

Merton Council

Development and Planning Applications Committee Agenda

Membership

Councillors:

Aidan Mundy (Chair)
Matthew Willis (Vice-Chair)
Simon McGrath
Sheri-Ann Bhim
Michael Butcher
Edward Foley
Billy Hayes
Dan Johnston
Thomas Barlow
Martin Whelton

Substitute Members:

Susie Hicks
Kirsten Galea
Nick McLean
Stephen Mercer
Stuart Neaverson
Usaama Kaweesa

Date: Thursday 25 April 2024

Time: 7.15 pm

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

This is a public meeting and attendance by the public is encouraged and welcomed.

The meeting will be livestreamed and can be viewed by following [this link](#)

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democratic.services@merton.gov.uk or telephone 020 8545 3356.

All Press contacts: communications@merton.gov.uk or 020 8545 3181

Development and Planning Applications Committee Agenda

25 April 2024

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 12
- 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.
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- 5 58 - 62 Haynt Walk, Raynes Park, SW20 9NX 13 - 72
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- 6 11 Streatham Road, Mitcham, CR4 2AD 73 - 104
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Ward: Figges Marsh
Officer Recommendation: GRANT Planning permission subject to conditions
- 7 18 - 22 Crown Lane, Morden, SM4 5BL 105 - 202
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Ward: Merton Park
Officer Recommendation: GRANT Permission subject to Section 106 obligation or any other enabling agreement
- 8 Update Report - Provision of footbridge at 42 Station Road, Colliers Wood 203 - 204
- 9 Planning Appeal Decisions 205 - 208
Officer Recommendation:
That Members note the contents of the report.
- 10 Planning Enforcement - Summary of Current Cases 209 - 220
Officer Recommendation:
That Members note the contents of the report.
- 11 Glossary of Terms 221 - 226

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.

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.

DEVELOPMENT AND PLANNING APPLICATIONS COMMITTEE

14 MARCH 2024
(7.23 pm - 11.00 pm)

PRESENT Councillors Councillor Aidan Mundy (in the Chair), Councillor Matthew Willis, Councillor Michael Butcher, Councillor Edward Foley, Councillor Simon McGrath, Councillor Dan Johnston, Councillor Martin Whelton, Councillor Sheri-Ann Bhim, Councillor Billy Hayes, Councillor Thomas Barlow

ALSO PRESENT Jonathan Berry (Head of Development Management and Building Control), Tara Butler (Deputy Head of Future Merton), Eben Van Der Westhuizen (Planner), Jayde Watts (Democratic Services Officer)

PRESENT James Felton (Lawyer), Stephen Hill (Planner)
ONLINE

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No apologies for absence were received.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 15 February 2024 were 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 the agenda would be taken in the published agenda order.

Please note that members of the public, including the applicant or anyone speaking on their behalf, are expressing their own opinions and the Council does not take any responsibility for the accuracy of statements made by them.

5 FLAT 18, SOVEREIGN HOUSE, 1 DRAXMONT, WIMBLEDON, SW19 7PG (Agenda Item 5)

The Chair informed the committee that this item was deferred from the meeting on 15 February 2024 due to further assessment of the late representation on Heritage.

Further assessment took place and officers confirmed that the application could proceed with the previous recommendation for approval.

The Planning Officer presented the report.

The committee received representation from one objector who raised points including:

- Design and materials were impractical and failed to respect the architecture of the building.
- Flat 17 respected the character of the building and went unopposed.
- Not eco friendly, extensive use of south facing glass would require high energy air conditioning.
- Took away light and privacy. The slop gave flat 17 light and a view which this extension would take away.
- The updated light assessment looked wrong.
- The layout was impractical with inaccessible gaps between the extensions and the main building walls. Flat 15 below suffered 3 years of ingress through the gaps. Future repairs would be impossible like they use to be from Flat 17.
- The ingress put flat 18 in breach of their lease; they were asked to fix it before negotiations on new works but they sought permission anyway.
- Concerned about the load aspects and amenity of neighbours.
- They reserved their rights under the lease which allowed them to stop any acts detrimental to the aesthetics, character and structure of the building or property of others.
- Suggested a compromise for the current application to be refused, once the breach in the lease was fixed, they would then provide a revised proposal to residents which addressed concerns. They would then be likely to receive a receptive community response.

The committee received representation from Ward Cllr Hicks who raised points including:

- Flats 17 and 18 were fortunate with a terrace the size of a room. The proposed flank wall would be hard up against the white wall.
- The flat 17 extension had a big window facing onto the terrace to catch the light from over the wall and did not infringe on flat 18.
- Tonight's application was designed to sit hard up against the wall and was considerably taller. If built, flat 17 would not look out of their window to open space and sky. The light would be reduced, and they would lose the sense of openness and seclusion that they had currently.
- The applicant would retain all of their sun and sky whilst taking it away from their neighbour.
- The materials chosen were out of sync of the building.
- A symmetrical extension on the other side of the terrace would suit the building without damaging the amenity of the next door neighbour and was why the application should be rejected.

The committee received representation from Ward Cllr Holden who raised points including:

- Shared concerns raised by residents.
- The application should be refused on design grounds. Design was subjective and although the report suggested that the application brought balance and was acceptable, he argued that this was only an opinion and requested that they considered their comments instead.
- The proposed extension was harmful to the design and outlook of the building and did not bring balance, did not offer an interesting outlook, location was in a prominent position and could be viewed by residents.
- It was harmful to the listed building at 100-102 Wimbledon Hill Road.
- Was not in keeping with the style of the block of flats.
- This property should be locally listed as an example of the style of flats built at the time.
- The property was predominantly brick built with an offset top floor.
- Flat 17 had a remarkably nice design enhancement built on the previous conservatory and used bricks to match the age and appearance of the rest of the building. This work was an enhancement to the building.
- This application used heavy glazing and a protruding roof. The bulk and massing were out of kilter and made Sovereign House worse off.
- The sympathetic approach would have been to mirror flat 17 and been symmetrical, used brick and minimal glazing. This would have made the building look better and not result in building control matter issues and other design layout issues.

The committee received representation from the agent James Latter and the applicant Sue Thompson who raised points including:

- Wanted to create an energy efficient home, enhance the block and improve privacy between flat 17 and 18.
- They wanted to modernise the interior and make the outside space usable all year round.
- Saddened to see objections from residents but realised most were not planning related and were about construction post planning.
- Understood and sympathised that it could be annoying for residents to have another proposal for building works a couple of years after flat 17. They would do everything they could to keep the build time to a minimum and reduce disturbance where possible.
- The high architectural design enhancements as identified by the planning officer, would benefit everyone by increasing the block value and value of each flat. Heating bills and sound for the flats below would be significantly reduced.
- Keen to work with directors to minimise disruption and wanted to discuss plans before applying for planning permission. Since June 2023, they made many formal requests which were refused on every occasion.
- Met with flat 17 to discuss plans, produced daylight studies and altered proposals to take his views into account.
- They proved that there was no planning issue with daylight and sunlight.

- They were concerned with the little privacy on their balcony.
- There was a small leak into flat 15 in February 2021 and another in March 2023. No further leaks were reported, they were not in breach of their lease.
- Approval of the plans would create an energy efficient home, enhance the block and improve the privacy between flat 17 and 18.
- They were not building against the flank wall and moved the extension back on the request of flat 17.
- Since the deferral based on comments from the Conservation Officer, they looked at improving the symmetry to the street elevation by removing the recessed brick panel alongside other amendments.
- The material finish to the roof canopy was also lightened in colour to further reduce contrast to the existing material palette of the existing property.
- Further adjustments were made to reduce impact to the adjoining property, including pulling away from the neighbouring terrace and the removal of ensuite facilities.
- Daylight and sunlight studies concluded minimal impact on the immediate neighbouring terrace.
- Although not a planning consideration, a structural assessment was completed and concluded that the lightweight construction methods could be accommodated by the existing fabric.

In response to questions raised by the committee, Planning Officers advised:

- There was a set back from the flank wall.
- There was an existing wall which divided the two terraces and the proposal was set back from it. There was also the indent to reduce the impact further. It would be difficult to see the vast majority of the extension, it would be visible from some extent above the dividing wall but this would be minimal.
- Daylight and sunlight were formally assessed and confirmed that under BRE standards, there was minimal reduction in light.
- A number of objections raised were not planning issues. Matters of private interest between occupiers such as arrangement by deeds between the leaseholder and freeholder, nuisance and structure of the building were not material considerations. In the case of non-civil matters, it was important for members to not replace the role of building regulations and building control departments. Building control issues were for the next stage if planning permission was granted.
- The wall already existed and sloped away from the building, at which point the extension would be more visible. The extension was set away from the wall to be less visible and why it indents. The wall did slope down and the design responded to this.
- As a matter of planning law, members were required to assess the proposal before them as opposed to a preferred scheme. There was a danger to consider possible negotiations between parties and this was not advisable.
- High quality materials were to be used which provided an interesting contrast to the building.

- There were concerns in regard to plumbing and these matters would be controlled by building regulation. However, the bathroom which caused the issue has been removed.
- Solar panels were proposed and formed part of the scheme so the applicant would be required to implement them. There were no policy grounds to condition solar panels or further energy enhancements for an extension.
- There was no evidence to suggest solar gain resulting from the choice of materials and they would not consider this to be a reason for refusal.

The Chair invited the applicant to respond to clarify details raised within questions from the committee.

The applicant informed the committee of the following:

- Several attempts were made to approach the board but this was initially denied as they were not yet the legal owner. There was then a leak in the terrace and they were told they were in breach of their lease. They have done all that they could to engage and wanted to discuss the application before submission. They also engaged with their next door neighbour and was surprised by their objection. The plans were modified but they could not change the extension to the master bedroom as they would otherwise have to go through the master bedroom to access the patio.
- The thermal performance of the property was covered off by building regulation. They discussed incorporating blinds to control solar gains and the intention was to have solar controlled glazing films. They planned to upgrade the thermal material fabric of new additions and include passive and mechanical ventilation systems to mitigate solar gains.
- They would not use air conditioning.
- Brick etching was their intention.
- Repairs to the terrace were carried out to the areas of concern, with building control approval. The area was currently watertight.

The Chair moved to the vote on the Officers' recommendation with the following additional informatives: Votes For – 9, Against – 0, Abstentions – 1.

INFORMATIVES:

- Sound levels were at an appropriate level.
- Confirmation that there were no leaks.
- Brick etching as intended would proceed.

RESOLVED: That the Committee GRANTED Planning permission subject to conditions.

6 LOCAL PLAN (Agenda Item 6)

Tara Butler presented the report.

The committee received representation from Ward Cllr Neaverson who raised points including:

- At 19 storeys tall Britannia Point dwarfed over the rest of Colliers Wood, Visible as far as Streatham and Sutton, its scale was out of keeping with the local character.
- Considering the needs for homes in London, constructing them on this site was common sense. What was not common sense was building something even taller than the current tower. The original Local Plan agreed with this, but the Planning Inspector now wished to see the height limit removed. Ward Councillors and over 650 residents who signed a petition fundamentally disagreed.
- There should be no building taller in Colliers Wood than the current tower.
- Defining a place's character seemed nebulous but was something many believe was precious.
- People wanted to feel part of their community.
- Resident should have reasonable requests listened to, especially when it created a structure that would tower over the community for decades.
- They did not say to building nothing but building something taller than the existing tower would further undermine what makes Colliers Wood special. It would rob homes and the local primary school of sunlight and worsen the wind impact felt around the tower.
- A resident was recently blown down by the winds outside of the tower. No one should feel scared walking around the town centre.
- Decisions at the site mattered, they needed to get things right and encourage developments that enhanced and respected the character and environment of the community.
- An explicit limit on the height of new buildings was an obvious and unambiguous way to support this.

The committee received representation from Ward Cllr Cooper-Marbiah who raised points including:

- Strongly believed it was wrong to close the height restrictions on future buildings.
- Collier Wood was a fantastic place to live, work and learn. There was nowhere quite like Colliers Wood in London.
- Streets were steeped in history, had charming low-rise blocks and housing with its own local heritage which led to a village like centre, giving Colliers Wood a unique community feel loved by residents and visitors.
- The Planning Inspectors proposal to remove the 19 storey clause would rob Colliers Wood of its identity and heritage.
- A further Britannia Point would further worsen the dangerous wind impact felt around the tower by pedestrians and cyclist and would cast shadows on homes, businesses, cafes and shops. This would affect day to day lives and the economy.
- Sustainability and climate change must also be a focus of the committee.

- The close proximity of the Wandle River which, in a floodplain, was also of concern due to the potential impact on neighbouring properties.
- Britannia Point was of out character with the low-rise nature of the neighbourhood. No one would approve such a structure today so why would they allow another 26 storey twin building right next to it.
- It was not just Ward Councillors who felt this way, the local MP and almost 700 residents all vehemently opposed the removal of the clause.
- They were not against increased housing developments but believed the local plan needed to have the right protections in place to ensure responsible developers and a fair, balanced and responsible development plan across the borough.
- Removing the clause that Britannia Point was the pinnacle would encourage wrong developments and developers.

The committee received representation from Ward Cllr Hicks who raised points including:

- Cheered by discussions on appropriate heights but was troubled by heights carrying great weight.
- A charm of Wimbledon was how close to the centre you could find residential streets. The edge of the 24m zone edged onto a garden on a pretty road. Some of such roads were either allocated for 40m buildings or were within the 24m zone.
- Despite the conservation area which was full of listed buildings, restaurants and flats it was within the 24m tall building line and just beside the 40m line.
- The map within the report appeared to contain a conflict as it had a red circle delineating 49m, the amber circle delineating 40m and the black line which had 24m. The 40m circle extended to Tabor Grove which was a quiet residential street. If this could be addressed, it should be.
- It was important to resist anything that would make it harder to say 'no'. There was a push for height in the centre of Wimbledon.
- Tall buildings going onto the residential streets of Hillside should be an amendment we resist.
- Why are we losing the local in local amenity. The word 'local' had been taken out or edited and mere amenity was a more flexible concept which may not be helpful.

The Chair invited Ward Councillor Neaverson to respond to clarify details raised within questions from the committee.

The Ward Councillor informed the committee of the following:

- At one site, what they were potentially looking was far above what they should be considering anywhere in the area. No height limit allowed for all manners of developments.
- It was vital for limits which would help local residents understand what was possible and gave clear guidance to developers.
- Issues from the current site were well documented but this was about not allowing a site to massively tower over what was there currently.

In response to questions raised by the committee, Officers advised:

- Consultants were currently working on drafting the walking, cycling and curb side strategy. It is the intention that this will be ready in time.
- Changes to the Biodiversity and Access to Nature Policy were as follows:
 - Section D: Introduction of the 10% statutory requirement for major and smaller sites. The 10m buffer came from environment agency legislation and would be applied where feasible.
 - Section F: Address the deficiency of access to nature and included all major developments.
- Policy 15.10 tried to strike a balance between the fact that there were often plants or it could be lift shafts, boilers, heat pumps and a variety of different things. It would often be found with commercial properties with extractor fans which could be aggravating for residents when not sited well, hence the reference to impact to living conditions and amenity.
- Paragraph 15.3.19 referred to a number of protected species and particularly emphasised swift bricks. Two types of guidance on swift bricks were referenced and they already received a response to the consultation from Wimbledon Swifts who advised for one of the references to be updated to a particular British standard, which was appropriate to do, and to change the link to the Swift Conservation Group to another organisation which met British standards. The response from the Wimbledon Swifts would be circulated to members and published online.
- In April 2023, the Inspectors shared their views on particular sites. During this time there were many changes to national policy and the government introduced requirements for a National Design Guide and National Model Design Codes. The Inspectors also included the requirement that for sites that are suitable for tall buildings, either the Council or the applicant should prepare a design guide or a design code. It was added quite late, but this was because it came into national policy quite late. Reference the proposed new paragraph below 12.1.5 provided wording.
- Decisions should be made based on the adopted policy at the time of determination and this policy is not yet adopted. As a plan goes through the examination stage and gathers material weight it becomes a material consideration, however, advice from legal on unresolved issues is to give limited weight to such issues. Building height could be considered as a material consideration for a planning decision but you may consider it to have limited weight until the plan is adopted. Moderate or significant weight would not usually be given until the inspectors report has been published.
- Government introduced a proposal to ensure Local Plans took 30 months from start to finish.
- Members had discretion to make decisions contrary to policy if material considerations indicated otherwise. The GLA advised that instead of stating a 'maximum' height, it should be 'appropriate' height to give members discretion.
- GLA letters were online, but officers could send links to copies as requested.
- Any discussion around building heights in London was tied inextricably to housing delivery. The lower the housing land supply the greater the risk of

going to appeal on height. The two factors needed balancing against each other. To limit height on a taller building site, there would need to be a good level of housing delivery elsewhere across the borough.

- D12.2 paragraph S did not go into specific detail such as EV, but it was mentioned extensively in the Transport chapter. This section emphasised the location, scale, setting and layout of the site.
- D12.2 point B was moved as opposed to taken out of the plan.
- If members were able to apply conditions in relation to car and bike club credits, the new policy would not change this. At present the plan referred to car club but members could propose to include e bike hire. Although members would have a new Local Plan which carried great weight, the principle of decision making would still be that applications needed to be determined in accordance with the Local Plan and other material considerations. Inspectors tend to not be keen on policies that were too prescriptive and set a requirement which attempted to cover all applications in all circumstances. The emerging Transport Strategy would be best placed to explore this further.
- Most parking apps advised where to park hired electric bikes, with a reduction in fees when parked in the correct place. Anyone using an app, such as Human Forest, had a financial incentive to park in an appropriate place. It was uncertain if the Local Plan would have an effect in the Council's ability to roll out more bikes.
- In relation to paragraphs 16.4.6 onwards, the current London Plan required all parking spaces to have passive EV parking provisions. The current standard was for 20% and applied to disabled spaces, on the grounds that not every person with a disability had an electric vehicle. As there was a 100% passive provision, it was much easier to put in the technology when necessary.
- T16.4, paragraph D will be checked with Transport colleagues for clarification.
- The Local Plan as submitted originally referred in its policies to future supplementary guidance, but the Inspectors were clear that that it would be unfair on residents and applicants for Merton's Local planning policies to refer to future guidance that they had not seen and had not been published yet. Officers would be supportive of the idea to have a more prescriptive formula which said that the closer we got to 2035, a greater proportion would be needed to cater to EV charging however, this would be a new policy which inspectors would want to examine thoroughly. Officers would need to prepare evidence and it was likely that the inspectors would reopen the hearings.
- Proposed deletion of paragraph 16.4.5 will be investigated further and clarification provided to members.
- Paragraph 16.4.2 refers to an adopted policy from the current London Plan. Members could still consider material considerations for particular schemes if members felt there was a reason to deviate from the Local Plan.
- The London Plan makes a point that if a development ranged across multiple PTALs, the highest one should be the point of reference. When making a decision for particular applications, it may be that entry to a site was within PTAL 3 and members considered that a material consideration when making a decision.

- T16.4 paragraph B required certain developments to be permit free and did allow for onsite parking. Three aspects to vehicles and parking were pollution, road safety and traffic congestion. Merton had a fixed amount of road space and although EV vehicles addressed pollution, it did not necessarily address road safety and congestion. Most of the issues raised to officers was with regards to road congestion which was what this policy was trying to address for existing residents.
- Part 1.2.43 and subsequent policies direct landowners and developers towards focussing tall buildings in the areas identified in the plan. It was still within their gift to submit an application, but the policy would give great weight in making a relevant decision.
- The plan was updated at part 3.1.18 to clarify that only CW2 should be considered for appropriate tall buildings. The phrase officers wanted to retain but was deleted, was shown in the report.
- Officers felt that the removal of the pinnacle made things more ambiguous. The Planning Inspector's correspondence is clear that the basis for reviewing building heights is based on the need for housing delivery.
- Jon Berry informed members that the Gasworks application was complex. They were getting closer to the applicant submitting new plans and information. If and when that happened, officers would go out for public consultation. Due to the nature of the application, they would go out for the full 21 day consultation statutory period. They also strongly encouraged the applicants to carry out their own consultation with the public.
- In the existing adopted Local Plan, there is no reference to appropriate building heights or otherwise. This was introduced in the new Local Plan to bring it in line with the London Plan.
- With reference to M16, based on evidence and a character study, the proposal is for the site to have a maximum of 10 storeys, which was originally 9 storeys but the Planning Inspector said the council needed to deliver homes. All the allocations were separate from any planning application, which would provide more detail.
- If officers felt that any of the proposed changes made by members would put the plans delivery timetable at risk, they would advise members as such.
- Jon Berry informed members that he was apprehensive about the proposal made for EV permits being allowed in a CPZ where available, as they had not put the evidence to the inspector as to where they may be, and it may be too prescriptive. The preference would be for this to be included in one of the material considerations rather than the Local Plan.
- Section E of the Morden Policy, as detailed in the map within the report, the Wider Morden Town Centre area highlighted in yellow was now gone and no longer part of the plan. A lot of the references in section E related to the previous inclusion of the Wider Morden Town Centre area.
- Design guide had a slightly different function to design code. The design code typically would have detail on materials but in the National Model Design code, it specified that you could include height. In this instance it will likely be a design guide for the Morden Regeneration Zone.
- The Civic Centre being a pinnacle building was brought up in previous consultation responses. It was never part of the plan, but some

- representations raised that they would prefer the Civic Centre to be the pinnacle building. The balance was that Morden, with 2000 homes, was the key to revitalising the town centre, delivering homes and supporting services. The designs, height and strategic development framework were developed over a number of years but did not put the Civic Centre as the pinnacle.
- N7.1 was a new policy which created a local centre at South Wimbledon as a result of public consultation. For a small neighbourhood there was a lot of development and regeneration taking place.
 - Wider Wimbledon received many responses. The town centre had detailed planning guidance called The Future Wimbledon SPD was adopted and helped to reassure the Inspectors issues around design, character and building height. This had been thoroughly considered at a detailed level and consulted on with residents prior to the Local Plan.
 - In relation to the Strategic Heights Diagram for Wimbledon Town Centre, officers adopted the guidance from the adopted Future Wimbledon guidance. The Inspectors said officers could not be that prescriptive in the Local Plan. The map was indicative and said 'circa 24m could be appropriate subject to all other policy requirements'. It was difficult to illustrate an area without reverting to the previous building by building approach. It did not mean that all buildings within the dotted lines would be acceptable at 40m or 24m.
 - Page 290 section H, officers wanted to reference the guidance, but the Inspectors made it clear that there could not be a policy which referred to guidance as Councils could change guidance without any recourse to Secretary of State.
 - Wimbledon has been resilient in terms of office development. Officers were aware that no one knew how lives would change from 2019 to 2024 in terms of working arrangements. Officers remained committed in continuing to review this.
 - Officers planned to bring in a proofreader with planning expertise.
 - A key part of the Tall Building policy was to avoid abrupt transitions. There was reference in the Tall Buildings policy that, when looking at design, it must step down when moving towards existing residential neighbourhoods.
 - Our policy had to be in line with national policy.
 - Additional funds from the 20% financial contribution would need to be spent on additional affordable housing as per S106. Previously Merton used the funds to increase the affordable housing contribution from larger sites.
 - Based on experience, the viability assessment policy had to be as straight forward as possible. Officers were working on proposals with development management colleagues to make it easy to implement. This would not require every development to complete a viability study, as that would be unfair. Officers will come back to members and colleagues with training and advise should they be able to adopt the more straight forward policy.
 - Design codes were new so not many Councils had them yet. Those who did tended to get consultants. The big emphasis was community consultation to ensure buy-in from local residents. A range of people would contribute to the design codes, then officers would pull it together and advise Councillors.
 - The National Model Design Code and the National Design Guides inform Council how to approach design codes.

- Officers agreed to review the list of wards in the east of the borough that were within a 'pocket of deprivation', within the paragraph on page 361, with the view of including Figge's Marsh Ward.
- Policy O15.5 required the provision for green infrastructure. Urban greening and green infrastructure were defined in the glossary and in both definitions, green roofs were included. Paragraph 15.5.7 within the policy listed the required information and mentioned maintenance.
- 12.2b was required to be deleted as the Inspectors identified it as an unnecessary repetition of policy T16.1.C.

The committee agreed to the following:

Proposed and Seconded: Votes for – 10, votes against – 0, not voting – 0
 Policy T16.4, paragraph F part-f amended to include bike hire scheme clubs to also benefit in the same way as car clubs.

Proposed and Seconded: Votes for – 8, Votes against – 2, Not Voting – 0
 Section Policy T16.4, paragraph part-b to be updated with the following exceptions:
 a) there was space in the CPZ and
 b) for EV vehicles.

Proposed and Seconded: Votes for – 10, Votes against – 0, Not voting – 0
 Section 3.1.18 be returned to the original statement of 'Britannia Point should remain the pinnacle building in the town centre in terms of height. This can then form the basis for a coherent group of buildings that relate well to each other in terms of scale, massing, form and architecture'.

Proposed and Seconded: Votes for – 10, Votes against – 0, Not voting – 0
 Cabinet to review the process on how design guides are developed and for proposals to be brought back to DPAC at the next available opportunity.

7 PLANNING APPEAL DECISIONS (Agenda Item 7)

The report was noted.

8 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 8)

The report was noted.

9 GLOSSARY OF TERMS (Agenda Item 9)

10 CHAIRS PROCEDURE GUIDE (Agenda Item 10)

11 MODIFICATION SHEET (Agenda Item 11)

PLANNING APPLICATIONS COMMITTEE

25 APRIL 2024

CASE OFFICER REPORT

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
23/P1812	04/07/2023
Site Address:	58 - 62 Haynt Walk, Raynes Park, SW20 9NX
Ward:	Cannon Hill
Proposal:	APPLICATION FOR THE DEMOLITION OF NOS 58 & 60 HAYNT WALK & ASSOCIATED BUILDINGS; REFURBISHMENT OF NO 62 HAYNT WALK; ERECTION OF 6 x 3 BED DWELLING HOUSES WITH ASSOCIATED LANDSCAPING, VEHICLE ACCESSWAY AND PARKING.
Drawing Nos:	See condition 2
Contact Officer:	Leigh Harrington (020 8545 3836)

RECOMMENDATION

GRANT Planning permission subject to conditions

CHECKLIST INFORMATION

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	58
External consultations	No

Internal consultations	Yes
Controlled Parking Zone	No
Conservation Area	No
Archaeological Priority Zone	No
Public Transport Accessibility Rating	2
Tree Protection Orders	No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1.1 The site comprises an uncharacteristically large rectangular plot located on the south side of Haynt Walk in Raynes Park formed from the houses and gardens of 58-62 Haynt Walk. A present, the application site comprises a pair of semi detached houses, which are set back from the road frontage and accessed via a vehicle access point between 58 and 64 Haynt Walk. One half of a pair of semi detached houses forms part of the application site boundary on its western side.
- 2.1.2 The site forms part of a distinctive 1920s council estate designed by architects John Sidney Brocklesby and Wallace Marchmont and based on the garden city suburb concept. Whatley Estate housing stock is of a simple form(s), with the majority of buildings displaying either hipped or gabled roofs, some with gables facing the main road and other corner buildings with gables at right angles to the road.
- 2.1.3 The application site is surrounded on all sides by other residential properties.
- 2.1.4 The neighbouring properties running along the northern boundary of the application site comprise a pair of semi detached houses in Haynt Walk. The semi closes to the application site is known as 56 Haynt Walk.
- 2.1.5 The neighbouring properties running along the eastern boundary (and partly along the southern boundary) of the application site comprise properties in Cannon Hill Lane. To the east, two storey semi detached houses, 132 – 136 Cannon Hill Lane are orientated directly towards the application site. The other houses in Cannon Hill Lane comprise a small row of four houses (138 - 144 Cannon Hill Lane) sits at an angled orientation towards the application site.
- 2.1.6 The neighbouring properties running along the southern boundary of the application site comprise two storey semi detached properties in Martin Way. 267 - 277 Martin Way are orientated directly to the rear of the application site. 267, 271 and 273 Martin Way have been extended with single storey rear

extensions.

2.1.7 The neighbouring property running along the western boundary of the application site, beyond the semi detached house to be refurbished as part of the proposed scheme, comprises 64 Haynt Walk.

2.1.8 The site has the following designations and restrictions:

- Controlled Parking Zone (CPZ) – No
- Conservation Area – No
- Listed Building – No
- Tree Preservation Orders – No. There are only lower quality trees on the site.
- Open spaces - The site is within 300m of Joseph Hood Recreation Ground.
- Flood Zone – 1 although it is within a Critical Drainage Area and area of increased potential for elevated groundwater
- Employment Site – No
- Classified Road – No
- PTAL – 2 measured on a scale of 0-6b where 0 is the worst and 6b the best and is roughly equal distance between South Merton and Wimbledon Chase railway stations.

3. CURRENT PROPOSAL

3.1.1 The proposal is for demolition of Nos 58 & 60 Haynt Walk & associated buildings; refurbishment of no 62 Haynt Walk and erection of 6 x 3 bed dwelling houses with associated landscaping, vehicle accessway and parking.

Height/design

3.1.2 The proposal has been amended since its original pre application submission to reduce the overall bulk, scale and number of proposed houses (from 6 to 8 units) that would comprise the terrace of six 3 bedroom houses.

3.1.3 The proposed terrace would comprise a standard two storeys with an additional level of accommodation within the roof space. The eaves height is to match the existing eaves height whilst the roof height would be only 0.42m higher than the existing whilst the design has utilised the same 51% roof slope and the large chimney arrangement that is a feature of the original estate into the design of the new terrace. The exterior has been designed to create a terrace of matching houses whilst the house at 62 Haynt Walk would be refurbished

Layout

3.1.4 The terrace would be served by an access road from Haynt Walk that would extend to the front and side of the block.

3.1.5 The terrace would feature 6 houses in three pairs of adjoining entrances reached by paired paths flanked by refuse and cycle stores. Each entrance hall would serve a reception room to the front and then a utility area that would

open to a guest bathroom. The rear of each house would be given to a large open plan combined kitchen/dining/living room area leading to the rear garden. Part of the rear element would be single storey and be served by a large skylight.

3.1.6 On the first floor there would be a pair of ensuite double bedrooms whilst the second floor would accommodate a master bedroom and a separate family bathroom.

3.1.7 The new houses would all feature policy compliant gardens to the rear with cycle storage and refuse storage at each house.

Materials

3.1.8 External construction materials would comprise a light buff mix exposed brickwork for the ground and first floor levels as well as chimneys with graphite and steel grey coloured aluminium fenestration and graphite grey standing seam roof.

Highways

3.1.9 The proposals involve the provision of an off street parking bay for each house with the site access reflecting the current arrangement for access from Haynt Walk. The original design proposed a car park to the rear of the site, however the new arrangement is considered more efficient layout with parking provided directly outside each house for ease of occupants and the ability for the installation of EV charging points.

Cycle & refuse stores

3.1.10 These would be situated to the front of each house with a collection point area located by the entrance to the site.

Sustainability

3.1.11 The application has been accompanied by an Energy and Sustainability Statement which states that the development will achieve an improvement in build fabric at over 11.50% at the "Be Lean" stage and an overall improvement (DER/TER) in regulated emissions at over 66.58% above Part L 2021 standard, through the adoption of very high standards of insulation, heat pump driven heating and hot water systems and a roof mounted PV array.

Flooding

3.1.10 In terms of drainage, the site is proposed to be attenuated by a combination of permeable paving and an attenuation tank. A Hydrobrake manhole or similar would be required to limit discharge from the storage features to the public network and the storage features have been designed to attenuate all flows below ground up to and including the 1 in 100 year (plus 40% climate change and 10% urban creep allowance). The building will also utilise a green roof and rainwater harvesting could be used on site where the roof runoff can be taken through the down pipes and into a rainwater tank and reused for the likes of plant watering.

Accessibility

- 3.1.11 Access to the site would utilise the existing but widened access route to the houses via a shared pedestrian and vehicular accessway providing step free access to the site.

Trees

- 3.1.12 There are nine trees, five single trees and a group of four fruit trees that would be removed. Tree hedging would be provided along both main boundary elevations with a more natural looking interspersed tree planting along the two side boundaries.

Documents

- 3.1.13 The application is accompanied by the following supporting documents:

- Air and Acoustics Air Quality Assessment
- Construction Logistics Plan
- Covering letter & Planning statement
- Daylight & sunlight Report
- Design and Access Statement
- Energy & Sustainability Statement
- Fire Strategy
- Flood Risk Assessment and Drainage Strategy
- Landscape design report
- Parking and parking stress surveys
- Preliminary Ecological Assessment
- Preliminary Roost Assessment
- Site Waste Management Plan
- Transport Statement
- Tree Survey and Arboricultural Impact Assessment
- Urban Analysis – Four Pillars
- Urban Character appraisal

4. PLANNING HISTORY

58 Haynt Walk

- 4.1.1 15/P4803 - Planning permission refused for ERECTION OF NEW TWO STOREY DETACHED DWELLING HOUSE WITH REAR ROOF DORMER AND 3 X ROOFLIGHTS TO THE FRONT ROOF SLOPE. Reason;

The proposed dwelling by reason of its size, siting and height is considered an unneighbourly form of development which would be overly large and overbearing on neighbours in the proposed location on site, and visually intrusive, and harmful to the amenity of neighbours in

terms of overshadowing, overlooking and visual intrusion, appearing unduly dominant and out of context and character with the existing Haynt Road urban landscape and would be contrary to policies 7.4 and 7.6 of the London Plan 2015, policies CS13 & CS14 of the Merton LDF Core Planning Strategy (2011), policy DM D2 of the Merton Sites and Policies Plan (2014) and Standard 3.1.1 of the London Housing SPG 2012.

And

The proposed development would fail to contribute to meeting affordable housing targets and in the absence of a legal undertaking securing a financial contribution towards the delivery of affordable housing off-site would be contrary to policy CS8 of the Merton LDF Core Planning Strategy (2011).

Proposed block plan for member ref below (new house in shade)



4.1.2

17/P2447 - Planning permission refused and appeal dismissed for ERECTION OF A TWO STOREY 3 BEDROOM TERRACE DWELLINGHOUSE. Reason;

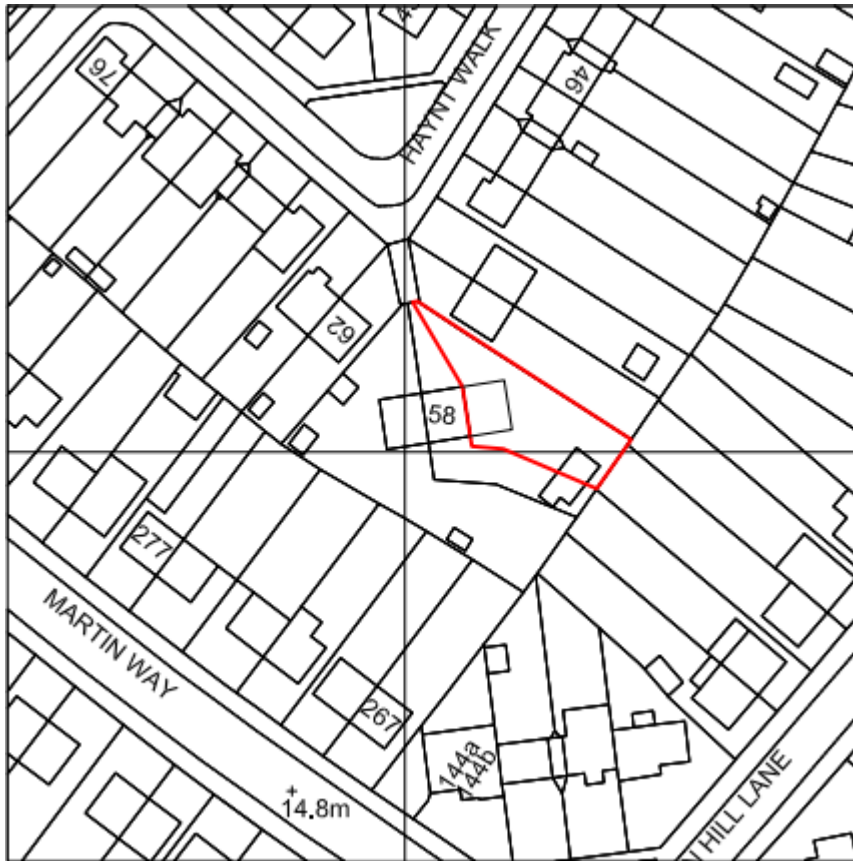
The proposed dwelling by reason of its design, size, siting and height would be an unneighbourly form of development which would be:

- a) *Overly large, visually intrusive and overbearing to the detriment of the visual amenities of neighbours;*
- b) *Result in loss of privacy and overshadowing to the detriment of neighbour amenity; and*

c) *Would appear out of context and character with this part of the Haynt Walk street scene which is characterised by a distinct and orderly layout of semi-detached dwellings.*

The proposals would therefore be contrary to policies 7.4 and 7.6 of the London Plan (2015), policies CS13 & CS14 of the Merton LDF Core Planning Strategy (2011), policy DM D2 of the Merton Sites and Policies Plan (2014).

Proposed block plan for member ref below (new house within red line boundary)



Below, for member information, relevant comments from the planning Inspector when dismissing the appeal:

Living conditions

3. The appeal site comprises part of the side and rear garden to No 58 Haynt Walk. It is an irregular shaped plot in a corner position within the street.

4. The proposed dwelling would be positioned close to the side and rear of No 56 Haynt Walk. The north western corner of the dwelling would be around 2 metres from the boundary with No 56 and in close proximity to the rear elevation of that property. A new dwelling in this position would be an imposing presence along the boundary that would dominate the part of the garden closest to the

house. It would also remove a significant part of the open aspect to the south and would partly enclose the garden along this side. In this regard, it would have a significant overbearing effect to users of the garden area. Whilst the appellant states that the proposal would be less harmful than the existing relationship between Nos 52 and 54, that is a longstanding arrangement that likely dates to when the estate was first built. My attention has also been drawn to a recent development at 153-159 Cannon Hill Lane. However, that development has a very different relationship to neighbouring properties than is the case here.

5. The proposed side elevation would contain a single window above ground floor level, which would be obscurely glazed. Similarly, the first floor bathroom window in the front elevation would also be obscurely glazed. A replacement boundary treatment could also be secured by condition that would prevent direct overlooking of the rear garden and ground floor windows to No 56. These measures would ensure that no significant loss of privacy would occur. However, that does not overcome my concerns in relation to outlook.

6. For the above reasons, I conclude that the development would significantly harm the living conditions of the occupiers of No 56 Haynt Walk with regard to loss of outlook. It would therefore be contrary to the relevant sections of Policy 7.6 of the London Plan (2015), Policy CS 13 of the Merton Core Strategy (2011), and Policy DM D2 of the Merton Sites and Policies Plan (2014). These policies seek to ensure, amongst other things, that new development achieves a good quality of living conditions for both proposed and adjoining buildings and gardens.

Character and appearance

7. The appeal site is set within a large inter-war housing estate that contains a mix of terraced and semi-detached properties. The semi-detached pair at Nos 58 and 60 are set back from the street, behind the established building line on either side. 8. The development would create a short terrace of 3 dwellings that would be offset from the central position occupied by the existing semi-detached pair. However, it would be in a secluded position with restricted visibility from the street. In this regard, any loss of symmetry within the site would not be readily perceptible from along most of Haynt Walk. The design of the proposed dwelling would also be consistent with the existing semi-detached pair, and there are a number of existing terraced properties in the immediate vicinity. The development would therefore not be out of keeping with the surrounding area, in my view. 9. For the above reasons, I conclude that the development would not significantly harm the character and appearance of the area. It would therefore accord with the relevant sections of Policies 7.4 and 7.6 of the London Plan (2015), Policies CS 13 and CS 14 of the Merton Core

Strategy (2011), and Policy DM D2 of the Merton Sites and Policies Plan (2014). These policies seek to ensure, amongst other things, that new development responds to the local context and character of the site.

Conclusion

12. For the reasons set out above, I conclude that the development would significantly harm the living conditions of the occupiers of No 56 Haynt Walk with regard to loss of outlook. Balanced against this, the development would create a new family dwelling on a small urban site in a relatively accessible location, to which I attach moderate weight. In addition, there would be no significant harm to the character and appearance of the area.

13. My attention has been drawn to the emerging Draft New London Plan, which was recently subject to public consultation. This proposes a significantly higher housing requirement for Merton, as well as a new policy that would introduce a “presumption in favour of small housing developments”. However, the Draft New London Plan is still at a relatively early stage and has not yet been examined, nor has the proposed housing requirement been tested. Moreover, it is unclear whether these aspects of the draft plan are currently subject to unresolved objections. At this stage, I therefore attach only limited weight to the Draft New London Plan. In any event, I consider that the harm I have identified in this case would significantly and demonstrably outweigh the benefits of the development.

14. For the reasons given above I conclude that the appeal should be dismissed.

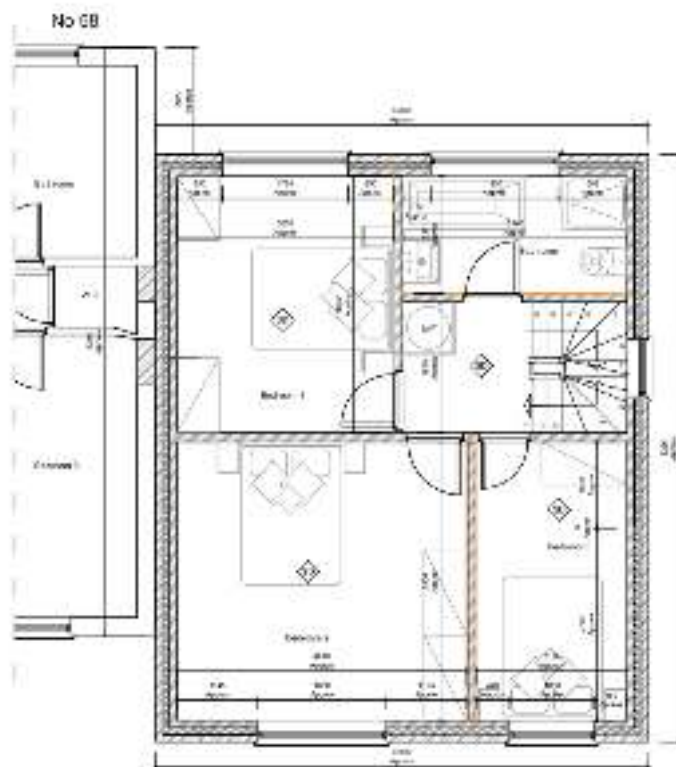
4.1.3 18/P2416 Planning permission refused and appeal dismissed for ERECTION OF A TWO STOREY END OF TERRACE DWELLINGHOUSE. Reason;

The proposed dwelling, by reason of its size, siting and design, would constitute an unneighbourly form of development being visually dominant and overbearing and resulting in overlooking and loss of privacy, to the detriment of the amenities of the occupiers of 58 Haynt Walk, contrary to policies 7.6 of the London Plan (2016), policies DMD2 and DMD3 of the Adopted Sites and Policies Plan (2014), and policy CS14 of the Merton Core planning Strategy (2011).

Proposed Block Plan (house set back compared to previous dismissed appeal)



Proposed First Floor Plan



Below, for member information, relevant comments from the planning Inspector when dismissing the appeal:

Reasons

5. The appeal relates to the irregular shaped side and rear garden area of 58

Haynt Walk, which is a semi-detached house that is located in a corner position. The proposed dwelling would be attached to its flank wall to create a short terrace. This would result in the newly formed garden area of No 58 being of an awkward 'dog-leg' shape, extending outwards from the rear of that property and spanning across the rear elevation of the proposed dwelling and beyond.

6. The submitted plans also show that the proposed two-storey dwelling would project approximately 1.5 metres beyond the rear elevation of No 58. At such close quarters to the shared boundary and rear garden area of No 58 I consider that the mass and bulk of the proposal would visually dominate and have an oppressive and overbearing effect from that neighbouring garden.

7. Furthermore, the proposal would have two sole habitable first-floor rear bedroom windows. Again, the proximity of these windows to the shared boundary and rear garden area of No 58 would be such that a substantial amount of overlooking and a significant loss of privacy to the users of this garden area would occur.

8. I therefore find that the proposal would have a significantly harmful effect on the residents of 58 Haynt Walk, with particular regard to outlook and privacy. In this regard the most relevant policies referred to me are Policy DM D2 of the Merton Sites and Policies Plan 2014 and Policy 7.6 of the London Plan 2016. These seek, amongst other things, to ensure that new development does not cause unacceptable harm to the amenity and quality of living conditions to both proposed and adjoining buildings and gardens. The proposal would conflict with the aims of these policies.

Other matters

9. In terms of the proposal's relationship with other adjoining properties, the appellants' sketches and the submitted plans indicate that the set back of the proposal would result in an approximate separation distance of 4.7 metres between it and the shared boundary of 56 Haynt Walk. As a consequence of this, I acknowledge that the intervening distance between the proposal and the dwelling at No 56 would be around 8.8 metres at its closest point. I also note that the appellants consider this to be an improvement on the previous appeal scheme (Ref: APP/T5720/W/17/3187813) and I have had regard to the car parking layout and open plan aspect of the location. Nonetheless, these factors do not outweigh or overcome the harm that I have identified above.

10. The appellants have requested that their statement of case be read in conjunction with the previous appeal statement for APP/T5720/W/17/3187813. However, I have not been provided with this information so am unable to consider it. I also recognise that the appellants are disappointed with the Council's processing of the application and the errors that were made by the Council's Highways Section during this time. However, this is a matter that would need to be pursued with the Council in the first instance.

11. My attention has been drawn to previous oversights in respect of the separation distances that were referred to in the previously refused planning application and subsequent appeal decision on this site. Nonetheless, these matters have had little bearing on the outcome of this appeal as I have determined it on the basis of its own planning merits and the evidence that is

before me.

12. For the reasons given above, the appeal is therefore dismissed, and planning permission is refused.

4.1.4 18/P4357 Planning permission granted by the Planning Applications Committee for ERECTION OF A TWO STOREY END OF TERRACE DWELLINGHOUSE WITH ASSOCIATED OFF STREET CAR PARKING.

4.1.5 20/P1362 Planning permission granted for ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION TO PROVIDE 4 x SELF-CONTAINED FLATS WITH ASSOCIATED WORKS.



4.1.6 60 Haynt Walk
Nil.

4.1.7 62 Haynt Walk
Nil.

5. CONSULTATION

5.1.1 The application has been advertised by site notice procedure and letters of notification to the occupiers of neighbouring properties (58). 10 letters of objection and 1 letter of support were received along with a 78 signature petition raising concerns relating to:

Visual impact, privacy and amenity

- overshadowing my property, privacy issue.

Impact on the streetscene and local area

- The building design is out of character with the area.
- Years ago I applied to have my front window widened and move out to obtain more light in the house as my elderly mother was visually impaired. I got told it would not get approved in planning as it was not keeping in line with the street scene. So how can demolishing 3 houses and building new ones fit the spec. of the current street scene. I am aware other neighbours made requests too and were rejected.
- Lots of applications have been refused for being out of keeping with the area.
- The houses look so different from the rest of the street, definitely not in keeping with the rest of the street.
- Cladding as a material for the build well this is not acceptable.
- Over developed and overcrowded.
- A development of this scale should surely be considered for a larger more open area and not in the small confines of an established residential area.
- While I understand the need to increase housing, I do not believe that increasing the concentration of residents is beneficial to residents of the planned properties, existing residents or the community as a whole.
- It will increase demand on local resources: parks, schools, hospitals, leisure, doctors, parking, etc. Long term.
- The removal of the houses to only create three extra would also create added pollution, when refitting and extending of the properties may make more sense.

Construction Process

- Disruption caused to all residents would be unacceptable.
- You cannot destroy 3 perfect houses to replace by 6 shoe boxes.
- It will be a logistical nightmare which will have a detrimental impact on neighbouring amenity.
- The consequences of such a construction project would undoubtedly lead to significant disruption for the residents in the surrounding neighbourhood. Noise pollution from the demolition and construction activities, as well as the subsequent increase in traffic, would disturb the peaceful environment that many of us have come to cherish in this area.
- Harmful impact on Joseph Hood Primary School
- The construction activities, including heavy machinery and increased traffic, would pose potential hazards and risks to their well-being. As responsible members of this community, we cannot overlook the grave danger this project could impose on the young and vulnerable population.

- This development could negatively impact the air quality in the area, further compromising the health and well-being of the residents, especially the children whose health is particularly susceptible to pollution-related issues.
- Factor-in the prolonged noise, disruption and pollution that we neighbours have to endure during demolition, construction, sales, marketing, etc. Etc. and you will understand I hope the basis of our objections.

Transport/Highways

- The impact of increased traffic and parking.
- The road is currently used as a cut through now. So this will be even worse.
- Parking will be a serious problem
- The houses at no 56 and 62/64 are at risk of accident that will not have a pathway to access and will be walking out of their gardens directly into traffic.
- The so-called driveway should only be a foot path but was widened in an agreement with previous occupants.
- Collective approval of all these plans will lead to significant over development in the area and also put additional pressure on parking and traffic in the area.
- Any parking audits fail to take account of the collective impact of multiple sites being redeveloped or proposed EV charging requirements/plans.
- The planning pack suggests there could be as many as 60 vehicle movements per day at peak.
- The proposed accessway was just a path/strip and not a road, this road will cause danger.

Flooding

- | have noticed, over the last seven or eight years, that my neighbour (no.56) has endured an increased problem with garden surface water, as well. This is probably due to the increase of house extensions and additional paving, in the area. To make matters worse, the developer now wants to take away most of the earth, associated with the gardens of no's 58 & 60, and replace it with concrete foundations and roadways. This will cause even more garden flooding in the area! I understand from the planning application that we are in a 'medium' risk area for surface water flooding. This gives me no confidence whatsoever!
- The drainage infrastructure cannot cope with more houses/ families. Likewise our old sewer system regularly blocks up and Dynorod have to make clearances. More houses will impact down the street.

- Most of the plot will be paved/concreted.

Wildlife and biodiversity

- Harm to biodiversity and loss of garden wildlife habitats
- Adverse effect on local wildlife, we have bats, foxes and especially slow worms in that area and their habitat is already eroded.

Other Matters

- There's is plenty of land elsewhere in the borough if you need more houses.
- I am writing as I am totally dumbfounded as to how this application has not already been refused by you.
- In all my 60 years of living in Haynt Walk have I ever seen such a ridiculous proposal and am totally against it.
- That proposed development will be bad for the area, creating congestion and overcrowding.
- I would like to object to the surreptitious plans to develop various properties in Cannon Hill Ward, increasing the overall number of properties and residents without any commensurate improvement in local infrastructure such as transport, GP services, schools, sewerage capacity etc.
- Due to current planning consultation guidance there is no requirement for the council to consult any residents beyond the immediate vicinity of properties that are going to be altered, as a result of which I believe most residents are unaware of plans which might have a detrimental impact on the area and serve only to profit developers and inflate rental and house prices so that the adult children of local residents cannot afford to live in the area
- Communication from the Council has been poor, many residents had not been written too or seen the notices displayed.

One letter of support was received

- It would be lovely to see more nice new family homes built in the area.

Re-consultation (31.1.24)

5.1.2

Following the changes to the parking arrangements and privacy improvements the application was reconsulted upon (31/01/2024) and two letters of objection were received raising the following concerns;

- These buildings built in the late 1920s/30s by one of the first woman architects and have a particular character. The proposal for the demolition and rebuilding would be totally against the look of the whole street.
- The proposed plans do not fit in with the rest of the locality as it is large, overbearing and unneighbourly.
- The whole drainage systems and the way they are all connected could not cope with this huge influx of people using it and would no doubt cause us all along Haynt Walk massive and potentially expensive problems in the future.
- We are concerned that this new development would lead to greater flooding.
- Parking and additional traffic would also become a huge problem.
- This is just in the wrong place and would potentially start the ball rolling for demolition of the whole street.
- We believe our privacy would be affected as it overlooks our garden, and with the proposed height, we aren't happy with the effect it would have on our privacy. Even if privacy glass is installed, it could easily be replaced after the works have been signed off. As well as this, windows overlooking the property could easily be opened.
- There would also be issues with loss of light as the proposed development would overshadow our garden.
- We are particularly concerned with the state of the border with our property. 58 Haynt Walk recently moved the border fence of the neighbouring garden, and we are concerned that they would also do the same to our border fence that backs on to 58 Haynt Walk once these works commence. We sought legal representation as the property owner tried to claim part of our garden as his land.
- Works will have a negative effect on our property price

5.2 Internal Consultees:

5.2.1 LBM Highways Officer 07/02/2025

5.2.2 No objection subject to conditions.

LBM Transport Officer 22/08/2023

5.2.3 The disabled bay as shown is unacceptable as there is no turning facility within the site. The applicant to demonstrate how the disabled bay can turn within the site to approach the highway in a forward manner.
There is no turning facility for parking bay for house no.62. Reversing on to the public highway is unacceptable.
It is unclear how vehicle access can be provided to house n.56.
Secure cycle storage is acceptable

Refuse: it appears the designated refuse collection point is substandard to accommodate the required bins for the development. The drag distance from the adopted highway should not exceed 10 metres.

Updated comments 11/03/2024 (amended plans)

- 5.2.4 The width of the access road fronting the terrace houses shows 5.5m. Although the required width should be 6.0m, I will accept the reduced width to retain the newly planted trees to north of the boundary.

Raise no objection to the proposed access. The access would remain private and not adopted by the Council.

Updated Comments 25/03/2024

- 5.2.5 The turning head at the entrance is adequate to service the development of 6 units although a service vehicle may have to reverse a short distance if all the car spaces are occupied.

As I can remember an earlier scheme showed a disabled bay at the very end of the access road and my comments were they must provide a turning head.

Updated comments 16/04/2024

- 5.2.6 The results (of the parking stress survey) indicate there is adequate level of reserve capacity exits within the roads surveyed.

LBM Tree & Landscape Officer (22/08/2023)

- 5.2.7 No arboricultural objection is seen to the loss of the existing trees. these are described in the arb. report as being in generally poor quality/condition. The Landscape Design Report shows there is an intention to plant a diverse range of species of trees and plants, and these are an improvement on the existing landscape.

- 5.2.8 The Preliminary Ecological Appraisal does set out measures to oversee the site work and to protect any species of Amphibian, reptile, hedgehog, bird and invertebrate that may be found there. This will require the on-going services of an ecologist.' Conditions recommended.

LBM Waste Management (09/02/2024)

- 5.2.9 The officer was involved in on site discussions with officers and the applicant in order to resolve issues of the optimum location and size for refuse storage for collection and was satisfied with the proposed arrangements.

LBM Flood Risk Officer (25/08/2023)

- 5.2.10 No objection subject to the following condition:

Condition: Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be

submitted to and approved in writing by the local planning authority for the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 2l/s, with no less than 120.m3 of attenuation volume), in accordance with drainage hierarchy contained within the London Plan Policy (SI 13 and SPG) and the advice contained within the National SuDS Standards. For this development this will include onsite storage and permeable paving as part of the overall strategy and the drainage plans shall include pipe sizes and direction of flow.

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 SI 13.

LBM Environmental Health (Air Quality) (06/03/2024):

- 5.2.11 The applicant has submitted an Air Quality Assessment report dated June 2023 and produced by Air & Acoustic Consultants. Air Quality Air quality conditions for future occupiers of the proposed development have been shown to be acceptable, with concentrations below the air quality objectives throughout the site. Impacts during the demolition and construction phases, such as dust generation and plant vehicle emissions, are predicted to be of short duration and only relevant during this period. However, mitigation of any emissions should be considered. Air Quality Neutral The AQA indicates that both the building and transport emissions associated with the proposed development would be 'air quality neutral,' in line with the GLA (2023) guidance. Based on the information above, I have no objections.

LBM Environmental Health (noise and disturbance) (10/10/2023)

- 5.2.12 The officer raised no objections subject to two conditions.

LBM Design Officer

- 5.2.13 No objections received, some minor comments as follows:
- The Applicant may consider alternative treatments (e.g. colour/texture) to the shared road surface to aid in distinguishing pedestrian and vehicular movement.
 - The Applicant could consider orientation of first floor oriel-style windows and potential overlooking concerns onto the private amenity of 130/132 Cannon Hill Lane.

LBM Climate Change (16/10/2023)

5.2.14

I don't generally comment on minor schemes at the planning stage but I've had a quick look at the energy statement provided.

- The applicant is proposing to achieve a 66.58% improvement against Part L 2021 which is welcome. I suggest that you secure the carbon savings proposed in the Energy & Sustainability Statement dated 20 June 2023 via condition.
- Be Lean – the applicant is proposing to achieve an 11.50% improvement against Part L 2021 in line with the Mayor's Be Lean target.
- Be Green o Solar PV – the applicant is proposing to install a 5.28kWp array across the 6 units (2 panels per unit)
- ASHP – the applicant is proposing to use ASHP systems to provide heating and hot water to the development.
- Overheating – I suggest you encourage the applicant to complete the Good Homes Alliance overheating tool to confirm if the risk of overheating has been mitigated.
- Internal water usage rates – internal water usage rates of less than 105 litres per person per day will need to be secured via condition wording.

5.3

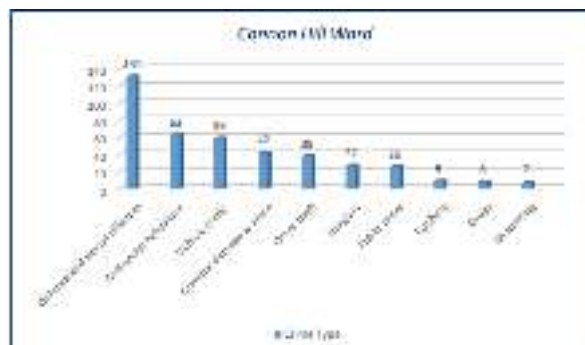
External Comments

Metropolitan Police – Secured by Design

5.3.15

Crime Statistics For the year ending September 2023, the crime rate in Merton was lower than average for The Metropolitan Police force area with 67.13 reported crimes per one thousand residents. The crime rate across London is currently 101.95 crimes per one thousand residents for this time period. This development would fall under the Cannon Hill ward within the London borough of Merton.

The top ten crime types for the Cannon Hill Ward, Feb 2023 – Jan 2024 are as shown below. Violence and Sexual Offences (it should be noted that this includes Domestic Incidents) is the highest reported with anti-Social behaviour second. Robbery, vehicle and cycle crime are currently on the increase not only within the ward but in Merton as a whole. (Source, www.police.uk).



General Recommendations

Secured by Design (SBD) is an initiative that works to improve the security of buildings and their immediate surroundings to provide safe places to live, work, shop and visit. SBD is the Police Preferred Specification and provides a recognised standard for all security products that can deter and reduce crime.

SBD has produced a series of Design Guides to assist the building, design and construction industry to incorporate security into developments. It is therefore recommended that the applicant consider the appropriate best practice design guidance and approved tested products which can be found at the Secure by Design website <https://www.securedbydesign.com>.

Approved document Q (ADQ) specifies that windows and doors must meet a basic minimum security specification. However, this may not be adequate for developments in London where typically there is a bigger crime risk. It should be noted compliance with SBD specification is more comprehensive than ADQ, so achieving SBD accreditation will also satisfy this building regulation requirement.

Design considerations.

Having given due consideration to the design of this development, I recommend the following security features be addressed / included:

- The external bicycle parking facilities appear to be a shed like storage system. I'd recommend any cycle parking that is designed for secure storage using bicycle lockers, hangers or dedicated storage devices and be certified to one of the following minimum standards, or above:

- o Sold Secure SS104 Silver, or o Element (Wednesbury) STS 501 Security Rating TR2, or

- o Element (Wednesbury) STS 503 Security Rating TR2, or

- o 20 40 60 80 100 120 140 131 63 59 42 38 27 26 9 8 7 Cannon Hill Ward Crime Type o Warringtonfire STS 205 Issue 7 Burglar Resistance BR2, or

- o Warringtonfire STS 225 Issue 2 Burglar Resistance BR2(S), or o Loss Prevention Certification Board LPS 1175 Issue 7 Security Rating 2, or

- o Loss Prevention Certification Board LPS 2081 Issue 1 Security Rating B

- All easily accessible windows and doors should be SBD approved, tested and certificated or an agreed equivalent.

- The ledge that runs along the front of the houses gives some concern. I fear if someone got onto the ledge at any point access to all the first floor windows would be achievable to those looking to commit crime. Whilst the angled brickwork does provide some resistance I also feel this could provide some concealment too. Consideration should be given to installing some kind of

separator between houses and at each end of the ledge. This could be a decorative railing or piece of iron work that would still allow light through but also restrict movement along the ledge.



The outside wall to garden 2 would benefit from some trellis or other topper. This wall could be vulnerable to climbing especially with the car parked in close proximity which could act as a climbing aid. Once in this garden you would be concealed and then be able to 'garden hop' to the other addressed out of sight.



Lighting can contribute to discouraging crime and vandalism and making people feel secure. Whilst lighting is present to the front of the properties there doesn't seem to be any lighting shown in the car parking area between gardens 1 and 2. With little overlooking I would suggest that lighting here is important. Bollard lighting is not recommended for car parking areas as this tends to be easily damaged or obscured and does not project sufficient light at the right height. Bollard lighting should be used purely for wayfinding.

Please note for all products requiring certification the manufacturer or fabricator supplying the finished product to site is required to present independent third party certification from a UKAS accredited certification body satisfying all the

performance elements. All door and window styles and components will need to be adequately described within the scope of certification and accompanying Technical Schedule.

As with any development these recommendations are not exhaustive and further consultation would be encouraged once the detailed design stage is reached.

Conclusion

I would ask that my interest in this planning application is noted and that I am kept apprised of any developments.

If you require clarification or wish to discuss any aspect of the SBD accreditation, please do not hesitate to contact me.

Updated Comments (MET)

5.3.16 The officer's observations were supplied to the applicant for comments to which the officer responded **(16/04/2024)**

- I'm pleased to see the positive comments from the applicant in regard to the doors, windows and cycle storage.
- An anti-intruder strip would seem to be a fair compromise. Again I would recommend that a SBD tested and certified product is used and that signage is used identifying that is present in line with the occupiers liability act.
- I still think that trellis would be beneficial on the fence of garden two as the external visitors cycle parking located here will provide a greater risk to climbing. The lighting plan shows wall lighting will be included here.

Wimbledon swifts

5.3.17 The inclusion of integrated swift bricks in the proposed new build would contribute towards conserving the UK's endangered swift populations. Swift bricks are considered as universal bird nesting features since other birds, such as the red listed house sparrow, and members of the tit family, take readily to swift bricks.

5. POLICY CONTEXT

List of relevant planning policies

National Planning Policy Framework (2023)

- Chapter 2 Achieving sustainable development
- 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
- Chapter 15 Conserving and enhancing the natural environment

London Plan 2021

- 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 D8 Public realm
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy D13 Agent of Change
- Policy D14 Noise
- Policy H2 Small sites
- 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 3 Energy infrastructure
- Policy SI 4 Managing heat risk
- Policy SI 5 Water infrastructure
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.1 Residential parking
- Policy T7 Deliveries, servicing and construction

Merton Core Strategy (2011)

- Policy CS 13 Open space, nature conservation, leisure and culture
- Policy CS 14 Design
- Policy CS 15 Climate Change
- Policy CS 16 Flood Risk Management
- Policy CS 17 Waste Management
- Policy CS 18 Active Transport
- Policy CS 19 Public Transport
- Policy CS 20 Parking, Servicing and Delivery

Merton Sites and Policies Plan (2014)

- DM O2 Nature Conservation, Trees, hedges and landscape features
- DM D1 Urban design and the public realm
- DM D2 Design considerations in all developments
- DM EP2 Reducing and mitigating noise
- DM EP3 Allowable solutions
- DM EP4 Pollutants
- 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

Supplementary planning considerations

- National Design Guide – October 2019
- Draft Merton Local Plan
- GLA Guidance on preparing energy assessments – 2018
- London Environment Strategy - 2018
- Mayor’s Air Quality Strategy - 2010
- Mayor’s SPG – Sustainable Design and Construction 2014
- Mayor’s SPG – Character and Context 2014
- DCLG Technical Housing Standards - Nationally Described Space Standard 2015
- Mayor’s Housing Design Standards London Plan Guidance 2023
- LB Merton – Air quality action plan - 2018-2023.
- LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018
- Merton’s Waste and Recycling Storage Requirements – A Guidance for Architects

6. **PLANNING CONSIDERATIONS**

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

- Principle of development
 - *Contribution towards housing targets*
 - *Small Sites*
 - *Merton's five year land supply*
 - *Provision of student accommodation*
 - *Conclusion on principle of development*
- Design (character and appearance)
 - *Massing and heights*
 - *Layout*
 - *Design and appearance*
- Urban Greening Factor and trees
- Impact on neighbouring amenity
 - *Daylight and Sunlight*
 - *Privacy and overlooking*
 - *Noise/disturbance*
 - *Conclusion on impact on neighbouring amenity*
- Standard of accommodation
- Inclusive design and accessible accommodation
- Transport, parking and cycle storage
 - *Conclusion on impact on neighbouring amenity*
 - *Car Parking*
 - *Cycle Parking*
 - *Deliveries and servicing*
 - *Trip Generation*
 - *Construction process*
 - *Conclusion on transport matters*
- Sustainable design and construction
- Air Quality and potentially contaminated land considerations
- Flood risk and drainage
- Biodiversity
- Secure by Design considerations
- Fire Safety

6.2 **Principle of development**

6.2.1 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.

Contribution towards housing targets

- 6.2.2 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.
- 6.2.3 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. For London to accommodate the growth identified in the new 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. By providing an additional four family sized houses the proposals are considered to accord with policy goals to provide new housing.

Small Sites

- 6.2.4 The application site has a site area of 0.18ha. The application site therefore falls under planning policy H2 (Small Sites) of the London Plan 2021. Following on from the housing targets set out above, small sites are expected to deliver 2,610 new homes over the 10 year period (2019/20 - 2028/29). Policy H2 sets out that for London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making.

Merton's five year land supply

- 6.2.5 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.
- 6.2.6 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

- 6.2.7 In real terms, if Merton continues to not meet its housing supply, then greater weight will need to be given to delivering more housing in the planning balance. Therefore, it is important that the Council seeks to deliver new housing now and make the most efficient use of sites to deliver new homes with appropriately

designed buildings. The scheme is considered to make efficient use of the site with a good quality development that respects the character and appearance of the area without being harmful. The additional accommodation in the form of an additional four family sized homes created on the site would make a valuable contribution towards Merton meeting its housing targets.

Housing mix

- 6.2.8 SPP policy DM H2 states that residential developments would be looked upon favourably where they contribute to meeting the needs of different households such as families with children, single person households and older people by providing a mix of dwelling sizes. To that end the Council looks to achieve indicative proportions such that 33% of units should be one bedroom, 32% two bedroom and 35% three plus bedrooms. With the majority of new residential developments in Merton coming forward as flatted accommodation, it is welcomed that larger family sized homes are being proposed. This application would therefore contribute towards wider housing choice in the Borough.

Conclusion on principle of development

- 6.2.9 The proposal is considered to respond positively to London Plan and Core Strategy planning policies to meet increased housing targets and optimising sites through the provision of additional family sized housing. The principle of development is considered to be acceptable subject to compliance with the relevant policies of the Development Plan. Due to the scale of the development it is not subject to a requirement to consider affordable housing.

6.3 Design (character and appearance)

- 6.3.1 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. 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.

Character

- 6.3.2 The application was accompanied by an Urban Character Assessment which noted:

‘the majority of buildings have either hipped or gabled roofs, with some facing the main road and others at the right angles of the corner buildings. The distinctive features are roofs that have a combination of the different roof pitches within the body of the roof, starting from the low pitch at approximately 33 degrees and then raising on the hip side to a typical 51-degree steeper pitch. These roofs are complemented by

prominent chimney stacks, making them a contributory factor in their appearance and character.

Originally, the terraces were all built in brick, some of which have had more distinctive brick detailing and some fairly plain. However, over time, many buildings had their facades altered by additions of render, pebbledash, and mock-Tudor style features. Multiple examples of such changes are found on Haynt Walk, Martin Way and elsewhere in the area. There is a wide variety of window types used: Crittal, UPVC casements and box sashes with small glass panes. Whilst some houses feature cottage-style entrance doors with glass panes in the upper part, many have modern timber doors of various styles. The entrances feature porches with neo-Georgian details'. The assessment goes on to explain that these elements have been carried across in the design rationale. 'The main frontages of these dwellings would be set some distance from general public view, with a dedicated driveway. In this way, the development would not be perceived as a tightly spaced scheme from the surrounding area. The terraced development is not an alien form in this neighbourhood; on the contrary, the whole estate is formed of the juxtaposition of alternating semi-detached pairs and terraces.

The existing urban context, its scale, massing and architectural detail were utilised, translated and applied in a contemporary manner. The proposed materials to be used are brick and modern, sustainable solar roofs. The front elevation has a strong horizontal emphasis enhanced by the addition of a contemporary interpretation of the bay windows on the ground floor, with the upper floor exhibiting angled windows, adding rhythm to the façade whilst ensuring that there will be limited overlooking of the neighbouring properties. The design of the roof form was informed by the analysis of the surrounding houses and their roofscape, ensuring that the eaves height matches the eaves levels of the surrounding properties'.

- 6.3.3 Officers have considered the comments submitted by the applicant and have found no issue with them and consider that the proposals have been developed to be reflective of local character.

Massing and heights

- 6.3.4 Consideration of matters of massing and height may reasonably be informed by the application of both London Plan and local planning policies and in this instance the eaves height has been carried across into the new houses whilst the overall height is only 0.42m more than the existing houses which is required to reflect newer building regulations requirements.
- 6.3.5 At pre application stage the proposals involved a terrace of 8 houses but this has been reduced to 6 which is the same number as in the other terraces on the estate and whilst the proposed houses are wider, the impact of that is considered mitigated by the position and orientation of the proposed terrace. In view of these factors the height and massing are considered acceptable.

Layout

- 6.3.6 The main block of housing has been designed to be centrally located within the site and set back from boundaries by gardens or the access drive. There would be visitor cycle storage, a vehicle turning head and a dedicated refuse presentation area at the entrance.
- 6.3.7 The external layout has been amended to remove the communal parking area from the boundary with the neighbour at 275-277 Martin Way and to provide parking in front of each house.

Conclusion (design)

- 6.3.8 It is acknowledged that the local area has its own characteristic nature and appearance resulting from it having been constructed as an estate with a commonality of building forms in terms of pairs of semi-detached and short terraces of houses, roof designs and materiality. However, officers raise no objection to the modern design approach, as it is considered to respect the context of the site, surrounding buildings in terms of character, appearance, height, massing and layout, whilst ensuring that the site optimises its potential to deliver much needed housing.

Standard of Accommodation

- 6.3.9 As three bedroom, 6 occupier houses on three floors the proposals would be expected to provide a minimum Gross internal Area of 108sqm and a Best Practice size of 120sqm. Best Practice reflects the GLA preference for properties to be larger so as to more easily accommodate space for home working. With GIAs of over 170sqm the proposals provide a generous quantum of internal accommodation whilst all the rear gardens exceed the minimum 50sqm requirement.
- 6.3.10 In addition to the large floor areas and size compliant rear gardens, the houses are all at least dual aspect and have regularly shaped rooms with good levels of natural light from the fenestration such that they are considered to provide a high standard of residential amenity for future occupiers. The houses would also include a separate reception room which accords with best practice guidance to provide a separate amenity space within the home so that residents have different areas within the home to engage in different activities from each other.

Inclusive Design and Accessible Housing

- 6.3.11 Policy D5 (Inclusive Design) of the London Plan 2021 states that development proposal should achieve the highest standards of accessible and inclusive design. Inclusive design creates spaces and places that can facilitate social integration, enabling people to lead more interconnected lives. Development proposals should help to create inclusive neighbourhoods that cumulatively form a network in which people can live and work in a safe, healthy, supportive and inclusive environment.
- 6.3.12 Planning Policy D7 (Accessible housing) of the London Plan 2021 seeks to provide suitable housing and genuine choice for London's diverse population,

including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

- 6.3.13 The proposal includes houses (shown in greater detail on the plans as House type A) designed to accord with these requirements and therefore the proposal would be acceptable in terms of inclusive design and accessible housing.

6.4 Impact on neighbouring amenity

- 6.4.1 Planning Policy D6 (Housing quality and standards) of the London Plan 2021 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 6.4.2 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 does not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties. 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.
- 6.4.3 Policy DM EP2 (Reducing and mitigating noise) states that development which would have a significant effect on existing or future occupiers or local amenity due to noise or vibration will not be permitted unless the potential noise problems can be overcome by suitable mitigation measures.

Lighting

- 6.4.4 The development would require the provision of new lighting measures to facilitate safe access to the houses and provide a safe and secure environment. The proposals involve the use of a mixture of low level lighting methods which are designed to illuminate the site whilst at the same time not impact the amenity of neighbours or have an injurious impact on wildlife.

Daylight and Sunlight

- 6.4.5 The Building Research Establishment (BRE) numerical guidelines should be considered in the context of the National Planning Policy Framework (NPPF), which stipulates that local planning authorities should take a flexible approach to daylight and sunlight to ensure the efficient use of land. The NPPF states:

“Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit

making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

- 6.4.6 The application is accompanied by a Sunlight and Daylight Analysis with the results of the examination being based upon the standard assessment procedure of the BRE Guide 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice' 3rd Edition 2022 (The BRE Guide). The report found that where reductions are applicable to the daylight and sunlight to neighbouring residential properties, these readily meet the BRE Guide default target criteria and on that basis, should be considered acceptable. It has not been necessary to analyse Daylight VSC and Daylight Distribution for neighbouring Nos. 130-136 & 138-144 (evens) Cannon Hill Lane and Nos. 267-277 (odds) Martin Way, since when considering the nearest of these proposals at Nos. 271 & 273 Martin Way, the proposal is set below the BRE Guide test relating to a 25 degree line to the horizontal from the lowest and closest windows to the proposal, as detailed further within this report (and for the other neighbouring properties within this group, this would also readily be the case as set further away). On this basis, further daylight review is not necessary for these particular neighbouring properties.

Overshadowing

- 6.4.7 In relation to Sun on the Ground the report undertook analysis of the nearest applicable surrounding amenity areas relating to the rear gardens to 56 Haynt Walk, 130-136 & 138-144 (evens) Cannon Hill Lane and Nos. 267-277 (odds) Martin Way. The analysis confirms that for the nearest applicable amenity areas, there are effectively no reductions in comparing existing to proposed scenarios in reference to the BRE Guide 2 hours test for sunlight availability on the ground on the 21st of March Equinox, thus readily meeting BRE Guide default target criteria. Given that the majority of gardens are predominantly to the south of the proposal combined with the low-rise nature of the proposal these results are not unexpected.

56 Haynt Walk

- 6.4.8 Located along the northern boundary of the application site, this neighbour sits at a right angle to the application site. The proposed terrace would be orientated to face directly towards the flank wall of 56 Haynt Walk and its front and rear garden areas. The proposed terrace would be set back from the side boundary of this neighbouring property by 11m. A row of trees are also proposed along the northern boundary of the application site to help reduce views of the proposal from the neighbours garden. Whilst the proposed terrace would have windows facing towards this neighbour, the design of the first floor windows includes angled windows which direct views toward the rear section of this neighbours garden. The roof skylights on the front elevation are angled upwards to reduce overlooking and the proposed lighting arrangements designed so as not to impact occupier amenity from light pollution. A planning condition requiring that the first floor windows serving the staircase would also ensure that there is no undue overlooking or loss of privacy.

- 6.4.9 The submitted Daylight & Sunlight Report compiled by Schroeders Begg (UK) LLC found that the need for review was limited to No. 56 Haynt Walk given that

for the rear elevation windows (rear elevation facing towards site) within neighbouring Nos. 130-136 & 138-144 (evens) Cannon Hill Lane and Nos. 267-277 (odds) Martin Way, these are not facing within 90° of south, so not applicable for assessment given the orientation context. The report found that for this property;

‘for all VSC (Vertical Sky Component) reductions, for all windows appropriate for consideration, where reductions are applicable, these all meet BRE Guide default target criteria thus should be considered acceptable. For daylight to applicable rooms analysed, there are effectively no reductions in daylight distribution, thus readily meeting BRE Guide default target criteria’.

- 6.4.10 As set out above, light levels to the neighbours garden are also retained within the recommended acceptable levels.

64 Haynt Walk

- 6.4.11 Located beyond the western boundary of the application site, forming the other half of the semi detached house to be refurbished as part of the application, this neighbour is well distanced away from the proposed terrace to ensure that there would be no undue loss of amenity. The window orientation is such that there would be no direct line of sight between windows.

132 – 136 Cannon Hill Lane

- 6.4.12 These properties are located to the south east of the application site at a distance of over 40m between the proposed block and their rear windows. The proposed terrace would also be set away from the rear boundary by approx. 3m. Given the level of separation from the neighbours rear boundary, plus the level separation from the neighbouring properties themselves and the modest size of the proposed flank elevation, it is considered that there would be no undue loss of amenity in terms of overlooking or visual intrusion. A planning condition restricting any new openings in the flank elevation of the proposed terrace would ensure that the council retains controlled over any new openings at the upper levels (to ensure that there would be no undue loss of privacy or overlooking).

- 6.4.13 The submitted Daylight & Sunlight report identified that it had not been necessary to analyse Daylight VSC and Daylight Distribution for neighbouring Nos. 130-136 & 138-144 (evens) Cannon Hill Lane since the proposal is set below the BRE Guide test relating to a 25 degree line to the horizontal from the lowest and closest windows to the proposal.

- 6.4.14 The combination of orientation, layout and separation distances mean that there are not considered to be sufficient material impact on neighbour amenity from loss of light, privacy and visual intrusion to warrant a refusal of the application

138 – 144 Cannon Hill Lane

- 6.4.15 These properties form a short terrace of houses situated to the south of the application site at a distance of over 36m between the proposed block and their rear windows, albeit the two end houses do not directly border the site. These properties, at the closest point, face the corner of the proposed block window.

The windows in the development that would look towards them serve bathrooms and would be obscure glazed. The combination of orientation, layout and separation distances mean that there are not considered to be sufficient material impact on neighbour amenity from loss of light, privacy and visual intrusion to warrant a refusal of the application.

267 – 277 Martin Way

6.4.16 These properties are a series of semi-detached houses located to the south west of the application site at a distance of over 35m between the windows in the proposed block (which serve bedrooms on the first and top floors) and their rear windows. The rear gardens border the boundary with the site. The proposed terrace has been designed with a staggered building form at the upper levels which will help reduce massing when viewed from these neighbouring properties. The closes element of the proposed terrace at the rear (rear wing), has been designed with no openings on the rear elevation given that this element would be the closest element to these neighbours gardens. A planning condition restricting any openings within this elevation (upper level) would ensure that the Council retains control over any changes (in order to control impact on neighbours). Another planning condition preventing the use of the flat roof of the ground floor would also ensure that this space is not used as a terrace.

6.4.17 As with the other neighbours the report determined that it was not been necessary to analyse Daylight VSC and Daylight Distribution for neighbouring Nos. 267-277 (odds) Martin Way, since when considering the nearest of these proposals at Nos. 271 & 273 Martin Way, the proposal is set below the BRE Guide test relating to a 25 degree line to the horizontal from the lowest and closest windows to the proposal.

6.4.18 Again, the combination of orientation, layout and separation distances mean that there are not considered to be sufficient material impact on neighbour amenity from loss of light, privacy and visual intrusion to warrant a refusal of the application.

279-283 Martin Way

6.4.19 These houses represent a continuation of the Martin Way building line and are further away (42-50m) than their neighbours above and are subject to the same considerations and impacts as the properties at 138-144 Martin Way, that being that there would be no material harm to their amenity.

Privacy/overlooking/visual intrusion

6.4.20 Officers engaged with the applicants at an early stage of the pre application process to consider potential overlooking and loss of privacy for the neighbouring occupiers. As a result the applicants have further developed methods for protecting neighbouring amenity including angled windows and the use of obscure glazing and louvres and as a result there have been very limited objections to a loss of privacy and officers consider that those measures should result in no loss of privacy for adjoining neighbours.

Noise/disturbance

6.4.21 The existing lawful use of the site is residential and the same use, albeit

intensified, would continue as a result of the proposals. Given the level of separation from neighbouring properties, residential nature of the use and limited number of car parking spaces, it is considered that the proposal would not result in undue impact on neighbours by way of noise disturbance.

Conclusion on impact on neighbouring amenity

- 6.4.22 The proposed block of houses is set away from neighbouring occupiers in order to reduce visual intrusion and this combined with the site orientation mean that the impact on light and overshadowing would be within BRE guidance. With the measures put in place such as the angled windows and louvres there are not considered to be any concerns in relation to privacy and there have been no objections in this regard.
- 6.4.23 The construction of the development will cause disturbance during the demolition and construction phases but this can be mitigated by conditions surrounding hours of construction and demolition and construction management plans.
- 6.4.24 Overall subject to the imposition of suitable conditions, the impact of the proposed development on neighbouring amenity, is, on balance, considered to be acceptable.

6.5 Transport, parking and cycle storage

- 6.5.1 Planning 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. Policy T5 seeks to ensure that adequate cycle parking is provided. 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.

Car Parking

- 6.5.2 The potential impact of new residential development on parking in the area has been raised as a concern by neighbouring occupiers. The proposal would now provide (following amendments to the scheme) a car parking space for each house with active EV charging. Given the PTAL rating of the scheme being 2 and each house have 3 bedrooms, the London Plan sets a maximum requirement of 1 parking space per unit. As set out above, each house would have one car parking space and would therefore comply with London Plan standards.
- 6.5.3 The site is not located within a controlled parking zone, there is no mechanism to make the development permit free. Therefore, officers need to consider what impact the proposal would have on the surrounding road network. The applicant submitted a Parking stress survey in conjunction with a Transport Statement. It was undertaken around the site, in line with the Lambeth Parking Survey Methodology. The overall parking stress levels around the site area were found to be 57% over the two nights (60% on the first night and 54% on the second night). The Council Transport Planning has confirmed that he has no objection to the findings of the parking survey. Impact on the surrounding road network

from 6 new houses is considered to be limited, as each house would have their own dedicated car parking space. Any additional car ownership created by the proposed development is considered to be low (even if each house has 2 cars, this would only generate 6 cars on the local highway network). In any event, the parking survey shows that there is ample capacity in the local area to accommodate any additional cars without causing adverse impact on the local road network.

Cycle Parking

- 6.5.4 London Plan Policy T5 (Cycling) states that proposals should be designed and laid out in accordance with the London Cycling Design Standards. Houses of this size are required to be provided with two secure and accessible cycle storage spaces. Houses 1 and 6 would have cycle storage facilities within their rear garden. These can be directly from the highway via the side garden entrances. The middle houses, have good sized rear gardens, but no direct access to the highway, so bikes would need to be manoeuvred through the house if stored within the rear gardens. This is not considered to be ideal, however, owners may choose to house their bikes here. However, a dedicated shared cycle storage area for houses 2 – 5 would be provided at the end of the cul-de-sac. Additional visitor spaces is also provided in the area located to the flank of house 1. The proposed development is therefore considered to be in accordance with London Plan standards. Full details of cycle parking can be secured via planning condition.

Deliveries and servicing

- 6.5.5 Policy CS20 of Merton's Core Planning Strategy states that the Council will require developments to incorporate safe access to and from the public highway as well as on-site parking and manoeuvring for emergency vehicles, refuse storage and collection, and for service and delivery vehicles.
- 6.5.6 The layout has been designed to allow for space for on-site vehicle manoeuvring so that delivery vehicles can enter the site and turn around and then leave in forward gear. Delivery drivers would be expected to use the turning area provided, however in the event that vehicles manoeuvre along the access road to get closer to some houses, a degree of reversing would take place (if cars are not parked). The Councils Transport Planner has confirmed no objection to this scenario (see paragraph 5.2.5).

Trip Generation

- 6.5.7 The Transport Statement sets out that the proposed development will generate an additional 2 trips (1 arrival and 1 departure) in the AM peak hour, and 1 trip (1 arrival) with in the PM peak hour. The statement comments that this level of trip generation is considered to be completely insignificant, and well within the daily variation of traffic levels within the local area and that the scheme will therefore not generate any perceivable impacts on the local highway network. Officers consider that this statement is reasonable, and officers have received no comments from the Councils Transport Planner to contest these predictions.

Construction process

- 6.5.8 The submission includes a Construction Logistics Plan (CLP), which shows swept path analysis drawings for small and medium rigid construction vehicle, reviewing how small HGVs will safely access, turn within and then egress from, the neighbouring site. The CLP confirms that construction related deliveries would avoid the high peak periods. The finer details would be secured through condition once a contractor is appointed.
- 6.5.9 A number of conditions are recommended to minimise impacts of the construction process, such as the submission, once a contractor has been appointed, of a Demolition/Construction Logistics Plan, to ensure that impacts are minimised as far as reasonably practicable.

Conclusion on transport matters

- 6.5.10 The proposed use would represent an intensification of the existing residential use but the net increase in dwellings is only four and each house would have its own parking space with EV charging facilities and secure cycle storage. Any additional car parking could be adequately accommodated in the local area without causing any adverse impact. Suitably conditioned, the construction process can be managed to minimise the impact on neighbours and the operation of the highway network or generate a significant number of traffic movements. Consequently it is considered that the impact on transport related issues would be acceptable and not be such as to warrant a refusal of the application.

Refuse Collection

- 6.5.11 The refuse arrangements have been formulated in consultation with the Council's waste services officer. Each house will have its own storage arrangements in the front gardens. For collection purposes an area to the front of the site has been designated for this such that residents would manoeuvre their bins to this space for the designated collection day. They could then be collected from this space by the Council's refuse operatives without the need to enter the site. The residents would then return them to their homes once emptied.

6.6 Sustainable design and construction

- 6.6.1 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.
- 6.6.2 The application is accompanied by an Energy and Sustainability Statement that notes that 'a 'Lean, Clean, Green" strategy has been adopted and the development achieves an improvement in build fabric at over 11.50% at the "Be Lean" stage and an overall improvement (DER/TER) in regulated emissions at over 66.58% above Part L 2021 standard, through the adoption of very high standards of insulation, heat pump driven heating and hot water systems and a roof mounted PV array. This meets the requirement of Policy SI 2 of the London Plan 2021.

6.6.3 The Climate Change Officer raised no objections to the proposals and was satisfied with the proposed energy savings and suggested that the Council secure the carbon savings proposed in the Energy & Sustainability Statement dated 20 June 2023 via condition and recommended conditions to be attached to any consent.

6.7 Air Quality

6.7.1 The whole of Merton is within an Air Quality Management Area. The site is within one of the Greater London Authority's (GLAs) air quality focus areas.

6.7.2 The submitted Air Quality Assessment complied by Air & Acoustics Consultants which considered potential impacts on air quality from dust and emissions. Part of the document included an Air Quality Neutral Assessment which noted:

'It is anticipated that each dwelling will be fitted with a gas boiler with NOx emissions rated at less than 40 mg/kWh. On this basis, the assessment of the building emissions indicates the impacts are considered to be 'air quality neutral.'

6.7.3 The AQNA also found that it has been confirmed by the project transport consult that each new dwelling will be provided with one new car parking space, with the refurbished dwelling also providing one car parking space. On this basis, and in line with the GLA (2023) guidance, as the proposed development complies with the London Plan (2021) residential parking standards (plus all spaces would be fitted with electric charging points), an AQNA is not required, and the proposed development can be considered 'air quality neutral' for transport emissions.

6.7.4 The AQA went on to offer a number of mitigating operational activities which would address the risk of harm from dust during demolition and construction.

6.7.5 During the construction works, a range of best practice mitigation measures will be implemented to reduce dust emissions and the overall effect will be 'not significant'

6.7.6 The Council's Air Quality Officer has considered the arrangements and raises no objection subject to condition.

6.8 Flood risk and drainage

6.8.1 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.

6.8.2 The site is within Flood Zone 1 (low probability of flooding) although it is within a Critical Drainage Area and area of increased potential for elevated groundwater.

6.8.3 The scheme includes details of a Flood Risk Assessment and Drainage Strategy document Sustainable Urban Drainage System which sets out mitigation measures such as the water attenuation methods and the green roof which when combined with the proposal to raise finished floor levels 300mm above surface water flood levels, should effectively manage all runoff within the site and possible surface water flood risk to the proposed development. The proposed surface water drainage system can effectively control all runoff generated within

the site and maintain pre-development Greenfield runoff, without increasing flood risk to neighbouring properties.

- 6.8.4 The document has been assessed by the Council's flood risk team and they raised no concerns subject to a more detailed scheme being submitted, approved and implemented.

6.9 Biodiversity

- 6.9.1 The London Plan sets out at Policy G6 that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. The proposals would see the removal of the existing trees and the existing garden areas albeit they also include a landscaping package. In order to provide an overview of the existing situation on site the proposal was accompanied by a Preliminary Ecological Assessment and Preliminary Roosting Assessment.
- 6.9.2 The report found that the existing habitats tended to be poor quality and that reported sightings of mammals and reptiles were very limited and then off site. There has been an objection on the grounds of harm to slow worms but there have been no sightings since 2015 and that was more than 11km away with closest sighting being 60m away in 2014.
- 6.9.3 The report found that there were no existing suitable sites for Schedule 1 Birds (Barn Owls etc) or roosting bats. It did however make a number of recommendations for ensuring that the impact of the scheme on existing biodiversity was mitigated during construction and improved measures for implementation post construction. A condition that the works be undertaken in accordance with the findings and recommendations of the reports is recommended.

6.10 Urban Greening Factor and trees

- 6.10.1 As the proposal is not a 'major' development there is no requirement comply to with Policy G5 of the London Plan and achieve a prescribed Urban Greening Factor (UGF). As set out above, Policy G6 of the London Plan does set out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain, including sites not within areas of special protection. In addition to the improvements for wildlife the report outlines the need to protect hedges and trees in neighbouring properties
- 6.10.2 In relation to trees none of the trees on site are rated above Category C and therefore of limited amenity and ecological value to the degree that there would be no in principle objection to their removal but they should be replaced with new specimens and a landscaping condition to this effect is recommended.
- 6.10.3 The application was supported by a Landscape Design Report which sets out landscaping proposals for the site. The Councils Tree Officer has raised no objection to the proposal subject to conditions.

6.11 Secure by Design considerations

6.11.4 Policy DMD2 of Merton's Sites and Policies Plan 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.

6.11.5 The proposal includes the creation of 6 new houses on the site. The site is surrounded on all sides by existing residential properties, therefore a degree of natural surveillance would exist. In addition, the proposal would add to creating improved surveillance of neighbouring sites once completed. As part of the consultation process, officers consulted the MET Police for comment. The MET raise no objection to the proposed scheme, but do offer some advice. These comments have been presented to the applicant for comment. The applicant has agreed to address the points raised. Officers consider these points can reasonably be covered in planning conditions. In addition, members should note that the car parking arrangements have been altered since the MET comments were received so that car parking is now provided directly in front of each house (rather than a parking area for vehicles to the side of the terrace).

6.12 Fire Safety

6.12.1 Planning Policy D12 (Fire safety) of the London Plan 2021 highlights that fire safety of developments should be considered from the outset. How a building will function in terms of fire, emergency evacuation, and the safety of all users should be considered at the earliest possible stage to ensure the most successful outcomes are achieved, creating developments that are safe and that Londoners can have confidence living in and using.

6.12.2 Although the application is not a 'major' and therefore with no requirement to do so, the application was supported by a detailed Fire Safety Statement compiled by Mr Andrew O.M. Ballantyne BArch MEng CEng MIFireE PMSFPE, a Chartered Engineer registered with the Engineering Council by the Institute of Fire Engineers, and Full Member of the Institute of Fire Engineers (Member 00056660). The statement notes that:

"The building will be designed in accordance with the recommendations of BS 9991 [4], including further documents and standards referenced therein. This will be augmented by recent updates to Approved Document B – Volume 1: Dwellings (ADB) [5], being above and beyond the expectations of BS 9991. Fire engineering principles may be employed to support alternative solutions where strict adherence to BS 9991 guidance would conflict with the aspirations of the scheme.

In addition to building regulations requirements the dwellinghouses are to be fitted with an automatic fire detection system to meet Grade D1 Category LD2 in BS 5839-6 [6], This will include heat detection in the kitchen area, and smoke detection throughout living areas, hallways, and internal stairs.

The site will not feature sufficient road widths to allow a fire appliance to turn within the site, such that access is limited to the maximum of 20 m dead-end reversing distance. As such, this location is taken as the fire

appliance hardstanding position when considering the maximum hose laying distances. Consequently automatic suppression with a Category 2 sprinkler system to BS 9251 [8] would be required within Houses No.3 to No.6 as a minimum to support the extended hose laying distances from the fire appliance hardstanding”.

- 6.12.3 Whilst the application is not a major application and there is no requirement for a fire strategy to be submitted, the applicant has taken a proactive view on this scheme, especially given the constraints of the site. Any planning approval can be subject to a planning condition requiring that the development is in built in accordance with the submitted fire strategy and building regulations.

7. ENVIRONMENTAL IMPACT ASSESSMENT

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

8. LOCAL FINANCE CONSIDERATIONS

- 8.1.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Merton CIL are therefore material considerations.

- 8.1.2 On initial assessment this development is considered liable for the Mayoral and Merton CIL.

9. CONCLUSION

- 9.1.1 The existing site is underused and provides an opportunity for a more dense redevelopment. The proposed development is considered to make good use of the site by creating 6 good quality family houses which respond satisfactory to the site and its context in terms of design, massing, height and layout. The design and siting of the proposed houses would ensure that the amenity of surrounding residential properties is preserved to a reasonable level.

- 9.1.2 The standard of accommodation proposed is considered to be good with each house exceeding minimum space standards, all habitable rooms receiving adequate levels of light and outlook and each house having suitable bin and bike storage facilities.

- 9.1.3 Transport impacts from the proposed development are considered to be modest with each house having its own car parking space and any overspill car parking being absorbed into the local highway network without causing adverse impact.

- 9.1.4 All other material planning considerations as set out in the report above are considered to be acceptable subject to planning conditions in some instances.

- 9.1.5 Officers consider that the proposal is acceptable in planning terms, subject to conditions and therefore the recommendation is for approval.

10. RECOMMENDATION

GRANT planning permission subject to conditions

1. Commencement - 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. Approved Plans - The development shall be undertaken in accordance with the following details: Site location plan and drawings 3213 BR-102E, 3213 BR-103E, 3213 BR-104E, 3213 BR-105E, 3213 BR-106E, 3213 BR-107D, 3213 BR-108E, 3213 BR-109E and 3213 BR-120F.

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

3. Materials - Prior to commencement of above ground works, full details and samples of all materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Details must include a detailed schedule of materials, physical examples of materials from the manufacturer where appropriate, a photographic sample board, sample panels where appropriate and notwithstanding the submitted drawings, rendered drawings, elevations and sections at a scale of 1:20, showing details of window reveals, glazing type, framing, glazing bars, cills, soffits and brickwork detailing. The development shall be carried out only in accordance with the agreed details.

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. Surfacing - Prior to the commencement of above ground works, details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft shall be submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

5. Boundary Treatment - No development shall take place until details of all boundary walls or fences are submitted in writing for approval to the Local

Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

6. Removal of PD (Extensions/Alterations) - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.
7. Removal of PD (Windows/Doors) - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed in rear or flank elevations at the upper levels without planning permission first being obtained from the Local Planning Authority.
8. Obscured Glazing (Fixed Shut) - Before the development hereby permitted is first occupied, the staircase windows in the front elevation at first floor level shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter.
9. Refuse & Recycling (Details to be Submitted) - No development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.
10. No Use of Flat Roof - Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
11. Construction Times - No demolition or construction work 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.
12. Landscaping - No development shall take place until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees,

hedges and any other features to be retained, and measures for their protection during the course of development.

13. Hardstanding (Flooding) - The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.
14. Fire Strategy - The development shall be carried out in accordance with the provisions of the Fire Strategy Statement prepared by Mu.studio (dated 26th June 2023) and must fully comply with The Building Regulation 2010 (as amended) unless otherwise approved in writing by the Local Planning Authority.

Reason - To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

15. Cycle Parking - Details to be Submitted - No development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

16. Refuse - No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

Reason: To safeguard the appearance of the property and the amenities of the area and to accord with Policies D3 and D6 of the London Plan 2021, Policy CS14 of the Core Planning Strategy 2011 and Policy DM D2 of the Sites and Policies Plan 2014.

17. Working Method Statement - 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) Wheel cleaning facilities
- (v) Control of dust, smell and other effluvia;
- (vi) 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.

18. Demolition and Construction Logistics Plan - Prior to the commencement of the development hereby permitted, a Demolition and Construction Logistics Plan (including a construction management plan in accordance with TfL guidance) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 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.

19. Heat pumps - Any installation of external heat pumps shall be first subject a noise assessment which shall be submitted to the LPA for approval.

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

20. The works shall be undertaken in accordance with the findings and recommendations of the Preliminary Ecological Assessment and Preliminary Roosting Assessment compiled by Arbtech.

Reason: to protect and enhance the biodiversity of the development in the interest of nature conservation and to comply with the following development policies for Merton: policy G5 of the London plan 2021; policy CS13 of Merton's core planning strategy 2011 and policy DMO2 of Merton's sites and policies plan 2014.

21. 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 manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policies GG3 and SI1, and NPPF 181.

22. External Lighting - Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary and in accordance with Institution of Lighting Professionals, The Reduction of Obtrusive Light Guidance Note 01/21.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following

Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

23. Secured by Design - 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 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 superstructure 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: Chapters 01B & 01C Merton New Local Plan, Policy D11 London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF).

24. Secured by Design Certificate - Prior to occupation a Secured by Design final certificate or its equivalent from the South West Designing Out Crime office 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 provide a safer environment for future residents and visitors to the site and reduce the fear of crime in accordance with Policy: Chapters 01B & 01C Merton New Local Plan, Policy D11 London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF)

25. Residential CO2 reductions and water use - 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 energy statement (dated 20th June 2023) 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 and to comply with the following Development Plan policies for Merton: Policy SI2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

26. Sustainable drainage system - Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 2l/s, with no less than 120.m3 of attenuation volume), in accordance with drainage hierarchy contained within the London Plan Policy (SI 13 and SPG) and the advice contained within the National SuDS Standards. For this development this will include onsite storage and permeable paving as part of the overall strategy and the drainage plans shall include pipe sizes and direction of flow.

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 SI 13

INFORMATIVES

27. 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>

28. 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.

29. Informative - You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

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

31. 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

32. Informative - It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
33. Informative - You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
34. Informative - Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.
35. Informative - Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015
36. Informative - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
37. Informative - Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the

point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

38. 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).
39. Informative - 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.
40. 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.
41. Informative - 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/agent was provided with pre-application advice.
 - ii) 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.

NORTHGATE SE GIS Print Template



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Notes

DO NOT SCALE FROM THIS DRAWING
ALL DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR
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RELATED ARCHITECT/ENGINEER DRAWINGS/DETAILS AND
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KEY PLAN

READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS
DESIGN AND DETAILS

	Existing structure retained
	Existing structure to be removed
	Existing RC concrete structure
	New structure
	New wall linings
	New Brickwork
	New Blockwork 7kn lightweight thermal standard
	New Reinforced Concrete
	New Acoustic Partition or lining to AD-E1 and 2, Table 1b 43 dB Airborne
	New internal partition to 1/2 hour fire resistance and insulation standard

Foul Drainage above ground
 Foul Drainage below ground
 Surface water Drainage above ground
 Surface water Drainage below ground
 Combined Drainage above ground
 Combined Drainage below ground
 Existing Radiators

Emergency Exit Sign to BS 5499-1:2002
 30min Fire Rated construction
 60min Fire Rated construction
 Dry Riser

DG 01 Door reference
 W/G 01 Window reference
 SFI Sainitary fitting reference
 LQ/F1 Fixture and/or Fitting reference

DG.../SC Self Closing FD30/60s door with self closer
 DG.../XLS Self Closing FD30/60s door to be kept locked shut
 Escape direction

KEY TO SERVICES

	Heat Detector		Water Security Sensor &
	Pressure Light		Alarm Bell
	Internal Wall Lights		Fire Alarm Control Panel
	External Wall Lights		TV Close Dry compound
	Light switch		Car 4
	Single switched socket		Security Panel
	4 Double Sockets		Single Street Light
	Alarm Panel		Strip Lighting
	Light switch		Street Detector
	Single light switch		Light Alarm
	Alarm		Fire Alarm Control Panel
	New Ceiling Fan		Combined Drainage above ground
	Video Entry System		New Radiator
	Central Vacuum Audio		Blank Panel
	Sound Settings		Recessed Light Fitting
	Motor Service		Blank Head Light
	Shower (Security)		Alarm Box at High Level
	Control Fan - remote T		Recessed panel
	LED Downlight		Front Air Grid
	Fan Coil		Control Panel
	Control Socket		Shower Controls
	Car 4		In-Room Wall Light
	Car 4		Low Voltage Light
	Car 4		Downlight
	Car 4		Blank Panel
	Car 4		Shower - remote control
	Car 4		Shower - remote control
	Car 4		Shower - remote control

COLOUR CODE FOR SERVICES

PROPOSED EXISTING REMOVED

Planning Set

(General Arrangement)

EXISTING SITE AREA = 1786m²

Revisions

Rev	Description
A	14.05.22 Rev. A - General Amendments
B	18.07.22 Rev. B - Neighbouring No.62 site area added. House Nos increased to 7 units. General Amendments
C	24.02.23 Rev. C - Proposed scheme has been redesigned based on pre-application advice received on 20/02/23. General Revision
D	20.04.23 Rev. D - Roof gables changed to hip Solar Roofs General Revision
E	15.02.24 Rev. E - Parking layout changed as per officer's request. General Revision

Client: LINCOLN ASSET HOLDINGS LTD.

Project: 58-60 Haynt Walk Mews
Raynes Park
SW20 9NX

Drawing Title: Proposed Site (Block) Plan
Perimeter Streetscape views to the Proposed Site

Scale: 1:400 @ A1 1:800 @ A3 Date: Apr. 2022

SCALE 1: 400

0 5 10 20 30 40 50m

VOLUTE³
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Job No. HWM/3213 Drawing No. 3213 BR-102E

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"Solar Roof" system by "Roofit" with integrated hi-tech photovoltaic cells within metal standing seam panels (RAL 7024-Graphite Grey) All visible associated fascia panels and rain harvesting troughs to match main roof covering

Feature brick chimney stacks to be fitted with combined ventilation/extraction and fresh air intake ducts for each dwelling (No. 2 dwelling per each stack) All metal louvers and top panels to be finished in (RAL 7024-Graphite Grey) All visible associated fascia panels to match main roof covering

"Solar Roof" system by "Roofit" with integrated hi-tech photovoltaic cells within metal standing seam panels (RAL 7024-Graphite Grey) All visible associated fascia panels and rain harvesting troughs to match main roof covering

Aluminium powder coated window/passive vent frames with integrated spandrel panels finished in powder coated RAL 7015 - Slate Grey to be fitted within projected window bays at first floor level to prevent direct overlooking.

Aluminium powder coated feature frames to stair window/roof light with integrated spandrel panels, fixed and operable clear and obscured double glazed panes, finished in powder coated RAL 7024-Graphite Grey to be fitted within brick wall and solar roof sections. Front roof fascia/wall panel enclosure to be finished in matching window colour

Aluminium powder coated feature frames to stair window/roof light with integrated spandrel panels, fixed and operable clear and obscured double glazed panes, finished in powder coated RAL 7024-Graphite Grey to be fitted within brick wall and solar roof sections. Front roof fascia/wall panel enclosure to be finished in matching window colour

Aluminium powder coated window/passive vent frames with integrated spandrel panels finished in powder coated RAL 7015 - Slate Grey to be fitted within projected window bays at first floor level to prevent direct overlooking.

Passive ventilation operable first floor windows to front elevation of houses 1 & 6 to be fitted with double glazed panes and external vertical (fixed) obscure glass louvers to prevent overlooking to neighbouring garden of No.65.

Passive ventilation operable first floor windows to front elevation of houses 1 & 6 to be fitted with double glazed panes and external vertical (fixed) obscure glass louvers to prevent overlooking to neighbouring garden of No.65.



PROPOSED FRONT ELEVATION (Haynt Walk Mews Houses No's. 1-6)

No. 62 Haynt Walk

Aluminium main entrance doors finished in powder coated RAL 7024 - Graphite Grey to be fitted within reconstructed stone feature frames.

Rear bathroom wing hipped "Solar Roof" system by "Roofit" with integrated hi-tech photovoltaic cells within metal standing seam panels (RAL 7024-Graphite Grey) All visible associated fascia panels and rain harvesting troughs to match main roof covering

Aluminium powder coated window frames with integrated spandrel panels finished in powder coated (RAL 7024-Graphite Grey) to be fitted within reconstructed stone feature frames at ground and first floor levels of all bay windows. Decorative metal railing to front bay windows to be finished to match window colour

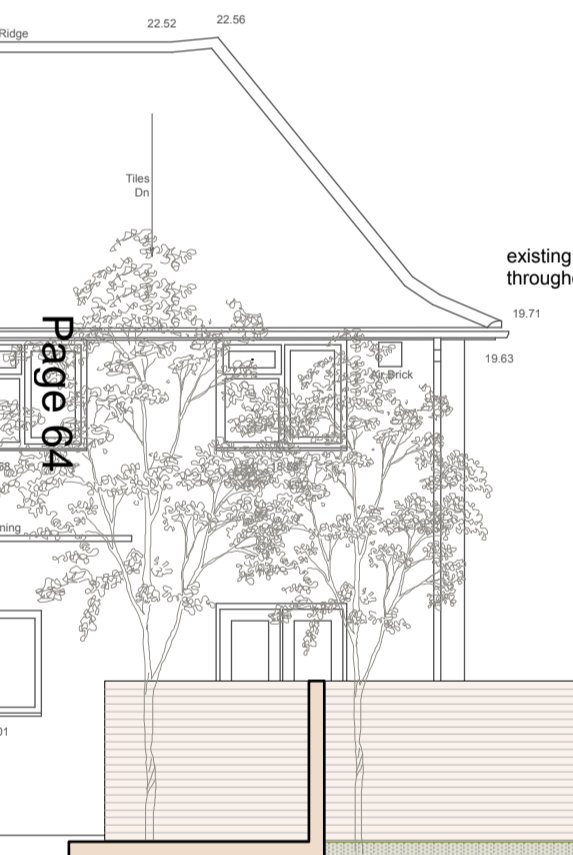
Aluminium main entrance doors finished in powder coated RAL 7024 - Graphite Grey to be fitted within reconstructed stone feature frames.

"Solar Roof" system by "Roofit" with integrated hi-tech photovoltaic cells within metal standing seam panels (RAL 7024-Graphite Grey) All visible associated fascia panels and rain harvesting troughs to match main roof covering
Aluminium powder coated dormer window/vent frames within pitched roof finished in powder coated (RAL 7015 - Slate Grey) to allow for passive ventilation

"Solar Roof" system by "Roofit" with integrated hi-tech photovoltaic cells within metal standing seam panels (RAL 7024-Graphite Grey) All visible associated fascia panels and rain harvesting troughs to match main roof covering
Aluminium powder coated dormer window/vent frames within pitched roof finished in powder coated (RAL 7015 - Slate Grey) to allow for passive ventilation

Feature stone frames to blind window panels designated to house "Eco Habitats" incorporating Swift and Enclosed Bat boxes

Aluminium powder coated dormer window/vent frames within pitched roof finished in powder coated (RAL 7015 - Slate Grey) to allow for passive ventilation



Page 64

existing eaves line level maintained throughout new roof perimeter

Forterra - Belgravia Gault Blend (or similar) to all brick facing walls TBC

Forterra - Belgravia Gault Blend (or similar) to all brick facing walls TBC

PROPOSED SIDE ELEVATION (House No.1)

PROPOSED SIDE ELEVATION (House No.6)

Forterra - Belgravia Gault Blend (or similar) to all brick facing walls TBC

Rain protected/sun shading canopy over visitors secure bike station at ground floor TBC

Rain protected/sun shading canopy over kitchen sliding folding door at ground floor TBC

Forterra - Belgravia Gault Blend (or similar) to all brick facing walls TBC

SCALE 1: 75

ORIGINAL SIZE: 750MM

Notes:
DO NOT SCALE FROM THIS DRAWING
ALL DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR
PRIOR TO COMMENCEMENT OF ANY SHOP DRAWINGS AND
ANY WORK ON SITE
REVISEMENTS TO BE MADE TO THE ARCHITECT IMMEDIATELY
IF THE CONTRACTOR HAS ANY QUESTIONS
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL
18. OTHER DRAWINGS/DETAILS AND
ALL OTHER RELEVANT INFORMATION

KEY PLAN

READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DESIGN AND DETAILS

- Existing structure retained
- Existing structure to be removed
- Existing RC concrete structure
- New structure
- New wall linings
- New Brickwork
- New Blockwork 7kn lightweight thermal standard
- New Reinforced Concrete
- New Acoustic Partition or lining to AD-E1 and 2, Table 1b 43 dB Airborne
- New internal partition to 1/2 hour fire resistance and insulation standard
- Foul Drainage above ground
- Foul Drainage below ground
- Surface water Drainage above ground
- Surface water Drainage below ground
- Combined Drainage above ground
- Combined Drainage below ground
- Existing Radiators
- Emergency Exit Sign to BS 5499-1:2002
- 30min Fire Rated construction
- 60min Fire Rated construction
- Dry Riser
- DG 01 Door reference
- WG 01 Window reference
- SF1 Sanitary fitting reference
- LC/F1 Fixture and/or Fitting reference
- DG.../SC Self Closing FD30/60s door with self closer
- DG.../XLS Self Closing FD30/60s door to be kept locked shut
- Escape direction

KEY TO SERVICES

COLOUR CODE FOR SERVICES
PROPOSED [Red] EXISTING [Blue] REMOVED [Green]

Planning Set (General Arrangement)

Revisions
A B C D E F G H I J K

14.05.22 Rev. A - General Amendments
18.07.22 Rev. B - Neighbouring No.62 site area added. House Nos increased to 7 units. General Amendments
24.02.23 Rev. C - Proposed scheme has been redesigned based on pre-application advice received on 20/02/23. General Revision
20.04.23 Rev. D - Roof gables changed to hip Solar Roofs
General Revision
06.10.23 Rev. E - parking arrangement revised as per planning officer's request. General Revision

EXISTING SITE AREA = 1786m²

LINCOLN ASSET HOLDINGS LTD.

58-60 Haynt Walk Mews
Raynes Park
SW20 9NX

Proposed Front, Rear & Side Elevations

Scale: 1:75 @ A1 1:150 @ A3 Date: Apr. 2022

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admin@volute3.com
T: 020 8 332 2332

Job No. HWM/3213 Drawing No. 3213 BR-108E



SCHEDULE OF ACCOMMODATION

7 Dwellings (40 Persons)	GIA/m ²	Private Amenity	Communal Amenity Area = 369m ²
HOUSE 1	386P	172.0m ²	136.9m ²
HOUSE 2	386P	177.0m ²	94.9m ²
HOUSE 3	386P	177.0m ²	93.3m ²
HOUSE 4	386P	177.0m ²	92.2m ²
HOUSE 5	386P	177.0m ²	92.0m ²
HOUSE 6	386P	172.0m ²	135.5m ²
HOUSE 1-6	18836P	1052.2m ²	821.3m ²
NO.62	384P	100m ²	176.5m ²
			Existing Site Area = 1749m ²

Note:
Houses No's 2-5 Haynt Walk Mews are referenced as Type A, and are of a generic design.
Houses No's 1&6 Haynt Walk Mews, forming two ends of terrace with second floor hipped roofs, are referenced as Type B for clarity.

ORIGINAL SIZE 75MM

Notes
DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY SHOP DRAWINGS AND ANY WORK ON SITE. REVISED DIMENSIONS TO THE ARCHITECT IMMEDIATELY. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELATED ARCHITECTURAL DRAWINGS, DETAILS AND ALL OTHER RELEVANT INFORMATION.

KEY PLAN

READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DESIGN AND DETAILS

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- DG 01 Door reference
- WG 01 Window reference
- SFI Saintry fitting reference
- LG/F1 Fixture and/or Fitting reference
- DG.../SC Self Closing FD30/60s door with self closer
- DG.../XLS Self Closing FD30/60s door to be kept locked shut
- Escape direction

KEY TO SERVICES

COLOUR CODE FOR SERVICES
PROPOSED (red outline) EXISTING (blue outline) REMOVED (green outline)

Planning Set
(General Arrangement)

Revisions
A B C D E F G H I J K

14.05.22 Rev. A - General Amendments
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House Nos increased to 7 units. General Amendments
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General Revision
20.04.23 Rev. D - Roof gables changed to hip Solar Roofs
General Revision
06.10.23 Rev. E - parking arrangement revised as per planning officer's request. General Revision

EXISTING SITE AREA = 1749m²

Client
LINCOLN ASSET HOLDINGS LTD.

Project
58-62 Haynt Walk Mews
Raynes Park
SW20 9NX

Drawing Title
Proposed Ground Floor Plan Layout

Scale
1:100 @ A1 1:200 @ A3
Date
Apr. 2022

VOLUTE³
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Job No.
HWM/3213

Drawing No.
3213 BR-103E

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M4 - Section 2: Category 2 – Accessible and adaptable dwellings

Section 2A: Approach to the dwelling Application

- 2.1 The provisions of Section 2A apply only where a planning condition requires compliance with optional requirement M4(2) for accessible and adaptable dwellings (see paragraphs 0.3 to 0.6).
- 2.2 The provisions of Section 2A apply to external and internal areas and elements that form part of the approach route to the individual dwelling and fall within the plot (or curtilage) of the dwelling or the building containing the dwelling.
- 2.3 The provisions also apply to the approach route between the dwelling and the point, or points, at which an occupant or visitor, including a disabled person, would expect to get in and out of a car. This point, or points, of access may be within or outside the plot of the dwelling or the building containing the dwelling (typically a block of flats). These provisions do not apply beyond the curtilage of the development.
- 2.4 Reasonable provision should be made to ensure that the approach route to any communal facilities that serve the dwelling meets these provisions. Communal facilities include storage areas, such as those used for depositing refuse and recycling, but not plant rooms or other service areas unless occupants need regular access, for example for meter reading.
- 2.5 For a house (or other dwelling that sits within its own plot) the approach route will often only involve a driveway, or a gate and a path, but for a dwelling within a larger building (typically a block of flats) the approach route will usually involve one, or more, communal gates, paths, entrances, doors, lobbies, corridors and access decks, as well as communal lifts and stairs.

Part M(2) - Access to and use of Buildings

The proposed scheme aims to achieve the compliance with Category 2 - Building Regulations Part M for Accessible and Adaptable Dwellings, subject to successful completion of structural, mechanical and detail design.

Current proposals have allowed for creation of fully permeable "step free accessible" principal floor at ground floor level with sufficient amount "built-in" provisions on upper floors to be able to accommodate the partial conversion of dwelling(s) for future needs of occupants, visitors, including a disabled person.

Particular attention has been given to ensure that surrounding areas of the site are also fully accessible via step free zone in order to provide uninterrupted approach routes within the entire site plot demise.

Please see relevant extracts from the Building Regulations Part M Category 2 used to try to achieve inclusive design principle on submitted proposals.

Services and controls

- 2.30 To assist people who have reduced reach, services and controls should comply with all of the following:
 - a. Consumer units are mounted so that switches are between 1350mm and 1450mm above floor level.
 - b. Switches, sockets, stop cocks and controls have their centre line between 450mm and 1200mm above the floor level and a minimum of 300mm (measured horizontally) from an inside corner.
 - c. The handle to at least one window in principal living area is located between 450mm and 1200mm above floor level, unless the window is fitted with a remote opening device that is within this height range.
 - d. Handles to all other windows are located between 450mm and 1400mm above floor level, unless fitted with a remote opening device that is within this height range.
 - e. Either:
 - *Boiler timer controls and thermostats are mounted between 900mm and 1200mm above finished floor level on the boiler, or
 - *Separate controllers (wired or wireless) are mounted elsewhere in an accessible location within the same height

NOTE: The loading for strengthened walls is considered suitable for many types of adaptations but additional localized strengthening may be required if adaptations are fitted that impose high point loads.

Habitable Rooms - Living, kitchen and eating areas

- 2.24 To provide usable living spaces and easy, step free access between living area, a WC and the principal private entrance, key accommodation should comply with all of the following:
 - a. Within the entrance storey there is a living area (which may be a living room, dining room or a combined kitchen and dining room)
 - b. A minimum 1200mm clear space is provided in front of and between all kitchen units and appliances
 - c. Glazing to the principal window of the principal living area starts a maximum of 850mm above floor level or at the minimum height necessary to comply with the requirements of part K for guarding to windows.

Bedrooms

- 2.25 To enable a wide range of people to access and use them, bedrooms should comply with all of the following:
 - a. Every bedroom can provide a clear access route a minimum 750mm wide from the doorway to the window.
 - b. At least one bedroom (the principal bedroom) can provide a clear access zone a minimum 750mm wide to both sides and the foot of the bed.
 - c. Every other double bedroom can provide a clear access zone a minimum 750mm wide to one side and the foot of the bed, above the pitch line of the treads (ignoring any newel post)
 - d. All single and twin bedrooms can provide a clear access zone a minimum 750mm wide to one side of each bed.
 - e. It can be demonstrated (for example by providing dimensioned bedroom layouts, similar to the example in Diagram 2.4) that the provisions above can be achieved.

Sanitary Facilities

general provisions

- 2.26 All walls, ducts and boxings to the WC/cloakroom, bathroom and shower room should be strong enough to support grab rails, seats and other adaptations that could impose a load of up to 1.5kN/m2. Additional sanitary facilities beyond required to comply with this guidance need not have strengthened walls.

NOTE: The loading for strengthened walls is considered suitable for many types of adaptations but additional localized strengthening may be required if adaptations are fitted that impose high point loads.

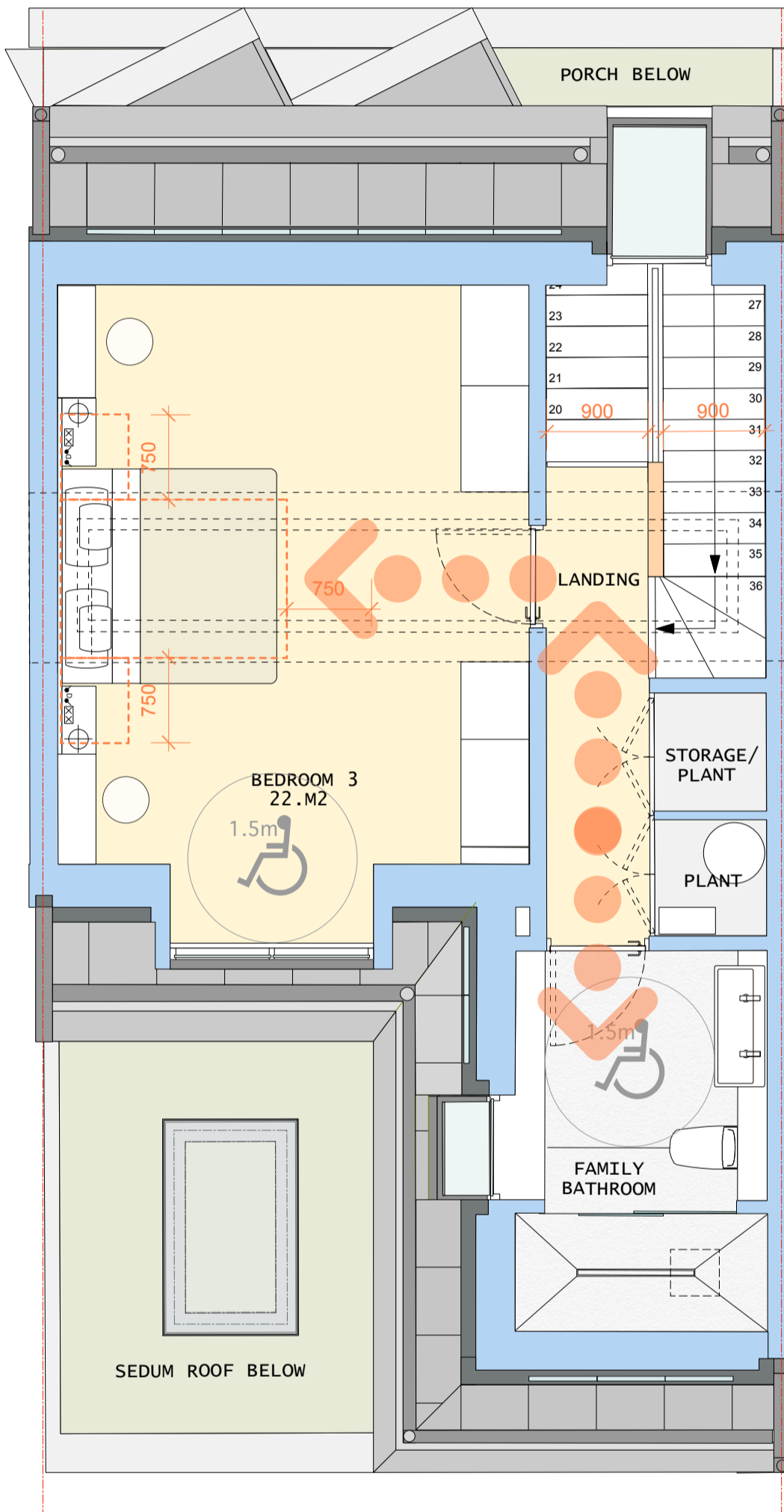
Circulation Areas and internal Doorways

Door and Hall Widths

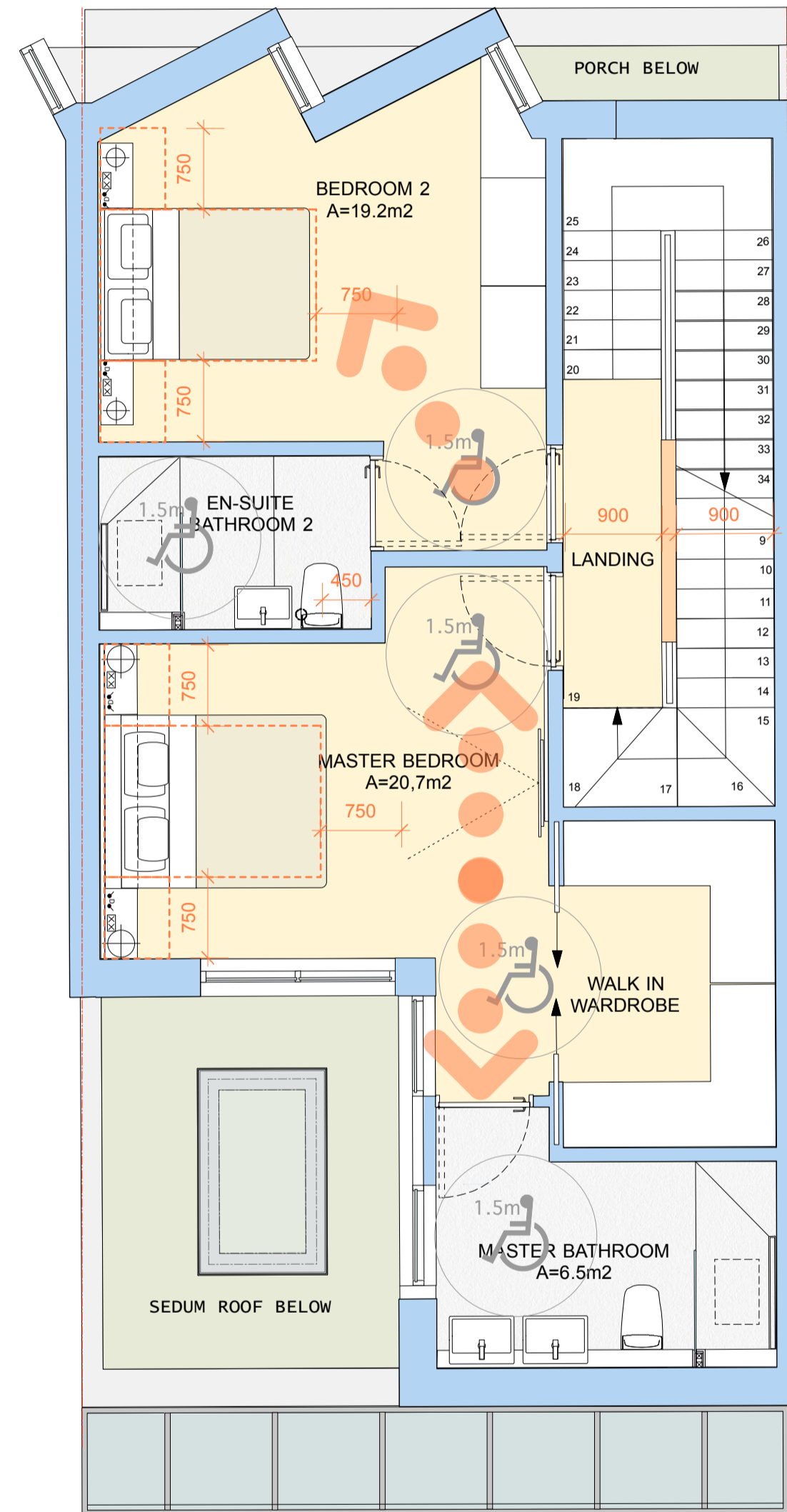
- 2.22 To facilitate movement into, and between, rooms throughout the dwelling, doors and corridors should comply with all of the following:
 - a. The minimum clear width of every hall or landing is 900mm.
 - b. Any localized obstruction, such as a radiator, does not occur opposite or close to a doorway or at a change of direction and is no longer than 2m in length; and the corridor is not reduced below minimum 750mm width at any point
 - c. Every door has a minimum clear opening with as set out in Table 2.1
 - d. A minimum 300mm nib is provided to the leading edge of every door within the entrance storey

Private Stairs and Changes of Level within the dwelling

- 2.23 To allow people to move between storeys, and to allow a stair lift to be fitted to the stairs from the entrance storey to the storey above (or the storey below where this contains the bathroom required by the provisions of paragraph 2.29), stairs should comply with all of the following:
 - a. Access to all rooms and facilities within the entrance storey is step free
 - b. Level changes within every other storey are avoided where possible.
 - c. The stair from entrance storey to the storey above (and below) has a minimum clear width of 850mm when measured 450mm above the pitch line of the treads (ignoring any newel post)
 - d. All stairs meet the provisions of Part K for private stairs.



PROPOSED SECOND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

WC Facilities on the Entrance Storey

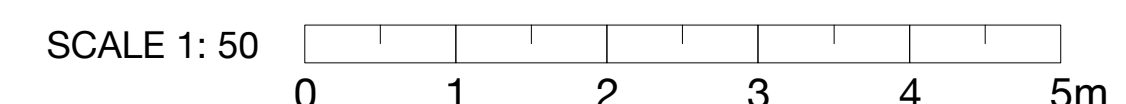
- 2.27 To provide step-free access to a WC that is suitable and convenient for some wheelchair users and, where reasonable, to make provision for showering, dwellings should comply with all of the following:
 - a. Every dwelling has a room within the entrance storey that provides a WC and basic (which may be within a WC/cloakroom or a bathroom).
 - b. In two or three storey dwelling with one or more bedrooms the WC (together with its associated clear access zone) meets the provisions of Diagram 1.3 and the basin does not impede access to the WC.
 - c. In a two or three storey dwelling with three or more bedrooms, the room with the WC and basin also provides an installed level access shower or a potential level access shower, and the shower, WC and basin (together with their associated clear access zones) meet the provisions of Diagram 2.5. Examples of compliant WC layouts are shown in diagram 2.6. The door opens outwards.
- 2.28 Where the dwelling provides both an accessible bathroom with a WC and WC/cloakroom within the same storey, the WC may comply with provisions of Diagram 1.3.

Bathrooms

- 2.29 To provide convenient access to a suitable bathroom, the dwelling should comply with all of the following:
 - a. Every dwelling has a bathroom that contains a WC, a basin and a bath, that is located on the same floor as the double bedroom, described as the principal bedroom in paragraph 2.25b.
 - b. The WC, basin and bath (together with their associated clear access zones) meet the provisions of Diagram 2.5. Examples of bathroom layouts are shown in Diagram 2.7.
 - c. Provisions for a potential level access shower is made within the bathroom if not provided elsewhere within the dwelling.



PROPOSED GROUND FLOOR PLAN



Notes
DO NOT SCALE FROM THIS DRAWING
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PRIOR TO COMMENCEMENT OF ANY SHOP DRAWINGS AND
ANY WORK ON SITE
REVISIONS TO BE REFERENCED TO THE ARCHITECT IMMEDIATELY
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL
RELATED ARCHITECT/ENGINEER DRAWINGS/DETAILS AND
ALL OTHER RELEVANT INFORMATION.

KEY PLAN

READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS
DESIGN AND DETAILS

- Existing structure retained
- Existing structure to be removed
- Existing RC concrete structure
- New structure
- New wall linings
- New Brickwork
- New Blockwork 7kn lightweight thermal standard
- New Reinforced Concrete
- New Acoustic Partition or lining to AD-E1 and 2, Table 1b 43 dB Airborne
- New internal partition to 1/2 hour fire resistance and insulation standard
- Foul Drainage above ground
- Foul Drainage below ground
- Surface water Drainage above ground
- Surface water Drainage below ground
- Combined Drainage above ground
- Combined Drainage below ground
- Existing Radiators
- Emergency Exit Sign to BS 5499-1:2002
- 30min Fire Rated construction
- 60min Fire Rated construction
- Dry Riser
- DG 01 Door reference
- WG 01 Window reference
- SFI Sanitary fitting reference
- LCF1 Fixture and/or Fitting reference
- DG.../SC Self Closing FD30/60s door with self closer
- DG.../XLS Self Closing FD30/60s door to be kept locked shut
- Escape direction

KEY TO SERVICES

COLOUR CODE FOR SERVICES

PROPOSED EXISTING REMOVED

Revisions
A B C D E F G H I J K
14.05.22 Rev. A - General Amendments
18.07.22 Rev. B - Neighbouring No.62 site area added.
House Nos increased to 7 units. General Amendments
24.02.23 Rev. C - Proposed scheme has been redesigned based on pre-application advice received on 20/02/23.
General Revision
20.04.23 Rev. D - Roof gables changed to hip Solar Roofs
General Revision
06.10.23 Rev. E - parking arrangement revised as per planning officer's request. General Revision

Client
LINCOLN ASSET HOLDINGS LTD.

Project
58-60 Haynt Walk Mews
Raynes Park
SW20 9NX

Drawing Title
HOUSE TYPE A (Inclusive Design)
Proposed Ground, First, Second &
Roof Plan Layouts

Scale
1:50 @ A1 1:100 @ A3
Date
Apr. 2022

VOLUTE³
Architectural & Design Consultants
Unit A119, Riverside Business Centre, Wandsworth London SW18 4UH
www.volute3.com
T. 020 8332 2332

Job No. Drawing No.
HWM/3213 3213 BR-109E
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SCHEDULE OF ACCOMMODATION

7 Dwellings	40 Persons	GIA/m ²	Private Amenity	Communal Amenity Area = 369m ²
HOUSE 1	3B/6P	172.0m ²	136.9m ²	14 Cycle Store Spaces (2 per Dwelling)
HOUSE 2	3B/6P	177.0m ²	94.9m ²	7 Parking Spaces (1 per Dwelling)
HOUSE 3	3B/6P	177.0m ²	93.3m ²	0 Visitor Parking Space
HOUSE 4	3B/6P	177.0m ²	92.2m ²	1 Disabled Parking provision within DP8
HOUSE 5	3B/6P	177.0m ²	92.0m ²	7 EVIC Points (1 per Dwelling)
HOUSE 6	3B/6P	172.0m ²	135.5m ²	14 Refuse Bin Area Point (2 per Dwelling)
HOUSE 1-6	18B/36P	1052.2m ²	821.3m ²	4 Visitors Cycle Store Spaces
NO.62	3B/4P	100m ²	176.5m ²	Existing Site Area = 1746m ²

Note:
Houses No's 2-5 Haynt Walk Mews are referenced as Type A, and are of a generic design.
Houses No's 1&6 Haynt Walk Mews, forming two ends of terrace with second floor hipped roofs, are referenced as Type B for clarity.

Notes
DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY SHOP DRAWINGS AND ANY WORK ON SITE. THE ARCHITECT SHALL BE IMMEDIATELY ADVISED BY THE CONTRACTOR OF ANY DISCREPANCIES TO THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELATED ARCHITECTURAL DRAWINGS/DETAILS AND ALL OTHER RELEVANT INFORMATION.

KEY PLAN
[North Arrow]

READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DESIGN AND DETAILS

- Existing structure retained
- Existing structure to be removed
- Existing RC concrete structure
- New structure
- New wall linings
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- Escape direction

KEY TO SERVICES

COLOUR CODE FOR SERVICES
PROPOSED [Red] EXISTING [Blue] REMOVED [Green]

Revisions

Revision	Description
14.05.22 Rev. A	General Amendments
18.07.22 Rev. B	Neighbouring No.62 site area added. House Nos increased to 7 units. General Amendments
24.02.23 Rev. C	Proposed scheme has been redesigned based on pre-application advice received on 20/02/23. General Revision
20.04.23 Rev. D	Roof gables changed to hip Solar Roofs. General Revision
06.10.23 Rev. E	parking arrangement revised as per planning officer's request. General Revision

EXISTING SITE AREA = 1786m²

Client
LINCOLN ASSET HOLDINGS LTD.

Project
58-62 Haynt Walk Mews
Raynes Park
SW20 9NX

Drawing Title
Proposed Roof Plan Layout

Scale
1:100 @ A1 1:200 @ A3

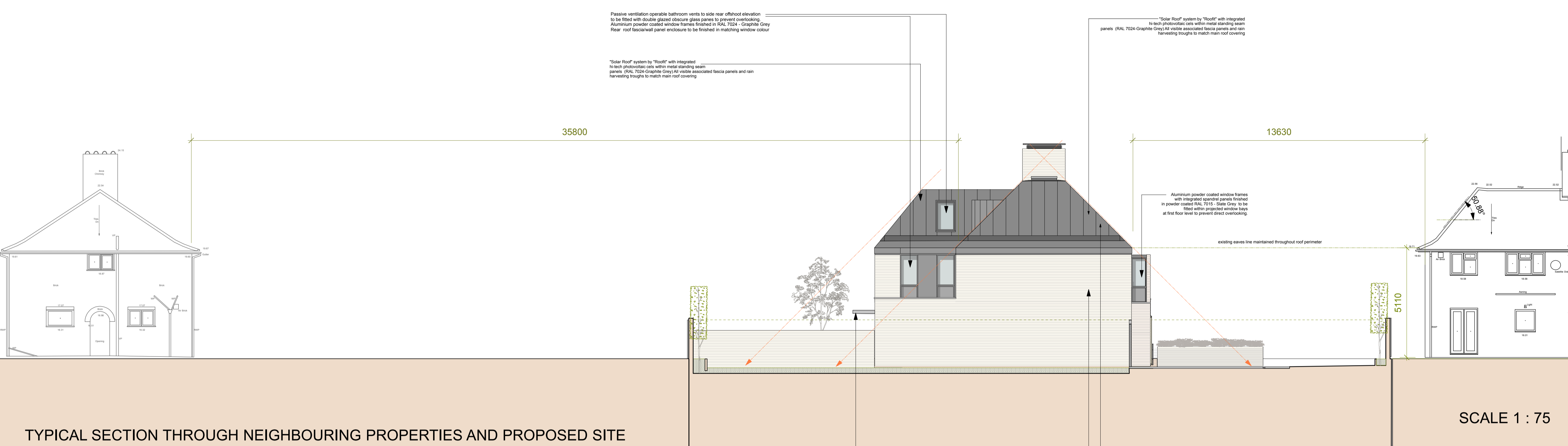
Date
Apr. 2022

VOLUTE³
Architectural & Design Consultants
Studio A, 32 Murray Road, Richmond, Surrey TW10 7QG
admin@volute3.com
T: 020 8 332 2332

Job No.
HWM/3213

Drawing No.
3213 BR-106E

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TYPICAL SECTION THROUGH NEIGHBOURING PROPERTIES AND PROPOSED SITE

Notes
 DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE VERIFIED ON SITE BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY SHOP DRAWINGS AND ANY WORK ON SITE. PLEASE REFER TO THE ARCHITECT IMMEDIATELY IF YOU DISCOVER ANY DISCREPANCIES. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELATED ARCHITECT ENGINEERS DRAWINGS / DETAILS AND ALL OTHER RELEVANT INFORMATION.

KEY PLAN

READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS DESIGN AND DETAILS

- Existing structure retained
- Existing RC concrete structure
- New structure
- New wall linings
- New Brickwork
- New Blockwork 7kn lightweight thermal standard
- New Reinforced Concrete
- New Acoustic Partition or lining to AD-E1 and 2, Table 1b 43 dB Airborne
- New internal partition to 1/2 hour fire resistance and insulation standard
- Foul Drainage above ground
- Foul Drainage below ground
- Surface water Drainage above ground
- Surface water Drainage below ground
- Combined Drainage above ground
- Combined Drainage below ground
- Existing Radiators
- Emergency Exit Sign to BS 5499-1:2002
- 30min Fire Rated construction
- 60min Fire Rated construction
- Dry Riser
- DG 01 Door reference
- WG 01 Window reference
- SF1 Saintry fitting reference
- LCF1 Fixture and/or Fitting reference
- DG.../SC Self Closing FD30R60s door with self closer
- DG.../XLS Self Closing FD30R60s door to be kept locked shut
- Escape direction

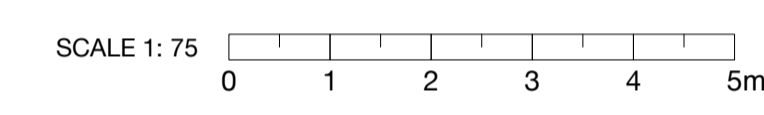
KEY TO SERVICES

Recessed Ceiling LV	Heat Detector
Recessed Light	Water Security Sensor & Alarm
External Wall Light	External Alarm Light
Internal Wall Light	External Bell
Downlight	External Alarm
Side Light	TV Case Sky compatible
External Wall Light	RF Gate
External Wall Light	Car 4
Water Switch	Security Alarm
Single switched socket	Single Alarm Light
4 Double Sockets	LED Strip Lighting
Alarm Panel	Smoke Detector
Light Switch	Light Alarm/Smoke Alarm Unit
Control Light Switch	Fire Alarm Smoke Alarm
New Ceiling Fan	Combined Drainage below ground
Recessed	New Radiator
Vision Entry System	Blank Pipe
Central Vacuum Audio	Recessed Light Fitting
Sound Bellows	Blank Pipe at High Level
Fire Detector	Recessed Light
Water Sensor	Front Air Grid
Shower (sanitary)	Outdoor Shower
Control Fan - remote T	Pool Subur
LED Downlight	Shower Controls
Fan Coil	In-Room Wall Light
Control Socket	Low Voltage Light Control
Car 4	Disc Drive
Control Socket	Recessed Light Fitting
Control Socket	Shower controls with/without remote control
Control Socket	Domestic Sprinkler M&S System
Control Socket	Fan Coil Unit
Control Socket	Air Source Heat Pump

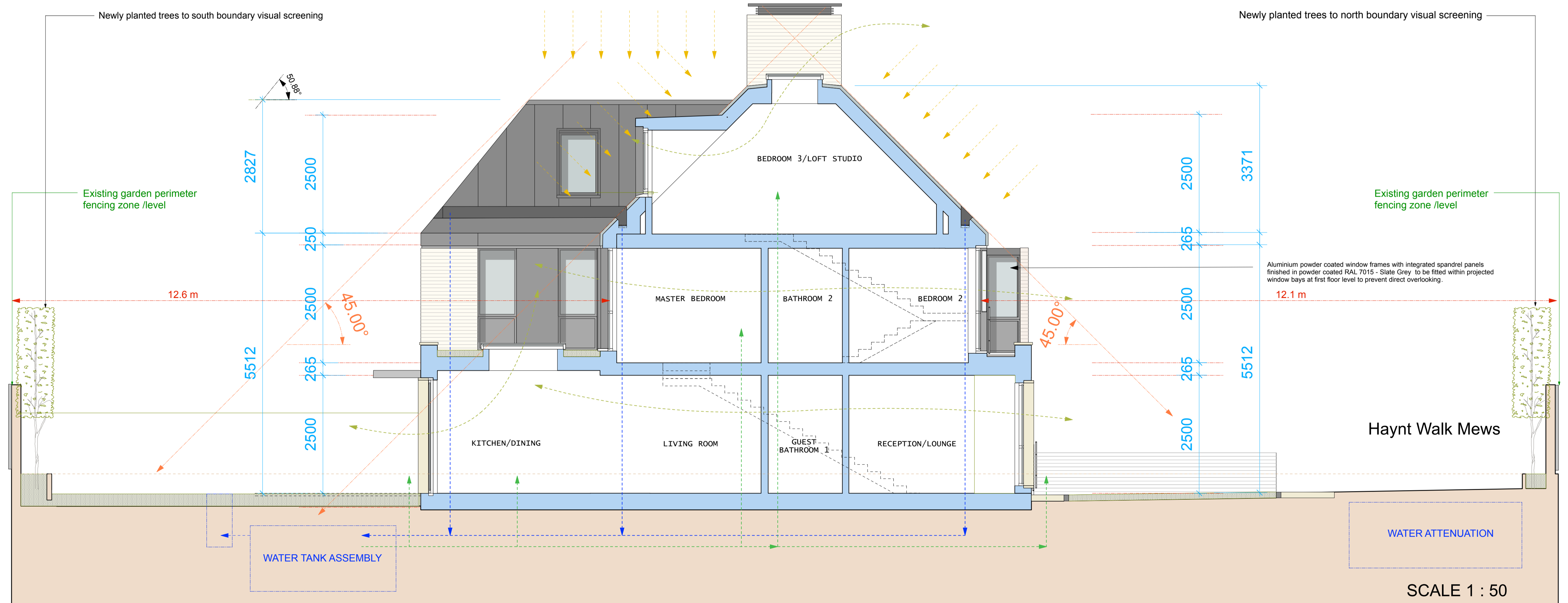
MARTIN WAY NO.273

HAYNT WALK MEWS NO.58-62

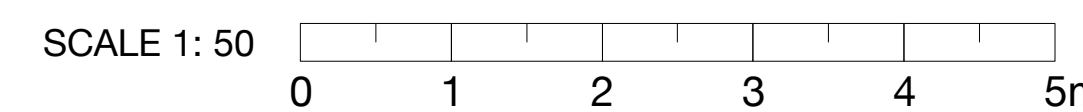
HAYNT WALK NO.56



Page 70



TYPICAL CROSS SECTION (HOUSE NOS.1-6) - PROPOSED SUSTAINABILTY CONCEPT DIAGRAM



COLOUR CODE FOR SERVICES

PROPOSED ■ EXISTING ■ REMOVED ■

Planning Set

(General Arrangement)

Revisions

A	B	C	D	E	F	G	H	I	J	K
---	---	---	---	---	---	---	---	---	---	---

14.05.22 Rev. A - General Amendments
 18.07.22 Rev. B - Neighbouring No. 62 site area added. House Nos increased to 7 units. General Amendments
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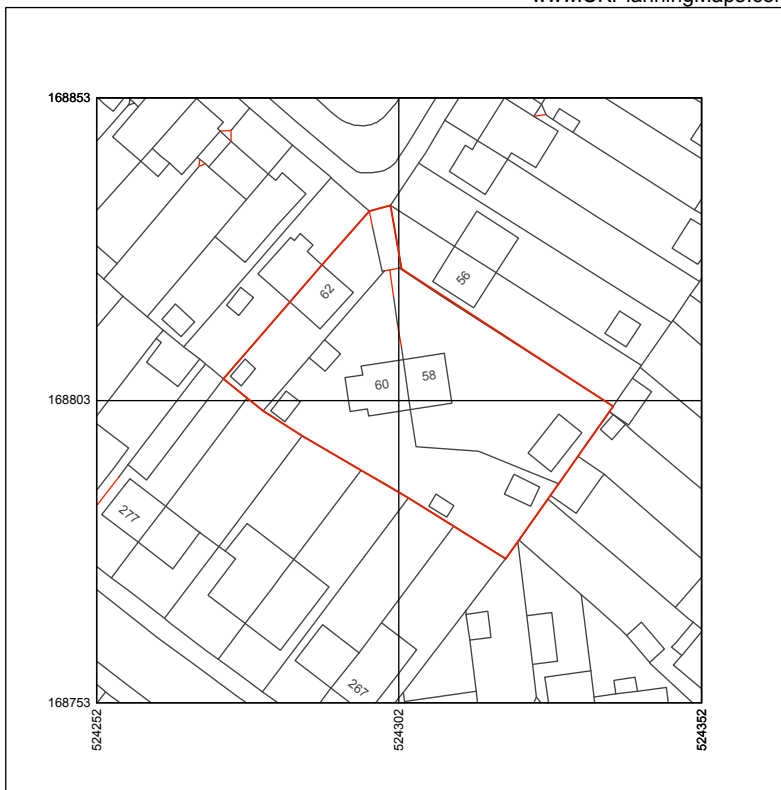
Drawing Title
**Proposed Sectional Side Elevations
 and Typical House Cross Section Detail**

Scale
 1:75 @ A1 1:150 @ A3

Date
 Apr. 2022

VOLUTE³
 Architectural & Design Consultants
 Studio A, 32 Murray Road, Richmond, Surrey TW10 7GQ
 admin@volute3.com
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Job No. **HWM/3213** Drawing No. **3213 BR-107D**



Produced on 08 April 2022 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
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SITE LOCATION PLAN

58-62 HAYNT WALK - RAYNES PARK SW20 9NX

DWG NO. 3213-100 SCALE 1:1250

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PLANNING APPLICATIONS COMMITTEE

25 APRIL 2024

CASE OFFICER REPORT

APPLICATION NO.

DATE VALID

24/P0137

25/01/2024

Site Address:

11 Streatham Road, Mitcham, CR4 2AD

Ward:

Figges Marsh

Proposal:

APPLICATION FOR THE CONVERSION OF DWELLINGHOUSE (C3) INTO AN 5 BEDROOM, 5 PERSON HMO (C4) INCLUDING NEW FRONT BOUNDARY WALL WITH INTEGRATED REFUSE STORE, CYCLE STORAGE AND ASSOCIATED WORKS.

Drawing Nos:

See condition 2

Contact Officer:

Lan Pham (020 8545 4292)

RECOMMENDATION

GRANT Planning permission subject to conditions

CHECKLIST INFORMATION

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	5
External consultations	Yes
Internal consultations	Yes
Controlled Parking Zone	No
Conservation Area	No
Archaeological Priority Zone	No

Public Transport Accessibility Rating	4
Tree Protection Orders	No

1. INTRODUCTION

- 1.1.1 This application is being brought to the Planning Applications Committee at the request of Councillor Natasha Irons. The application is subject to a requirement for planning permission because the site is in an area where the article 4 directions has removed the permitted development rights for the conversion of homes (Use Class C3) to HMO (Use Class C4), therefore the proposal is subject to a requirement for planning permission.

2. SITE AND SURROUNDINGS

- 2.1.1 The application site comprises a two-storey semi-detached dwelling located on the south-eastern side of Streatham Road. The property does benefit from a single storey rear extension and a single storey rear detached garage/outbuilding on the eastern border of the site. The site already been converted into a 6-bed 6-person HMO, however as the application site is located within the Figge's marsh ward of the Borough, the article 4 direction removed permitted development rights and therefore planning permission is required.
- 2.1.2 9 Streatham Road is located west of the site and forms the partnering property of the semi-detached property. The property is currently operating as a dentist, benefiting from a two-storey side and a part two part single storey rear extensions.
- 2.1.3 To the east of the application site is 13 Streatham Road, which benefits from a single storey rear garage/outbuilding, access from the shared access with the site.
- 2.1.4 The site is not located within a conservation area nor is it in anyway listed. The site is not located within a controlled parking zone and has a public transport accessibility level (PTAL) of 4 (0 being the lowest and 6b being the best).
- 2.1.5 The site is within Flood Zone 1 but is within an area at risk of ground water flooding, as detailed in the Council's Strategic Flood Risk Assessment.
- 2.1.6 The application site is located within the Article 4 Direction area which was introduced in November 2022 which removed permitted development rights for the conversion of homes (Use Class C3) to small houses in multiple occupation (Use Class C4) in seven wards in Merton:
- Colliers Wood
 - Cricket Green
 - Figge's Marsh
 - Graveney
 - Lavender Fields
 - Longthornton
 - Pollards Hill

3. **CURRENT PROPOSAL**

3.1.1 The proposal is for the conversion of dwellinghouse (C3) into an 5 bedroom, 5 person HMO (C4) including new front boundary wall with integrated refuse store, cycle storage and associated works.

3.1.2 On the ground floor there would be three single occupancy ensuite bedrooms and a communal kitchen/dining room, providing access to the rear garden.

3.1.3 The first floor would have two single occupancy ensuite bedrooms and a kitchen.

3.1.4 There are no additions proposed to the building through this application.

3.1.5 Accommodation

Bedroom	No. of occupants	Gross internal area (GIA – m2)	Council min SPD standard	Compliant
1	1	10.71	7.5	Yes
2	1	10.31	7.5	Yes
3	1	10.2	7.5	Yes
4	1	12.98	7.5	Yes
5	1	10.71	7.5	Yes
Shared Kitchen	5	16.85 + 12.13	15	Yes

Habitable Rooms total: 5

3.1.6 A new bin store area to the frontage of the site will be added as part of the new boundary wall enclosure. An enclosed cycle store has been moved to the rear garden area.

3.1.7 Internal waste has also been identified at the request of the chair of planning committee.

4. **HISTORY**

4.1.1 The previous planning application, 23/P2062 sought planning permission for the conversion of the property into a 6 bed, 6 person HMO. However, that application was refused on the 24th of October 2023 for the following reasons:

- The proposals by reason of unsatisfactory layout and substandard size and absence of windows to the main communal spaces of the property, specifically the kitchen, would create a poor standard of internal environment for occupiers of the C4 HMO. The proposal would therefore be contrary to policies DM D2 of the Sites and Policies Plan 2014, and policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy 2011
- The proposals by reason of lack of satisfactory layout/access to external amenity space to meet the likely needs of future occupiers the scheme the proposal would fail to provide an acceptable standard of accommodation and living space resulting in a cramped and

unsatisfactory standard of accommodation to the detriment of the amenities of future occupiers of the HMO. The proposal would therefore be contrary to policies London Plan 2021 policy D6, CS 9 & CS.14 in the Merton Core Strategy 2011, Policy DM D2 of the Merton Sites and Policies Plan 2014

- In the absence of an air quality statement, the applicant has failed to demonstrate that the development would be air quality neutral, thereby failing to comply with policy S1 of the London Plan 2021.
- In the absence of a site specific flood risk assessment commensurate to the nature and scale of the development the scheme is considered to increase risk of flooding in the locality contrary to the aims and objections of, in particular, London Plan policy SI 13, Merton Core Strategy (2011) policy CS16 and Merton Sites and Policies Plan (2014) policies DM F1 and DM F2.

4.1.2 The application before members of the planning committee is for a HMO with one less bedroom, so a 5 bed, 5 person HMO. The reduction in the number of bedrooms and a change of internal layout has sought to overcome the refusal reasons relating to 23/P2062. Details will be discussed later in the report.

5. CONSULTATION

5.1 Consultation letters were sent to 5 neighbouring properties and a site notice was posted. 4 objections were received with the following points:

5.1.1 Increased Population Density

- Exacerbating issues relating to parking, waste disposal and overall detriment to the residential character and amenities
- Despite the reduction from the previous application this does little to reduce the increase in population density/ the number of people living in this part of the street in the conversion of a family house to an HMO with five separate rooms for five individuals, who may themselves share that accommodation with others.
- There is no guarantee that the 'single' rooms will not accommodate up to ten people in total. We consider this to be an overconcentration 'detrimental to residential character and amenity' which will lead to pressure on parking, waste disposal and other issues.

5.1.2 Infrastructure Strain

- Including risk to drainage and wastewater systems through overuse by numbers of individuals it was not designed to cope with.
- Old pipes that have been blocked

5.1.3 Excessive Proliferation of HMOs

- Undermining the residential character of the area
- There is already an over proliferation of HMOs in the area and in our

personal experience we have noted the growth in the conversion of family homes to HMOs. As above, we cannot see how this supports the 'residential character' of the area

5.1.4 Precedent for Unregulated Development

- Giving developers the green light to convert family homes into HMOs with minimal scrutiny, oversight, or community consultation, potentially bypassing existing planning and enforcement standards.

5.1.5 Inappropriate Use and Management of Premises

- Raising serious concerns about a host of issues including antisocial behaviour, property damage, noise disturbances, child safeguarding, and the suitability of the existing HMO structure for housing vulnerable children without a current licence to operate this business or scrutiny from regulatory bodies.
- Numerous call-outs to and attendance by police and ambulance services to deal with ongoing issues in recent months suggest much public funding is currently being wasted.
- After the last few months, the neighbourhood is on edge, and we are apprehensive that these patterns will be repeated over the coming years through an unregulated and unmanaged business operating in our community whatever the character of the occupancy.
- Police have knocked on neighbour properties in regards to a resident of no.11 about a missing teen.
- Since September 2023 there has been a 14-year-old girl with behavioural and emotional challenges being kept at the house under supervision of Melburay staff. She has escaped twice and is currently still at large. The local Police and Ambulance Service have attended the property on numerous occasions to deal with anti-social behaviour such as breaking of windows and smashing up of furniture by the incumbent.
- 11 Streatham is currently leased out to Yellowstone Healthcare Ltd, a private commercial company which has subcontracted, we believe, to Melburay Healthcare for use as a 'half-way house' medical facility for rehabilitation into the community of young patients who may be suffering from various kinds of mental and emotional disorder and ill-health or be in the later stages of addiction recovery

5.1.6 Anti-Social Behaviour and Crime

- We have caught on video and in person a number of intruders coming down our driveways by day and night to urinate near the shared garages or on one occasion, we suspected, to shoot up with drugs though that individual was disturbed before she could evidence what we understood to be her intention.
- We are concerned that there is an environment of anti-social behaviour centred on this stretch of the road which this development does not help reduce. We note that there have been calls for an updated planning

condition relevant to Designing out Crime and question whether a Design Out Crime survey in consultation with the local Police, whose time is constantly being wasted by the above-mentioned activity, has been considered with this development given what has taken place over recent months. As things stand on this issue, we see this unwelcome development as a clear risk for the future.

5.1.7 Waste

- The approach to waste disposal by the occupants of 11 Streatham also gives rise for concern. There are a number of bins on the forecourt but a very large amount of general rubbish is produced by the occupants weekly and it has taken months to try and get Melburay staff to deal with recycling appropriately, putting different materials into the correct containers despite active support from neighbours.
- This week there were plastic bags and containers of rotting food all over the shared drive with 13 Streatham Road where bin men (or animals) had tipped out contents of food from waste containers which of course should not contain plastic. This will of course attract foxes, rats and other vermin. Rubbish of all types is often strewn round the site from overloaded bins giving the front garden area the flavour of a rubbish tip and of dereliction, encouraging anti-social activity.

5.1.8 Trees

- There is a huge black poplar tree in the rear garden which we estimate as in excess of 25 metres (80 ft) tall, perhaps taller. This tree dominates the rear aspect of all our properties in this section of the neighbourhood and is a haven for birds and wildlife. Another smaller tree, a sycamore, on the boundary fence with #9 was cut down at an early stage of the development work, along with every other shrub and plant in the rear garden which is now entirely laid out with artificial turf. These trees are clearly shown on the Flood Risk Assessment report by Stone and Brick Solutions from which the photo below is extracted. The tree in question is the one nearest the bottom edge of the picture. The tree next to it nearer the house was the one cut down by builders in 2022. The tree at the front of the house nearest to the street still survives.

5.2 Internal Consultees:

LBM Waste Services

5.2.9 The dwellings would be on the alternate weekly wheeled bin service, collection service the same as those neighbouring properties on Streatham Road.

The bin storage they suggested would be confirmed following the successful application for an HMO certificate.

LBM Highway Officer

5.2.10 Recommended Conditions – H9, INF9 AND INF12

6. **POLICY CONTEXT**

List of relevant planning policies

National Planning Policy Framework (2023)

- Chapter 5 Delivering a sufficient supply of homes
- 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

London Plan 2021

- 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 H9 Ensuring the best use of stock
- Policy H10 Housing size mix
- Policy SI 12 Flood risk management
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.1 Residential parking

Merton Core Strategy (2011)

- Policy CS 8 Housing Choice
- Policy CS 9 Housing Provision
- Policy CS 16 Flood Risk Management
- Policy CS 17 Waste Management
- Policy CS 18 Active Transport
- Policy CS 20 Parking, Servicing and Delivery

Merton Sites and Policies Plan (2014)

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM H5 Student housing, other housing with shared facilities and bedsits
- DM D1 Urban design and the public realm
- DM D2 Design considerations in all developments
- DM T1 Support for sustainable transport and active travel
- DM T2 Transport impacts of development

- DM T3 Car parking and servicing standards

Other guidance:

- London Housing SPG - 2023
- London Character and Context SPG - 2014
- London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2021)

7. PLANNING CONSIDERATIONS

7.1.1 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 of development

7.2.2 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.

7.2.3 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.

7.2.4 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.

History

7.2.5 Members will note within the planning history section of this report that the applicant applied for a 6 bedroom, 6 person HMO under a full planning permission but this was refused (refusal reasons below and how the scheme, before members, has overcome those reasons). The application before the members of the planning committee has been assessed on 5 bedrooms which are single bedrooms in terms of size and therefore designed for 1 occupant per bedroom, so a total of 5 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.

Previously refused application.

7.2.6

Officers consider that the proposed scheme has fully addressed all the previous refusal reasons (reason underlined). Note, the refusal reasons relating to previous application was for a 6 bed, 6 person HMO, current application has reduced number of bedrooms to 5 bed, 5 person HMO.

The proposals by reason of unsatisfactory layout and substandard size and absence of windows to the main communal spaces of the property, specifically the kitchen, would create a poor standard of internal environment for occupiers of the C4 HMO. The proposal would therefore be contrary to polices DM D2 of the Sites and Policies Plan 2014, and policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy 2011.

Officer comment – Room changed at ground floor to dinning/kitchen space with windows. All rooms meet space standards and all residents have direct access to rear garden.

The proposals by reason of lack of satisfactory layout/access to external amenity space to meet the likely needs of future occupiers the scheme the proposal would fail to provide an acceptable standard of accommodation and living space resulting in a cramped and unsatisfactory standard of accommodation to the detriment of the amenities of future occupiers of the HMO. The proposal would therefore be contrary to policies London Plan 2021 policy D6, CS 9 & CS.14 in the Merton Core Strategy 2011, Policy DM D2 of the Merton Sites and Policies Plan 2014

Officer comment – See above

In the absence of an air quality statement, the applicant has failed to demonstrate that the development would be air quality neutral, thereby failing to comply with policy S1 of the London Plan 2021.

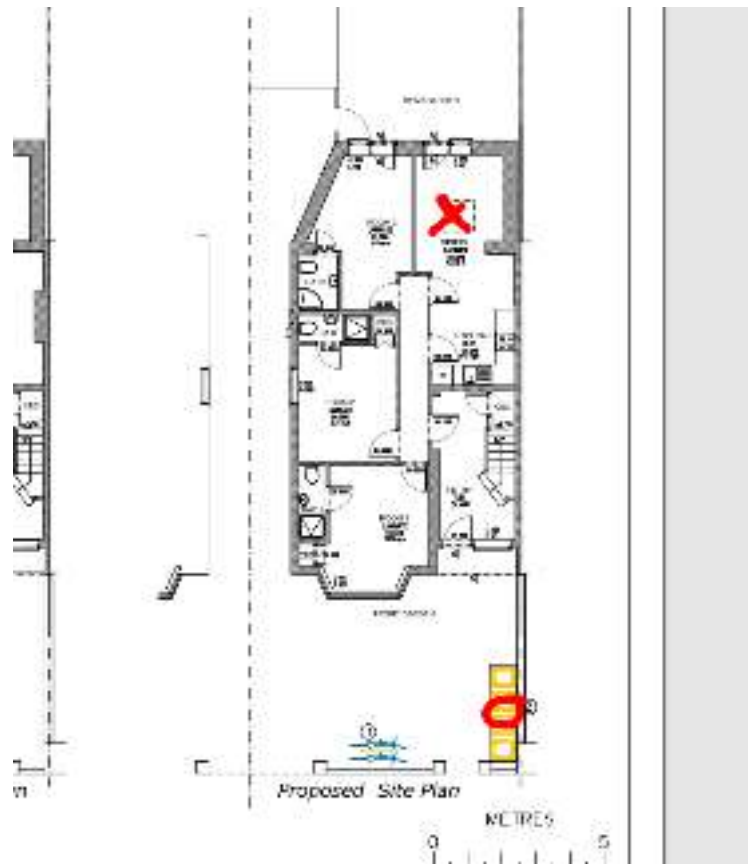
Officer comment – Provided

In the absence of a site specific flood risk assessment commensurate to the nature and scale of the development the scheme is considered to increase risk of flooding in the locality contrary to the aims and objections of, in particular, London Plan policy SI 13, Merton Core Strategy (2011) policy CS16 and Merton Sites and Policies Plan (2014) policies DM F1 and DM F2.

Officer comment – Provided

7.2.7

The applicant has removed one of the bedrooms (marked as X) and made into a living space (solves the previous refusal). Officers have also secured amended plans to ensure the tree in the front garden is retained, bin store to form part of front boundary wall and moved cycle store to rear garden.



7.3 **Change of use**

7.3.8 The proposal has received representations involving the use of the site as a care facility rather than a standard HMO. The applicants agent has been contacted for further clarification; the applicant has provided the following statement:

- The site is a standard HMO with 5 unrelated individuals living in the property as their only or main residence, who share basic amenities such as a kitchen, toilet or bathroom.
- Occupants will not require any support or staff being present on site or staff members sleeping within the accommodation to assist other occupants.
- Firstly, the sourcing of tenants includes rigorous testing and investigations. This means that tenants will be well behaved people. Secondly, any antisocial behaviour will be dealt with promptly and the tenants will be held to account.
- The development description has also included that the site would be for 5-bedrooms 5 persons as agreed upon with the applicant's agent

7.3.9 Officers have sought clarification from the applicant on this point on a number of occasions given the content of the objections raised. As set out above, the applicant has clearly stated that the proposed use is for a standard HMO with no care facilities or staff being present. They have also stated that they will take action to limit and resolve any antisocial tenants/behaviour incidents should they

occur. Members must note that as part of the planning application process, officers can only assess an application with the information as submitted and assess material planning consideration in accordance with adopted planning policies of the land (unless material planning considerations state otherwise). The behaviour of existing or future tenants, whether good or bad, is not a planning consideration to consider as there is no meaningful way to make that judgment (for example not all HMO tenants are bad). The matter of antisocial behaviour is however covered by the Councils Housing Department when issuing an HMO licence (separate process from planning). The Councils licensing officer has confirmed that as part of any licence agreement, the following conditions apply (note – this forms part of the licence agreement currently at 11 Streatham Road):

“The License holder must deal with anti-social behaviour within the premises under the terms of the Tenancy Agreement”

&

“The Licence holder or Manager must notify the Council and the Police of any anti-social behaviour outside the building and must work with them to eliminate it”.

7.3.10 The proposed HMO only requires planning permission due to the existing Article 4 direction in the area. Whilst the article 4 direction does not prevent HMO accommodation, it allows the Council to assess HMO standards if the site is located within one of the 7 wards in Merton where the article 4 direction is active. Therefore, officers have the ability to assess the quality of the HMO as part of a formal planning application. Any planning approval can therefore be subject of planning conditions. In this instance, a planning condition stating that permission relates to a 5 bedroom, 5 person HMO would ensure that the development must be carried out in accordance with the approved plans and any conditions. In this instance, the proposed plans and submission of material from the applicant has confirmed that the proposed is for a standard HMO with 5 bedroom and for 5 persons. It must be noted that any breaches of planning controls can be subject of enforcement action.

7.4 Impact on existing building

7.4.11 The proposals do not involve any additions to the existing building. The additional facilities that would be required, namely the cycle storage, would be accommodated in the rear garden and the refuse store would be to the forecourt from where there is direct access out to Streatham Road. Consequently, it is considered that the impact on the appearance of the existing building would be minimal.

7.5 Impact on the character of the area

7.5.12 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

7.5.13 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:

7.5.14 **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. 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.

7.5.15 **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.

7.5.16 **The proposal meets an identified local need;**

Officer comment

HMO accommodation is considered to be a viable source of housing for many people, which can meet personal preferences (short term accommodation for example) and provides a source of accommodation for those with restricted options for other types of housing. The Councils Housing Stock Condition and Stressors Report September 2022 states that:

“Shared HMOs tend to be the cheapest form of private housing available and have traditionally been occupied by single adults, however in recent years many more couples and children reside in HMOs. Pressure on affordable housing and higher rates of homelessness has driven demand for this type of dwelling”.

The Councils Housing Delivery Strategy 2022-2027 highlights the difficulty for people to secure housing:

“...the high costs of private renting and house purchase relative to local incomes is the main barrier to securing a suitable home for many households. While demand is met effectively by the market for many, this is not the case for households at or below median income levels. Improving affordability is therefore a key goal and the priorities and actions identified in this document place a strong emphasis on homes at social or London Affordable Rent levels and delivery of a higher proportion of these than is currently achieved. Market and intermediate options will also be needed but, to some extent at least, the former will be delivered without the need for significant intervention and delivery of the latter is already at an acceptable level. The key question, therefore, is what the council can do, alone and in partnership, to shift delivery in a direction more attuned to local needs and local incomes.

While not directly a matter for this exercise, there is a need to identify the groups that new supply aims to assist. In the short term it will not be possible to meet all needs, so it will be necessary to prioritise and to explain the basis for decisions”

7.5.17 HMO's are not technically affordable housing, in planning policy terms, it nevertheless in reality provides a more affordable form of accommodation for many people. Whilst the Council are actively looking at increasing affordable housing in the Borough through both planning policy (new local plan) and direct delivery (in partnership), it is unlikely to fulfil all the demand for such housing. Therefore, other types of affordable accommodation still have an important role in meeting housing demand. In this instance, officers consider that the proposed HMO accommodation meets an identified local need.

7.5.18 **The proposal will not result in an overconcentration of similar uses detrimental to residential character and amenity;**

Officer comment

It is noted that Councillor Natasha Irons has raised concerns relating to The over proliferation of HMOs in the Figge's Marsh ward and the anti-social behaviour and use of property

In relation to the number of registered HMOs in the area in the CR4 2- - postcode area there are 81 registered HMOs, this would cover both the Figge's Marsh and Graveney wards. In Streatham Road there are 13 properties that are registered HMOs including the proposed site (see map below showing some HMO's close to the application site – black dot represents the application site – red dot represents other registered HMO properties).



HMO's in the area

Streatham Road (13)

- 11 Streatham Road
- 14 Streatham Road
- 37 Streatham Road
- 51 Streatham Road
- 66 Streatham Road
- 72 Streatham Road
- 104 Streatham Road
- 130 Streatham Road
- 198 Streatham Road
- Flat 1, 205A Streatham Road
- 205 Streatham Road
- Jubilee Guest House, 219A Streatham Road
- 249 Streatham Road

Graham Avenue (1)

- 56 Graham Avenue

Graham Road - None

In addition, the Councils Houses in Multiple Occupation Planning Guidance Supplementary Planning Document 2023 (not yet adopted) sets out examples of where HMO accommodation is suitable and not, this assessment is known as the Sandwich Test.

The Sandwich Test (paragraph 6.3 – 6.4)

6.3 Where C3 residential properties are sandwiched between two HMOs, issues commonly associated with HMOs regarding disturbance and impact on amenity can be intensified. This test ensures there is a balance of dwellings and prevents the potential for negative impacts upon existing dwellings. Planning permission would not be granted where the introduction of a new HMO would result in an existing residential property (C3) being sandwiched by any adjoining HMOs on both sides.

6.4 The diagrams below indicate how this principle would be applied.



In the example above the proposed HMO (at number 22) would result in a neighbouring non-HMO property (number 20) being sandwiched between two HMOs. This would not be acceptable.



In the example above the proposed HMO (at number 18) would not result in a non-HMO property being directly sandwiched between two HMOs. This would be acceptable in principle.



In the example above the proposed HMO would result in a row of three HMOs. This would not be acceptable.



In the example above, whilst the proposed HMO (at number 28) would result in a row of three consecutive HMOs, the property is sandwiched between two existing HMOs. It is considered that allowing this property to convert to a HMO would solve an existing problem of a single home being sandwiched between two HMOs. This would be acceptable in principle.

7.5.19 The proposed HMO would not result in any properties being sandwich as demonstrated from the sandwich test as set out above (single house adjoining and dentist on the other half of the semi-detached property). In addition, there are at least 265 properties in Streatham Road, this would only be the 13th HMO in Streatham Road, which in comparison to the overall number of properties in Streatham Road is relevantly low (HMO's around 5% of the housing type in this road). As a result of the proposed development, the majority of the housing stock in this area would remain as single family houses. Therefore, whilst officers acknowledge that the local community have raised concerns with HMO accommodation, officers consider that permission cannot be reasonably refused on overconcentration and impact on residential character and amenity grounds.

7.5.20 **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)

7.5.21 **The proposal is fully integrated into the residential surroundings;**

Officer comment

The current application does not include any external alterations other than cycle parking and bin storage. It is therefore considered that the proposal is fully integrated into the residential surroundings.

7.6 Impact upon neighbouring amenity

7.6.22 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 does not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties. 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.

7.6.23 Policy DM EP2 (Reducing and mitigating noise) states that development which would have a significant effect on existing or future occupiers or local amenity due to noise or vibration will not be permitted unless the potential noise problems can be overcome by suitable mitigation measures.

Noise & Disturbance

7.6.24 During the consultation period, objections have been received that raise concerns with antisocial behaviour occurring at the property. It has been claimed that the property has been used as a care facility. As set out above, officers have sought clarification from the applicant about the proposed use. The application has confirmed the following:

- The proposed HMO, will be a standard HMO with 5 unrelated individuals living in the property as their only or main residence, who share basic amenities such as a kitchen, toilet or bathroom.
- Occupants will not require any support or staff being present on site or staff members sleeping within the accommodation to assist other occupants.
- Firstly, the sourcing of tenants includes rigorous testing and investigations. This means that tenants will be well behaved people. Secondly, any antisocial behaviour will be dealt with promptly and the tenants will be held to account.

7.6.25 Officers acknowledge that HMO accommodation can sometimes generate disturbance to neighbours (evidence shows Merton received more complaints from HMO accommodation than other sources of housing), but this would depend on the individuals creating that disturbance. However, this can also be true for other types of housing, including single family homes. Given the variables in tenants behaviour (some good, some bad) from a planning perspective, officers cannot reasonably refuse planning permission on these grounds. At the time of writing, officers understand that there have been no recent incidents. Should this not be true or there are continued incidents of antisocial behaviour, then the Council would require evidence to be gathered and presented to the

Council Housing Department. As set out above, the terms of the HMO licence include conditions relating to antisocial behaviour.

7.6.26 In this instance, the proposed HMO would pass the Sandwich Test as set out in the report above, with the other half of the semi-detached property being a commercial use (so no loss of amenity) and the other adjacent residential property (13 Streatham Road) being separated by a side access (which provides some level of separation from the application site). Considering all the above factors, whilst officers have noted the concerns raised by neighbours and Cllr Irons, there would be very limited grounds to refuse planning permission.

7.6.27 9 Streatham Road – Figge’s Marsh Dental Practice

7.6.28 9 Streatham Road is located west of the site and forms the partnering property of the semi-detached property. No extensions are proposed under the current application. The only external alterations would include bin and cycle storage facilities that would be located in the front and rear garden respectively. These are modest structures and have been designed to respect the property and street scene. Given the fact that this neighbour is commercial, there would be no loss of amenity. In any event, the proposed development would have a limited impact on this neighbour in terms of the physical changes proposed.

7.6.29 13 Streatham Road

7.6.30 13 Streatham Road is located east of the site, being separated from the application site by a side access. No extensions are proposed under the current application. The only external alterations would include bin and cycle storage facilities that would be located in the front and rear garden respectively. These are modest structures and have been designed to respect the property and street scene. The proposed development would therefore have a limited impact on this neighbour’s amenity in terms of the physical changes proposed.

7.7 Standard of accommodation

7.7.31 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.

7.7.32 In terms of the assessing the standard of accommodation, the Councils SPD creates standards which go beyond Merton’s HMO Licencing department. In this instance, single room letting with a shared kitchen and a shared living/room/dinning room would require a bedroom area of at least 7.5sqm and a kitchen area of at least 15sqm (3sqm per occupant). In this instance, each of the bedrooms receives appropriate levels of light and outlook, all include ensuite bathrooms and have a floor area of at least 10.2sqm. In addition, the shared living spaces would include a 16.85m² kitchen/dining area, on the ground floor with direct access to a good-sized rear garden area and another 12.13sqm kitchen at first floor level. As set out above/below, the proposed HMO meets (exceeds) the Councils standards and is therefore considered to offer a good standard of HMO accommodation (as witnessed by the case officer on his site visit). The Council’s HMO officer also has confirmed no objection to the proposal

as it would meet their requirements/standards (licence already permitted).

Table 1 - Internal Room Size Standards

Room Type	Number of Occupants	Size
Single Room Lettings Where Cooking and Washing Facilities Are Situated in the Room	1 Person	13m ² or more
	2 Persons	20.5m ² or more
Single Room Lettings with Shared Kitchen	1 Person	10.22m ² or more
	2 Person	15m ² or more
	Kitchen	3m ² per person
Single Room Lettings with Shared Kitchen and a Shared Living/ Dining Room	1 Person	7.5m ² * or more
	2 Person	10.22m ² or more
	Kitchen	3m ² per person
Two Room Lettings Comprising Combined Living/ Bedroom and Separate Kitchen (not Shared)	1 Person	10.22m ² or more for living/ bedroom 4.5m ² or more for Kitchen
	2 Persons	15m ² or more for living/ bedroom 7m ² or more kitchen
Greater Than Two Room Lettings (not Shared)	Each Bedroom	7.5m ² * or more (1 person) 10.22m ² or more (2 persons)
	Each Kitchen	4.5m ² or more (1 person)
	Each Additional Room	7.5m ² * or more (1 person)

* The requirements for a 1-person room to achieve 7.5m² is in accordance with London Plan policy D2 (2021). This standard is higher than that outlined in the Merton Licensing standards document. All standards should be viewed as a minimum and applicants should look to exceed them.

Proposal

Bedroom	No. of occupants	Gross internal area (GIA – m2)	Council min SPD standard	Compliant
1	1	10.71	7.5	Yes
2	1	10.31	7.5	Yes
3	1	10.2	7.5	Yes
4	1	12.98	7.5	Yes
5	1	10.71	7.5	Yes
Shared Kitchen	5	17.11 + 12.5	15	Yes

7.8 Refuse facilities

7.8.33 As set out in the Councils SPD, appropriate refuse storage must be provided for developments in accordance with policy CS 17 of the Core Strategy. Emerging Local Plan Policy W14.4 also supports the objectives of sustainable waste management set out by the NPPF and London Plan.

7.8.34 London Plan Policies SI7 and SI8 also dictate that developments should include 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.

- 7.8.35 Applications for HMOs must clearly demonstrate that adequate space for waste storage will be provided. The bin storage must be sufficient to meet the needs of the future occupiers. Where adequate bin provision is not provided or has been provided and is not used, enforcement notices under licensing can be served.
- 7.8.36 Applications should be accompanied by a site plan showing the location, size, and type of bin store. The storage should be well integrated with the surrounding property and street scene.
- 7.8.37 The provision of sufficient off-street storage ensures that bins are accessible and do not obstruct footways, especially for people with mobility or mental health problems that make it difficult to navigate obstacles, block accesses or carriageways. Bins should be moved onto the front edge of the property on collection days.
- 7.8.38 The number and type of bins appropriate for the occupancy level is listed below. Where occupancy exceeds the numbers below, officer judgement for appropriate bin provision will be used.

Bin Type	HMO Occupancy	Bin Size/Number
 Non-recyclable household waste	4x occupants	180L wheelie bin per fortnight for Refuse
	5x occupants	240L wheelie bin per fortnight for Refuse
	6 & 7x occupants	240L+180L wheelie bins per fortnight for Refuse
	8 & 9x occupants	2x 240L wheelie bins per fortnight for Refuse
 Paper and Card	4x occupants	180L wheelie bin per fortnight for paper/card
	5x occupants	240L wheelie bin per fortnight for paper/card
	6 & 7x occupants	240L wheelie bin per fortnight for paper/card
	8 & 9x occupants	360L wheelie bin per fortnight for paper/card
 Recycling Boxes	4x occupants	2x 55L mixed recycling caddies per fortnight
	5x occupants	
	6 & 7x occupants	4x 55L mixed recycling caddies per fortnight
	8 & 9x occupants	
 Food Waste (External)	4x occupants	23L caddies for food waste per week (provision to be increased where need is identified)
	5x occupants	
	6 & 7x occupants	
	8 & 9x occupants	
The council also offer an optional and chargeable, fortnightly collection service for garden waste.		

Table 2- Bin Sizes

- 7.8.39 The proposed development would incorporate an enclosed bin store at the front

of the property which would be designed into the front wall. This would ensure that the bin enclosure is of a high standard and well integrated with the surrounding property and street scene. The submitted plans show 2 x 240l general waste and 2 x 240l recycling which would exceed (double) the standards above for 5 persons. Further details of recycling boxes and food waste can be submitted as part of a planning condition. In addition, the applicant has updated their plans to show space within the unit for internal refuse storage. The Councils Waste Officer has confirmed no objection and officers are therefore content that the amount of refuse storage is appropriate for the intended number of occupants.

7.9 Parking and Highways considerations

- 7.9.40 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.
- 7.9.41 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.
- 7.9.42 Car Parking
- 7.9.43 The application site has an average level of accessibility to public transport with a PTAL rating of 4. The application site is also not located in a Controlled Parking Zone.
- 7.9.44 Therefore, in this instance, officers do not consider that a permit-free agreement can be justified or enforced as there is no CPZ in place. Given the acceptable scale of the development it is considered that there would be no harm to the local highway network. Given the acceptable scale of the development it is considered that there would be no harm to the local highway network.
- 7.9.45 Cycle Parking
- 7.9.46 Cycle storage is required for new development in accordance with London Plan policy T5 and table 10.2 and Core Strategy policy CS18. Cycle storage should be secure, sheltered and adequately lit; for a 5-bedroom 5-persons HMO, 2 cycle spaces would be required.
- 7.9.47 The London Cycling Design Standards Chapter 8 para.8.5.3 states that access to cycle stores should be simple and should not be less than 1.2m in width. The cycle area is accessed through side access to the rear garden, which demonstrates that there is space for the cycle storage. It is considered that the proposal would comply with this policy with 2 secure covered cycle spaces provided at the rear of the property.

7.10 Flooding and site drainage

- 7.10.48 London Plan policy 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.

7.10.49 The site is within Flood Zone 1 (low probability of flooding) but is within an area at risk from ground water flooding.

7.10.50 The application is accompanied by a Flood Risk Assessment, given that there are no external alterations proposed to the site, there is limited opportunity to implement SuDS.

7.10.51 The Flood Risk Assessment goes onto recommend that it is not required to implement flood mitigation measures, given that the proposal will not change the impermeable footprint of the site post-development

7.11 Air Quality

7.11.52 The whole of Merton is an Air Quality Management Area (AQMA).

7.11.53 The application is accompanied by an Air Quality Assessment which sets out that predicted pollutant levels were below the relevant criteria across the development. As such, the site is considered suitable for the proposed end use from an air quality perspective. Potential emissions from the proposals were assessed in order to determine compliance with the air quality neutral requirements of the London Plan. The building energy strategy does not produce emissions to atmosphere. In addition, the proposals are predominantly car free (only 2 spaces onsite). As such, the development was considered to be air quality neutral. Based on the assessment results, air quality issues are not considered a constraint to planning consent for the proposals.

7.11.54 The proposal is considered to be acceptable in terms of air quality.

7.12 Biodiversity

7.12.55 Policy G6 of the London Plan sets out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. As no physical changes are proposed, biodiversity gains are limited in this instance and therefore no objection can be made.

8. ENVIRONMENTAL IMPACT ASSESSMENT

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

9. CONCLUSION

9.1.1 It is considered that the proposed HMO would offer good quality affordable accommodation to people who cannot afford to buy their own homes and may not be eligible for social housing. Whilst there are other HMOs in the local area, officers do not consider there to be an overconcentration of HMO's in the vicinity and as such the prevailing character of the area remains single family houses and flats.

9.1.2 Whilst officers have considered to the objections raised from neighbours and Cllr

Irons in regards to disturbance from the existing HMO, the proposal would see a reduction in the number of occupants from 6 to 5 and there would be no solid grounds to refuse planning permission on potential disturbance.

9.1.3 The proposal involves no additions to the existing building and the refuse and cycle facilities are considered to respect the host building, street scene and neighbour amenity.

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

10. RECOMMENDATION

10.1 **GRANT** planning permission subject to conditions:

1. Comments of development (Full Permission) – 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. Approved Plans - The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan and drawings SR.11.LP, SR.11.EX.PR.SP - Rev-B, SR.11.PR.01 - Rev-B, SR.11.PR.02

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

3. Refuse & Recycling (Details to be Submitted) - No development shall take place until a scheme for the storage of refuse and recycling (including new boundary wall) has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

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.

4. Cycle Parking to be implemented - 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 20145 Bed/Person

HMO

5. No refuse or waste material of any description shall be left or stored anywhere on the site except within the designated internal waste storage area, or specified refuse enclosure.

Reason: To safeguard the appearance of the property and the amenities of the area and to comply with policy DMD2 of Merton's Sites and Policies Plan 2014

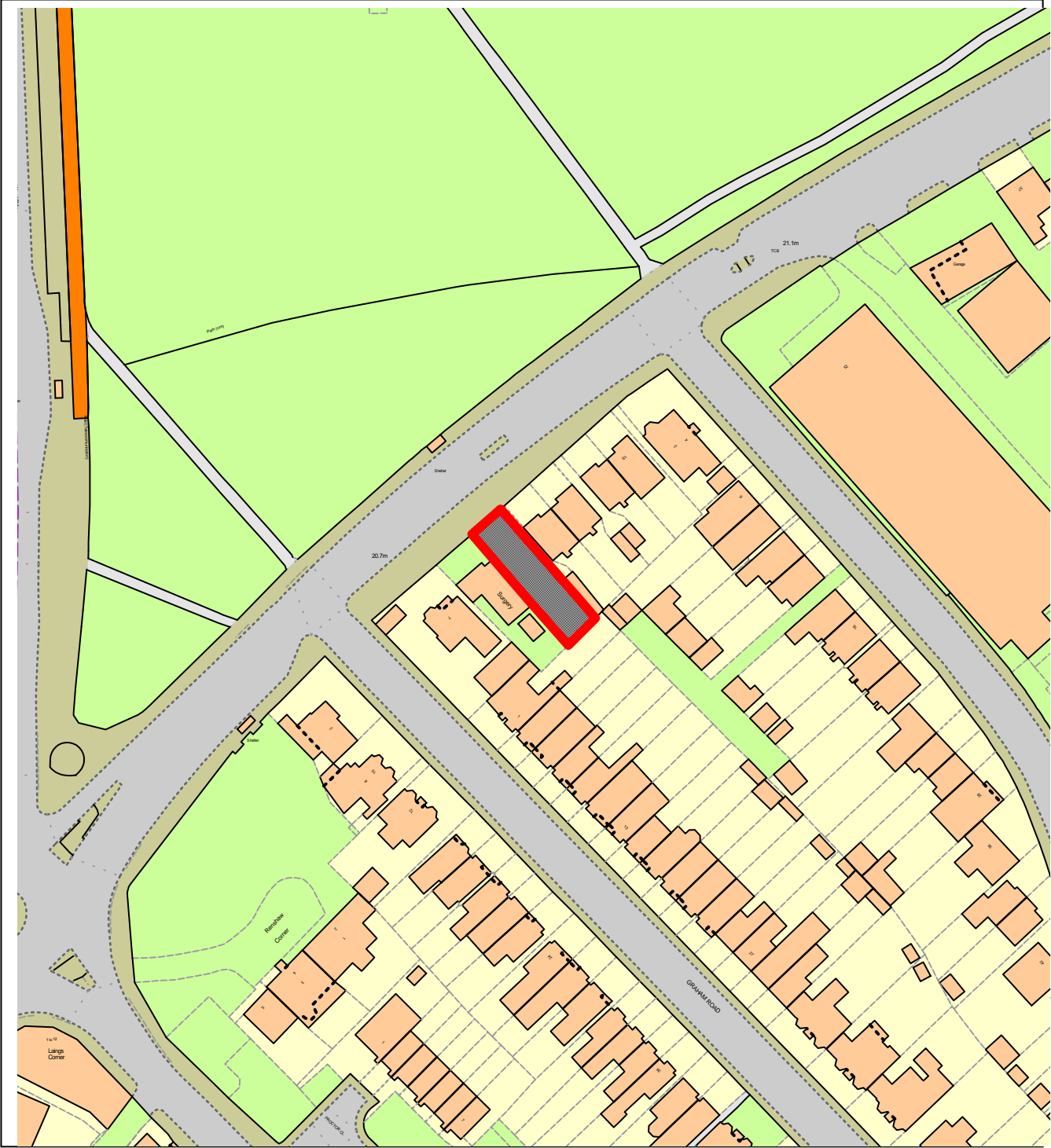
6. D11 Construction Times – No demolition, construction or conversion work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

7. Use - The property shall be solely occupied as a 5 bedroom 5 persons House in Multiple Occupation (HMO) and for no other purposes within Use Class C4 as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order, unless otherwise agreed in writing with the local planning authority.

Reason: To accord with terms of this application, safeguard local road and parking conditions and residential amenity of nearby occupants and to comply with policies D4 and T5 of the London Plan 2021, policies DM D2 and DM T1 of Merton's Sites and Policies Plan 2014

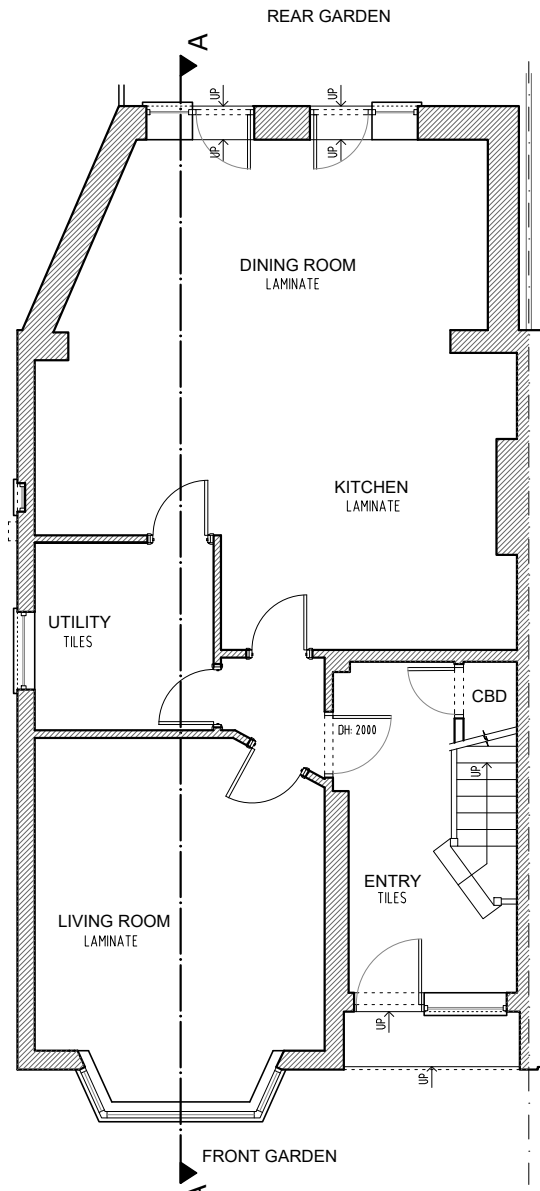
8. In accordance with paragraph 38 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:
 - i) Offering a pre-application advice and duty desk service.
 - 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

NORTHGATE SE GIS Print Template

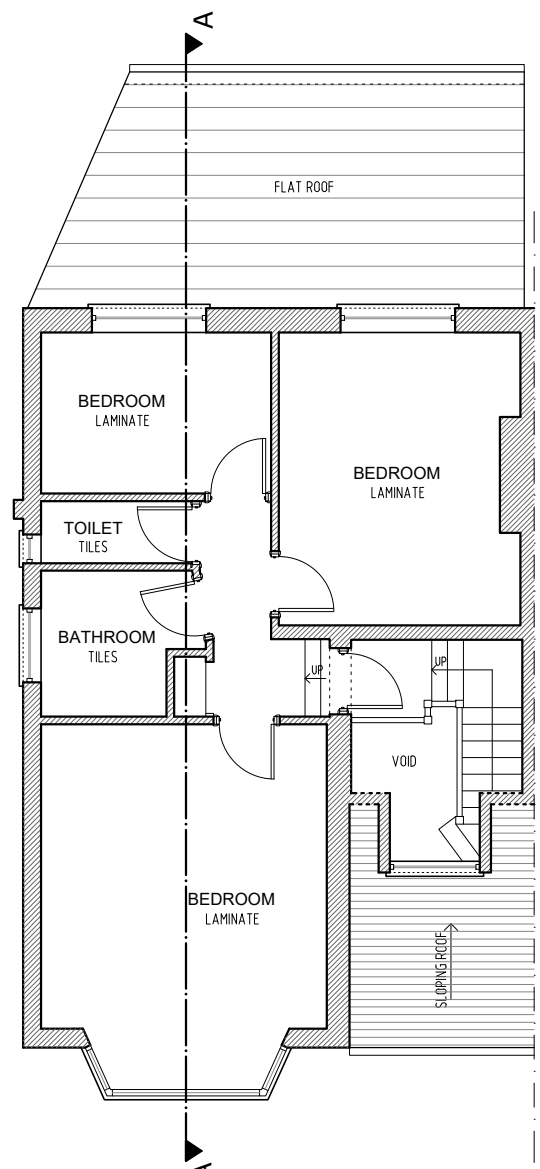


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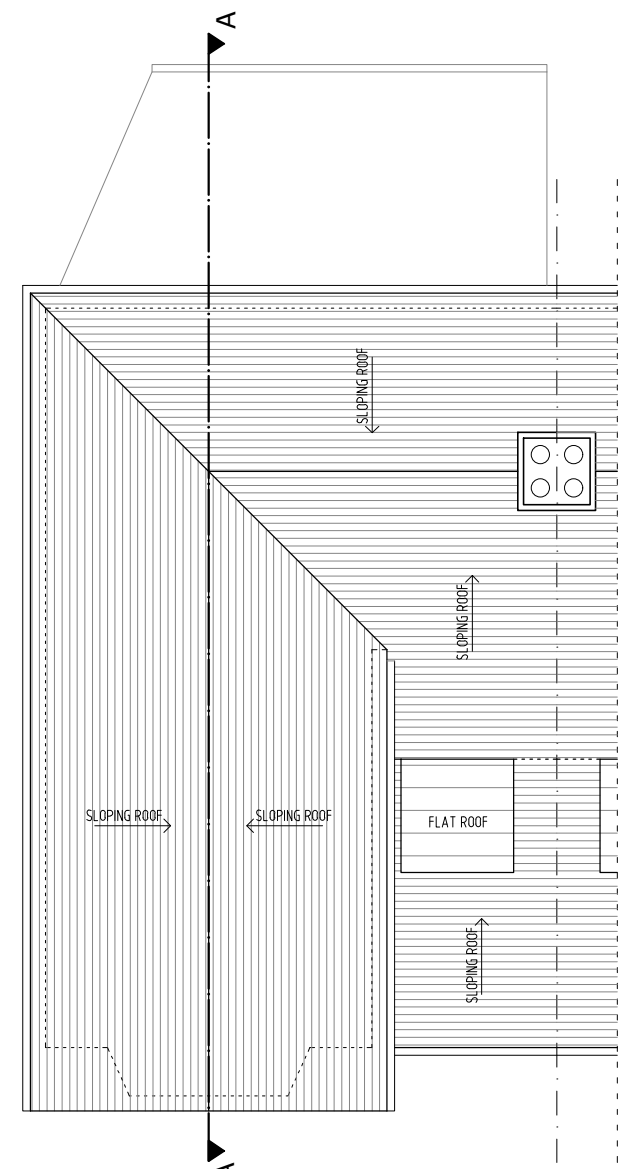
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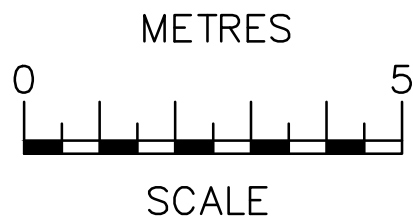
Ground Floor



First Floor



Roof Plan



C - Sill Height
 F - Window Height
 CH - Ceiling Height
 DH - Door Height

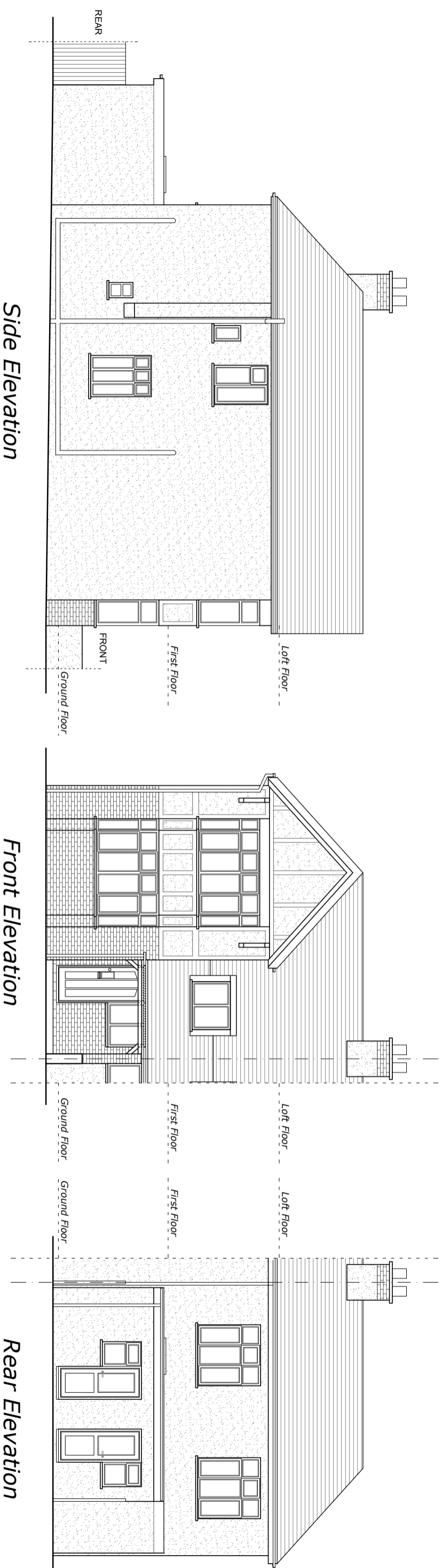


AJ PLANS
 info@ajplans.co

NOTES
 The contractors are to check all the dimensions, levels, drain runs and general condition of the site before works commence.
 All works are to be carried out in accordance with current Building Regulations, British Standards, Code of Practice and Local Authority Requirements.

Project:		11 Streatham Road, Mitcham, CR42AD	
Title:		PRE-EXISTING Floor Plans	
Date:	13.06.23	Scale:	1:100 @ A3
Dwg. No.	SR.11.P-EX.01	Rev:	

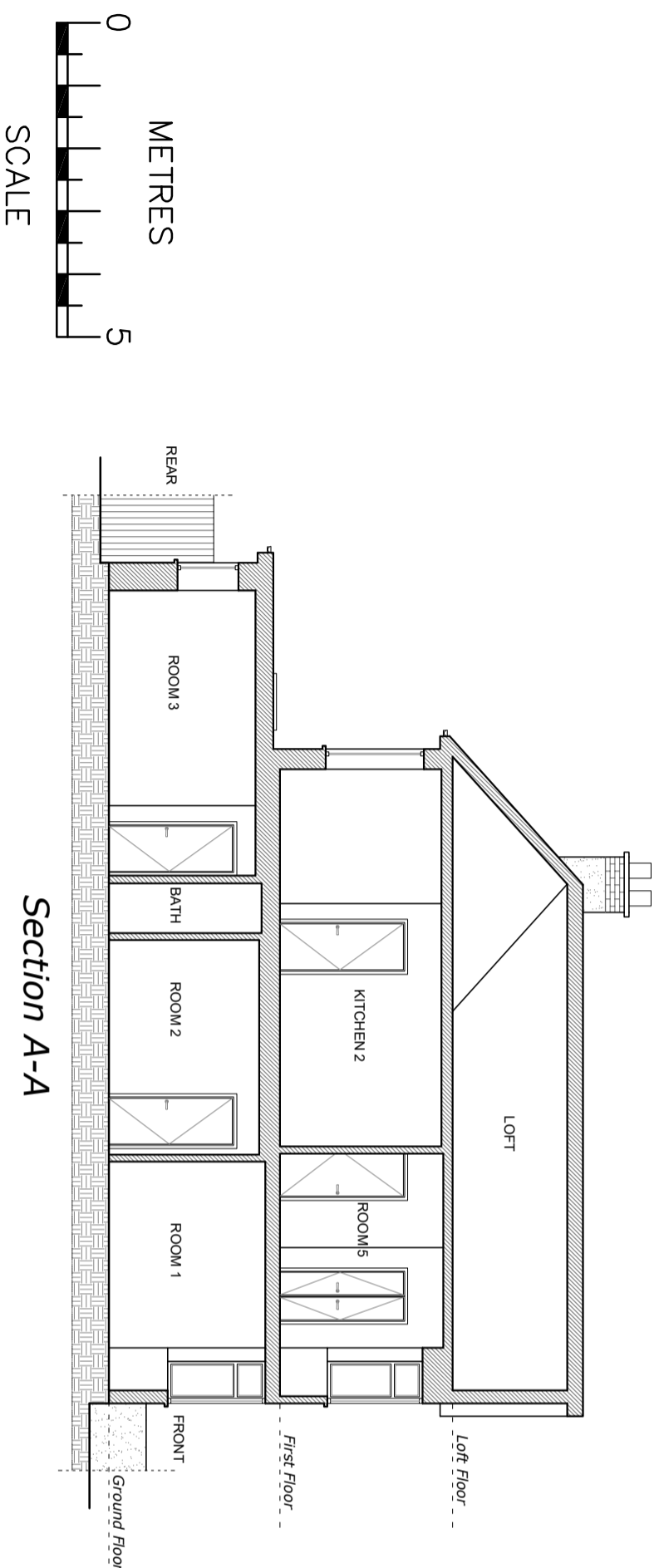
PROPOSED




Side Elevation

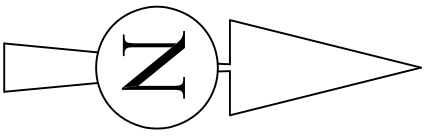
Front Elevation

Rear Elevation




Section A-A

 <p>AJ PLANS info@ajplans.co</p>		<p>NOTES The contractors are to check all the dimensions, levels, drain runs and general condition of the site before works commence.</p> <p>All works are to be carried out in accordance with current Building Regulations, British Standards, Code of Practice and Local Authority Requirements.</p>	
<p>Project: 11 Streatham Road, Mitcham, CR42AD</p>		<p>Title: PROPOSED Section and Elevations</p>	
<p>Date: 13.06.23</p>	<p>Scale: 1:100 @ A3</p>	<p>Dwg. No.: SR.11.PR.02</p>	
<p>Rev:</p>		<p>Rev:</p>	



Licence number 100020449
Location Plan 1:1250

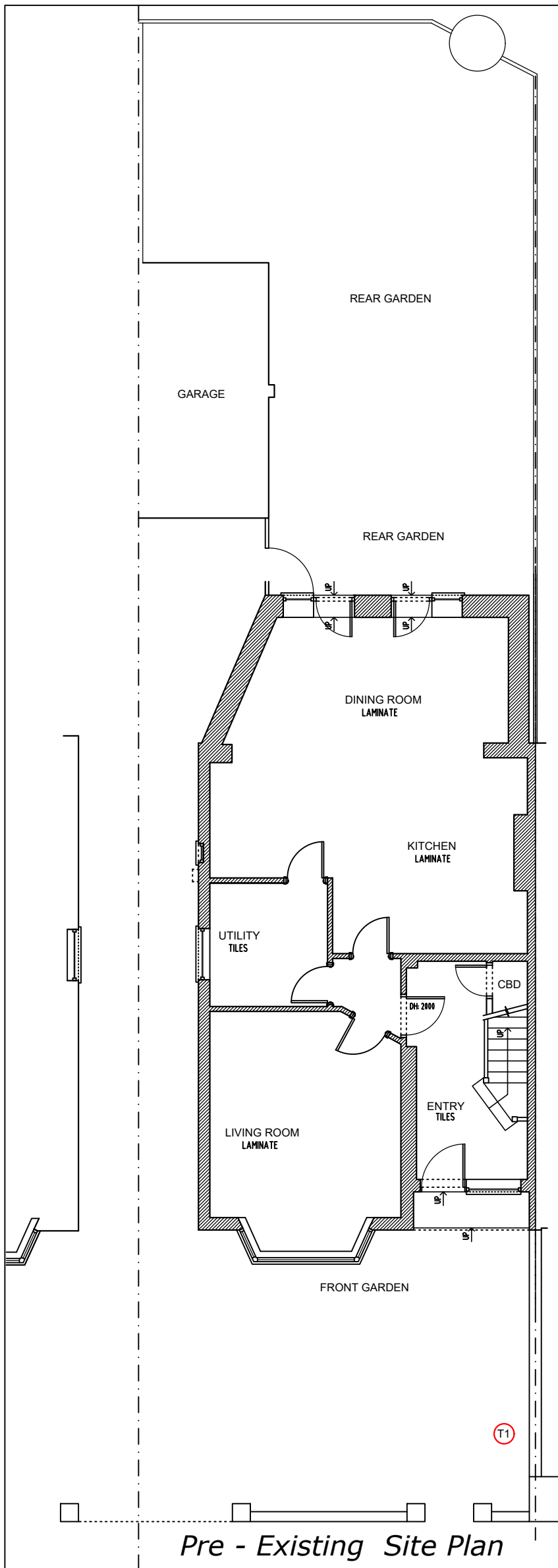
 Site

PROPERTY ADDRESS:
**11 Streatham Road,
Mitcham, CR42AD**

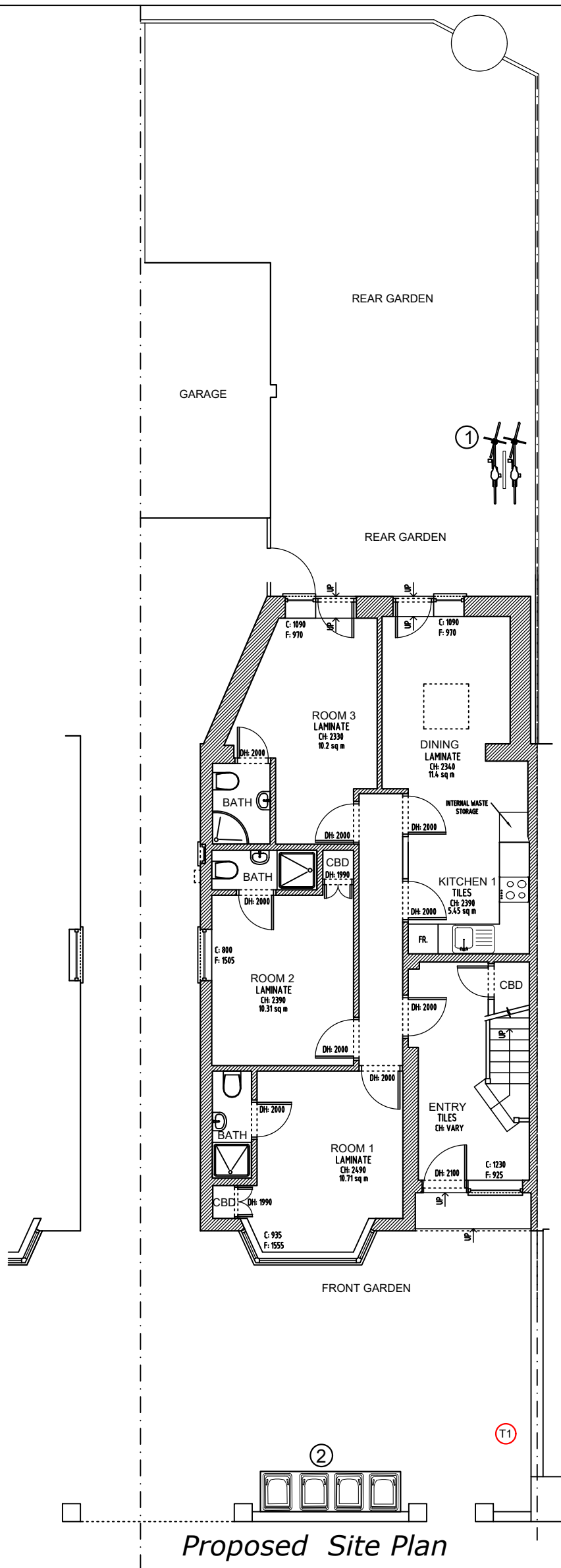
TITLE:
Location Plan

SCALE: 1:1250 (A4) DRAWING No: SR.11.LP.

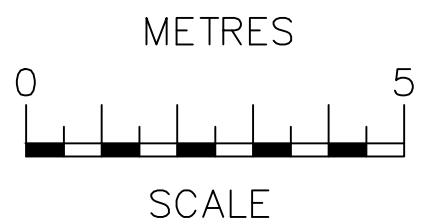
DATE: 15.06.23. DRAWN BY: A.J.



Pre - Existing Site Plan



Proposed Site Plan



① Keter bike storage shed
D 75 x W 133 x H 112cm



② Brick Bin enclosure
to be incorporated into front boundary wall
H 120 x W 284 x D 80cm
x2 240l general waste
x2 240l recycling



AJ PLANS
info@ajplans.co

NOTES
The contractors are to check all the dimensions, levels, drain runs and general condition of the site before works commence.

All works are to be carried out in accordance with current Building Regulations, British Standards, Code of Practice and Local Authority Requirements.

Project: 11 Streatham Road, Mitcham, CR42AD	
Title: EXISTING & PROPOSED Site Plans	
Date: 13.06.23	Scale: 1:100 @ A3
Dwg. No. SR.11.EX.PR.SP	Rev: B

PLANNING APPLICATIONS COMMITTEE

25 APRIL 2024

CASE OFFICER REPORT

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
23/P2711	02/10/2023
Site Address:	18 - 22 Crown Lane, Morden, Raynes Park, SM4 5BL
Ward:	Merton Park
Proposal:	DEMOLITION OF THE EXISTING BUILDINGS AND REDEVELOPMENT FOR A 7 STOREY BUILDING COMPRISING A HOTEL (USE CLASS C1) AND ANCILLARY USES WITH ASSOCIATED PARKING, GROUNDWORKS, HARD AND SOFT LANDSCAPING, SERVICING, PLANT AND ASSOCIATED WORKS.
Drawing Nos:	See condition 2
Contact Officer:	Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant Permission Subject to Section 106 Obligation or any other enabling agreement

CHECKLIST INFORMATION

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	Yes
Site notice	Yes
Design Review Panel consulted	Yes
Number of neighbours consulted	251
External consultations	Yes
Internal consultations	Yes
Controlled Parking Zone	No

Conservation Area	No
Archaeological Priority Zone	Yes
Public Transport Accessibility Rating	6a
Tree Protection Orders	No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1.1 The existing site, which is located on the north side of Crown Lane, to the west of the junction with Windermere Avenue in Morden town centre comprises three x two storey units with commercial at ground floor and residential use on the floors above. Two of these units are vacant, the occupied unit being in use as a cafe. The remainder of the adjoining terrace (24 to 34 Crown Lane) to the west comprises other units with commercial uses at ground floor level and residential use above. Beyond the adjoining terrace is the two storey Morden Baptist Church.
- 2.1.2 In the rear section of the site, the land is currently hard standing and used for informal parking. Beyond the car parking area is a rear access road, serving the application site and adjoining terraced buildings to the west.
- 2.1.3 To the west east of the application site, on the opposite side of Windermere Avenue there is a another terrace comprising predominantly commercial use at ground floor and residential above.
- 2.1.4 To the south of the application site, the opposite side of Crown Lane comprises various commercial uses at ground floor level and the Civic Centre above.
- 2.1.5 The rear of the site, properties in Windermere Avenue comprise two storey terraced houses, which sit at a right angel to the application site.
- 2.1.6 The site is located within the Morden Town Centre boundary, with the main centre of the town centre being located to the east. This area includes a mixture of commercial uses and residential, with building heights ranging from two to four storeys.
- 2.1.7 Outside the town centre, the surrounding area is predominantly two storey detached, semi detached and terraced houses.
- 2.1.8 The site has the following designations and restrictions:
- Controlled Parking Zone (CPZ) – No but is adjacent to CPZs MP4 and M1
 - Conservation Area – No
 - Listed Building – No

- Tree Preservation Orders – No.
- Open spaces - The site is within 330m of Kendor Gardens and 390m of Morden Hall Park.
- Flood Zone – 1
- Employment Site – Yes
- Classified Road – Yes, managed by TfL
- PTAL – 6a measured on a scale of 0-6b where 0 is the worst and 6b the best (within 100m of Morden Underground station, 12 bus routes and walking distance to South Merton and Morden South railway stations as well as Phipps Bridge and Morden Road Tram stops).
- Located within the Town Centre boundary of Morden, identified as a District Centre.
- Within the draft Local Plan, the site is outside the Morden Regeneration Zone but is within the Morden Town Centre & Opportunity Area.

3. CURRENT PROPOSAL

- 3.1.1 Demolition of the existing building and redevelopment for a 7 storey building comprising a hotel (Class C1) and ancillary uses with associated parking, groundworks, hard and soft landscaping, servicing, plant and associated works.

History

- 3.1.2 For member information, the redevelopment of the site was originally subject to a pre application advice proposal for a residential use within a similarly sized building. Following the feedback from the Design Review Panel and Officers the notion of a residential use was abandoned by the applicants who sought further pre application advice for the hotel use subject of this application. The scheme has been subject to amendments in light of DRP and Officer comments resulting in the proposal now before members. A further amendment was made to provide air conditioning plant behind a raised parapet on the fourth floor roof.

Height and massing

- 3.1.3 The proposal is for a 7 storey building for use as a hotel (Class C1) with a GIA of 3,029sqm and an upper storey height of 20.85m with a step down in height to 4 storeys to the north (rear) of the site.

Layout

- 3.1.4 The principal entrance to be located on the corner of Crown Lane and Windermere Avenue, to serve the hotel and ground floor ancillary uses. This entrance opens into a lobby with the main reception desk, restaurant area, a bar area, lift lobby, stairwell, WCs and kitchen. A separate service entrance on Crown Lane would be for linen and goods deliveries and staff facilities.

- 3.1.5 A Plant room and secondary emergency staircore would be accessed from Windermere Avenue. At the rear of the site there would be access from Windemere Avenue to the refuse and cycle stores as well as to two disabled EV served parking bays.

3.1.6 The upper floors, 1-6 would be for the proposed 85 rooms of which 20 would be family rooms, 56 Double rooms and 9 accessible rooms.

Materials

3.1.7 External construction materials would comprise exposed brown brickwork for the majority of the exterior with projecting brick headers in vertical sections between the windows. Reconstituted stone details would frame the brick panels with the curved corner junction element to be finished in glazed green brickwork.

3.1.8 The lower top floor would be finished in a bronze effect coloured cladding finish

Planting & Greenery

3.1.9 A series of internally located planters would be supplemented by three external planting elements; living green walls at first floor level, oversized planters at the hotel entrance along with a series of blue/green roofs on top of the building.

Highways

3.1.10 The existing rear access road would be resurfaced to provide shared access for on-site refuse collection and pedestrians. The road would measure 5.7m wide and would include a sliding gate, to control access to the rear of the neighbouring units at 24 to 34 Crown Lane.

Cycle & refuse stores

3.1.11 Short stay visitor cycle spaces would be provided on the pavement in front of the building whilst there would be a dedicated enclosed bay to the rear for 9 cycles.

Sustainability

3.1.12 The application has been accompanied by an Energy and Sustainability Statement which explains that the development has been designed to follow a 'Lean, Clean, Green' strategy that includes; a communal heating and hot water network (fuelled by an electrical heat source), the installation of an air source heat pump using a variable refrigerant flow system, which would use heat pumps to provide space heating and hot water. In order to reduce the emissions from the hot water demand it is proposed to install waste-water heat recovery systems to all showers. The Statement also details the installation of photovoltaic panels on selected roof sections of the building.

Flooding

3.1.10 The proposals involve the use of green/blue roof areas to reduce water run off rates and improve biodiversity.

Documents

3.1.11 The application is accompanied by the following supporting documents:

- Acoustic design statement
- Air Quality Assessment
- Archaeological report
- BREEAM report

- Construction Environmental Management Plan
- Construction Logistics Plan
- Covering letter & Planning statement
- Daylight & sunlight Report
- Delivery and Servicing Plan
- Design and Access Statement
- Energy & Sustainability Statement
- Fire Strategy
- Flood Risk Assessment and SuDs Strategy
- Preliminary Ecological Assessment
- Preliminary Risk Assessment
- Statement of Community Involvement
- Transport Statement
- Travel Plan Statement
- Urban Greening Factor
- Ventilation Report

4. PLANNING HISTORY

20-22 Crown Lane

- 4.1.1 22/P2901 - Deemed prior approval for CHANGE OF USE FROM CLASS E TO 4 X DWELLINGHOUSES (CLASS C3)

20 Crown Lane

- 4.1.2 09/P0936 Planning permission refused for CHANGE OF USE OF FIRST FLOOR FROM FINANCIAL OFFICE (CLASS A2) TO 24 HOUR CAR HIRE BUSINESS (SUI GENERIS). Reason for refusal

The proposal by reason of its location in close proximity to residential side streets, would have the potential to generate additional demand for on-street parking thereby adding to parking pressure in the streets, and the potential, given the proposed 24 hour mode of operation, to generate noise and activity at times when a greater degree of peace and quiet may be expected to the detriment of the amenities of nearby residential occupiers contrary to policies S.3, S.9 and PK.3 of the Council's Adopted Unitary Development Plan (October 2003).

20 Crown Lane

- 4.1.3 09/P1014 Planning permission granted for CHANGE OF USE FROM FINANCIAL OFFICE (CLASS A2) TO FOOD & DRINK USE (CLASS A3) INCLUDING INSTALLATION OF NEW SHOP FRONT AND EXTERNALLY MOUNTED REAR FLUE.

18A Crown Lane

- 4.1.4 22/P2672 - Prior approval granted FOR CHANGE OF USE FROM AN OFFICE

(CLASS E) TO A DWELLINGHOUSE (CLASS C3).

Land to rear of 18 Crown Lane.

- 4.1.5 22/P2871 - APPLICATION refused FOR PERMISSION IN PRINCIPLE OF 4 TO 9 RESIDENTIAL UNITS AND 10-30SQM CLASS E FLOORSPACE. Reason for refusal

The amount of proposed development fails to represent a design-led approach to optimising site capacity, which should be based on an evaluation of the site's attributes, its surrounding context and its capacity for growth to determine the appropriate form of development for that site. The proposal is contrary to policy DM D2 (Design considerations in all developments) of Merton's Sites and Policies Plans, policies CS 8 (Housing Choice), CS 9 (Housing Provision) and CS14 (Design) of Merton's Core Planning Strategy and policies GG2 (making the best use of land), H1 (Increasing housing supply), D3 (Optimising site capacity through the design-led approach) of the London Plan 2021

18 Crown Lane

- 4.1.6 21/P2274 APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED CHANGE OF USE OF THE FIRST FLOOR LEVEL FROM OFFICES (CLASS B1(a)) TO A 1 BED SELF-CONTAINED RESIDENTIAL UNIT (CLASS C3). Prior approval refused for the following reasons:

The proposed conversion, by reason of its unit size, would fail to meet the minimum gross internal floor area as set out by the Technical Housing Standards - nationally described space standards 2015; thereby failing to comply with Article 3, Paragraph 9A of the GPDO 2015 (as amended).

And

The proposed development would be subject to a section 106 legal agreement restricting future occupiers/users from obtaining a parking permit. The lack of an agreement in this instance is not considered compliant and would raise concerns with potential increase in car use resulting in pressure toward on-street parking, congestion, road safety and local amenity. This would be contrary to Policy CS20 of the Merton Sites and Policies Plan (July 2014) and DM T2 and DM T3 of Merton's Adopted Core Planning Strategy (July 2011).

5. CONSULTATION

- 5.1.1 Prior to the submission of the application the applicants undertook their own community involvement exercise for businesses and local residents comprising a 300 leaflet drop and four days of exhibits in July 2023.
- 5.1.2 The application was advertised in the local paper as a major application and individual letters of notification to the occupiers of neighbouring properties

(251). As a result of consultation, 24 letters of objection and 2 letters of support for a hotel were received.

Objections

5.1.3 The 24 letters of objection raise concerns on the following points:

Visual impact, privacy and amenity

- Overlooking and loss of privacy of properties and gardens.
- Should not have windows disturbing the privacy of adjacent properties.
- Overshadowing of gardens and loss of light to properties (including Morden Baptist Church gardens).
- Destroy skyline and view will be spoiled.
- Loss of value to properties
- Eyesore.
- Visually overbearing and intrusive in the skyline,
- The building is too high for the area, it would be imposing on neighbouring properties.
- The proposed height breaches Merton Planning Policy which restricts heights outside the regeneration zone, this should be adhered to as it was put in place for a good reason.
- A hotel will provide a constant traffic of people who are not habitual residents could increase crime rates and make my walk home from the station feel unsafe.
- Sound pollution. Deliveries to the hotel will likely happen in unsociable hours and vans and unloading crates will create Sound travelling noise
- Once built the Windermere Avenue residents nearest the hotel will have to endure the noise of regular deliveries of food, alcohol, clean linen etc and the collection of all waste from behind the hotel, which according to the plans will be close to the residents houses.
- There will be the noise of taxis dropping off and picking up customers throughout the day and night.

Impact on the streetscene and local area

- The building design is out of character with the area
- It will be totally out of proportion with the neighbouring properties along that road, we already have a 14 storey building opposite!
- The proposed changes to Policy D12.6, which would allow tall buildings in limited locations within the Wider Morden Town Centre Area, should be rejected. The proposed changes introduce ambiguity, risk altering the established local character, and may lead to overdevelopment in unsuitable areas.

- Compared to the existing parade of shops the proposed structure is significantly taller and this will have an adverse impact on the environment especially for nearby households.
- A 7 storey hotel would add to the wind tunnel effect we already have with Crown House and is too tall
- Pedestrians have to walk through strong winds blowing around Crown House, while walking along the pavements during winter. It will make it even more dangerous. Putting people at risk.
- Has Merton Council considered this risk (of high winds) to residents walking along this part of the Crown Lane? This risk has not even been mentioned in the application even though it is a well known issue for residents living in the area. I would like a wind modelling study to be made and assure that the building will not create more wind to the surrounding area.
- Anyone can experience this local air "tunnel effect" when walking along Crown Lane (between Londis and the junction at Windermere Avenue). The curvature of the Crown House (Merton Civic Centre) means that the flow of air is pushed along the curvature of the building to either side of the Civic Centre (Crown Lane and London Road). This increases the speed of the air flow. The air is directed to either side, so that the wind speeds are increased in this local area. The combination of the existing height of the Crown Lane buildings, the proximity to the Civic Centre and shape of the existing buildings are all factors to creating this local wind effect.
- Even the existing situation has mild winds blowing pedestrians over.
- This proposed height breaches the current Morden Planning Policy, which restricts building height outside of the Morden redevelopment zone.
- It would be visually disruptive.
- Building would alter the height restrictions as this is close to the conservation area of Merton Park
- Siting, appearance, height and scale which would be visually intrusive and inappropriately conspicuous, harmfully spoiling the setting of the Crown Lane street scene, due to the 7-storey height of the proposed hotel.
- If the proposal were to be considered favourably, I strongly urge that the construction be limited to a structure of 3 or 4 storeys. This would harmonize better with the adjacent library and the existing parade of shops and residences.
- The building is extremely overpowering. We have the eyesore of the Crown House building and now you want to put another massive building next to it. Two wrongs don't make a right.

- It would also destroy the symmetry that currently exists between the two parades either side of Windermere Avenue. It would look very odd in that normally one would expect the height of buildings to decrease further away from a town centre - in this case it would be the reverse.
- It does not harmonise with the streets and buildings in the vicinity.
- Design is incongruous with the existing lower height buildings.
- Introducing a seven-storey building here would be out of keeping and character.
- The proposed structure is not in keeping with the neighbourhood given its height and size is significantly greater than any apart from the Merton Civic Centre. Though it is on Crown Lane, its location is embedded in a residential neighbourhood
- The size/height would also cause the structure to be seen throughout this residential area - again not in keeping with the look and feel of the family area.
- The Hawkins Brown design was not meant to encompass the entire area and this site falls outside the regeneration zone.
- I would like to emphasize that development within Morden should occur in alignment with the areas highlighted in the approved H&B (Hawkins Brown) document and should not extend beyond its boundaries. This established document and its boundaries were created with careful consideration of the local context and community needs, and any development that falls outside these boundaries' risks disturbing the delicate balance of the area.
- The materials mean that dark bricks will darken the building and its surrounding. The green glazed bricks as a façade never work on tall buildings.
- Would suggest replicating the Art Deco style.
- Art Deco styling is common in the area, this tall building would create an unsightly imbalance.
- I feel the applicant didn't know what Art Deco was. I am therefore very concerned we are handing over our legacy to someone who is only interested in profit margins, when we could be working in partnership with someone who wants to do something that will make residents want to be proud of Morden.
- The design of the back needs to be considered as this is what residents see.
- An anonymous letter objecting to any projects done to alter the appearance of Morden.
- There will be no visual excitement every time you look at the building. There is a general feeling that the design is bland, boring and only just functional (sorry architects). No creative thought has gone into the design. It only suits temporary visitors to Morden.

- It will set a precedent for the rest of the parade to be built up to a similar height.

Hotel use

- We are surprised a hotel is needed in Morden. There's a very good Travelodge at the George, Morden.
- There is no need for a huge hotel in Morden, we have lots in the nearby area, Travel Lodge Morden is literally down the road.
- I believe there is no community need for a hotel in Morden.
- There is no need for an Hotel in Morden as there no touristic attractions to attract anyone and also the traffic will suffer a lot.
- There is nothing in Morden that warrants a hotel, plenty of hotels in Wimbledon area.
- The application fails to provide any information or market research to support the need for such a development in this location. This lack of information raises questions about the viability of the project and its relevance to the local community.
- there seems to be no real viability for a hotel of this magnitude in Morden, which is not a significant tourist area. I propose restricting the hotel's use to ensure it would only function primarily as tourist or business traveller accommodation and not as a long-term bed and breakfast facility.
- We would like our opticians shop back and flats could be built above the shops. There is a distinct lack of 1/2 bedroom flats in Morden and the community needs an independent opticians.
- Affordable housing for our young people would have been a far more welcome proposal in this location.
- The area will be better served with affordable house which is really needed.
- Local youngsters are in need of truly affordable housing.
- A block of affordable housing with underground parking would serve the community better. Is there a buyer lined up for this hotel? Who are they? The residence of the area should be given that info. What clientele are they aiming for? Will it be housing illegal immigrants? If a buyer is not already lined up this is also a concern. I have a strong feeling this will get passed no matter what the residence say let's hope I'm proved wrong.
- I can see no positives in this application whatsoever, surely decent retailers should be encouraged to come to Morden not hotels, of which we already have in Epsom Road Travel lodge, the Holiday Inn Colliers Wood, and a number of hotels in Wimbledon, including a big Travelodge again overlooking residents in surrounding roads.
- It also will disturb the peace and tranquillity of the area.
- the planned use as a large hotel is also not in keeping with the area.

- The site should remain available for retail and not be any higher than surrounding buildings.
- the use of an hotel in this area is not required as this is a residential area requiring housing and would be detrimental to the regeneration of Morden.
- As hotels up and down the country are being filled with illegal immigrants, this would also add to the degeneration of Morden.
- Hotels (especially budget hotels) become hotspots for petty crime, which can be seen by looking up crime statistics for other local areas that have budget hotels, such as Colliers Wood and Balham. It will adversely impact the safety of residents.
- Who will use the hotel when there are no tourist attractions or conference facilities nearby? It would be more profitable for the developer to fill with migrants but do nothing for the residents of Morden.
- I would like to understand exactly why you feel a hotel is needed at this location and who the target market is.
- The plans are already encroaching on and affecting small businesses.
- Investment is needed for improving and developing our existing shopping area and better facilities for local residents.
- Investment also needed for affordable housing.
- The whole idea of this hotel seems a bit of a sham, something that is not needed in Morden, no local residents would benefit from this.
- The proposed hotel, though new, does not help progress the regeneration of the development zone itself.
- I do not agree with the overall proposal as I do not believe that it fits in with the overall regeneration requirements of Morden residents. The Merton engagement document of 2021 identified that residents would like 'a greater variety of cafes and shops' along with 'revitalised high streets that encourage residents to spend more time shopping and provide opportunities to socialise'.
- I think that this is a poorly thought through gateway project, like many of the other projects Mr Leslie is involved in.

Construction Process

- What kind of time frame are you talking about?
- How long will it take for the buildings to be completed?
- The building phase of the hotel will increase traffic congestion along Crown Lane especially in relation to bus access. The area is already very congested at certain times during the day. Crown Lane is the main route into and out of Morden for buses.
- Construction of the hotel will generate considerable noise pollution and dirt pollution generally whilst being carried out over nearly 2 (two) years.

- Even if there are traffic marshals, many lorries will need to be directed to and from Crown Lane many times a day thereby holding up the flow of traffic. This will cause problems for buses, emergency vehicles (police, ambulance, fire engines) and for car users.

Transport/Highways

- The impact of increased traffic and parking.
- Currently there are double red lines and a notice saying this is red route with parking restricted to one hour with no return. Even service vehicles for the hotel will have to park on hotel land and not in the road. We already have all types of restaurants without needing anymore. Motorists could not park outside.
- Given the size and density of the facility, would increase traffic in an area already being overused as a through street - adding to challenges faced by families, children and elderly using the roads and pavements including anti-social behaviour.
- It will cause even more traffic congestion and noise to already very busy roads.
- This will greatly affect foot and road traffic in Windermere Avenue during the day and the night-time.
- The lack of parking is extremely concerning for such a big hotel, parking in Morden is already very limited.
- What considerations for visibility and swept path analysis have been made for post-construction traffic? Running a hotel business will require frequent deliveries, where the traffic will be coming from Crown Lane. If there is another vehicle turning from Windermere Avenue onto Crown Lane at the same time, then the visibility will be greatly reduced. How will the junction be improved following this development?
- Note that there is a local school - Poplar Primary School, where children walk along Crown Lane, and notably this aforementioned junction. How will visibility be improved to assist children to cross this junction safely?
- I also feel that being a hotel they will be receiving large deliveries which will also adversely impact an already congested area.
- The hotel would take up valuable parking space.
- Will there be parking anywhere or are we going to have a queue of taxis, Uber drivers blocking Windermere Avenue on a regular basis?
- How much more traffic will there be on Windermere Avenue and will the building work block the road for months on end?
- Insufficient parking facilities, both on the street and paid, will inevitably contribute to increased congestion and inconvenience to residents, on what is a very busy street.

- There will only be two parking spaces allocated to hotel residents. This will severely impact local parking provision especially in roads nearby. Grasmere Avenue is already experiencing the increased usage of Zip cars since the introduction of permits in the road. Hotel residents may have to resort to the use of Zip cars, thereby further restricting parking availability for Grasmere Avenue's parking permit holders.
- Deliveries to the hotel will cause further traffic congestion because parking bays for lorries will be limited. Some of the lorries could be up to twelve metres in length.
- What has not been mentioned is the likely impact of the use of hire cars. In the case of ZIP Cars these are dropped off in all the local streets without paying for residents parking. There are always several of these cars parked along Grasmere Avenue each day. Between Christmas and New Year 2022 the most cars parked along Grasmere Avenue on one day was 11 (eleven) ZIP cars. The parking of ZIP cars and other rental cars along the local streets will increase substantially thereby denying the local residents the use of parking spaces outside their own houses (with the requisite parking permit of course) for visiting tradesmen, family and friends.

Wildlife and biodiversity

- Would you be planting more trees on Windermere Avenue to make it nicer?

Other Matters

- Is a hotel going to be a chain? Or an independent?
- How many stars will it be and the pricing they are planning to have? I.e. what kind of customers they are planning to attract?
- The consideration of this hotel proposal, which lies outside the Morden development zone, is perplexing, especially given the absence of tangible progress in the zone's regeneration. This speculative initiative appears geared towards escalating the value of the plot to the detriment of the neighbourhood without concurrent local benefits.
- Misrepresentation of Public Opinion: The consultation document accompanying the application seems to misrepresent the feedback from attendees. It suggests that people were happy with the plans shown, but the reality is that people were likely pleased with the idea of redevelopment on the site, not necessarily the specific plans presented. This misrepresentation does not accurately reflect the attitude of the attendees and highlights the need for a more transparent and honest assessment of public opinion.
- There has been insufficient public consultation. I was unable to attend the

event at metronome.

- I didn't get a letter from the Council.
- Waste management and recycling for the hotel would both need to be closely monitored. There could easily be a rapid build-up of waste if disposal is not adequately managed. Waste management in Morden is already not up to the standard residents require.
- There appear to be no facilities available within the hotel for local resident usage, only for the hotel residents.

Letters of Support

5.1.4 Two letters of support were received, the letters raise the following points:

- I am supportive of the building of the hotel and ancillary uses as well as the extensive windows to relieve the façade, but the exterior design is ugly
- I have been living in Wimbledon and Merton Park for the past 50 years to date and I support this plan on the following grounds:

1. There have been talks for the past 10-20 years of the development of Modern town but nothing has come to fruition!

2. Morden has been lacking behind in developments as compared to the neighbouring towns, e.g. South Wimbledon, Colliers Wood, Wimbledon Chase, Range Park, etc,

3. The current plan will bring employment, more tax (PAYE & NIC), non domestic rates and people into this town, which has been looking so tiring all these years,

4. If this plan is approved, it will attract more investors and developers to develop this town. I sincerely hope you will approve this Plan.

5.1.5 **Merton Park Ward Residents Association**

Comments include:

- The impact of a seven-storey block on neighbouring two-storey housing, some of which backs directly on to the subject site, would be significantly detrimental in terms of overshadowing, loss of sunlight and skyline and a feeling of being "enclosed". Such adverse impacts are also likely to be felt by shoppers, commuters and also the many parents and carers of children attending Poplar Primary School on their (at least) twice daily walk along Crown Lane.
- The impact of even a four-storey building due south of the houses in Windermere and Grasmere Avenues is massive, and the massing of the

proposed seven storey build is both unneighbourly and completely overbearing to properties of domestic scale.

- The applicant states that the height of the building is 20.85 metres, whereas the definition of a tall building is 21metres (Policy D12.6). We do not think that the residents of the two Avenues would find a reduction of 0.15 metres makes an appreciable difference to the massing effect on their skyline. In the process of building, the height of 21 metres could easily be achieved unintentionally. This application should be treated as being for a tall building.
- The height contravenes polices CS14 and DM D2 as well as Paragraph 124 of the NPPF.
- Windermere and Grasmere Avenues are outside the WMTCA and lie in the Morden Neighbourhood (MN) which has very different characteristics to the MRZ.
- The Civic Centre itself already causes a wind tunnel effect in Crown Lane and around the entrances to Windermere and Grasmere Avenues. The addition of a seven-storey building seems likely to cause an even bigger problem.
- The Acoustic Assessment Report focuses on 2022 ambient noise levels and the sound insulation status for users of the building i.e., staff and guests. It does not address the impact on local residents of disturbance and noise generated by the use of the site for an 85 roomed hotel and ancillary catering operations, for example, waste bin operation, music, operation of service doors/shutters at unsocial hours.
- The ground floor restaurant use should be open to all.
- There is no indication at all as to what levels of employment (P/T or F/T) the scheme will generate
- No details of opening hours
- If consent is given conditions should be imposed relating to; achieving Excellent or Outstanding BREEAM rating, a Dust Management Plan, Construction Environmental Management Plan, Construction Logistics Plan, Delivery & Servicing Plan, the respective Conditions recommended by Historic England and Metropolitan Police be incorporated, Swift boxes, predetermined “allowable levels” of ventilation, tree planting and greening within containers.

5.1.6

The John Innes Society

- We consider Chapter 3, Policy D3 of the Adopted London Plan has not been followed as regards the height and bulk of this proposal. When optimising site capacity, a design led approach should be followed, so that the new building is the most appropriate form of land use for the site and responds to the site’s context, capacity, and the existing character of its setting. It does not mean cramming as much as possible onto a site.

- The height and bulk of this Crown Lane/ Windermere Avenue proposal will result on an unacceptable impact on outlook for the neighbouring residential area and cause substantial harm to its character which is not outweighed by public benefit. A similar sized development in New Barnet was refused on appeal because of impact on suburban neighbours.
- Public benefit will be damaged. Another high building on Crown Lane will worsen the dangerous wind tunnel already created by the Civic Centre. The applicant has been told about this but chooses to ignore it. It's an inconvenient truth and making conditions worse for pedestrians and cyclists will not help to achieve Merton's Active Travel aims.
- We also doubt whether a hotel, or hostel, will really bring worthwhile economic benefits to Morden. As the proposal stands, it is unlikely there will be a restaurant or other facilities open to the public, and the result will be the loss of three shop front trading units leaving dead frontages on both Crown Lane and Windermere Avenue. The hotel guests may seek refreshments in Morden, but being so close to Morden station, it is more likely they will use it as a dormitory and return to central London in search of a greater choice of entertainment. Morden is a handy transport interchange, and useful for everyday household shopping, but hardly the place for a night out.
- In summary, it is too tall, too bulky, and too damaging to character and public safety, and there is no significant public or economic benefit. If it goes ahead as submitted, it will be a sadly missed opportunity to improve Morden.

Re-consultation (14.02.2024)

5.1.7

The application was re consulted (14.02.2024), following changes to provide the parapet around the new plant on the fourth floor. There were three letters of objection received, these raise the following points:

- Thank you for your letter regarding the amendments to the parapet. To a lay person it is unclear what the changes really are? If the developers have employed a sculptor to attach a floating red cloud on the building I might be a little more interested. BUT the amendments do not appear to negate the overall negative effect that this building will have on the neighbours, or the local area. The changes do nothing to blend this building into a suburban local.
- I am very concerned with the rebuttals to all of the residents concerns. Many are without substance, for example the sunlight report only assessed number 1 and 2 Windemere Avenue and did not assess number 1, 3, 5 and 7 Grasmere Avenue who will all be close to and have raised concerns about sun impacts to the council as part of their individual objections. Why has the impact on us not been assessed? Also I am struggling to find the wind report as one of my biggest concerns is a wind

tunnel - would you mind advising me which document that is? During a very windy day last year I was trying to walk through that same section and got blown into the road in front of incoming traffic. I was very fortunate that day not to have been injured. This is a huge concern to me.

- The Wind Report acknowledges that this modelling is not an exact science and claims that the current wind tunnel shows only a very small “distressed condition” for pedestrians, including those who are frail and cyclists. This may be what the modelling suggests but I (and other local residents) have real practical experience of this effect and I strongly object to the opinion that the effect is very small. It is not. On many occasions I have had to fight hard to remain upright in the face of strong winds and this experience is certainly not “comfortable”. Climate change may exacerbate this.
- It is unclear how many jobs will be above minimum wage, the only concession to staff will be the provision of showers.
- I cannot see that having different storey heights within the same building will have any real impact in reducing the overbearing scale of the building as a whole- it will be the highest part that draws the eye and causes the loss of amenity. Even the four storey section of such a hotel would represent a doubling in height compared to the existing, adjacent two story residential properties along Crown Lane and in Grasmere and Windermere Avenues.
- I also note the many references in the response to the “need” for a hotel. What market research supports this? Is this the best use of the site? The applicant claims that the “need” for a hotel has been clearly demonstrated and part of the “evidence” for this appears to be that a hotel operator has shown interest in the proposal. Just because an operator is interested does not imply there is a need for a hotel.
- A smaller residential development would be better.
- No evidence of economic benefit and will cause added congestion to the tube
- The responses submitted do not significantly address the original objections raised by myself and other residents and that the applicant has not provided clear evidence to support his arguments, for example, likely additional employment figures or a demonstrated need for hotel accommodation.

2nd Re-consultation (15.03.2024) & (04/04/2024)

5.1.8

For the sake of clarification, a 14 day re-consultation took place to confirm that neighbours were fully aware of all amendments received during the application process. Re-consultation letters were sent on 15.03.2024 advising interested parties of the following amendments:

- (15/3/24) Introduction of air conditioning plant and increased parapet wall height on the fourth floor, altered window design, new windows on rear elevation (with privacy louvres), amendments on drawings dated 13.02.2024 and wind report.
- (04/04/24) New technical information submitted relating to separation distances and light impact on surrounding gardens.

5.1.9

Following the latest re-consultation three further representations were received raising the following issues;

- Will hotel residents be able to see my garden and house from any windows in the hotel (i am number 7 Grasmere Avenue).
- Will the hotel create a wind tunnel for me.
- There are several issues for concern regarding over heating in extreme environmental conditions, which we do seem to be experiencing on a regular basis each summer
- There is no concession to "greening", or creation of garden spaces for hotel residents, places for plants at walls or windows etc.
- The people developing this land are not local, but "outside" interests.
- The subdivided garden at 2 Windermere Avenue, and it's use as a carpark, points to a lack of sensitive consideration. There is little understanding from the applicant regarding the suburban nature of Merton Park, and it's historical position as a garden suburb.
- I see that the parapet wall is to be increased in height with the introduction of an air conditioning unit plus altered window design and new windows on the rear elevation. This, of course, is the proposed part of the building that is lowest at 4 storeys and directly adjacent to the two story residential buildings in Windermere Avenue. In my opinion these changes will only add to the visual intrusion for residents in the vicinity. One of the arguments put forward by the developer is that the building is sensitive to the scale of existing residential buildings by its graduated height with the lowest part being at the rear. Now the developer seeks to increase that height which even under the original design is already twice the height of the original buildings. Moreover the addition of an air conditioning unit is likely to increase the level of noise pollution for existing resident.
- As for the changes to windows, the developer indicated that there would be no "overlooking" to adjacent properties in that windows would be located to avoid this. I cannot tell from the diagram where exactly these new windows will be but in the letter it states that they will be on

the rear elevation. The proposed changes indicate that there will be privacy louvres but it is unclear how these will affect residents living close to the rear of the proposed building.

5.2 Design Review Panel

Comments 1 June 2022 (residential scheme)

- 5.2.10 The panel considered a residential scheme for the site which received an Amber towards Red rating
- 5.2.11 The busy road created a hostile environment for noise and pollution and the Panel questioned whether residential was the best use for the site, particularly for the units closest to the road.
- 5.2.12 The Panel felt that the reasoning for the basement was weak, and a gym did not have to go in a basement. This was linked to one of the main criticisms of the proposal, which was the ground floor, its layout and integration with the street. It was felt the basement was not good in terms of sustainability, given the proposed gym use could be located on the first floor.
- 5.2.13 The Panel was not particularly concerned regarding the overall height of the building as shown, but felt that the transition to the adjacent residential to the north was a bit stark and the stepping needed to be more substantial, rather than just 1-2 storeys.
- 5.2.14 What was more important was the design and appearance of the building and it was agreed that there was a significant way to go on getting this right. It was a local landmark and needed to be a high quality building, notably at the corner. As the height was higher than that recommended, this was another reason for ensuring the design was exceptional.
- 5.2.15 The high-level details seemed pointless and a more meaningful approach was needed to identifying and interpreting local distinctiveness into a bespoke design. The precedent example shown (Barratt scheme at Savoy Circus) was considered a good example. More work was needed on getting the base, middle and top proportions right, especially if the first floor was to have non residential use and the transition between the commercial and residential floors needed to be clear and work well. Round windows were not considered to work well and further work in general was needed to get the architecture and materials right, with a restrained but relevant materials palette.
- 5.2.16 Overall the panel felt that whilst there was some good work done. However, there was a lack of attention to sustainability issues and some clear urban design work needed about how the building worked and fitted in to its surroundings and the street. This meant that there were some key areas that needed more thought and development, this being the reason the verdict was nearly Red.

Image below shows the proposed residential building for background information purposes only.

South Elevation



East Elevation



Access & Parking

The Panel questioned the provision of two parking spaces, instead of one and suggested this could or should be provided on-street. This would allow for more cycle parking. The visitor cycle parking on the street was also considered to be poorly arranged and cluttering the entrance area to the building. This could be better sited.

Architecture and Elevations

Whilst the Panel were supportive of the work done to identify local design styles to inform the design of the building, they felt that, because of its relatively small size, far too much was being included on the elevations. The materials needed to be pared back and a simpler approach taken. It was also felt that the top floor cladding element on Windermere Avenue, would hardly be seen and should also be in brick.

The building also still lacked a clear base, middle and top. Instead, the ground floor was not strong enough, including the corner in general. The darker brick element stopped inexplicably half way down the first floor windows, and it also formed a horizontal band higher up without a clear rationale. It was unclear whether the building wanted to emphasise the vertical or horizontal in its façade. The windows of the ground floor did not relate well to the upper floor windows and they did not take any design cues from the adjacent building in terms of size and positioning.

For such a small building there also seemed to be an excessive amount of space given over to signage and advertising. The upper level frieze seemed out of the way and unnoticeable and it was suggested this should be lower and maybe reclaiming the existing signage should be considered.

Ground Floor and Public Realm

The experience of approaching, entering and using the hotel, was not felt to be good or sufficiently considered. Overall, it seemed cramped and the whole seemed rather two-dimensional – notably the ground floor elevation. There were no entry canopies, orientation space inside or outside the building, no window openings, opportunities for outdoor seating, recesses in the elevation or maximising the space in the footway outside the entrance.

The entrance, although in a logical place to celebrate the corner, seemed small and underwhelming, neither celebrating the hotel or the building itself. It was also suggested there was scope for greening in the public realm, notably along the building on the Windermere Avenue elevation and possible tree planting in the footway (depending on utilities). Generally it was felt that there needed to be a far more fluid interface between the outside and inside of the building.

Internal Layout

Internally it was felt that the ground floor felt very cramped. There lacked a sense

of a foyer space for waiting to check-in or preparing to depart the hotel. The arrangement and spacing of the restaurant seating appeared to be very close, such that access past occupied tables by waiters or just by-passing customers would be difficult and practically impossible for wheelchair users. It was felt the whole entrance area would not present a good image for the hotel or make it a pleasant space to be.

On the upper floors the rooms on the front corner seemed to be poorly designed, with 4 windows but a large amount of wasted space where customers would access the bathroom and have to walk right past the windows. These needed to be reconfigured. The corridor serving the south facing rooms seemed to be wasting space that could be given over to making the rooms bigger.

Most of the rooms on the north and west sides were considered to have a poor and dark outlook, even for a hotel and it was felt that a different arrangement of the space should be explored to address this.

Generally it was felt that light levels would not be good in the rooms and it was suggested that some form of Juliet balcony or projection could be considered for the windows to address this and the somewhat two-dimensional feel to the façade.

The Panel raised a number of questions regarding sustainability issues and had no specific issues to raise.

Overall it was felt that the composition of the design needed further work and refinement to achieve the level of quality exhibited by Savoy Circus – less is more – regarding the materials. The elevations are key to this small site and they needed further work. The corner was key to this building and it needed to be stronger and bolder. The entrance experience, public realm and interface between inside and outside needed to work much better. Internally further work was needed to make the ground floor work better and feel welcoming and spacious, rather than cramped.

Verdict: AMBER

Images below of DRP hotel scheme for members information only:

Ground Floor



Third Floor



6th Floor



East Elevation



South elevation



CGI – DRP v CGI proposal

DRP



Proposal



Officer comment – The applicant has made the following changes between the DRP scheme and that before members (points below provided by the applicant):

- Recessed corner entrance on ground floor to include external planting to celebrate the entrance
- Widened and more spacious lobby arrival area
- Improved cafe layout and seating arrangement
- Revised canteen seating layout to improve user movement/permeability
- Increased internal planting on Crown Lane and Windermere Avenue to improve active frontage and visual outlook
- Introduced green wall/external facade planting
- Reduced the amount of hotel signage and refined the stone detailing at ground level to provide a more elegant and cleaner design and emphasised base.
- Refined facade design with added brick detailing and simplified material palette
- Two tone brick changed in favour singular tone brown brick
- Lengthened windows with removal of transom bars to provide a more vertical aesthetic
- Adjusted first floor glazing to align with adjoining property
- Removed white tile cladding in favour of metallic set back top floor (the top floor cladding has always been metal, not white tiles)
- Realigned window of unit 01 off the western boundary to northern boundary.
- Revised internal configuration to unit 10
- Increased the width of the internal user corridor

5.3 Internal Consultees

LBM Highways Officer 16/10/2023

5.3.18 Raised no objection subject to conditions.

LBM Transport Officer 14/11/2023

5.3.19 The officer raised no objections commenting;

- Car Parking - The development would be car free with the exemption of two disabled bays to the rear of the site off Windermere Avenue. The two disabled bays to provide EVCP. Car free development for the proposed development is acceptable.
- Cycle Parking - The applicant has proposed 7 long stay cycle parking spaces, and 2 short stay spaces at the front of the building. This is compliant with London Plan Policy T5 (Cycling).
- Deliveries and Servicing - TfL are satisfied with the pre-arranged agreement for on street servicing, however TfL believe the use of loading bay 3, on the opposite side of Crown Lane does not comply with London Plan Policies T2 (Healthy Streets) and Mayor Transport Strategy Policy 3 (Vision Zero). Tracking diagrams shown for Refuse and car vehicles manoeuvring into and out of the site off Windermere Avenue are acceptable.
- Off site highway works TfL requests the LBM securing the tactile paving improvement identified at the junction of Mostyn Road and Martin Way as the highway authority for these roads in line with London Plan policy T2 (Healthy Streets).
- Travel Plan - The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five-year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

Following conditions are recommended;

- 2 no. Disabled bays as shown with provision for EVCP.
- Amendments to Cycle parking provision.
- Off site improvements identified by TfL.
- A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.
- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.

LBM Tree & Landscape Officer (01/11/2023)

5.3.20 The officer raised no objection subject to the imposition of suitable conditions.

LBM Waste Management (13/10/2023)

5.3.21 The officer raised no objections stating; This will be fully commercial and they will need to arrange collections with a commercial waste provider of their choice. Access seems suitable for any collection vehicle.

LBM Flood Risk Officer (22/11/2023)

5.3.22 The officer has assessed the application and commented;

I have reviewed the drainage strategy and find it acceptable.

As there are proposed sewer diversions and connection I would advise that Thames Water is consulted on this application. In terms of drainage and Suds, the proposed design strategy provides for the source control techniques of green / blue roofs and permeable paving techniques appropriately designed at detail design stage. A drainage layout plan is submitted drawing ref: FRA20160-DS-001.

Surface water will have a controlled discharged into the existing Thames Water surface water sewer network diverted adjacent to the proposed development. The SuDS provides a surface water management solution that reduces the surface water run off that leaves the site and shows that the proposed development does not result in an increase to the risk of flooding on or off site.

A gravity discharge rate from the site of 0.6 l/s for the 1 in 100yr + 40% is proposed. The proposed runoff for 1 in 100yr + cc calculations for this flow requires attenuation of 72.7m³.

The officer recommended conditions be imposed in relation to sustainable drainage.

LBM Future Merton policy (27.10.2023)

5.3.23 With regards to the Strategic Development Framework and the above planning application:

- As the name indicates, the SDF is a strategic level document for the proposed Morden Regeneration Zone " *...which sets out the vision, core objectives, and 'first principles' for the regeneration of Morden Town Centre*" and provides Project Objectives, and Delivery and Spatial Principles.
- The subject image 'Figure 1-1 More Morden Vision Aerial View' is an artist's impression of the above referred 'vision' and the planning application site is not within the proposed Morden Regeneration Zone boundary.
- References to the SDF and the proposed Morden Regeneration Zone boundary are within Merton's draft Local Plan, which is still undergoing Examination In Public and the most recent draft indicates that the chapter on

Morden contains a significant amount of proposed modifications. I would therefore recommend that the contents of this part of the draft Local Plan be awarded very limited weight in the determination of this planning application.

LBM Future Merton policy (updated comments 19.3.2024)

5.3.24

There is strong policy support in adopted and emerging parts of Merton's Development Plan on the principle of developing a hotel at 18-22 Crown Lane, Morden. The application site lies within Morden's town centre boundary in the existing and emerging Local Plans and the whole site has excellent public transport access (+6). A hotel is suitable for this very accessible town centre location, would provide jobs locally and visitors would also help to boost Morden's economy by using the other restaurants, cafes, shops and services within the town centre.

- Adopted Development Plan: London Plan 2021 policy SD6 *town centres and high streets* states *The vitality and viability of London's varied town centres should be promoted and enhanced by ... (G) Tourist infrastructure, attractions and hotels in town centre locations, especially in outer London, should be enhanced and promoted* (see also London Plan Policy E10 Visitor infrastructure)
- Adopted Development Plan: Merton's Core Planning Strategy 2011 states at policy CS3 *Morden town centre* for sites within Morden town centre boundary that we will support Morden regeneration by (a) *Capitalising on Morden's excellent transport links and attractive suburban surroundings to make Morden a vibrant centre that people want to visit not simply pass through;* (b) *Improving the quantity and quality of commercial, residential and leisure uses, with a range of uses that is appropriate to a District Centre;*
- Adopted Development Plan: Merton's Sites and Policies Plan 2014 (policy DMR6 Culture, arts and tourism development *By recognising the value of arts, culture and tourism uses to Merton's economy and employment, the council aims to protect and provide additional arts, culture and tourism uses in the borough. These uses will also create economic and social benefits for the borough by attracting tourist and business visitors to Merton. The council will maintain, improve and encourage cultural, arts and tourism in Merton by:* a) *Supporting: i. All proposals for cultural and tourism development which are likely to generate a large number of visitors in either: Merton's town centres; or* Other areas of the borough which have high levels of accessibility (PTAL level 4 or above) and are within close proximity to additional services for employees and visitors.
- Merton's emerging Local Plan policy TC13.9 Culture Arts and Tourism development proposes a similar approach to the Merton's Sites and Policies Plan 2014.

Representations received on this application include representations that consider that a hotel should be located within the Morden Regeneration Zone (as

proposed in the Emerging Local Plan as site allocation M01), that the regeneration of Morden should be underway prior to a hotel being built and that a hotel would not have a positive economic impact on Morden town centre and that this site would be more appropriate for new homes. Our view is that there is strong policy support for locating a hotel within the town centre boundary of a District Centre that also has excellent public transport accessibility and that there is evidence that London-wide hotels and tourism have a positive economic effect. Should a planning application have been received for a mixed use development including new homes we would have considered that in the normal way and there is a need for new homes across the borough, however this site is not allocated for new homes and there is policy support on this particular highly accessible town centre site for a hotel.

LBM Environmental Health (Air Quality) (23/10/2023):

- 5.3.25 The officer noted that The applicant has submitted an amended Air Quality Assessment report (Ref.: PP1994/CL/AQA/202309-EC) dated September 2023 and produced by NRG Consulting and A Construction Environmental Management Plan has been submitted (Ref.: PP1994/CL/CEMP/202309-EC) highlighting the need of submit in the future a detailed Air Quality Dust Management Plan. Based on that information the officer has no objections subject to conditions.

LBM Environmental Health (Contamination) (11/10/2023)

- 5.3.26 The officer raised no objections but recommended two conditions be imposed relating to site contamination.

LBM Environmental Health (noise and disturbance) (03/11/2023)

- 5.3.27 The officer noted, 'the application has been submitted with a noise impact assessment in order to assess the suitability of the site in terms of acoustics for internal amenity standards for the development. with suitable noise mitigation measures, suitable controls can be implemented to protect future occupants. the recommendation of the af acoustics report should be implemented prior to occupation.

With regards to mechanical plant and any extraction systems, there is a submitted report 'ventilation and extraction philosophy' states that 'the strategy will be developed further as part of the detailed design stage and therefore future updates of this report will be required.' once the details of the mechanical plant if known a suitable acoustic survey report shall be produced for this element and comply with the relevant noise criteria. Additionally a condition relating to reducing light spillage is also recommended.

The applicant has submitted Demolition and Construction Environmental Management Plans and these should be complied with throughout the duration of the project.

LBM Environmental Health (noise and disturbance) (22/02/2024)

5.3.28 My previous comments covered plant noise in general so should cover this amendment.

LBM Design Officer 02.11.2023

5.3.29 There have been some improvements, notably to the ground floor entrance, which has tried, with some success, to address the last DRP comments. There are other issues that remain:

- The west facing oriel window is an exceptionally poor solution and demonstrates the room has been designed poorly. For a new build to require a main window to a room to have no views out is unacceptable and there is no reason why a north facing window can be incorporated. Remedial measures to a new-build simply demonstrate over development or poor design. The design of the oriel window also seems out of character to the rest of the building design.
- There are two elements of design detail that have been taken from the local context. These are the protruding brick headers on the main building and the cladding detail for the top floor. The re-interpretation of these is exceptionally tenuous - to the extent that no-one will make these links. Whilst the headers work OK on the building, the cladding does not. It bears no resemblance whatsoever to tiling on the underground and none of this is visible on the outside of the Tube station anyway. the cladding jars with and is discordant with the rest of the building materials. If the applicant feels this top floor needs to be a lighter colour to blend with the skyline, what about the other top elements of the building that are in brown brick? This set back top floor doesn't work and I recommend this section is removed.
- The simplification of the materials is welcomed, but I have reservations about such a large extent of brown brick and feel this could make for a very dull appearance to the building. A richer tone is needed and this needs to be resolved with the applicant. Also, the white stone banding around groups of windows does not work well. It serves to give a level of chunky, over-size detail and it would be better to rely on strong setbacks (at least one header deep) and perhaps more subtle differences in brick colour. This does seem to work better to link the ground and first floors and could be retained here.
- I am happy for the corner to be accentuated with glazed green tiles - which will need to be agreed with the case officer,
- The green wall panels either side on the elevations appear to serve little architectural purpose but, as the proposed green walls, could become a distinctive feature of the building. However this needs to be got right and be well maintained otherwise it could become an eyesore that is eventually removed to reveal a bland expanse of brick wall. a good example of how this could work really well (on a smaller scale) is the green wall on Wilko in Sutton town centre. There would need to be sufficient depth to the reveal to provide

enough earth/growing room for plants, and a proper irrigation system. This would need to be conditioned with any planning permission.

- There needs to be a proper signage strategy for the building as retrofitting extra signs at a later date would undermine the appearance of the building and should not be permitted.
- Windows on the adjacent building are taller than they are wide and give some vertical emphasis to an otherwise low rise building. In taller buildings it works better to extend the verticality of the windows to reflect the building overall. however, the windows proposed are almost square. They should have slightly more vertical emphasis than the adjacent windows (not less) and this will aid in giving a more subtle vertical emphasis rather than having the large stone banding around groups of windows.

5.3.30 Following the submission of revised drawings, the officer had no further issues with the design and as of March 14th commented ‘my general view is that the design for the proposal has evolved sufficiently for me to be happy with it, subject to discharge of conditions relating to materials etc’.

5.3.31 **LBM Climate Change Officer 22.02.2024**

To summarise, the applicant is proposing to achieve an overall improvement of 35.35% against Part L 2021 across the site.

The applicant is proposing a saving of 10.04% at the Be Lean stage which is below the GLA’s minimum requirement of 15%, however the scheme is proposing to use waste water heat recovery which in a hotel with high hot water use could contribute significantly (non-residential developments cannot currently include waste-water heat recovery in their calculation methodology - as per paragraph 7.11 of the GLA’s Energy Assessment Guidance – hence why this has not been accounted for in the Be Lean figure). The applicant is also proposing good fabric standards which go beyond the Part L 2021 notional and Mechanical Ventilation with Heat Recovery which all contribute to more savings through energy efficiency.

The final carbon offset contribution which will need to be secured through S106 is £81,058 as per the latest version of the Sustainability and Energy Statement dated 5th January 2024.

I’m satisfied the other information which has now been provided aligns with Merton’s sustainability requirements and propose the condition wording outlined below. As discussed, please note that some of these are pre-commencement conditions given that the applicant hasn’t been able to provide all the detail at the planning stage.

5.4 External Comments

Metropolitan Police – Secured by Design (20/10/2023)

5.4.32

I have had consultation with the architect prior to this application, throughout all stages of this proposal. During the meetings we covered how Secured by Design (SBD) principles could be incorporate into the layout and design of this development. Many of the subjects we discussed have now been included in the latest plans.

Having given due consideration to the design of this development, I recommend the following security features be addressed / included:

- Secured by Design recommends compartmentalisation for any development that comprises over 26 units. This limits permeability within a block and allows guests to only access their floor or designated areas by way of an encrypted key fob or card. Fobs should always be encrypted to reduce the risk of them being copied by a third party.
- The goods inwards door located on Crown Lane should be included as part of the access control system.
- I recommend that tested and certified security rated doors and windows are used on all communal and easily accessible areas. Due to the usage that the doors will suffer, a more robust security rating should be considered for these doors as they may provide better long-term reliability and savings in maintenance costs.
- CCTV can help deter crime and criminal behaviour and provide reassurance for guests and visitors. It can also provide key evidence of any criminal activity. I recommend a CCTV & lighting strategy around the building and communal areas, including entrances and cycle stores.
- Lighting is a very important element and should provide sufficient coverage to supplement any CCTV system that is installed as well as providing reassurance for guests during the hours of darkness.
- Smoke Vent grills and louvre doors are vulnerable as these are usually made of aluminium which can be easily bent or distorted. Steel vents would be recommended but alternatively weld mesh should be affixed to the inside to provide protection from this.
- English bond and projecting headers (hit and miss brickwork) should be carefully designed to eliminate any climbing aids or places for concealment of drugs or weapons.
- Roller shutters or grilles should be located as close to the building line as possible to avoid the creation of a recess. Such products should be certificated to one of the following standards: LPS 1175: Issue 7, SR2, STS 202: Issue 3, BR2 and Sold Secure Gold
- Landscaping and planting should be designed to prevent obscuring vision in and out of the glass frontage.

Recommendation Crime Prevention and community safety are material considerations. If The London Borough of Merton are to consider granting

consent, I would seek that conditions be attached. This is to mitigate the impact and deliver a safer development in line with the Merton New Local Plan (Stage 3), the London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF).

Historic England

- 5.4.33 It was identified that the site is located within a Tier 2 Archaeological Priority Zone due to its proximity to the route of the Roman Road. It is considered that the proposal could harm archaeological remains and a field evaluation was needed. The officer recommended that a two stage pre commencement condition could offer suitable safeguarding and protection.

Transport for London 08/11/2023

- 5.4.34 Site Location and Context.

The site is located within Morden town centre and is bound by the A24 Crown Lane to the south, Windermere Avenue to the east, a private access road and residential properties to the north and retail units to the west. The A24 Crown Lane forms part of the Transport for London Road Network (TLRN). The site is served by twelve bus services (80, 157, 154, 118, 201, 93, 470, 293, 413, 163, 164 and K5) within an acceptable walk distance of the site with stops located on Crown Lane and Windermere Avenue. Morden Underground station is located approximately 200m east of the site. Morden South rail station is also located within an acceptable walking distance.

Deliveries and Servicing

TfL are satisfied with the pre-arranged agreement for on street servicing, however TfL believe the use of loading bay 3, on the opposite side of Crown Lane does not comply with London Plan Policies T2 (Healthy Streets) and Mayor Transport Strategy Policy 3 (Vision Zero). TfL request the use of the bays must follow sign restrictions. The restrictions on the bay fronting the site are 'no stopping Mon-Sat 7am – 7pm except loading maximum of 20 minutes or disabled parking maximum 3 hours. The use of a delivery booking system is welcomed by TfL. TfL welcome all deliveries are scheduled outside of the peak hours of 08:00 – 10:00 and 16:00 – 18:00. This is expected in line with London Plan Policy D3 (Optimising site capacity through the design-led approach), paragraph 3.3.17, and London Plan Policy T7E (Deliveries, Servicing and Construction).

Officer comment - Loading bay 3 does not form part of the applicants proposed servicing arrangements.

Car parking

TfL welcome the car free nature of the proposal. The applicant has proposed 2 disabled bays to the rear of the site accessed off Windermere Avenue. TfL expect the provision of disabled parking to be reduced to 1 disabled person's space only in line with London Plan Policy T6.5 (Car Parking).

Officer comment – Now agreed, see updated comments below.

Cycle parking

The applicant has proposed 7 long stay cycle parking spaces, and 2 short stay spaces at the front of the building. This is compliant with London Plan Policy T5 (Cycling). TfL request amendments to the access of the long stay cycle parking. Currently the only access is to walk round the rear of the car parking spaces and travel through the kitchen. TfL request direct access for cycle users through the office/lobby. TfL would also welcome the provision of showers, lockers and changing facilities be provided for staff, as noted in the TfL pre-app meeting.

Officer comment – Not actioned as it would require a redesign and is simply impractical

Trip Generation & Healthy Streets

TfL welcome the adjustment to the TRICS output to account for the car-free nature of the development and the excellent access to public transport modes. The Transport Statement (TS) includes an Active Travel Zone (ATZ) Assessment, which is welcomed. TfL would strongly support the Council securing the tactile paving improvement identified at the junction of Mostyn Road and Martin Way as the highway authority for these roads in line with London Plan policy T2 (Healthy Streets).

Officer comment – Officers have agreed this with the applicant. The upgraded pavement area can be secured through a financial contribution as part of the s106 agreement.

Construction

TfL request Traffic Management information is provided. This must highlight safety information for pedestrians passing the building, traffic driving past on both areas & cyclist movements. The applicant must also confirm enough area is clear for disabled movements past the site. TfL request the applicant confirm the dates they want to start and finish the works. TfL request the applicant apply for closure of any bays used during construction. A Temporary Consolidated Suspension

Request (TCSR) is required in relation to the temporary suspension of parking, loading, disabled and/or motorcycle parking bays. This is available on the TfL website. The Pit Lane must comply with 'Safety at Street Works and Road Works' code of practice. TfL expect all deliveries to avoid the peak hours of 08:00 – 10:00 and 16:00 – 18:00. This is expected in line with London Plan Policy D3 (Optimising site capacity through the design-led approach), paragraph 3.3.17, and London Plan Policy T7E (Deliveries, Servicing and Construction).

Officer comment – The applicant has not received planning permission yet and therefore at the time of writing, an applicant would not know a start date. Details of traffic management can be provided once known, as part of a planning condition and in consultation with TFL).

The footway and carriageway on the A24 Crown Lane must not be blocked during the development. Temporary obstructions during the development must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A24 Crown Lane. All vehicles associated with the development must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions. No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work, separate licences may be required with TfL, please see, <https://www.tfl.gov.uk/info-for/urban-planning-and-construction/highway-licences>

TfL request amendments to the disabled parking provision, cycle store access & further information provided on delivery and construction arrangements prior to being supportive of the application.

Officer comment – See updated comments below.

The request for additional information on delivery and construction arrangements can be provided by the applicant once known when discharging the relevant planning condition (subject of consultation with TFL).

Transport for London (updated comments 10/04/2024

Disabled parking

5.4.35

Satisfied with 2 blue badge spaces being provided.

Healthy Streets improvements

TfL would support any improvements however it is understood this is not required to make the application acceptable in planning terms as the proposed walking trip rates are low.

TMAN and Construction Logistics

As they have provided an outline CLP this detail can be dealt with by planning condition.

Bike Store

The justification of it being a very very short walk especially for someone fit enough to ride a bike in the first place is contrary to the policies of LP T5 (Cycling). Cycle parking and cycle parking areas should allow easy access and provide facilities for disabled cyclists. Cycle parking needs to take into account all user needs, so as not to exclude or disadvantage riders of certain types of cycle. This includes people who use handcycles, tricycles, tandems and models adapted to suit the rider's specific needs, as well as cargo cycles. Access to the long stay cycle parking should be close to the entrance of the property and avoiding obstacles such as stairs, multiple doors, narrow doorways (less than 1.2 metres wide) and tight corners. New developments must take every opportunity to overcome barriers to cycling for their prospective residents and for visitors. Good quality cycle parking is a selling-point. It is a shame that the Planning Authority has not taken this into account. TfL will not uphold an objection to the cycle parking, however believe the council should consider the aforementioned points prior to determination.

Officer comment - In regards to cycle parking, whilst the proposed arrangements may not be the best solution in some respects, this is similar to lots of cycle arrangements in the Borough. It should also be noted that the scheme is for a hotel and not residential units as the TFL comments seem to suggest by the term residents. Planning officers need to take a balanced view on all planning consideration, whilst TFL rightly set out best practice guidance, they do not raise an objection. Officers would agree, in the overall planning balance, this would not warrant refusal of planning permission. It should also be noted that the Councils Transport Planner has not suggested refusal of planning permission or provided a reason for refusal on this point either.

Thames Water

5.4.36

With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for foul water drainage, but have been unable to do so in the time available and as such, Thames Water request that a condition be added to any planning permission.

Thames Water would advise that with regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we

would have no objection

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application but request an informative be added.

6. POLICY CONTEXT

List of relevant planning policies

National Planning Policy Framework (2023)

- Chapter 2 Achieving sustainable development
- Chapter 7 Ensuring the vitality of town centres
- 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
- Chapter 15 Conserving and enhancing the natural environment

Relevant policies in the London Plan 2021 are;

- H2 (Small sites)
- H5 (Threshold approach to applications)
- D1 (London's form, character and capacity for growth)
- D3 (Optimising site capacity through a design lead approach)
- D4 (Design)
- D5 (Inclusive design)
- D11 (Safety & Security)
- D12 (Fire safety)
- E 10 (Visitor infrastructure)
- HC 1 (Heritage and conservation)
- G5 (Urban greening)
- GG2 (Making the best use of land)
- GG6 (Increasing efficiency and resilience)
- SD 6 (Town Centres and High Streets)
- SI 2 (Minimising greenhouse gas emissions)
- SI.3 (Sustainable drainage)
- T5 (Cycling)
- T6.4 (Hotel and leisure uses parking)
- T7 Deliveries, servicing and construction

Merton Local Development Framework Core Strategy (2011)

- Relevant policies include:
- CS 3 Morden Town Centre
- CS 11 Infrastructure
- CS 12 Economic development
- CS 13 Open space, nature conservation and leisure
- CS 14 Design
- CS 15 Climate Change
- CS 17 Waste
- CS 18 Transport
- CS 20 Parking servicing and delivery

The relevant policies in the Council's Adopted Sites and Policies Plan 2014

are:

- DM D1 Urban design and the public realm
- DM D2 Design considerations
- DM D4 Heritage assets
- DM D5 Advertisements
- DM D7 Shop front design and signage
- DM E1 Employment Areas in Merton
- DM E2 Offices in town centres
- DM E4 Local employment opportunities
- DM R3 Protecting corner/local shops
- DM R5 Food and drink/leisure and entertainment uses
- DM R1 Location and Scale of development in Merton's town centres and neighbourhood parades.
- DM R6 Tourism development
- DM EP2 Reducing and mitigating noise
- DM EP4 Pollutants
- DM F1 Support for flood risk management
- DM F2 Suds, waste water 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

Supplementary planning considerations

- GLA Guidance on preparing energy assessments – 2018
- London Character and Context SPG 2014
- Merton Planning Obligations SPD – 2006

- Merton Borough Character Study 2021
- Merton Small Sites Toolkit 2021
- Merton Borough Character study.

Merton Emerging Local Plan

- N5.1 – Morden
- D12.6 - Tall Buildings

7. PLANNING CONSIDERATIONS

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

- Principle of Development
- Design
- The impact of the development on neighbour amenity;
- Transport, Parking and servicing;
- Trees, Landscaping & Biodiversity;
- Urban greening factor and Biodiversity net gain
- Site security
- Sustainable design and construction.
- Fire safety
- Construction of Development
- Air quality
- Flooding and drainage
- Site contamination
- Archaeology

7.2 Principle of development

7.2.2 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.

7.2.3 Policy D3 of the London Plan 2021 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.

Loss of Existing Uses

7.2.4 The application site is currently located within a row of two storey terraced buildings, mainly comprising commercial uses with some instances including

residential on the floor above. The site is not located within a designated shopping parade. Therefore, in planning policy terms, the site would be classified as a corner/local shop, therefore planning DM R3 Protecting corner/local shops would be applicable in this instance. Policy DM R3, seeks to protect local shops that provide a useful service to local residents and to ensure that local shops are within walking distance of all residents in Merton whilst reducing vacancy rates in shopping frontages that detract from the local area. The policy permits change of use of a corner/ local convenience shops (A1 Use Class) to a wide range of uses including retail (A1), businesses (A2 and B1 [a] Use Class), cafes and restaurants (A3), public houses (A4), hot food takeaways (A5), health and community uses (D1), where:

- i. There are alternative convenience shops located within 400 metres;
- ii. The proposal will have no significant adverse effects on the amenities of nearby residents, road safety, traffic movements or car parking impacts; and,
- iii. Independent access to upper floors is ensured.

7.2.5 The proposal is would provide a commercial use (Class E, ref to the above use classes in the policy is outdated, most uses above now form part of Class E), with the site being located in an area with a wide choice of other shops (within 400m), is not considered to have a significant impact on its surrounding and access to the offer floors as a hotel is considered to be inline with the objective of the policy, the character of the parade and emerging changes in the area (regeneration). More details relating to the proposed use and established position on the site are set out below.

7.2.6 Currently only 22 Crown Lane is occupied with a café use at ground floor and an office type use above. All other units within the application site remain vacant at the time of writing. The applicant has confirmed that the established planning uses of the three units, is either a restaurant or offices. All such uses fall with use Class E (Commercial, Business and Service). The commercial accommodation on the application site is spilt into three units with a modest floor area, therefore the level of employment generated, when occupied, is considered to range between low and modest levels. At present only one of the three units is occupied so as it currently stands the units are not generating much in terms of employment. The proposal would introduce new commercial building with a gross internal area of 3,029sqm, which would include a ground floor restaurant/bar area and 85 bedroom hotel on the upper floors. The hotel use is therefore expected to generate an overall increase in employment when compared to the existing situation (6 full time and 18 part time jobs expected to be created). Officers are therefore content that the proposed use would be inline with the objectives of employment policies at a local and regional level by contributing towards sustainable economic growth.

7.2.7 Member may note that the applicant has a permission for various residential uses under prior approval rights (see planning history section of this report). The

applicant has confirmed that these permissions have not been implemented to date, however they provide a valid full back position which the applicant could implement. Therefore, technically the loss of the existing commercial units has already been established. Policy matters relating to the loss of existing commercial units is therefore irrelevant in this instance given the fallback position which has been established by formal applications and approvals.

- 7.2.8 The proposal does provide a healthy re-provision of commercial floorspace and given its use type (total) would generate new jobs onsite and will help boost surrounding business with increased visitor footfall. The proposal is therefore considered to have significant economic benefits, especially given the fallback position.

Tourism development and the provision of a hotel

- 7.2.9 London Plan 2021 policies E10 and SD 6 encourage the provision of visitor and tourist facilities especially in outer London areas well served by public transport whilst Merton's Sites and Policies Plan policy DM R6 encourages the provision of tourism development in Merton's town centres. DM R6 seeks to ensure that whilst supporting tourism proposals, the development shall ensure that;

- i) The size and character of the site or building are suitable for the proposed use
- ii) The development would be compatible with the character and appearance of the area
- iii) The amenity of local residents and businesses will not be harmed by way of noise, disturbance, loss of light or privacy
- iv) There will be good access and links to modes of transport other than private cars
- v) Vehicle access to and from the highway will be safe.

- 7.2.10 These points will be expanded upon later in this report.

- 7.2.11 Policy CS 3 Morden Town Centres of Merton's Core Planning Strategy seeks:

To regenerate Morden through intensified development in and around the town centre, creating a distinctive and vibrant centre by making more of what Morden has to offer.

A plan-led approach will increase development capacity and make more efficient use of land by incorporating higher density housing and commercial opportunities; exploiting Morden's excellent public transport links, while conserving and enhancing the character and distinctiveness of the adjacent suburban neighbourhoods.

.... We will do this by:

Capitalising on Morden's excellent transport links and attractive suburban surroundings to make Morden a vibrant centre that people want to visit not simply pass through;

Improving the quantity and quality of commercial, residential and leisure uses, with a range of uses that is appropriate to a District Centre;

7.2.12 CS 12 Economic Development of Merton's Core Planning Strategy states:

We will support the development of a diverse local economic base in Merton by encouraging the increased provision of the overall number and range of jobs in Merton; particularly in the commercial and business sectors (including the provision of business, leisure, retail, creative, cultural and 'green jobs...

Morden Regeneration Zone.

7.2.13 As an additional matter of further background to the appropriateness of a hotel in this location (something that has been questioned by residents in their objections) is that the application site, whilst not being located within the proposed Morden Regeneration Zone, sits adjacent to the boundary of this proposed area and within the adopted (2014) and emerging (2024) Local Plan town centre boundary for Morden. The new Morden Regeneration Zone is proposed to be a site allocation (Mo4) in the Councils New Local Plan. This follows on from long terms aspirations for the town centre and its regeneration.

7.2.14 The new local Plan is not an adopted document to date, however it has been submitted to the Secretary of State for examination, has been through five weeks of public hearings and, at the time of writing (March 2024) is published for seven weeks of post hearings consultation (https://www.merton.gov.uk/system/files/lbm31_accessible_mertons_local_plan_incorporating_proposed_modifications_accessible_feb24_0.pdf) within the adoption process (near full adoption). At present, officers are not giving full weight to policies contained in the New Local Plan as it has not been fully adopted by the Council, however Merton's adopted Core Planning Strategy 2021 and Merton's emerging Local Plan 2024 include this site within the Morden town centre boundary and support Morden regeneration at adjacent sites

7.2.15 Emerging Local Plan Policy Morden: N5.1 states that the policy supports the rejuvenation of Morden to create a modern, attractive and vibrant destination that meets the needs of the current and future residents, businesses and visitors, and provides economic, social and environmental benefits. This will be achieved through intensification and comprehensive development within the Morden Regeneration Zone...



Extract from Policies Map of emerging Local Plan 2024, showing Morden Regeneration Zone in blue and Morden town centre boundary in grey, site location indicated in orange

Emerging Local Plan Site Allocation Mo4: Morden Regeneration Zone sets a regeneration vision that seeks to take the opportunity to enable large-scale development in Morden town centre, which will secure economic, environmental, and social benefits in accordance with the London Plan. Amongst 8 opportunity criteria under this policy, the following are considered to be relevant to the application before members:

1. The delivery of an appropriate mix of retail, office, commercial, community and leisure use, including night-time uses, improved transport infrastructure and public realm, and a significant quantity of new residential development (circa 2,000 units).
2. Comprehensive regeneration of the site, to optimise the delivery of new homes, improve the street scene and public realm, make it easier to get around, and support businesses and other appropriate town centre uses.
6. The use of tall buildings where appropriate in order to optimise development that relates well to the surrounding context and public realm, particularly at street level.
7. The provision of an appropriate mix of retail, office, community and leisure uses, including night time uses, which provide an appropriate level of active frontage.

Conclusion (Principle)

- 7.2.16 There have been numerous objections relating to the need for a hotel in Morden, frequently citing a lack of tourist attractions in the borough. Whilst it is acknowledged that regular events such as AFC Wimbledon home games and the Wimbledon Tennis Championships would only provide limited 'tourist' demand, hotels also provide accommodation for those working away from home, visiting friends and families and for one off events such as weddings or special events within the borough.
- 7.2.17 As set out in the policies above, the principle of a hotel in Morden town centre is supported by policies in the London Plan 2021 (policy SD6, Town centres and high streets part G) Merton's Core Planning Strategy 2011 (policy C6 Centres Merton's Sites and policies Plan 2014 (policy DMR6 Culture, arts and tourism development and Merton's emerging Local Plan policy TC13.9 Culture Arts and Tourism development) hotels should be directed to areas of the borough that are designated town centres or well served by public transport. In this instance, the location of the hotel would be located within a Morden Town Centre location, with the site having a PTAL score of 6a (excellent). The application site also sits directly adjacent to the proposed Morden Regeneration Zone, so would therefore offer supporting commercial infrastructure to the future planned regeneration area. The commercial use of the site as a hotel would also generate jobs within Merton with the operator predicting the provision of 6 full time jobs and 18 part time jobs. With increased visitors using the hotel and its ground floor restaurant (mostly accessing the site on foot) would bring more people into the area and therefore generate higher levels of passing trade for surrounding businesses. The proposed use would therefore bring economic benefits within Merton and further afield due to its excellent transport links. The location of the proposed hotel is therefore supported by officers as planning policy encourages such uses in these areas.

7.3 Design

- 7.2.18 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.
- 7.2.19 London Plan policy D3 states:
- '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' That same policy goes on to state '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’.

Massing and heights

7.2.20

There have been a number of objections to the proposed 7 storey height of the building with the existing terrace being only 2 storeys in height. However, there are a number of factors to be considered in determining if the height can be justified. Whilst the proposed building would have a maximum height of 7 storeys, it must be noted that the application site sits within the Town Centre boundary where existing taller buildings already exist (including the adjacent 14 storey Council Office and 4 storey commercial building at Morden Tube Station) and where it can be expected that more taller buildings would be directed in the future. In officers opinion, whilst the proposed building would result in a larger building on the plot, the increased height is not considered to be overall tall or out of keeping given the existing and emerging context. In terms of future and emerging context, the application site is located adjacent to the boundary of the Morden Regeneration Zone where regeneration of the area will include taller and more dense buildings. It should also be noted that the application site was shown on the indicative image in the Masterplan drawings as a taller building (application site with red dot). Noted that the image below is not an approved master plan in terms of actual building heights (that would follow at a detailed design stages), however it gives indication of the growth direction for the area.

Extract from Masterplan:



7.2.21

From a design perspective, the taller 7 storey element on the corner section of the site, is considered to be a sound approach in townscape terms. This element is considered to respect the context of the site and its town centre setting. The building would lower in height towards the rear of the site with a stepped down approach to four storeys adjacent to the more low-rise 2 storey houses in Windermere Avenue. Whilst this four storey element would sit higher than the adjacent two storey housing, the four storey element would be set away from the rear boundary and adjacent houses by approx. 5.7m which would assist in creating a suitable buffer of height transition within this street scene elevation.

7.2.22

Officers acknowledge that the proposals would result in an uplift in both bulk and height when viewed in context with the adjoining and adjacent terraces.

However, given the site location within the town centre it is highly likely that this part of the town centre will see growth and naturally result in more taller and bulky buildings. The proposed treatment to the west elevation has therefore resulted in new windows or opening facing east to ensure that the proposed development does not hinder the potential for adjoining sites coming forward for redevelopment. The treatment of the east elevation would also include brick detailing to ensure that the wall does not appear as bland elevation as it could be sometime before adjacent site come forward of redevelopment.

- 7.2.23 It should also be noted that the Councils Design Officer has raised no objections to the proposals and the Councils Design and Review Panel were unanimous that the form, massing and height were appropriate for the site.

Character and Appearance

- 7.2.24 The proposed hotel use would operate in a building that has been specifically designed for this purpose and would respond to the town centre location. Whilst there are some flats on the floors above the commercial uses the character of this section of Crown Lane is commercial and as such the use would be considered to accord with the character of the area albeit there is a residential hinterland.

- 7.2.25 As set out above, the building height would have a staggered approach to respect each of the character areas of the site, with Crown Lane being a more town centre setting and Windermere Avenue moving into a more low-rise residential environment. This change in character is reflected by not only the lowering height of the building but the treatment and proportions of the ground floor. The corner section of the building has a more grand ground floor treatment, with a distinctive corner feature to mark the entrance to the hotel and double height framing, whilst on the Windermere Avenue frontage, the proportions of the elevation treatment reduce in form towards the rear of the site to respond to the more residential setting.

- 7.2.26 The choice of brick as the main elevation treatment is welcomed by officers as it will give the building a strong presence within the street and will help prolong the quality of the building (rather than the use of render or panels which are often used on hotels). Framing details and more verticality to the windows (as requested by the Councils Design officer) better reflect the building overall. The corner to be accentuated with glazed green tiles is supported by providing some visual interest to the scheme and placemaking the entrance to the building from longer distances. The building includes signage both at higher and lower levels. Again, this adds interest to the design (acknowledging its past) and can be controlled via a planning condition. An addition, a planning condition will also be placed on the development to remove PD rights so that the Council has full control over any future advertisement to ensure a high quality finish.

- 7.2.27 Impact on the Merton Park Conservation Area was raised in the objections but the site is not adjacent, or even very close to the CA and any views that might be possible of the hotel would be seen in the context of the backdrop of the Civic centre which is twice the height.

Layout

7.2.28 At the pre application stage in consultation with officers and with the DRP a number of issues were found with the proposed layout. Through a series of changes the ground floor layout was significantly amended and improved in order to ensure a better guest experience and to make the facilities more workable. It would now be possible to keep the back of house activities separate from the front of house activities and the design is such that the ground floor area would offer good levels of natural surveillance for this junction and the restaurant would be an addition to the night time economy and widen the choice of restaurant facilities in the area for both guests and local residents.

7.2.29 The layout of the development is now considered to be logical, with non-public spaces being moved, a ground floor restaurant providing an active frontage and the upper floors providing a satisfactory hotel layout. TfL had suggested that there should be direct access from the bike store into the main lobby of the hotel however this is considered by officers to be unreasonable to redesign the building to facilitate this given the low level of likely use and the short distance that would need to be walked to go from the store and in through the main doors. The relatively limited footprint for the upper floors being set back from the adjoining site has limited the overall level of space that is available. Whilst officers consider that hallways look fairly narrow for a hotel use, the applicant has confirmed that it meets their requirements. commercial decision by the applicant and not a matter upon which a refusal could be justified.

Shop front and signage

7.2.30 The proposed ground floor has been designed to respect the commercial nature of the building which would conform to its commercial setting. Condition 38 has been recommended to remove permitted development rights relating to advertisement (Deemed Advertisement Consent) so that the Council can ensure that the building retains suitable advertisements that respect the terrace and design of the original building.

Design Review Panel

7.2.31 The design of the building has been subject to various design iterations following discussions with planning officers at the pre application stage and following the Design Review Panel comments and suggestions prior to submission of the application and further minor changes in response to the Council's Urban Design Officer's comments.

7.2.32 As set out in the accompanying Design and Access Statement Part 5 the applicants have considered to have made efforts to incorporate design features such as window design, banding features, brick choice and bonding design. Whilst the DRP were unsupportive of the lightweight materials for the top floor it is considered that there is merit in this choice as it is a commonly used method for reducing the visual impact of the upper levels. Had the applicants sought a more functional render finish to the rear elevations this may have given more weight to concerns about using the cladding.

Design (conclusion)

7.2.33 In conclusion, officers consider that the proposed building is well designed and

would respond to the context of the site. The proposed development is considered to satisfy London Plan policy D3 which states:

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'

Wind tunnel effects

- 7.2.34 A number of objections were received asserting that the height of the scheme was such that in conjunction with its proximity to the Civic Centre it would result in dangerous wind conditions for pedestrians and cyclists. In order to address these concerns the applicants commissioned a Pedestrian Wind Comfort report which undertook assessments to understand whether there would be a change to the microclimate and if there was, whether this would be materially detrimental to pedestrian and cycle users around the site.
- 7.2.35 The assessment was undertaken using a specialist computational fluid dynamics (CDF) software applied to a 3D computer model of the surrounding area provided, using an Accurcity 3D contextual model. The historical meteorological data that was applied uses statistical information on an hourly-averaged wind speeds by direction. The analysis was undertaken using the principles set out in the Lawson Criteria which is the method used for anticipating wind effects in the built environment and sets out comfort criteria thresholds for certain activities.
- 7.2.36 The report acknowledges that CFD wind modelling is not an exact science but states that it can be used to demonstrate if there is a difference in the wind microclimate between the existing and proposed situation and is a widely recognised method for modelling air flows to simulate the flow of oncoming wind around buildings. It uses steady flow assumptions and provides a good indication of the locations of high wind speeds. The model excludes both soft and hard landscaping and as a result represents the worst-case scenario. Landscaping generally improves the wind environment.
- 7.2.37 The modelling shows that there is very little difference between the existing and proposed scenarios and is appropriate for walking in relation to both the Annual Assessment and the Worst Case Scenario. The report undertook a Strong Wind assessment which identified that there is a very small area of distressed conditions in both the Existing scenarios for 'members of the general public' and "frail persons or cyclists. It is noted that in the Proposed scenario, this is no longer the case and the proposal would therefore actually improve the current situation.
- 7.2.38 The report concludes that the proposed development would have no noticeable effect on pedestrian comfort nor distress to 'members of the general public' or "frail or cyclists" with regards to wind around it in comparison with the existing scenario. Consequently, it is considered that the issue of microclimate impacts would not be grounds for a refusal of the application.

7.3 The impact of the development on neighbour amenity

- 7.3.39 Planning Policy D6 (Housing quality and standards) of the London Plan 2021 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 7.3.40 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 does not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties. 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.
- 7.3.41 Policy DM EP2 (Reducing and mitigating noise) states that development which would have a significant effect on existing or future occupiers or local amenity due to noise or vibration will not be permitted unless the potential noise problems can be overcome by suitable mitigation measures.
- 7.3.42 There have been a number of objections in relation to the impact on neighbour amenity, predominantly in relation to loss of light, privacy and visual intrusion due to the height and scale of the proposal.

Sun and Daylight

- 7.3.43 The Building Research Establishment (BRE) numerical guidelines should be considered in the context of the National Planning Policy Framework (NPPF), which stipulates that local planning authorities should take a flexible approach to daylight and sunlight to ensure the efficient use of land. The NPPF states:
- “Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”
- 7.3.44 The applicant has submitted an independent sun, daylight and overshadowing report produced by CHP Surveyors. The report which utilised BRE guidelines to identify that 3 neighbouring properties which have windows overlooking the site, numbers 1 & 2 Windermere Avenue and 34 Crown Lane.

Daylight

- 7.3.45 The numerical values contained in the BRE guidelines are used to establish whether the proposals will have a significant effect on the daylight enjoyed by the neighbouring properties and are based initially on a Vertical Sky Component

(VSC) analysis. This analysis establishes the amount of available daylight received directly from the sky for each individual window. The reference point for this analysis is the centre point of the window. This analysis advises that each window should achieve a VSC of 27% or 0.8 times the existing value. These values are for a suburban location whereas for an urban location, a VSC of 20% is considered more appropriate.

7.3.46 The second analysis is the No Sky Line (NSL) or Daylight Distribution analysis. This assesses the change in position of the No Sky Line between the existing and proposed situations. It does not consider the number and size of windows to a room. The criteria specify that a significant portion of each habitable room (>80%), at least 0.8 times the existing area, should lie in front of the No Sky Line (NSL)

7.3.47 The report's daylight assessment considered 33 windows within those neighbouring properties that serve 12 rooms. The results of the analysis show that 30 (91%) of the windows and 12 (100%) of the rooms will fully comply with the BRE guidelines. Concerning the three windows to No.2A Windermere Avenue that do not achieve the guidelines, these are secondary high-level windows in the flank elevation, close to the site boundary.

Sunlight

7.3.48 Concerning sunlight, the BRE guidelines advise that all windows within 90 degrees of due south should achieve 25% of the Annual Probable Sunlight Hours (APSH) with at least 5% during the winter months. Where this is not achieved and the difference between the existing and proposed APSH is more than 4%, the BRE guidelines state that the proposals will not have a noticeable effect on the sunlight, provided the total APSH, as well as during the winter months, are within 0.8 times the existing.

7.3.49 In relation to sunlight the report considered nine rooms within the neighbouring properties. And found that all nine (100%) would achieve the BRE guidelines.

Detailed site specific findings are set out in sections 8 & 9 of that report.

Overshadowing

7.3.50 This considers the potential impact on amenity spaces for nearby residential properties. Utilising relevant BRE guidelines the report found that:

'the only neighbouring properties that have amenity space that needs to be considered are 2, 4 and 6 Windermere Avenue. This demonstrates that in relation to No.2, the rear garden currently has 39% of its area that will enjoy 2 hrs and that with the implementation of the proposals, 38% (0.98 times existing) will enjoy this. With regards to the rear gardens to 4 and 6 Windermere Avenue, the proposals will see no change, with in both instances 67% of the garden enjoying at least 2 hrs of direct sunlight on the 21st March in both the existing and proposed situation. The proposals will therefore not have a significant implication on the direct sunlight enjoyed by the amenity space'.

7.3.51 The applicant has subsequently provided a 'Surrounding Amenity Contour' plan compiled by CHP Surveyors that shows not only the results of the permanent

shadow analysis for the Windermere Avenue properties, but also the Grasmere Properties, where the proposals will see no change to their gardens.

- 7.3.52 Based on these findings officers consider that the applicant has demonstrated that the proposal would not have a materially harmful impact on neighbour amenity in relation to light that would provide robust reasons for refusal.

Loss of privacy

- 7.3.53 The proposals have been designed so that the majority of guest rooms would be orientated towards the non residential uses along Crown Lane and away from the residential properties to the rear of the site whilst those on the first three floors of the rearmost elevation would have privacy louvres. Those windows that do have unobstructed views in the western most rooms are more than 25m from the side of 2a Windermere Road. Consequently it is considered that the proposals would cause no material harm to the privacy amenity of neighbouring residents.

Visual intrusion

- 7.3.54 The new hotel's position would be such that it would be at right angles to the front of houses in Windermere Avenue and very few properties look directly at the proposal site and for many the new building would be viewed against the backdrop of the Civic Centre.

2A Windermere Avenue

- 7.3.55 Located directly to the north of the application site, this neighbour sits at a right angle to the application site. The majority of the proposed building would sit adjacent to the flank wall of this neighbouring property. This neighbour has three flank windows in its side elevation facing towards the application site, two being high level ground floor windows and a first floor window serving a habitable room. Whilst part of the frontage of the proposed building would project approx. 6.9m beyond the frontage of this neighbour, there would be a approx. 5.8m wide gap between the two sites. Due to the orientation of the neighbour and separation distance above, it is considered that levels of outlook from the front and rear openings would not be adversely affected. Whilst there would be views of the proposed building from this neighbours flank windows, the ground floor windows are intended for light rather than outlook whilst the first floor window serves as a secondary window, a degree of separation between the sites would still remain and given the location of the windows on the flank of the property, these are relying of levels of outlook across land outside its ownership. Therefore, whilst there would be a degree of impact on outlook from the side windows, for the reasons stated above this is not considered to result in adverse loss of amenity to warrant refusal of planning permission (especially when considering the highly urban setting)

- 7.3.56 In relation to the impact of noise from the rear service area of the hotel the only vehicle of note would be the refuse vehicle which already services the properties along this part of Crown Lane. The proposed bin stores, bike stores and 2 disabled parking bays would be provided adjacent to the rear access road which is in use by other businesses on this parade. The facilities ancillary with the use of the hotel would be primarily located to the flank of this neighbouring property and separated by the access road. Given the limited uses of these areas, it is

considered that there would be no adverse disturbance caused to this neighbouring property.

- 7.3.57 The sun and day light report states there would be three windows that do not achieve the BRE guidelines but these are secondary high-level windows in the flank elevation, close to the site boundary. All other windows comply with the BRE guidelines. Therefore, whilst secondary windows fail the BRE guidelines, the rooms it serves are well lit by their main source from either the front or back opening, ensuring that adequate light levels are retained to ensure that there would be no undue loss of amenity.

2B & 2C Windermere Avenue

- 7.3.58 Originally recorded as r/o 34 Crown Lane this is a two-storey building in residential use that has been subdivided into two flats apparently without the benefit of planning permission. The ground floor unit has two windows facing the site (the rearmost one experiences overshadowing from the existing arrangements on site) the upper unit has one centrally positioned window facing the site. Whilst officers note that there would be some visual impact from the proposed development. Given the level of separation between these neighbouring properties and the application site and the highly urban setting (town centre), it is considered that there would be no undue loss of these neighbours amenity.

2 - 6 Windermere Avenue

- 7.3.59 Located to the north of 2A Windermere Avenue, the properties are a continuation of the terrace which is orientated at a right angle to the application site. The proposed building would therefore have no undue impact light levels or outlook from the front and rear windows/doors. As set out in the sun and daylight report, the rear gardens of these neighbouring properties would see no change to sunlight levels with 67% of both rear gardens still enjoying at least 2 hrs of direct sunlight on the 21st March in both the existing and proposed situation.

1 Windermere Avenue

- 7.3.60 This property is aligned at 90 degrees to the application site but would be visible due to the nature of the oriel window on the closest corner at first floor level. The windows in the side elevation appear to serve a bathroom at first floor level and high level garage windows at ground level. There would be a good level of separation between the application site and this neighbour and consequently it is considered that the orientation of the two sites is such that the proposal would not sit directly in line of site from the habitable windows, therefore visual intrusion would be sufficiently mitigated.

3 - 5 Windermere Avenue

- 7.3.61 Located to the north of 1 Windermere Avenue, the properties are a continuation of the terrace which is orientated at a right angle to the application site. The proposed building would therefore have no undue impact on light levels or outlook from the front and rear windows/doors as has been demonstrated on the Surrounding Amenity Contour plan.

24 Crown Lane

- 7.3.62 These neighbours rear windows face towards the rear section of the application site, however given the commercial nature of this property there would be no undue loss of amenity.

26 Crown Lane

- 7.3.63 This property is used as an undertakers and is situated in the same parade as the application site. This neighbouring property has an existing part single, part two storey rear wing which extends a considerable distance to the rear of the site. The flank wall of the rear wing facing the application site has no windows and the end of the wing is well distanced away from the proposed building to ensure that there would be undue impact in terms of outlook and light.

16 Crown Lane

- 7.3.64 This neighbouring property is within a commercial use, therefore there would be no undue loss of amenity.

12 &14 Crown Lane

- 7.3.65 Both units are commercial at ground floor level and are in residential use at first floor. The rear facing windows are also north facing. Therefore, it is considered that given the oblique angling towards the rear of the application site, combined with the level of separation, there would be no undue loss of amenity.

Crown Lane (1-10 Crown Parade)

- 7.3.66 Located to the south of the application site, the buildings opposite the site are commercial use at ground floor level with Council offices above. Given the commercial nature of the uses, there would be no undue loss of amenity.

Noise and disturbance

- 7.3.67 The hotel would be orientated towards the town centre and the principal routes of access from the underground station and bus routes. There would be no shortcut route and therefore the main access would be via the busy commercially orientated Crown Lane. It can be reasonably anticipated that foot traffic from and along residential neighbourhoods would be minimal. With no function rooms as part of the proposal, any source of noise would be from the hotel rooms and ground floor restaurant/bar. The applicant has stated that the primary use of the ground restaurant/bar would be for use of guests but would also be open to the public. With such uses, a degree of noise would be generated from coming and going and noise from within the unit. In this instance, the use is confined to the ground floor only with no external amenity space being proposed. The site is located in a town centre location which provides the best environment for such uses. Planning conditions relating to opening hours and separate control within the Council (licencing) can limit any impact on surrounding residential properties.
- 7.3.68 The use of the building as a hotel would also generate some noise and disturbance on the surroundings, however it is not expected that the use would generate large numbers of persons all arriving or leaving the building together at anyone time to justify refusal of planning permission, especially given the town

centre location and other background noise. Given the location of the site and routes towards public transport infrastructure, any persons traveling to and from the site would generally travel along the high streets and avoid adjacent residential streets, thus reducing any potential impact.

- 7.3.69 The proposed plant for the hotel would be located on the roof at 4th floor level. The proposed plant would be well distanced away from surrounding residential properties to ensure that there would be no undue loss of amenity. The hotel rooms would not have openable windows or balconies and therefore limited potential for noise emissions. Noise from plant has been assessed by the Council's Environmental health Officer who has raised no objection and has recommended conditions to restrict any noise emissions.

Conclusion on impact on neighbouring amenity

- 7.3.70 The supporting documentation demonstrates that any shadows and overshadowing fall within the acceptable allowances set out within BRE Guidance whilst through a combination of the distances involved and the use of privacy tools such as louvres it is considered that sufficient measures would be in place to protect neighbour privacy. The position of the proposed hotel in relation to residential neighbours and Morden Town centre is such that it is considered that impacts of noise and disturbance on amenity would not form robust grounds for refusal.

7.4 Site security

- 7.4.71 Developments should provide a safe and secure environment for residents and visitors and any application should take account of Safer by Design principles. The applicant heeded the pre application advice to liaise with Metropolitan Police SBD officers for advice prior to submitting an application to the Council to ensure the development will provide a safe and secure environment for occupiers. Consequently, discussions were held with PC Neal Micklewright, Designing Out Crime Officer, at the London Safety Centre to ensure the Safer by Design principles were met.
- 7.4.72 The officer made a number of recommendations and the applicants response to each is in italics;
- Consideration to the ground floor layout in particular, the bar area in relation to the main entrance - *Relocation of the bar to increase separation distances to the main entrance.*
 - Consider lift access requirements. - *The lifts would controlled by key card access.*
 - Recommend doorways rated to LPS1175 standard to prevent unauthorised entry. - *All entrance doorways to meet the advised standard.*
 - Ensure street level planting does not block surveillance. In addition planting can attract litter and antisocial behaviour. - *The landscaping layout has been re-considered in line with the SBD principles whilst also providing an element of soft landscaping to soften the building, in accordance with the DRP comments.*

- Controlled side door access onto Crown Lane to avoid unauthorised public access. - *Incorporated into the plans.*
- To consider installing gate to main access. - *A sliding gate has been incorporated into the plans.*
- Consider security of the undercroft area to avoid rough sleeping. - *The undercroft area to the rear of the site is now enclosed and monitored by CCTV.*
- Bike storage to be secured. - *The cycle parking area to the rear of the site is now secure and CCTV would be incorporated.*
- Applicant/ operator to be aware of hiring protocol and vetting procedures. - *The hotel operator would abide by standard hiring protocol and vetting procedures.*

7.4.73 There have been objections to the proposals on the grounds that a hotel would be a centre for anti-social behaviour but officers are unaware of this being an issue at any other hotel in the borough and there is no realistic reason to anticipate that this would be an issue with this proposal. Additionally, with the increasing importance of a favourable on-line presence and good reviews it would not be in an operators interest to tolerate anti-social behaviour at their site.

7.5 Transport, Parking and servicing

7.5.1 Policy T6 of the London Plan states that the Mayor will support developments, which generate high levels of trips at locations with high levels of public transport accessibility and which improves the capacity and accessibility of public transport, walking and cycling. At a local level Policy CS.19 of the Core Planning Strategy states that the Council will ensure that proposals do not have an adverse effect on transport within the vicinity of the site. Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle parking.

Context

7.5.2 The A24 Crown Lane is a single carriageway road subject to a 30mph speed limit, that operates two lanes of traffic in an eastbound direction adjacent to the site. It forms the northern side of a three-sided gyratory around Merton Civic Centre, with all three sides forming part of the A24. Crown Lane, and all three sides of the gyratory, are part of the TfL Red Route network. Stopping on Crown Lane is prohibited between 07:00 and 19:00, Monday to Saturday, except within marked bays.

Car Parking

7.5.3 Core Strategy Policy CS 20 requires proposals not to have a negative impact in terms of parking, pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. London Plan policy T6.4 relates specifically to hotel parking and states:

‘Hotel and leisure uses should be located in accessible locations to encourage walking, cycling and public transport use’ and that ‘locations

of PTAL 4-6, any on-site provision should be limited to operational needs, disabled persons parking and parking required for taxis, coaches and deliveries or servicing’.

7.5.4 There have been concerns raised by objectors in relation to additional parking and traffic issues relating to the proposed uses. The proposals would only provide two dedicated disabled car parking spaces. No other general car parking would be provided onsite. The site is situated within an area with the second best possible PTAL rating of 6a being 100m from the Northern Line tube station and a number of bus routes as well as being within relatively easy walking distance of two mainline train stations and two tram stops. Given the excellent public transport infrastructure close to the application site, visitors are likely to use sustainable modes of transport, particularly given that no onsite car parking is available (apart from 2 disabled spaces) and the surrounding area is controlled by parking zones. In addition, hotel booking sites make it clear if any parking is available either on site or in the locality and there are public car parks nearby if guests did not want to avail themselves of public transport.

7.5.5 The car free approach is considered to be inline with planning policy and sustainable transport initiatives. Additional car movements and impact on surrounding street car parking is therefore considered to be fairly low given no general parking is provided onsite and surround roads are within controls parking zones.

7.5.6 Consequently, there are not considered to be any grounds upon which parking would form a robust reason for refusal of the application.

Cycle parking

7.5.7 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.

7.5.8 London Plan policy T5 states that for hotels there should be a provision of one bicycle space for staff for every twenty bedrooms and therefore as the figures are rounded up there should be five spaces provided. For hotel guests the ratio is one space for every fifty rooms and therefore a minimum of two spaces should be provided or them.

7.5.9 As set out in the accompanying Transport Statement it is proposed that the development will provide seven long-stay cycle parking spaces to the rear of the site, in the form of three two-tier stands (providing six spaces), and one space provided for a larger cycle. These would be available for use by staff. One Sheffield stand (providing two spaces) would also be provided to accommodate short-stay cycle parking for hotel guests at the front of the site where the existing open cycle parking area is.

Servicing and deliveries

7.5.10 Policy CS20 of Merton’s Core Planning Strategy states that the Council will require developments to incorporate safe access to and from the public highway as well as on-site parking and manoeuvring for emergency vehicles, refuse storage and collection, and for service and delivery vehicles.

7.5.11 At pre application stage the applicant engaged in discussions with Transport for London who are responsible for Crown Lane as well as Council Officers and as a result a Delivery and Servicing Plan was submitted with the application. The report for this plan states that it is anticipated that using delivery vehicles between 10 am and 13m in length there would be the following regular deliveries weekly;

- Approx 6x linen deliveries.
- Approx 3x food supply/other consumables deliveries
- 1x alcohol delivery
- Approx 3x refuse and recycling collections

7.5.12 Given the constraints of the site, it is not physically possible to accommodate an on-site loading bay without requiring a large proportion of the site for vehicle manoeuvring. On Crown Lane, adjacent to the western corner of the site, bays are provided on both sides of the carriageway. The southern side of the carriageway includes two disabled bays with no time restrictions, along with a 29m parking bay with a 30-minute restriction. The northern side of the carriageway includes a 23m layby which permits disabled parking for up to 3 hours, or loading for up to 20 minutes, and a 16m layby which permits parking for up to 30 minutes. All of these restrictions are enforced during the same time frames as the red route restrictions (07:00 to 19:00, Monday to Saturday). The Transport Statement report also identifies that an existing loading bay is provided on Crown Lane, adjacent to the southwest corner of the site, which can also be used for disabled parking. Additional short-stay parking bays that can be used for loading are provided immediately to the west of this loading bay on Crown Lane as well as adjacent to the east of the site on Windermere Avenue.

7.5.13 The applicant has stated that the proposed hotel use is likely to result in a significantly reduced impact on the existing on-street loading facilities on Crown Lane compared to the currently consented use. The Councils Transport Planner has not contested this claim and raises no objection to the proposal. In any event, officers still consider that there is sufficient existing capacity to cater for the proposed demand, i.e. two vehicles per day.

7.5.14 It will be ensured that all deliveries are scheduled outside the network peak hours of 08:00-10:00 and 16:00-18:00. Servicing will also be encouraged to take place during the least busy periods of the day, i.e. not during peak hours. Delivery companies would be advised of the current on-street loading opportunities and restrictions with servicing vehicles for items such as linen and food deliveries would utilise the existing loading bays in front of and close to the site on Crown Lane. Refuse vehicles would, in agreement with TfL, continue to service the site from the rear on Windermere Avenue. Suppliers will be requested to use low or zero emission modes of transport.

Refuse and recycling

7.5.15 The refuse stores for the hotel would be located at the rear of the site within a dedicated refuse store designed to facilitate the provision of the required refuse and recycling containers for a development of this size. The store can be accessed from Windermere Avenue with the refuse wagon being able to reverse onto the site so that it can exit in forward gear. The Councils waste officer has

raised no objections to the proposed arrangement.

Trip Generation

7.5.16 Given that very limited car parking is provided onsite, the number of private vehicles traveling to and from the site is considered to be limited. The application was accompanied by a transport statement which included a trip generation assessment across various forms of transport. The report states that:

‘the proposed hotel is anticipated to generate a low number of trips across all modes. It is estimated that the development will generate 16 trips in the AM peak and 13 trips in the PM peak on London buses, while the London underground is anticipated to see approximately 10 and 8 trips generated in the AM and PM peaks respectively’.

7.5.17 Even if the numbers using the tube were to be higher than the 21% forecast and all residents used the tube, one train leaves Morden every two minutes and it would be anticipated that a maximum 170 extra passengers could be readily accommodated on board.

7.5.18 The proposals are therefore not considered to cause an unacceptable impact on local transport provision.

Travel plan

7.5.19 The application was accompanied by a Travel Plan Statement. The Travel Plan Statement is primarily directed at ensuring that staff and guests at the site are aware of the travel choices available to them. Given the development is car free it also seeks to give encouragement to use active modes of transport by providing information on travel choices. The requirements of the travel plan and its monitoring can be secured via a S106 agreement.

Construction of Development

7.5.20 The site location is at the junction of a busy TfL red route road with a residential road with limited parking and therefore consideration must be given to how any development will impact the road network during the construction process. London Plan policy T7 Deliveries, servicing and construction addresses these issues and states that Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.

7.5.21 The applicant has submitted an outline Construction Logistics Plan. It was compiled in accordance with the Transport for London (TfL) Construction Logistics Plan Guidance for Developers and following feedback in Pre-application discussions with LBM and TfL. The outline CLP sets out a number of objectives to;

- Ensure safety adjacent to the site along Crown Lane and Windermere Avenue, including employing traffic marshals to ensure the safety of pedestrians and cyclists adjacent to the site;
- Reduce the number of construction vehicles to the site particularly during peak periods - Reduced vehicle trips overall associated with the

construction of the development, especially in peak periods through measures such as the staff travel plan, scheduling deliveries outside peak hours and the re-use of materials; and

- Ensure construction vehicles utilise strategic roads for routing purposes.

7.5.22 The proposed construction access and loading strategy would have limited impact on the Crown Lane section of the red route, with all loading and unloading activities associated with the construction of the scheme proposed within the site or on Windermere Avenue. However, integration with the Crown Lane frontage of the site would be considered during all stages of the demolition and construction of the development. Some of the parking bays on Windermere Avenue that form part of the red route will be suspended for periods of the demolition and construction phases, which is explored in more detail in the CLP. TfL confirmed that this would be the most appropriate location for loading activities during the construction phase.

7.5.23 Construction vehicles would stick to the main roads approaching the site rather than local residential roads.

7.5.24 During the construction phase, given the constrained nature of the site, it is not possible for construction vehicles to enter the site. Therefore, it is proposed that 13.6m of the on-street parking provision (approximately three spaces) on the west side of Windermere Avenue are suspended during the construction phase, with a temporary construction loading bay implemented on-street. On arrival at the site, construction vehicles would reverse into the access track and then enter the proposed on-street loading bay in a forward gear. Construction vehicles would then be able to depart the loading bay in a forward gear routing southbound on Windermere Avenue.

7.5.25 It should be noted that as a construction contractor has not been appointed a full Construction Logistics Plan would need to be commissioned, submitted and approved at a later date. This can be controlled via a suitable planning conditions requiring further details once known.

Conclusion of transport matters

7.5.26 The applicants undertook pre application discussions with TfL and the results of that work have been incorporated into the scheme currently before members. Servicing of the development can occur using the existing servicing bays in front of the site with refuse collections taking place at the rear. The location of the site within very close proximity to excellent public transport connections combined with its largely car free nature means that the proposals are not considered to have such an impact on transport infrastructure as to make the proposals unacceptable.

7.6 Biodiversity

7.6.27 Policy G6 of the London Plan sets out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain.

7.6.28 Whilst the site appears to have no biodiversity assets given that it is either covered with buildings or is a hard surface car parking, it was identified in the accompanying Preliminary Ecological Appraisal (PEA) that at the rear of the

buildings, adjacent to Windermere Avenue the site supported some species. The site investigation offered no evidence of roosting bats, nesting birds or mammals such as hedgehogs.

7.6.29 The scheme includes providing two sources of greening, the large planters to the front and those inside the ground floor along with sections of living wall on the frontage. On the roof there would be blue/green roof that would be utilised to absorb and slowly release rainwater whilst providing a grass based environment for biodiversity in an area that would be subjected to limited human involvement being located on the roofs. The PEA recommends the use of Schwegler brick nest boxes which can be inserted in to the walls, along with Schwegler Sparrow Terraces and the use and blue and green roofs suitably planted with wildflowers.

7.6.30 Recommendations for enhancements have been made within the report, aimed at improving the ecological value of the site and providing a net gain in biodiversity post-development and a condition requiring the development be completed in accordance with the recommendation in the PEA is recommended.

7.6.31 Overall, biodiversity on the site would be improved and there would be an overall biodiversity net gain.

7.7 Urban Greening Factor

7.7.32 In accordance with the green infrastructure Development Plan policies, any planning application for this 'predominantly commercial' development will have to demonstrate the inclusion of appropriate urban greening measures to achieve an Urban Greening Factor score of 0.3 and to demonstrate that the proposals will result in biodiversity gains. The application was accompanied by an Urban Greening Factor Calculation plan that showed that through the use of extensive blue roofs and permeable paving there would be a resultant UGF of 0.53 which would exceed the policy requirement.

7.7.33 In order to mitigate any potential environmental impacts from the construction process the applicants submitted a Construction Environmental Management Plan compiled by NRG Consulting and dated September 2023. This outlines proposals for the management of the process and covers such topics as

- General Site Waste Management
- Waste Stream and Disposal
- Control of Dust and Emissions Methodology
- Sensitivity of Surrounding Environment
- Overall Dust Risks
- Dust, PM10, and NOx Emissions Control Measures
- PM10 Compliant Site Monitoring Procedures and Protocols
- Construction Noise Assessment
- Noise Monitoring
- Construction Vibration Assessment
- NRMM and NRMM Registration

7.8 Sustainable design and construction

- 7.8.34 The London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO2 emissions.
- 7.8.35 The application was accompanied by a Sustainability and Energy Statement, a Ventilation strategy and a BREEAM Report.
- 7.8.36 The Sustainability and Energy Statement identifies that the main (58.12%) energy use of the development would be in the production of hot water for the guest rooms. A number of different energy sources have been considered with Photo voltaic panels being the only suitable form of alternative energy provision.
- 7.8.37 The applicant has undertaken protracted discussions with the Council's climate change team on the scheme who recognise that the nature of a hotel operation is such that it can be difficult to align that operation with overly rigid and prescriptive criteria. The Council's Climate Change Officer was satisfied with the proposals and noted that the applicant is also proposing good fabric standards which go beyond the Part L 2021 notional and Mechanical Ventilation with Heat Recovery which all contribute to more savings through energy efficiency. Relevant conditions have been recommended and a carbon offset contribution figure of £81,058 has been derived.

7.9 Fire Safety

- 7.9.1 Planning Policy D12 (Fire safety) of the of the London Plan 2021 highlights that fire safety of developments should be considered from the outset. How a building will function in terms of fire, emergency evacuation, and the safety of all users should be considered at the earliest possible stage to ensure the most successful outcomes are achieved, creating developments that are safe and that Londoners can have confidence living in and using.
- 7.9.2 All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function. The application is accompanied by a detailed Preliminary RIBA Stage 2 Fire Strategy by Orion Fire Engineering Ltd, which sets out that the building has been designed and constructed in accordance with relevant fire safety standards and regulations and includes features such as
- Each upper floor is served by either of two protected staircases, a Category L1 fire alarm and detection system to BS5839-1.
 - one evacuation lift is to be provided in the lift core, designed and installed in accordance with BS EN 81-76
 - Disabled refuges will be located in each of the protected staircases serving the upper floors, as well as the lift lobby
 - Automatic fire detectors installed in all rooms and areas of the building,

detectors within escape routes with smoke detectors, multi-sensor detectors conforming to the fire sensitivity requirements of BS EN 54-7 or a mixture of smoke and combustion gas detectors.

- Manual Call Points (MCPs) located on escape routes
- The majority of the fire safety systems within the building will be provided with secondary power supplies via integral back-up batteries.
- Emergency lighting provided in accordance with BS 5266.
- Car Park Ventilation System

7.9.3 Matters of fire safety would also be controlled by the Building Regulations. However, the submission demonstrates that matters of fire safety have been taken into account in the design and provides a satisfactory level of assurance that measures of fire safety will be addressed.

7.10 Air quality

7.10.4 The site is located adjacent to a very busy road within an Air Quality Management Area (AQMA) and in an Air Quality Focus Area (AQFA), which are declared due to existing poor air quality. New developments should be designed so as to reduce the risk to the health of future occupiers. In addition to Merton policy DM EP 4 on air pollution London Plan 2021 Policy SI1 - Improving air quality, sets out:

B.1. Development proposals should not: c) create unacceptable risk of high levels of exposure to poor air quality.

B.2. In order to meet the requirements in Part 1 as a minimum: a) development proposals must be at least Air Quality Neutral b) development proposals should 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.

7.10.5 In line with the London Plan and Merton's Local Plan the Council requires all new developments to be at least 'air quality neutral'. In addition, an Air Quality Neutral Assessment should be carried out in line with Greater London Authority (GLA) guidance. The application was accompanied by an amended Air Quality Assessment Report and a Construction Environmental Management Plan. Based on that information the Council's Environmental Health Officer has raised no objections subject to conditions including a detailed Air Quality Dust Management Plan and restrictions on Non-Road Mobile Machinery emissions being imposed.

7.11 Flood risk and drainage,

7.11.6 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.

- 7.11.7 The site is located within Flood Zone 1 which confirms that there is a low probability of flooding, but the application was submitted with a Flood Risk Assessment and SuDS Strategy. This has been assessed by the Council's Flood Risk Engineers who raised no objection to the proposals subject to the imposition of relevant conditions.

7.12 Site contamination

- 7.12.8 Although the site is in commercial use there appears to be no evidence it was ever used for any purpose that would cause any increased risk of land contamination although historical potential sites/sources of contamination were identified in the Preliminary Risk Assessment that accompanied the application. These have been subject to a risk estimation matrix assessment which indicates a moderate to low risk with low to unlikely probability of impacts.
- 7.12.9 The report does note that the demolition of the existing buildings may involve contact with asbestos and therefore a condition relating to potential contamination being discovered and appropriately dealt with is recommended.

7.13 Archaeology

- 7.13.10 The application was accompanied by an Archaeological Desk Based Assessment that identified that the site lies within the Tier II Stane Street (DLO37963) Archaeological Priority Area as designated by the London Borough of Merton. This Archaeological Priority Area relates to the route of the Roman Road, Stane Street and its periphery. Stane Street ran from London to Chichester. This Archaeological Priority Area has been classified as Tier II because it is a corridor of land flanking the route of a Roman road with the potential to reveal elements of the road itself or of roadside activity and settlement.
- 7.13.11 Due to its location within an Archaeological Priority Zone the application has to be assessed in relation to London Plan policy HC 1 and SPP policy DM D4 which require that developments do not have a harmful impact on heritage assets. The application and the assessment were looked at by Historic England who considered that the proposal could harm archaeological remains and that a field evaluation was needed. The Historic England Officer recommended that a two stage condition could offer suitable safeguarding and protection of the historic assets.

8. ENVIRONMENTAL IMPACT ASSESSMENT

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

9. LOCAL FINANCE CONSIDERATIONS

- 9.1.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration

as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Merton CIL are therefore material considerations.

- 9.1.2 On initial assessment this development is considered liable for the Mayoral and Merton CIL.

10. CONCLUSION

- 10.1.1 The site is located within Morden Town Centre and adjacent to the designated regeneration area which has yet to see any meaningful regeneration development undertaken. The principle of the development to provide a new hotel use with ground floor restaurant is supported by officers, by bringing employment opportunities to the area, supporting the town centre function and supporting the planned regeneration of Morden.
- 10.1.2 The design of the building is considered to be good quality, offering a good standard of accommodation for future guest of the hotel and visitors using the ground floor restaurant. Whilst officers acknowledge that the building would be a noticeable increase in building height, officers consider that the design is optimising the potential of the site whilst respecting the context of the different street frontages, with increased height being directed onto the more commercial street setting and a stepped reduction in height towards the more low rise suburban housing at the rear of the site. The design of the building has also considered impact on neighbouring properties, with officers content that there would be no adverse impact to warrant refusal of planning permission.
- 10.1.3 Given the location of the site in an area of excellent public transport infrastructure, with the exception of 2 disable bays, the development would be a car free development which includes on and off site cycle facilities, whereby promoting sustainable forms of transport to and from the site. Impact on the existing highway network and adjoining streets is considered to be modest given the car free nature of the proposal and existing parking restrictions in the local area. The proposal can be adequately serviced from the existing service bays on Crown Lane and refuse collection can take place from the rear of the site. Both TFL and the Councils Transport Planner have confirmed no objection to the proposed development.
- 10.1.4 The accompanying microclimate report demonstrates that it would not create a hazard to pedestrians and cyclists due to wind tunnel effects. All other planning consideration set out in the report above are considered to be acceptable, with internal and external consultees confirming no objection to their subject areas subject to planning conditions.
- 10.1.5 Officers consider that the proposal is acceptable in planning terms, subject to conditions and a legal agreement and therefore the recommendation is for approval.

11. RECOMMENDATION

- 11.1.1 GRANT planning permission subject to conditions and s106 agreement securing the following:

- Carbon offsetting contribution £81,058
- Travel Plan
- Monitoring the travel plan over five years - A sum of £2,000 (two thousand pounds) is sought.
- Provision of Tactile Paving at the junction of Mostyn Road and Martin Way
- The applicant covering the Council's reasonable costs of all work in drafting S106 and monitoring the obligations.

And the following conditions:

1. Commencement - 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. Approved Plans - Built to plans, Site location plan and drawings 0100 Rev 12, 0101 Rev 12, 0102 Rev 11, 0103 Rev 11, 0104 Rev 12, 0105 Rev 10, 0106 Rev 10, 0107 Rev 08, 0200 Rev 11, 0201 Rev 09, 0202 Rev 06, 0203 Rev 08, 0210 Rev 07 & 0400 Rev 03.

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

3. Materials to be submitted - Prior to commencement of above ground works, full details and samples of all materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Details must include a detailed schedule of materials, physical examples of materials from the manufacturer where appropriate, a photographic sample board, sample panels where appropriate and notwithstanding the submitted drawings, rendered drawings, elevations and sections at a scale of 1:20, showing details of window reveals, glazing type, framing, glazing bars, cills, soffits and brickwork detailing. The development shall be carried out only in accordance with the agreed details.

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. Surfacing - Prior to the commencement of above ground works, details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft shall be submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

5. Working Method Statement - 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) Wheel cleaning facilities
- (v) Control of dust, smell and other effluvia;
- (vi) 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.

6. Demolition and Construction Logistics Plan - Prior to the commencement of the development hereby permitted, a Demolition and Construction Logistics Plan (including a construction management plan in accordance with TfL guidance) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 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.

7. 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 manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policies GG3 and SI1, and NPPF 181.

8. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any external plant/machinery across the site shall not exceed LA90-10dB at the boundary with the closest residential property.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies D4 and D14 of the London Plan 2021 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

9. External lighting - Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary and in accordance with Institution of Lighting Professionals, The Reduction of Obtrusive Light Guidance Note 01/21.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

10. Air Quality - The development hereby approved shall be undertaken in accordance with the details submitted within the Air Quality Assessment report (Ref.: PP1994/CL/AQA/202309-EC) dated September 2023 and produced by NRG Consulting.

Reason: To safeguard the amenities of the area and protect air quality and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

11. Air Quality Dust Management Plan - The development hereby approved shall not commence until a detailed Air Quality Dust Management Plan has been submitted to and approved in writing by the Local Planning authority and the works shall be undertaken in accordance with those approved details and those in the submitted Construction Environmental Management Plan (Ref.: PP1994/CL/CEMP/202309-EC)

Reason: To safeguard the amenities of the area and protect air quality and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

12. WSI: No development, excluding demolition, shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to provide the opportunity to record the history of the site and to comply with the following Development Plan policies for Merton: policy HC1 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D4 of Merton's Sites and Policies Plan 2014.

13. Refuse & Recycling (Implementation) - 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.

14. No Use of Flat Roof - Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: 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.

15. Fire Strategy – The development shall be carried out in accordance with the provisions of the Preliminary RIBA Stage 2 Fire Strategy by Orion Fire Engineering Ltd and must fully comply with The Building Regulation 2010 (as amended) unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

16. Cycle Parking to be implemented - 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. Personally not keen on the cycle railings on the pavement

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.

17. Drainage - Prior to the commencement of development, a construction level detail scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS). The scheme will be required to discharge at the agreed run-off rate of no more than 1 l/s and no less than 8.7m³ of attenuation, in accordance with drainage hierarchy contained within the London Plan Policies SI12 and SI13 and the advice contained within the National SuDS Standards.

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 SI 12 & 13.

18. Contamination

a) No development shall occur until:

i) a preliminary risk-assessment is shall be submitted to and approved in writing by the local planning authority. Asking Gavin if this part of it is needed as they have submitted already

ii) a site-investigation has been conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority.

iii) 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.

b) 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.

19. Safer by Design - 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 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: Chapters 01B & 01C Merton New Local Plan, Policy D11 London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF).

20. Secured by Design final certificate - Prior to occupation a Secured by Design final certificate or its equivalent from the South West Designing Out Crime office 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 provide a safer environment for future residents and visitors to the site and reduce the fear of crime in accordance with Policy: Chapters 01B & 01C Merton New Local Plan, Policy D11 London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF). The inclusion of any such conditions would assist to reassure local residents and police that security is a material consideration of the developer

21. Air Quality Dust Management Plan

1. Prior to the commencement of development, including demolition, a detailed Dust Management Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP 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 in accordance with Merton Sites and Policies Plan 2014 policy DM EP4.

22. CEMP: The development hereby approved shall be undertaken in accordance with the submitted Construction Environmental Management Plan compiled by NRG Consulting and these details shall be complied with throughout the duration of the project unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not raise local environment

impacts and pollution in accordance with Merton Sites and Policies Plan 2014 policy DM EP4.

23. Living green wall: Full details of the proposed living green wall systems and associated method of irrigation shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is the sooner. Details shall include on a plan, full details of the size, species, quantities and location of the proposed plants.

Reason: To protect and enhance the biodiversity of the development in the interest of nature conservation and to comply with the following Development Plan policies for Merton: policies G5 and G6 of the London Plan 2021; policy CS13 of Merton's Core Planning Strategy 2011 and policy DM02 of Merton's Sites and Policies Plan 2014.

24. Biodiverse Green Roof: Details of the proposed design, construction and layout of the green roof shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the size, species and quantities of the proposed species rich grassland habitat plants. The green roof shall be maintained, with replacement planting for any plants that become damaged, diseased or dying with others of the same specification, for the duration of the development hereby permitted.

Reason: To protect and enhance the biodiversity of the development in the interest of nature conservation and to comply with the following Development Plan policies for Merton: policies G5 and G6 of the London Plan 2021; policy CS13 of Merton's Core Planning Strategy 2011 and policy DM02 of Merton's Sites and Policies Plan 2014.

25. Schwegler Sparrow Terrace: 6no. Schwegler Sparrow Terrace blocks shall be inserted into the western wall structure of the development, just below roof level. The blocks shall be maintained for the duration of the development.

Reason: To enhance the biodiversity of the development in the interest of nature conservation etc.,

26. Landscape Management Plan: Prior to the occupation of the development a landscape management plan including long term design objectives, management, responsibilities and maintenance schedules for all landscaped areas, including the living green wall, biodiverse green roof and the Schwegler Sparrow Terrace, shall be submitted to and approved by the Local Planning Authority. The development shall be undertaken in accordance with those approved measures unless otherwise agreed in writing by the LPA.

Reason - ; To minimise impacts on and providing net gains for biodiversity from any new proposed development in accordance with Paragraph 174 of the National Planning Policy Framework

27. District Heat Networks – London Heat Networks Manual - 'No development shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority evidence demonstrating that the development has been designed to enable connection of the site to an

existing or future district heating network, in accordance with the Technical Standards of the London Heat Network Manual (2021).'

Reason: To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic), and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating, in accordance with London Plan policies SI2 and SI3.

28. Heat Pump System - No development shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority, details of the proposed heat pump system in line with climate change comments sent to the Applicant on 15th November 2023.

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 SI2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

29. Non-residential CO2 reductions - 'Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence demonstrating that the development has achieved CO2 reductions in accordance with those outlined in the sustainability and energy statement (dated 5th January 2024), has been submitted to and acknowledged in writing by the Local Planning Authority.'

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

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

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

31. 'BE SEEN' ENERGY MONITORING –

a) Prior to each Building being occupied, the Owner shall provide updated accurate and verified 'as-built' design estimates of the 'Be Seen' energy performance indicators for each Reportable Unit of the development, as per the methodology outlined in the 'As-built stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' as-built stage reporting webform (<https://www.london.gov.uk/what->

wedo/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance). The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in the 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it).

b) Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development as per the methodology outlined in the 'In-use stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' in-use stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-londonplan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). This obligation will be satisfied after the Owner has reported on all relevant indicators included in the 'In-use stage' chapter of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it) for at least five years.

c) In the event that the 'In-use stage' evidence submitted under Clause b) shows that the 'As-built stage' performance estimates derived from Clause a) have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause b) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.

32. Urban greening - The development hereby permitted shall not be occupied until the Urban Greening factors set out in drawing Urban Greening Factor Rev 01 (dated 23/06/2023) have been fully implemented and shall be permanently maintained as such thereafter to the satisfaction of the Local Planning Authority.

33. Parking - The vehicle parking area shown on the approved plans shall be provided before the commencement of the buildings or use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy T6.4 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

34. EV Charging: prior to occupation of the development the two disabled vehicle parking bays hereby approved shall be fitted with electric charging facilities and shall be retained in full working order at all times thereafter.

Reason; to facilitate the provision of infrastructure for the use of Electric vehicles to reduce carbon emissions in accordance with London Plan 2021 policy T2.

35. Gates opening over highway The doors of the gates hereby approved shall not open over the adjacent highway.

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

36. Hardstanding All areas of hardstanding shall be constructed of porous materials or incorporate features to ensure that any water drains within the confines of the site:

Reason to reduce the risk of surface water flooding on accordance with Merton Sites and Policies Plan policy DM F1

37. Louvres Prior to occupation of the development hereby approved details of the design and materials for the privacy louvres shall be submitted to and approved in writing by the Local Planning authority and shall installed and maintained in perpetuity in accordance with those approved details unless otherwise agreed in writing by the LPA.

Reason: To ensure a suitable standard of design and to protect the amenity of local residents in accordance with Policy DM D2 of the Merton Sites and Policies Plan 2011.

38. Removal of advertisement Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the development hereby approved shall not benefit from Deemed Advertising Consent and the display of any advertisements shall require prior Express Advertising Consent

Reason: To ensure a suitable standard of design and appearance and to protect the amenity of local residents in accordance with Policies DM D2 and DM D5 of the Merton Sites and Policies Plan 2011

39. Removal of PD (Use of Premises) –

40. Hours of operation (ground floor restaurant/bar) -

41. Restriction on Music/Amplified Sound - No music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent residential building.

Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policies D4 and D14 of the London Plan 2021, policy CS7 of Merton's Core

Informatives:

42. 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.
43. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Definitions

“Defects Liability Period” means such period of time following Practical Completion of a Building in which a contractor may remedy defects as may be included in the building contract for the relevant Building;

“Reportable Unit” means a Reportable Unit (Energy Centre), Reportable Unit (Residential) or Reportable Unit (Non-Residential);

“Reportable Unit (Energy Centre)” means either a connection to a third-party District Heating Network, a self-contained Energy Centre serving multiple residential/non-residential properties (within the Site) or a self-contained energy system serving multiple residential properties (within a Block or Building);

“Reportable Unit (Residential)” means an individual Block or Building of five or more flats or a group of five or more houses;

“Reportable Unit (Non-Residential)” means a Building with a single occupier/tenant (including block of flats' communal areas) or a Building with multiple tenants.

44. 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/current legislation/partywallact](http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/current%20legislation/partywallact)

45. Details of the BREEAM assessment and a list of approved assessors can be found at www.breeam.org
46. The survey and report in respect of land contamination must be formulated having regard to the Contaminated Land Exposure Assessment model (CLEA 2002), CLR10 and associated guidance developed by DEFRA and the Environment Agency. Where appropriate the survey shall include a conceptual site model and a full risk assessment of contaminants on the site.

47. 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).
48. Demolition of buildings should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside act 1981. If bats are found, Natural England should be contacted for advice (tel: 020 7831 6922).
49. 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

50. It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
51. You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
52. Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that

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

53. Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015
54. This should include further details on the proposed heat pump system and how this will operate alongside any other communal system in line with Section 10 of the GLA's Energy Assessment Guidance.
55. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
56. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
57. 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).
58. 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.
59. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
 - Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; AND
 - A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction; ANDAND, where applicable:
 - MCS certificates and photos of all installed renewable technologies.

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

- Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; **AND**
- A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction; **AND**

AND, where applicable:

- MCS certificates and photos of all installed renewable technologies.

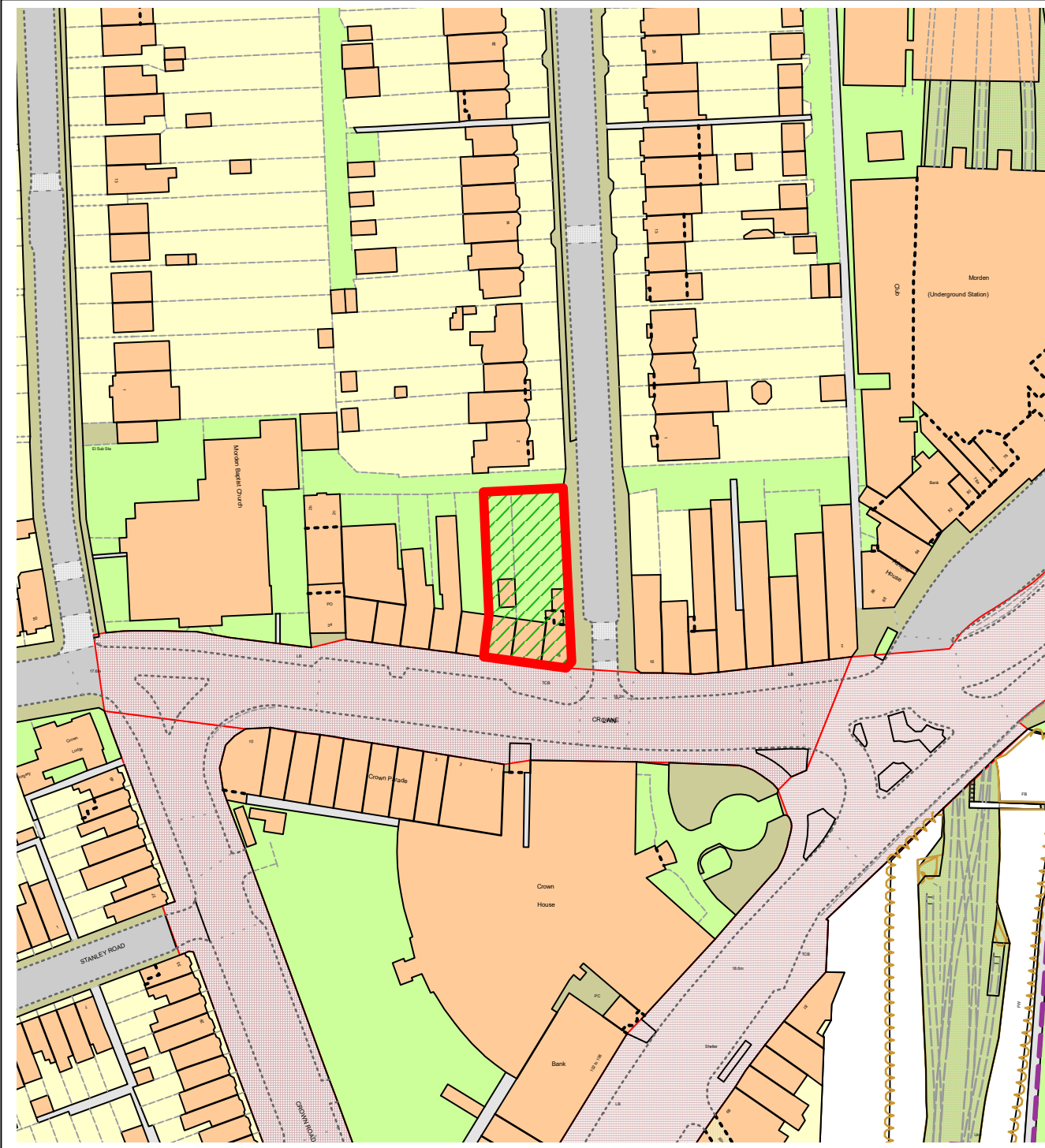
61. In accordance with paragraph 38 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:

- 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/agent was provided with pre-application advice.
- ii) 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.

NORTHGATE SE GIS Print Template



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VICTORIA BUILDINGS

HOTEL SIGNAGE

VICTORIA BUILDINGS

HOTEL

HOTEL

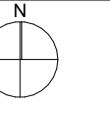
HOTEL

HOTEL

80



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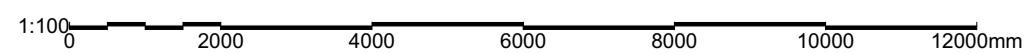
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11	WINDOW ARRANGEMENT	BH	PM	22/11/2023
10	DIMS ADDED	BH	PM	17/11/2023
09	FOR PLANNING	BH	PM	23/09/2023

CREATE
 DESIGN + ARCHITECTURE
 Wigglesworth House 69 Southwark Bridge Road London SE1 9HH
 444 207 021 0267 info@createdesign.org www.createdesign.org

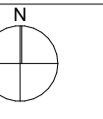
CLIENT: CAPITAL HOMES
 PROJECT: 18-22 CROWN LANE
 BUILDING ADDRESS: SM4 5BL

DRAWING NAME: PROPOSED FIRST FLOOR PLAN
 DRAWING SERIES: PROPOSED PLANNING
 CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 12 REVISION DESCRIPTION: FIRE STRATEGY - DOOR LOCATION
 PROJECT ORIGINATOR: 668 - CDA - Z1 - 01 - DR - A - 05 - 0101



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REV	DESCRIPTION	DRAWN	CHECKED	DATE
11	FIRE STRATEGY - DOOR LOCATION	BH	PM	30/11/2023
10	WINDOW ARRANGEMENT	BH	PM	22/11/2023
09	FOR PLANNING	BH	PM	23/06/2023
08	FOR DESIGN TEAM	BH	PM	17/05/2023

CREATE
DESIGN + ARCHITECTURE
Wiggleworth House 69 Southwark Bridge Road London SE1 9HH
+44 207 021 0267 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
BUILDING ADDRESS: SM4 5BL

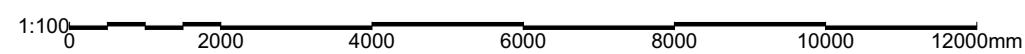
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DRAWING SERIES: PROPOSED PLANNING

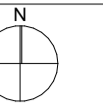
CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 11 REVISION DESCRIPTION: FIRE STRATEGY - DOOR LOCATION

PROJECT ORIGINATOR: 668 - CDA - Z1 - 02 - DR - A - 05 - 0102



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11	FIRE STRATEGY - DOOR LOCATION	BH	PM	30/11/2023
10	WINDOW ARRANGEMENT	BH	PM	22/11/2023
09	FOR PLANNING	BH	PM	23/06/2023
08	FOR DESIGN TEAM	BH	PM	17/05/2023
REV	DESCRIPTION	DRAWN	CHECKED	DATE

CREATE
 DESIGN + ARCHITECTURE
 Wigglesworth House 69 Southwark Bridge Road London SE1 9HH
 +44 207 021 0267 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE

BUILDING ADDRESS: SM4 5BL

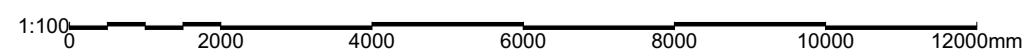
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DRAWING SERIES: PROPOSED PLANNING

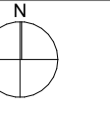
CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 11 REVISION DESCRIPTION: FIRE STRATEGY - DOOR LOCATION

PROJECT ORIGINATOR VOLUME LEVEL: 668 - CDA - Z1 - 03 - DR - A - 05 - 0103



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REV	DESCRIPTION	DRAWN	CHECKED	DATE
12	PARAPET INCREASED	BH	PM	13/02/2024
11	ACOUSTIC ENCLOSURE	BH	PM	31/01/2024
10	FIRE STRATEGY - DOOR LOCATION	BH	PM	30/11/2023
09	FOR PLANNING	BH	PM	23/06/2023

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 444 207 021 0267 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES
 PROJECT: 18-22 CROWN LANE
 BUILDING ADDRESS: SM4 5BL

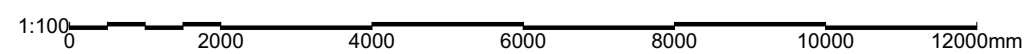
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DRAWING SERIES: PROPOSED PLANNING

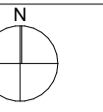
CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 12 REVISION DESCRIPTION: PARAPET INCREASED

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	CLASS	NUMBER
668	- CDA	- Z1	- 04	- DR	- A	- 05	- 0104



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REV	DESCRIPTION	DRAWN	CHECKED	DATE
10	FIRE STRATEGY - DOOR LOCATION	BH	PM	30/11/2023
09	FOR PLANNING	BH	PM	23/06/2023
08	FOR DESIGN TEAM	BH	PM	17/05/2023
07	PRE-APP ALTERATIONS	BH	PM	23/03/2023

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 DESIGN + ARCHITECTURE
 Wigglesworth House 69 Southwark Bridge Road London SE1 9HH
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CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
 BUILDING: SM4 5BL
 ADDRESS:

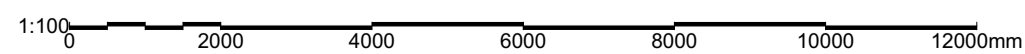
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DRAWING SERIES: PROPOSED PLANNING

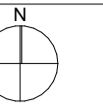
CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 10 REVISION DESCRIPTION: FIRE STRATEGY - DOOR LOCATION

PROJECT ORIGINATOR: 668 - CDA - Z1 - 05 - DR - A - 05 - 0105



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REV	DESCRIPTION	DRAWN	CHECKED	DATE
10	FIRE STRATEGY - DOOR LOCATION	BH	PM	30/11/2023
09	FOR PLANNING	BH	PM	23/06/2023
08	FOR DESIGN TEAM	BH	PM	17/05/2023
07	PRE-APP ALTERATIONS	BH	PM	23/03/2023

CREATE
 DESIGN + ARCHITECTURE
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 444 207 021 0267 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
 BUILDING: SM4 5BL
 ADDRESS:

DRAWING NAME: PROPOSED SIXTH FLOOR PLAN

DRAWING SERIES: PROPOSED PLANNING

CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

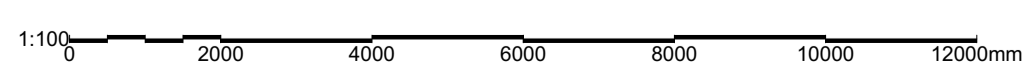
REVISION: 10 REVISION DESCRIPTION: FIRE STRATEGY - DOOR LOCATION

PROJECT ORIGINATOR: 668 - CDA - Z1 - 06 - DR - A - 05 - 0106



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- 02 Brick type 02 - Green glazed brick
- 03 Metal coping to parapet
- 04 Bronze effect cladding
- 05 Stone cladding and banding
- 06 Bronze DG Windows (non-openable) and doors
- 07 Bronze privacy louvres
- 08 Louvred doors and vents
- 09 Stone coping to parapet
- 10 Revolving entrance door
- 11 Roll up garage door
- 12 Sliding gate
- 13 Recessed brick panel
- 14 Projecting header detail
- 15 Green wall



REV	DESCRIPTION	DRAWN	CHECKED	DATE
11	PARAPET INCREASED	BH	PM	13/02/2024
10	ACOUSTIC ENCLOSURE	BH	PM	31/01/2024
09	WINDOW ARRANGEMENT	BH	PM	30/11/2023
08	WINDOW ARRANGEMENT	BH	PM	22/11/2023

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444 207 021 0257 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
BUILDING: SM4 5BL
ADDRESS: SM4 5BL

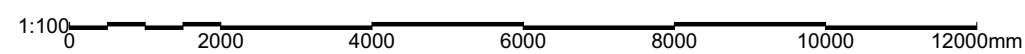
DRAWING NAME: PROPOSED EAST ELEVATION

DRAWING SERIES: PROPOSED PLANNING

CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 11 REVISION DESCRIPTION: PARAPET INCREASED

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	CLASS	NUMBER
668	- CDA	- Z1	- XX	- DR	- A	- 05	- 0200



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07	PARAPET INCREASED	BH	PM	13/02/2024
06	ACOUSTIC ENCLOSURE	BH	PM	31/01/2024
05	WINDOW ARRANGEMENT	BH	PM	30/11/2023
04	WINDOW ARRANGEMENT	BH	PM	22/11/2023
REV	DESCRIPTION	DRAWN	CHECKED	DATE

CREATE
 DESIGN + ARCHITECTURE
 Wigglesworth House 69 Southwark Bridge Road London SE1 9HH
 +44 207 021 0287 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES
 PROJECT: 18-22 CROWN LANE
 BUILDING ADDRESS: SM4 5BL

DRAWING NAME: PROPOSED EAST ELEVATION STREET

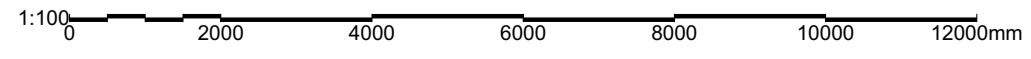
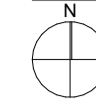
DRAWING SERIES: PROPOSED PLANNING

CDA REF: 668 SCALE(S): 1:200 ORIGINAL PAPER SIZE: A1

REVISION: 07 REVISION DESCRIPTION: PARAPET INCREASED

PROJECT ORIGINATOR VOLUME LEVEL TYPE ROLE CLASS NUMBER
 668 - CDA - Z1 - XX - DR - A - 05 - 0210

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REV	DESCRIPTION	DRAWN	CHECKED	DATE
12	FIRE STRATEGY - DOOR LOCATION	BH	PM	30/11/2023
11	FOR PLANNING	BH	PM	23/06/2023
10	FOR DESIGN TEAM	BH	PM	01/06/2023
09	FOR DESIGN TEAM	BH	PM	17/05/2023

CREATE
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Wigglesworth House 69 Southwark Bridge Road London SE1 9HH
444 207 021 0257 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES
PROJECT: 18-22 CROWN LANE
BUILDING: SM4 SBL
ADDRESS:

DRAWING NAME: PROPOSED GROUND FLOOR PLAN
DRAWING SERIES: PROPOSED PLANNING

CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION:	REVISION DESCRIPTION:
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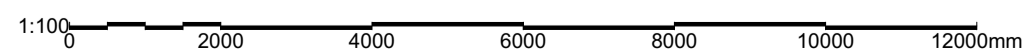
PROJECT ORIGINATOR VOLUME LEVEL FILE NAME CLASS NUMBER
668 - CDA - Z1 - 00 - DR - A - 05 - 0100

Window design altered to remove transom on elongated windows

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Page 196



03	WINDOW ARRANGEMENT	BH	PM	30/11/2023
02	WINDOW ARRANGEMENT	BH	PM	22/11/2023
01	FOR PLANNING	BH	PM	26/09/2023
REV	DESCRIPTION	DRAWN	CHECKED	DATE

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DESIGN + ARCHITECTURE
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444 207 021 0257 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
BUILDING:
ADDRESS: SM4 5BL

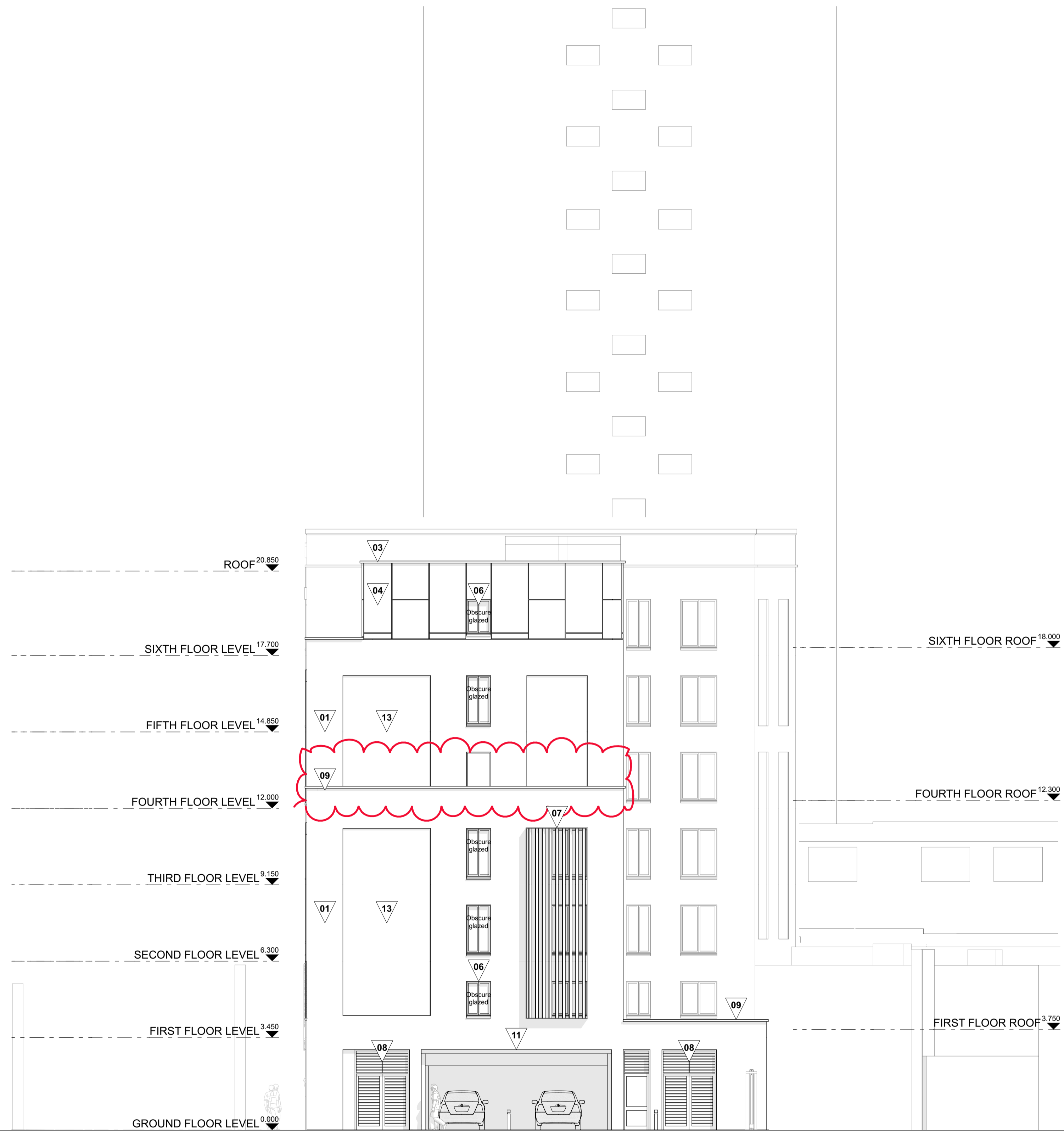
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DRAWING SERIES: PROPOSED PLANNING

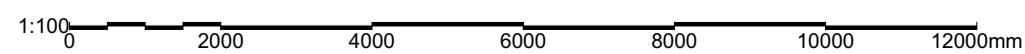
CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 03 REVISION DESCRIPTION: WINDOW ARRANGEMENT

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	CLASS	NUMBER
668	CDA	Z1	XX	DR	A	05	0400



APPLICATION SITE



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- 02 Brick type 02 - Green glazed brick
- 03 Metal coping to parapet
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- 05 Stone cladding and banding
- 06 Bronze DG Windows (non-openable) and doors
- 07 Bronze privacy louvres
- 08 Louvred doors and vents
- 09 Stone coping to parapet
- 10 Revolving entrance door
- 11 Roll up garage door
- 12 Sliding gate
- 13 Recessed brick panel
- 14 Projecting header detail
- 15 Green wall

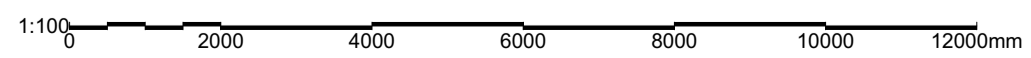
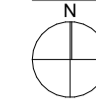
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07	ACOUSTIC ENCLOSURE	BH	PM	31/01/2024
06	WINDOW ARRANGEMENT	BH	PM	30/11/2023
05	WINDOW ARRANGEMENT	BH	PM	22/11/2023
REV	DESCRIPTION	DRAWN	CHECKED	DATE

CREATE
DESIGN + ARCHITECTURE
Wiggleworth House 69 Southwark Bridge Road London SE1 9HH
+44 207 021 0287 info@createdesign.org www.createdesign.org

CLIENT:	CAPITAL HOMES					
PROJECT:	18-22 CROWN LANE					
BUILDING ADDRESS:	SM4 5BL					
DRAWING NAME:	PROPOSED NORTH ELEVATION					
DRAWING SERIES:	PROPOSED PLANNING					
CDA REF:	SCALE(S)	ORIGINAL PAPER SIZE:				
668	1:100	A1				
REVISION:	REVISION DESCRIPTION:					
08	PARAPET INCREASED					
PROJECT ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	CLASS	NUMBER
668	- CDA	- Z1	- XX	- DR	- A	- 05 - 0203



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08	FOR PLANNING	BH	PM	23/06/2023
07	FOR DESIGN TEAM	BH	PM	17/05/2023
06	PRE-APP	BH	PM	23/03/2023
05	ALTERATIONS	BH	PM	01/09/2022
05	FOR COMMENT	BH	PM	01/09/2022
04	FOR COMMENT	BH	PM	22/08/2022
REV	DESCRIPTION	DRAWN	CHECKED	DATE

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 444 207 021 0257 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
 BUILDING: SM4 5BL
 ADDRESS: SM4 5BL

DRAWING NAME: PROPOSED ROOF PLAN

DRAWING SERIES: PROPOSED PLANNING

CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 08 REVISION DESCRIPTION: FOR PLANNING

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	CLASS	NUMBER
668	CDA	Z1	07	DR	A	05	0107



4
No. 22 No. 20 No. 18

EXISTING CYCLE PARKING STANDS

Telephone Box

RS

Bin

Broken BPav

Cycle Racks

PROPOSED NEW SHEFFIELD STAND


Bin

NOTES:

1. Do not scale from this drawing.
2. This drawing to be read & printed in colour.
3. This drawing is for illustrative purposes only, and not for construction.

Page 199

REV	DETAILS	DRAWN	CHECKED	DATE

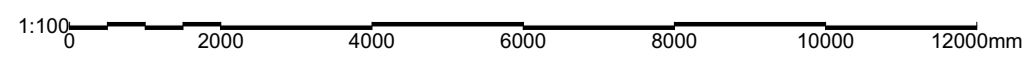
CLIENT		Capital Homes	
PROJECT		18-22 Crown Lane	
DRAWING TITLE		Proposed Short-Stay Cycle Parking	
SCALE	1:250	SIZE	A3
DRAWN BY	AG	CHECKED BY	KH
DATE	14.06.23		
 <p>Pulsar TRANSPORT PLANNING</p> <p>4 Underwood Row, London, N1 7LQ Tel: 020 7324 2677 www.pulsartransport.co.uk</p>			
PROJECT REF	21038	DWG NO	001
REV	-		

Window design altered to remove transom on elongated windows



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- 10 Revolving entrance door
- 11 Roll up garage door
- 12 Sliding gate
- 13 Recessed brick panel
- 14 Projecting header detail
- 15 Green wall



REV	DESCRIPTION	DRAWN	CHECKED	DATE
09	WINDOW ARRANGEMENT	BH	PM	30/11/2023
08	WINDOW ARRANGEMENT	BH	PM	22/11/2023
07	FOR PLANNING	BH	PM	23/08/2023
06	FOR DESIGN TEAM	BH	PM	17/05/2023

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+44 207 021 0287 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES
PROJECT: 18-22 CROWN LANE
BUILDING:
ADDRESS: SM4 5BL

DRAWING NAME: PROPOSED SOUTH ELEVATION

DRAWING SERIES: PROPOSED PLANNING

CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 09 REVISION DESCRIPTION: WINDOW ARRANGEMENT

PROJECT ORIGINATOR VOLUME LEVEL TYPE ROLE CLASS NUMBER
668 - CDA - Z1 - XX - DR - A - 05 - 0201



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- 09 Stone coping to parapet
- 10 Revolving entrance door
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- 12 Sliding gate
- 13 Recessed brick panel
- 14 Projecting header detail
- 15 Green wall

REV	DESCRIPTION	DRAWN	CHECKED	DATE
08	PARAPET INCREASED	BH	PM	13/02/2024
07	ACOUSTIC ENCLOSURE	BH	PM	31/01/2024
06	WINDOW ARRANGEMENT	BH	PM	30/11/2023
05	WINDOW ARRANGEMENT	BH	PM	22/11/2023

CREATE
DESIGN + ARCHITECTURE
Wiggleworth House 69 Southwark Bridge Road London SE1 9HH
444 207 021 0257 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
BUILDING: SM4 5BL
ADDRESS: SM4 5BL

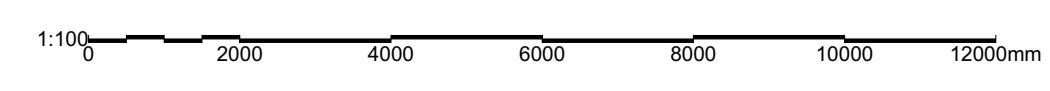
DRAWING NAME: PROPOSED WEST ELEVATION

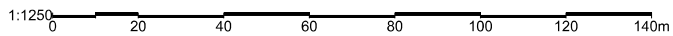
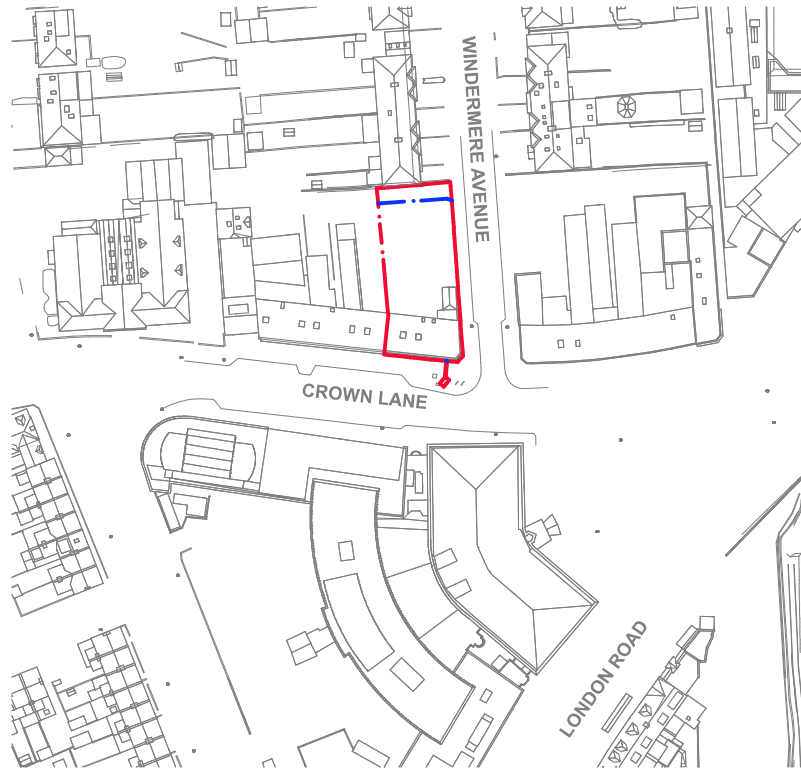
DRAWING SERIES: PROPOSED PLANNING

CDA REF: 668 SCALE(S): 1:100 ORIGINAL PAPER SIZE: A1

REVISION: 08 REVISION DESCRIPTION: PARAPET INCREASED

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	CLASS	NUMBER
668	- CDA	- Z1	- XX	- DR	- A	- 05	- 0202





NOTES:

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--- APPLICATION BOUNDARY

--- DEMARCATION OF OWNERSHIP

03	FOR PLANNING	BH	PM	23/06/2023
02			PM	16/12/2021
01	FOR COMMENT			11/11/2021
REV	DESCRIPTION	DRAWN	CHECKED	DATE

CREATE

DESIGN + ARCHITECTURE

Wigglesworth House 69 Southwark Bridge Road London SE1 9HH
+44 207 021 0267 info@createdesign.org www.createdesign.org

CLIENT: CAPITAL HOMES

PROJECT: 18-22 CROWN LANE
BUILDING NAME: -
ADDRESS: SM4 5BL

DRAWING NAME: EXISTING SITE LOCATION PLAN

DRAWING SERIES: SITE LOCATION PLAN

CDA REF: 668 SCALE(S): 1:1250 ORIGINAL PAPER SIZE: A3

REVISION: 03 REVISION DESCRIPTION: FOR PLANNING

PROJECT	ORIGINATOR	VOLUME	LEVEL	TYPE	ROLE	CLASS	NUMBER
668	- CDA	- Z1	- XX	- DR	- A	- 00	- 0900

Colliers Wood Matters Update

Deed of Easement with Merton and Sainsburys

The form of Deed of Easement for the Bridge was agreed with Sainsburys in February 2023.

The form of Deed of Easement with Merton Council is still to be agreed after 18 months of negotiations. Merton were originally provided with the form of Deed of Easement agreed with Sainsburys, but wanted absolute signoff on the specification for the Bridge. We raised the concern that this could leave Clarion ransomed and proposed a compromised whereby Clarion would provide the specification and Merton would have 10 working days to approve it or provide their comments. If they failed to either provide comments or approve the specification within the 10 working days approval would be deemed to be given.

We proposed this compromise to Merton on 30 October, but we have not heard back from Merton since then.

It is important to note that the form of Deed of Easement provided to Merton was accepted by Sainsburys. We have offered a compromised position, but are still yet to hear back. Merton as the Local Planning Authority would have the power to reject any specification for the Bridge via the planning process in any event.

Transfer of Land Parcels from the Environment Agency

We were given the Environment Agency's solicitor's details in October 2023 and made contact shortly afterwards. We received a response from the Environment Agency's solicitor in November 2023 to say they were yet to be instructed.

At the end of February we received confirmation from the Environment Agency's solicitor that they were now instructed. We responded raising standard enquiries and they reverted to say that they understand Clarion have agreed to cover their fees up to £5,000 plus VAT. The HOTs say that Clarion were to cover legal fees but did not state an amount. They also stated that Clarion would cover their professional fees up to £5,500 plus VAT.

We have just sent Clarion a funds request for the £5,000 plus VAT for legal fees as agreed and understand Clarion are making arrangements for these to be sent over shortly.

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Committee: Planning Applications

Date: 25th April 2024

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

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 viewed by following each individual link. Other agenda papers for this meeting can be viewed on the Committee Page of the Council Website via the following link:

[LINK TO COMMITTEE PAGE](#)

Application Number	22/P2310
Appeal number:	APP/T5720/X/23/3317063
Site:	7 Streatham Road, Mitcham CR4 2AD
Development:	LAWFUL DEVELOPMENT CERTIFICATE IN RESPECT OF THE PROPOSED USE AND ALTERATIONS OF EXISTING GARDEN
LPA Decision:	Refused (Delegated Decision)
Appeal Decision:	DISMISSED
Date of Appeal Decision:	27 th March 2024

[click LINK TO DECISION NOTICE](#)

Application Number **23/P0541**
Appeal number: APP/T5720/W/ 23/3324764
Site: Mydentist, 18 London Road, Morden SM4 5BQ
Development: PART DEMOLITION AND ERECTION OF A REAR EXTENSION OF EXISTING GROUND FLOOR COMMERCIAL UNIT (USE CLASS E) AND FIRST FLOOR REAR EXTENSION AND CONVERSION FROM OFFICE TO RESIDENTIAL UNIT CREATING 1 X 1 BEDROOM FLAT (USE CLASS C3) WITH ACCESS AT FIRST FLOOR, AND PROVISION OF REFUSE AND CYCLE STORAGE.
LPA Decision: Refused (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 20th March 2024

[click LINK TO DECISION NOTICE](#)

Alternative options

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

1 CONSULTATION UNDERTAKEN OR PROPOSED

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

2 TIMETABLE

2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

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

4 LEGAL AND STATUTORY IMPLICATIONS

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

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

7.1. See 6.1 above.

8 BACKGROUND PAPERS

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

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Date: 25th April 2024

Agenda item: Enforcement Report

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF RECENT WORK

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

COUNCILLOR Aidan Mundy, CHAIR of PLANNING APPLICATIONS COMMITTEE

Contact Officer Raymond Yeung
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:	390	New Appeals:	0
New Complaints	7	Existing Appeals	21
Cases Closed	13	<i>There is a high volume of backlog at the Planning Inspectorates to determine appeals, the waiting time with them is several months, the existing appeals have not progressed with the inspectors.</i>	
New Enforcement Notices Issued			
Breach of Condition Notices	1	Prosecutions: (instructed)	2
Enforcement Notices	0	New Instructions to Legal	2
S.215:	0	Existing instructions to Legal	6
Others (PCN, TSN)	1	<hr/>	
Total	2	TREE ISSUES	
		Tree Applications Received	190
		% Determined within time limits:	97%
		High Hedges Complaint	1
		New Tree Preservation Orders (TPO)	0
		Tree Replacement Notice	1
		Tree/High Hedge Appeal	0
		5-Day notice	5

Note (*figures are for the period from (from 1st March 2024 to 15th April 2024).*)

It should be noted that due to the pandemic the Planning Inspectorate have over a year's backlog of planning enforcement appeals to determine. The Planning Inspectorate have recently stated that they are concentrating on the larger complexed schemes which take priority over householder and smaller cases.

2. Recent Enforcement Actions

24A & B Cottenham Park Road, West Wimbledon- Served Breach of condition notice

A breach of conditions notice was served following the breach of planning permission 22/P3729 condition 12 (Construction Management Plan) and 13 (provision to accommodate all site workers, deliveries and visitors) The site is opposite a roundabout and bus stop on a busy junction, HGV were obstructing the highway posing a danger to highway users and pedestrians.

The developers are subsequently working with highway officers to mitigate the situation.



Latest update Burn Bullock – 315 London Road -Enforcement Notice & Listed Building Repairs Notice

Planning enforcement notice was hand delivered at the site for the unauthorised material change of use of the public house main building and ancillary car parking to a large House of Multiple Occupation (“HMO”), car-repair and cleaning workshop, storage, scrapyards and installation of portacabins. Having tried to get the responsible persons to comply with the notice and arrange another visit, they have appealed against the notice, we are awaiting for the outcome of the appeal from the planning inspectorates.

A letter was sent to the representatives to issue a warning to submit documents for the Listed building consent to be made valid and to comply with the listed building repairs notice, the council has yet to validate the application due lack of detailed heritage information.

The committee were updated in November of 2023 of the status of the land and considering options for the site.

In April 2024, enforcement successfully persuaded the planning inspectorates put forward a decision date for the appeal, however a date is yet to be set for the inspector site visit.

As we await the decision, at the time of print the enforcement team have drafted further notices to legal to cease any commercial operation on site and a section 215 notice to tidy up the building, it is expected to be served by week commencing 29th April 2024.

24 Castleton Road, Mitcham, Surrey CR4 1NY -S215 Notice -DIRECT ACTION

The Council re-issued a S215 untidy land notice to clear all rubbish and debris from the front of the Land, including but not limited to: plastic bags of rubbish, abandoned bins, householder plastics, wooden boards, pieces of furniture and household plastic boxes. The council took direct action to clear the waste.



Before

&



After

174 Haydons Road, South Wimbledon – S215 Notice -DIRECT ACTION

The Council re-issued a S215 untidy land notice, they are required to clear all rubbish and debris from the front of the Land including, but not limited to wooden boards, plastic bags of rubbish, building materials and broken fencing. The council took direct action to clear the waste.



Before



&

After

162 & 164 Hartfield Road, Wimbledon-Temporary Stop Notice and Breach of condition notice issued

A temporary Stop Notice has been issued in addition of the Condition notice has been served, this time condition 11 in addition to condition 14 of the 2018 Permission that requires full compliance with the construction and ancillary works times, in addition to the CTMP for the duration of the construction process and paragraph b) of the CTMP has not been complied with delivery times.

Land at Former La Sporta Community Centre, Church Road, Mitcham - Enforcement Notice

The Council issued an enforcement notice for the a material change of use of the Land from a community centre (Use class F2) to the mixed use of the Land for the siting and use as a hot food takeaway trailer (Use Class Sui-Generis) and; (ii) operational development comprising of the siting of a static hot food take-away trailer. They are required to permanently remove the Trailer from the Land that facilitates the Unauthorised Use. The trailer has ceased trading as a hot food takeaway, but the trailer remains on the grounds.

205 London Road, Morden, SM4 5PT -Enforcement Notice-Appealed

An enforcement has been served for the unauthorised erection of a rear roof extension and a single storey rear/side extension, an appeal has been submitted against the notice.

8 Dahlia Gardens -Potential prosecution for non-compliance of enforcement notice

The Council issued an enforcement notice for 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.

Officers conducted a Notice of Entry to visit in March to see works are not complied with the notice and a further letter of alleged offence in April 2023, the council will review next steps to potential prosecution for non-compliance of the said notice.

Officers are now reviewing formal legal action.

153A Dorset Road Merton Park London SW19 3EQ- Enforcement Notice issued-Appealed

Notice served against the conversion of the outbuilding on the Land into a self-contained residential unit.

The conversion of the outbuilding to a self-contained unit, by reason of size and layout would fail to provide an acceptable standard of residential accommodation and living space resulting in a cramped and unsatisfactory standard of accommodation to the detriment of the amenities of current and future occupiers. It does not provide sufficient secure, integrated, convenient and accessible cycle parking nor refuse and recycling facilities. It creates a harmful impact to amenity to the host and neighbouring properties by reasons of noise, lack of privacy and disruption and creates limited outdoor amenity space for both the occupiers of the outbuilding and the main dwelling on the site. The requirement is to cease the use of the outbuilding as a self-contained residential unit. The notice has been appealed.

37 Octavia Close, Mitcham –Enforcement Notice issued-Appealed

Unauthorised erection of a front porch, and enforcement notice was issued for its removal. The Porch by the virtue of its size, siting and design is considered visually obtrusive, incongruous and unsympathetic to the character and appearance of the dwelling, locality, and character of the area in general. The applicants have appealed against the notice.

59 Epsom Road, Morden-Enforcement Notice issued-Appealed

Use of the outbuilding at the rear of the Land as a self-contained residential unit. The change of use has a negative effect on the neighbouring properties and local residents in terms of noise as the occupiers would use the alley way on a daily basis; the front of the garage/outbuilding has been fenced off to provide a private amenity space. This would result in further noise issues when in use by any occupiers. The amenity space enjoyed by the occupiers of the host site has been reduced. The gardens abutting the alleyway are open spaces and are open to crime, no preventive design measures have been taken into consideration to combat crime. The applicants have appealed against the notice.

The Beeches -Broken fences and untidy land – Before and after

The council were notified about the state of the fences in this residential area, following contact made by officers, the fence was replaced immediately along with the clear up paving and repairing of patios slabs.



Before



After

Market Square, Upper Green Mitcham –Informal action- remedy

Officers were notified about the stall erected against the trees, following a discussion with those responsible it was removed immediately.



Before



After -1 week later

156 Merton Hall Road - Before and after -Advertisement -Before & After

An advert was placed on the side of a restaurant facing Kingston Road which is a designated **Merton Hall Road conservation area**, the advert had no consent .

Officers visited the property and discussed with the owner and staff of the restaurant, after negotiations, it was moved via informal enforcement action, the results are below.



Before-Advertisement of restaurant



After advertisement removed

Successful Prosecution case-update

7 Streatham Road, Mitcham, CR4 2AD- Summary of the prosecution:

The Council served two enforcement notices on 6th June 2019 for the unauthorised outbuilding and roof extension, the enforcement notice required the outbuilding to be demolished and to clear debris and all other related materials. Following the non-compliance of said notices, this is a criminal offence which lead to prosecution proceedings.

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.

Latest

Enforcement officers have written to the landowner 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 them directly.

To date the notice still has not been complied with, in October 2022, a meeting was taken place with a contractor to get quotes for the removal of both outbuilding and roof extension and rebuilding of the roof.

Quotes were received in November 2022 and discussions were had internally in view to accept one of the tasks involved to do it in stages due to budget reasons (removal of outbuilding first and then dormer and rebuild later), it is understood that any agreement of such works needs approval by the council.

The council warned about direct action to the owner and responded back in February that they have not complied with the notice yet and not able to, the council are looking into going ahead with direct action having obtained quotes from a suitable contractor.

An appeal has been dismissed for the certificate of lawfulness for the outbuilding to be permitted development, a site was conducted by officers and the inspectors, the enforcement team are considering direct action for the outbuilding and to instruct legal.

3. 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](#).

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

Development and Planning Applications Committee Chair's Procedure

Last updated 13/08/23

Next review 13/11/23

Agenda Publication

The agenda will be published on Merton.gov.uk a minimum of seven clear working days in advance of the meeting and will confirm: the list of agenda items due to be considered at the meeting; all accompanying papers; and plans for those items. Committee members receive papers ten calendar days in advance of the meeting.

The Committee cycle:

Below lists the milestones in a standard committee month. These align to the committee dates mapper.

- Forward planning meetings & 1:1s
- Notification to Chair & Vice Chair of potential applications
- Chair & Vice Chair with officers
- Chair's email to committee
- Draft agenda published internally
- Papers available for sign off
- Papers delivered
- Pack published
- Potential site visit
- Deadline for applicants to register attendees
- Technical briefing
- Applicant panel details circulated to committee. Committee asked to flag conflicts of interest with Chair and Monitoring Officer
- Deadline for comments and questions by committee and any known conflicts of interest registration (12pm)
- Deadline for comments on BPAC papers electronically
- Last date for speakers to register (by 12pm)
- Inform public speakers
- Mod sheet Planning
- Mod sheet BPAC
- Washup
- Conditions and decision notice drafted for Chair's review
- Minutes written up and circulated to Chair review and sign off
- Minutes signed off by Chair and returned to officers
- Actions, conditions, risks and lessons logged

Planning applications

The committee has dual functions over policy and applications. The following relate to planning applications.

Agenda setting

The Chair in consultation with Vice Chair and Head of Planning and Development and Head of Development Policy and officers will decide on the agenda and forward plan for the committee.

Speakers List

Once the agenda has been published, the speakers list will be open for registration. All speakers must register in advance by contacting the Planning Department no later than 12 noon three days before the meeting by phone (020-8545-3445/3448) or e-mail (planning@merton.gov.uk). Where this falls on a weekend the deadline will be the previous Friday. The Chair will review requests to speak based on qualifications and considerations in Table 1.0.

Following the Chair's review, officers will notify residents and the Committee of the decision as to who may speak at the committee. This should be no later than 12pm on the day before the committee.

Table 1.0: Qualifications for speaking at Committee

Type	Max number	Time to speak	Qualifications	Considerations for allocation of speaking slots
Resident supporters or objectors	Two	Three minutes each. Max six minutes collectively.	<ul style="list-style-type: none">• Reside in the London Borough of Merton• Submitted a written representation to the planning application in question• If selected, speaking slot is not transferable	<ul style="list-style-type: none">• =<6 Proximity to the red line boundary of the development• Can provide the committee with new insight into the impact development would bring• Where an application crosses local authority boundaries one slot is always reserved for a Merton resident• =>7 selected by chance through computer programme• Reserves can be drawn using same method
Statutory stakeholders	N/A	Max six minutes	<ul style="list-style-type: none">• A statutory stakeholder consultee on a planning application e.g. utilities	<ul style="list-style-type: none">• Can provide the committee with new insight into the impact development would bring

Ward Councillors	Three	Two minutes each. Max six minutes collectively.	<ul style="list-style-type: none"> • Councillor in the ward of the development 	<ul style="list-style-type: none"> • Where an application borders two wards or more at the discretion of the Chair ward speakers can be drawn from more than one ward
Members of Parliament	1	Two minutes	<ul style="list-style-type: none"> • Elected Member of Parliament for the constituency the application is in. 	Ibid...
Cabinet member	1	Two minutes	<ul style="list-style-type: none"> • Cabinet member for an area of material consideration for the purposes of identifying factual information within a planning application 	Where pre-existing council policy exists or development is of strategic importance or pre-engagement with the committee at technical briefing and agenda setting meetings identify gaps in understanding to facilitate most appropriate cabinet member to support committees understanding
Agent and Applicant	N/A	Three minutes unless opposing speakers then max six minutes	<ul style="list-style-type: none"> • Part of the team bringing the application to council for approval • Arranged between speakers as to how this time is split. 	Agent and Applicant are expected to address questions raised by previous opposing speakers and make arguments using non-technical language.

Officer presentations

Officers will present for a maximum of 30 minutes, and should set the scene for the application, addressing both the benefits and the risks.

Committee papers

Papers will have clear summaries to the following strategic priorities: Contribution to ecology, carbon reduction, affordable housing and housing delivery, employment and economy, smart cities agenda.

Presentations

All presentations from residents and applicants shall be verbal. The distribution of printed documents will not be permitted. Entry and exit is via the side of the

chamber as directed.

Speakers can address the committee remotely or within the Council Chamber. If within the Council Chamber, a traffic light and timer system will be operated and will show on screen. Remote speakers will be verbally advised when they have one minute remaining.

As part of the joining arrangements officers will make speakers aware they do not have legal privilege when speaking before the Committee. It's important any statements are supported by fact and reasoned opinion.

Tailoring proceedings

The Chair retains discretion to tailor proceedings to facilitate appropriate information for the committee

Ability to clarify comments made by applicant or speaker or to seek expert third-party advice

To make informed decisions Committee members may ask any of the speaker's questions for the purpose of seeking factual information to better inform decision making. Such questions will be subject to the direction of the Chair if necessary. They are not a means to provide speakers with additional time to make speeches.

If information cannot be verified through publicly available sources there may be a need to secure additional expert witness statements to support deliberations.

Submission of additional information before the meeting

Any additional information not requested by officers relating to an item on the agenda should be sent to the Planning Department before 12 noon three days before the meeting by email (planning@merton.gov.uk). Where this falls on a weekend the deadline will be the previous Friday. Only in exceptional circumstances will Information sent directly to committee members be considered in the decision-making process.

Briefing

Committee members are invited to a technical briefing from planning officers prior to the Committee meeting. This meeting is an opportunity to clarify any technical issues and identify what further information the committee requires for decision ready proceedings. The questions and answers will form part of the modification sheet.

The Modifications Sheet

No later than 12pm the day of the meeting, a modifications sheet will be published on the Council's website and circulated to committee members via email. This will include responses to written questions, material discussion in the technical briefing or changes to applications and may be referred to during officer presentations at the meeting.

Site visits

In person tours of a site are valuable tools to gain a greater understanding of its location, physical characteristics and relationship to neighboring properties or land

use. The information gained can aid the Committee in bringing to life the words and observations in officers reports.

All site visits should be coordinated and provide value to the Committee. They will be organised through democratic services and only on the authorisation of the Chair. Site visits are not open for general attendance. For the purpose of factual record, attendance at a site visit will be recorded by the lead officer including the locations visited.

Applicants and agents may accompany committee members on site visits. Care must be taken not to discuss the merits or otherwise of the application. The visits are for fact finding purposes alone.

Questions by email

Committee members are also able to submit written questions to planning officers until two days prior to the Committee meeting. Responses will be included in the modification sheet. Priority will be given to members with follow-up questions who have attended the technical briefing and questions not already addressed in that briefing.

Seating at the meeting and conduct

Seating

Observers seating at the rear of the chamber is on a first come first served basis. For major applications, a ticketing system maybe in force.

If an application crosses local authority boundaries and Merton has decision making powers delegated to it the allocation of seats will be divided in equal proportion between the local authority residents.

Those speaking at committee will be seated in front of the observation gallery at a microphone.

Behaviours that are disruptive to the good running of the meeting will result in individual(s) attending in person or online being asked to leave. To ensure the safeguarding of the committee and public the meeting may need to be adjourned.

Agenda item order

Planning items will be taken in the order decided by the Chair and announced at the start of the meeting. This may differ from the Chair's standing order in Appendix 1. It is not possible to give the exact time items will be heard. Whilst the Committee will endeavor to consider all items on the agenda, if it is not possible to hear an item, every effort will be made to take it at the next meeting of the Committee.

Process for Consideration of Items

Items will be considered in the following order:

1. Introduction to the Application by the Planning Officer
2. Registered Speakers in the order listed above. If there are no speakers,

- proceed directly to step 4
3. Points of clarification or response from Planning Officers following speeches
 4. Questions from the Committee to Planning Officers and at the discretion of the Chair to applicants, Councillors and residents.
 5. Comments or observations from Committee members on the application. This may include suggestions for conditions.
 6. Vote on the application in the following order: Voting against the recommendation, not voting in favour of the recommendation; voting in favour of the recommendation

Members must be present for the entirety of an item to be able to vote on it. The Chair and officers will check which members are present before starting each item.

Conditions

Before a vote is taken the Committee may wish to place additional or remove conditions from an application to enhance benefits for the community or compel the applicant to conduct development in a prescribed way. These should be agreed with the majority consensus of the committee formally secured at the discretion of the Chair and will then form part of the vote on the recommendation.

Voting

The Chair will call a vote on the recommendation within the officer report noting any changes to conditions. These conditions will be included in a separate log. An officer or the Chair will verbally announce the result of the vote. The numbers of votes will be recorded in the minutes. Note: Committee members retain the right to vote remotely.

If a vote on the recommendation falls, a further vote will be required to agree a planning basis for the refusal or granting of an application in contradiction to Officer recommendation. If the committee is unable to agree a reason the committee will vote again on the original recommendation.

Following the meeting Planning Officers will gain agreement in writing from the Chair of the conditions to be placed on the item so as to ensure the committee's decision is translated accurately into action. Appropriate amendments maybe made with the agreement of the Chair to the decision notice as required to provide an informative and accurate response referencing appropriate policies

The Chair can vote on applications, entitled to a casting vote, or call a second vote in the event of the committee is unable to come to a clear decision.

Supporting effective decision making

Deliberating on planning applications is a mentally demanding task. To support effective decision making the Chair will propose regular breaks and is able to close the meeting at any stage even if all the agenda items have not been heard. The Chairs standing instructions are for a break after 1.5 - 2 hours and for business to be completed 4 hours from the commencement of the meeting.

Interests

Declarations of Interests

Members need to have regard to the items published with the agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined

in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared, they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest, including other registrable interests or other matters which may give rise to a perception of bias, they should declare this, withdraw and be replaced by a substitute for the consideration of the item. Members should have regard to the Code of conduct for members and for further advice speak with the Council's Monitoring Officer (John.Scarborough@merton.gov.uk) or deputy (Fabiola.hickson@merton.gov.uk).

FOR ANY QUERIES ON THIS INFORMATION AND OTHER COMMITTEE PROCEDURES please contact Democratic Services.

Phone – 020 8545 3356 e-mail – democratic.services@merton.gov.uk

Call-in

Appendix two notes the call-in process for planning applications. As granted by full council the Chair of the committee will publish a process including the criteria for call-in.

All call-ins must have a planning reason not addressed through condition or legal agreement, made between the start and end dates of the public consultation period, relate to the latest application being consulted on, and should be accompanied by a declaration of interest. Call-ins are not a tool for casework management. Councillors will be expected to evidence how other options have been explored other than call-in. Call-ins can be made on the discharge of conditions.

Summary of call in process

- (A) Call-ins start with an informal conversation with the Chair of the committee so a shared understanding of the issues of the case can be formed.
- (B) If a call-in is to proceed a form will be completed including details of the rationale and steps taken by the Councillor to address the matter outside of call-in. The form must be submitted during the public consultation stage.
- (C) The submitted form is validated. Valid forms are reviewed at the Chair – Vice Chair agenda setting meeting. The substance of the arguments for call-in is reviewed and this may require the Councillor to attend the meeting to answer questions.
- (D) The outcome is reported at the next meeting of the Committee, or item of business included in the agenda.
- (E) Call-ins may be heard by committee or through mediation. If mediation fails cases can return to the committee.
- (F) If an appropriately validated call-in request is not supported, Councillors can request the committee take the business. This may be granted with the inclusion of the call-in decision report and copy of the submission form.

Call-ins follow same process in committee as other applications with one exception – Planning Committee members are unable to preside over an application they may call-in or have advised to be called-in. Committee members who advise residents on matters of call-in must take care and declare their interest to the Chair and Head of

development at the earliest opportunity to avoid accusations access is used to secure outcome.

Records for the call-in process will inform further iterations to secure balanced use.

Development

The following relate to the committees development policy function

Dedicating time

Every quarter at least 2 hours of the committees time should be planned for development work. Over a year this is the equivalent of four meetings of the previous Borough Plan Advisory Committee.

Forward agenda

The committee will meet once a year to map out recommendations for commissions. These commission suggestions will be sent to the Cabinet member for Housing and Development and other cabinet members as relevant. Those commissions supported will form part of the committees forward plan and map out accordingly.

Products to created

- (A) Call-in form; (B) Validation guidance; (C) Updated decision log; (D) Chair and Vice Chair meeting process guide (E) Updated design of committee paper for (i) Call-ins (ii) standard (F) Risk log

Appendix 1: Standard order of business

The items for consideration will normally be taken in the order below. In the case of a tie, the application which has received the highest number of representations will be taken first:

- Housing (Organised by number of units)
 - Applications with credible social housing
 - Proportion of significant proposed affordable housing
 - Private sale
 - HMOs
 - Alterations, extensions to existing
 - Other housing applications

- Commercial (Organised by estimated number of jobs created or maintained, or the capital cost of the development)
 - Square footage
 - High jobs/capital cost
 - Low number jobs/capital cost

- Parks, allotments, street scene
- Trees Protection Orders
- Advertising boards
- Reports from third party
- Reports as part of conditions

No priority will be given to called in items. They will be taken in the priority listed above.

Appendix 2: Call in process

