Use Classes) Order 1987 as amended 2005:

A1	Shops
A2	Financial and Professional Services
A3	Restaurants and Cafés
A4	Drinking Establishments
A5	Hot Food Take-away
B1	Business
B2	General Industrial
B8	Storage or Distribution
C1	Hotels
C2	Residential Institution
C2A	Secure Residential Institution
C3	Dwelling Houses
D1	Non-residential Institutions
D2	Assembly and Leisure
Other	Sui Generis