

**PLANNING APPLICATIONS COMMITTEE
17 MARCH 2016**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P4595	11/01/2016
Address/Site	94 – 96 Haydons Road and 1 – 3 Quicks Road, South Wimbledon, SW19 1HJ	
(Ward)	Abbey	
Proposal:	Variation of Condition 2 of Planning Permission 15/P2070 for the redevelopment of site to provide 9 x residential units (comprising 1 x 1 bed, 6 x 2 bed and 2 x 3 bed flats) and 177.5 square metres of commercial space on ground floor.	
Drawing Nos	QK-100 Rev B, QK-101 Rev B, QK-102 Rev B, QK-103 Rev B, QK-104, QK-200, QK-201, QK-202, QK-203, QK-301, QK-400, QK-401 Rev A, QK-402 Rev A, QK-403 Rev A and covering letter dated 1 December 2015.	
Contact Officer:	Tim Lipscomb (0208 545 3496)	

RECOMMENDATION

Grant Variation of Condition 2 of Planning Permission 15/P2070 subject to conditions and deed of variation to S106 agreement.

CHECKLIST INFORMATION

- Heads of Agreement: The development being parking permit-free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes

- Design Review Panel consulted: No
- Number of neighbours consulted: 44
- External consultations: No
- Controlled Parking Zone: Yes (S2 and 3F)

1. **INTRODUCTION**

- 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 The application site comprises 94-96 Haydons Road, a three-storey building in commercial use (Launderette) at ground floor and residential use above (1 x 4+ bedroom unit) and 1-3 Quicks Road, a two storey building in formerly in B1 (office), and separate single-1 ½ storey buildings to the rear of the site formerly in use as a vehicle repair garage.
- 2.2 Aside from a front area of ancillary parking for the garage, a small area adjoining the side boundary of 4 Quicks Road and a small enclosed courtyard to the rear of no.94, the site is completely built upon.
- 2.3 The Launderette and vehicle garage are still in use, however, the applicant has stated that the B1 unit is vacant.
- 2.4 The site is bounded to the side and rear by the side/rear curtilages of adjoining residential properties at Quicks Road and Trafalgar Road. Opposite the site, on Haydons Road, are residential dwellings and Haydons Road is a predominantly residential road with some commercial uses. Quicks Road is predominantly residential with some commercial uses also.
- 2.5 Opposite the site at Quicks Road is Haydons Road recreation ground.
- 2.6 The site is a (scattered) employment site. The site is not located within a Conservation Area and there are no Tree Preservation Orders on the site.

3. **CURRENT PROPOSAL**

- 3.1 The planning application proposes a variation of condition 2 attached to planning permission 15/P2070, granted on 16 July 2015. This planning permission allowed the redevelopment of the site to provide 177.5sqm of commercial floorspace at ground floor level and nine residential units to the rear and above.
- 3.2 Condition 2 states:

“The development hereby permitted shall be carried out in accordance with the following approved plans: 884/201, 884/03 A, 884/04 C, 884/05 C, 884/06 E, 884/07 C, 884/08 C, 884/09 C, 884/10 B, 884/11 B, 884/12 B, 884/13 B, 884/14 A, 884/15 A, 884/16 A, 884/17 A, 885/19A and Drainage Strategy (Rev B).”

- 3.3 The proposal comprises the demolition of the existing buildings and the erection of a 3-4 storey building with commercial (A1/A2/B1) use within part of the ground floor and the remainder of the ground floor and floors above providing nine residential units (1 x 1 bed, 6 x 2 bed, and 2 x 3 bed and 3 bed).
- 3.4 The residential units would be accessed from Quicks Road and each would include their own private amenity space in the form of a balcony or terrace.
- 3.5 The rear of the site, accessed off Quick’s Road as existing, would comprise off-street parking (five spaces including one parking space for disabled users) and covered refuse and cycle storage.
- 3.6 There would be an element of soft-landscaping around the edges of the parking area and this car parking area would be accessed through proposed 2.1m steel gates for security. 2.1m high brick walling is proposed along the side and rear boundaries with the properties at Quicks Road and Haydons Road.
- 3.7 Materials proposed are double glazed, aluminium doors and windows and a variety of types of facing brickwork.
- 3.8 A sedum roof is proposed for part of the roof and also photovoltaic cells.
- 3.7 The applicants advise that the units would be built to Lifetime Homes standards.
- 3.8 The key differences between the approved application (15/P2070) and the current application are as follows:

External:

- The external facing materials would now be a variety of facing brickwork, as opposed to a mixture of stone rainscreen cladding panels, stone coping, rubblestone walls and render.
- Changes to fenestration throughout to line up with the alterations to the internal layout.
- (The overall height, bulk, massing and number of units would

remain similar to that originally approved. However, there would be a very slight increase in the external dimensions with the wall of Unit 1 moving 500mm further to the south).

Ground floor:

- The ground floor footprint of the building would extend 500mm further to the south (into the car park area).
- The residential entrance to the development, previously located on Haydons Road has been relocated to Quicks Road.
- A new corridor to serve the residential units would be provided between the commercial floorspace and the residential unit on the ground floor.
- The external entrance to the terrace of Unit 1 has been removed and access to the terrace would be from within Unit 1 only.
- Unit 1 has reduced in size from 99.3sqm to 91.7sqm (to make space for the new corridor serving the proposed residential units).
- The external amenity space for Unit 1 has been reduced from 19.9sqm to 14.8sqm.
- The layout of cycle storage on the ground floor has altered slightly but 13 spaces would still be provided overall.

First floor:

- Units 3 and 4 would be reduced from 2b/4p dwellings to 2b/3p units.
- Three rooflights have been added to the roof of the single storey element of the proposed development (located adjacent to the rear part of No.92 Haydons Road).
- The balcony to Unit 2 has been amended to be more inset from the external wall.

Second floor:

- Unit 7 has been reduced from a 2b/4p unit to a 2b/3p unit.
- The roof has been further set back above the external amenity space of Unit 1.

Third floor:

- The terrace of Unit 9 has been slightly reduced in size from 9.7sqm to 6.9sqm.

4. **PLANNING HISTORY**

- 4.1 15/P2070 – REDEVELOPMENT OF SITE TO PROVIDE 9 X RESIDENTIAL UNITS (COMPRISING 1 X 1 BED, 6 X 2 BED AND 2 X 3

BED FLATS) AND 177.5 SQUARE METRES OF COMMERCIAL SPACE ON GROUND FLOOR. Permission granted subject to conditions and s.106 agreement on 16/07/2015.

4.2 14/P4221 - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF THREE - FOUR STOREY BUILDING WITH 84.7 SQM OF COMMERCIAL SPACE (A1, A2 AND B1 USE) AT GROUND FLOOR AND 7 X 3 BED AND 3 X 3 BED RESIDENTIAL UNITS AT GROUND FLOOR AND ABOVE, WITH ASSOCIATED PARKING AND LANDSCAPING. Refused on the following grounds:

1. The proposed development by virtue of its bulk, scale, massing, siting and height would result in an excessively large and over bearing development, out of character with the surrounding area, and an over development of the plot. As such, the proposed development is contrary to policy CS 14 of the London Borough of Merton Core Strategy - 2011, policies DM D1 and DM D2 of the London Borough of Merton Sites and Policies Plan 2014, and the Council's New Residential Development SPG.
2. The proposed development by virtue of its bulk, scale, massing, siting and height would result in an excessively large and over bearing development, to the detriment of the outlook of the adjoining properties, particularly 90 and 92 Haydons Road. As such, the proposed development is contrary to policy CS 14 of the London Borough of Merton Core Strategy - 2011, policy DM D2 of the London Borough of Merton Sites and Policies Plan 2014, and the Council's New Residential Development SPG.
3. The proposed development would result in a loss of employment land, and within a defined scattered employment site, with no justification and contrary to policy CS12 of the London Borough of Merton Core Strategy and policy DME3 of the London Borough of Merton Sites and Policies Plan - 2014.

4.3 14/P1652/NEW - PRE-APPLICATION ADVICE FOR THE REDEVELOPMENT OF SITE TO PROVIDE 195.5 SQUARE METRES OF COMMERCIAL SPACE ON GROUND FLOOR AND 10 x RESIDENTIAL UNITS ABOVE.

4.4 11/P2403/NEW - PRE APPLICATION ADVICE - REDEVELOPMENT OF SITE TO PROVIDE RETAIL & RESIDENTIAL UNITS

5. CONSULTATION

5.1 The application has been advertised by site notice and letters of notification to the occupiers of neighbouring properties. 8 representations have been received (6 objections and 2 expressing support). The objections raised are as follows:

- The change from a balcony to a recessed terrace would exacerbate the overlooking issue to 48 Trafalgar Road and would create noise disturbance by virtue of being enclosed, thereby concentrating noise.
- Suggestion that the rear wall of 48 Trafalgar Road be replaced at the existing height of 3.6m as part of the development to protect the amenities of neighbouring occupiers.
- Overlooking to 88 Haydons Road.
- Concerns over impact on drainage and sewerage due to increase in dwellings.
- Concerns regarding increase in pedestrian traffic.
- Concerns regarding access and traffic throughout construction phase.
- Concerns regarding vehicular access to the site and the impact of the width restriction and junction at Haydons Road.
- Query whether Party Wall Agreement is required.
- Council must ensure that any asbestos is disposed of in the statutory manner.
- Noise disturbance from use of refuse and recycling stores.
- There is an increase in bulk and mass of the proposed development.
- Object to the use of materials.
- Suggestion that more textured bricks could be used.
- Suggest a reduction in the extent of glazing for the commercial unit.
- Development would be out of character with the buildings on Haydons and Quicks Road – it is big and blocky.
- There would be a detrimental impact on the security of the area.
- Cannot see site notice at the site.

The reasons for expressing support are as follows:

- The current scheme is a welcome improvement to the previous scheme.
- The design is attractive and striking.
- Choice of bricks will be important.
- The use of brick infilled recessed window openings would reduce the visual impact of the commercial space and maintain the residential character of Quicks Road.

5.2 No consultation comments have been sought in relation to this application.

6. **POLICY CONTEXT**

6.1 The relevant policies within the Adopted Sites and Policies Plan (July 2014) are:

DM D1 (Urban Design and the Public Realm)
DM D2 (Design Considerations in all Developments)
DM F2 (Sustainable Urban Drainage Systems and; Waste Water and Water Infrastructure)
DM E3 (Protection of Scattered Employment Sites)
DM EP2 (Reducing and Mitigating Noise)
DM H2 (Housing Mix)
DM H3 (Support for Affordable Housing)
DM O2 (Nature Conservation, Trees, Hedges and Landscape Features)
DM T2 (Transport Impacts of Development)
DM T3 (Car Parking and Servicing Standards)

6.2 The relevant policies within the Adopted Merton Core Strategy (July 2011) are:

CS 8 (Housing Choice)
CS 9 (Housing Provision)
CS 12 (Economic Development)
CS13 (Open Space, Nature Conservation, Leisure and Culture)
CS 14 (Design)
CS 15 (Climate Change)
CS 16 (Flood Risk Management)
CS 18 (Active Transport)
CS 20 (Parking, Servicing, and Delivery)

6.3 Merton's Supplementary Planning Guidance/Documents:

New Residential Development – SPG 1999
Design – SPG 2004
Planning Obligations – SPD 2006

6.4 The relevant policies in the London Plan (2015) are:

3.3 (Increasing housing supply)
3.4 (Optimising housing potential)
3.5 (Quality and design of housing developments)
3.8 (Housing choice)
3.9 (Mixed and balanced communities)

- 3.10 (Definition of affordable housing)
 - 3.11 (Affordable housing thresholds)
 - 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)
 - 3.13 (Affordable housing thresholds)
 - 4.1 (Developing London's economy)
 - 5.2 (Minimising carbon dioxide emissions)
 - 5.3 (Sustainable design and construction)
 - 5.7 (Renewable energy)
 - 5.11 (Green roofs and development site environs)
 - 5.12 (Sustainable drainage)
 - 6.9 (Cycling)
 - 6.10 (Walking)
 - 6.13 (Parking)
 - 7.1 (Lifetime neighbourhoods)
 - 7.2 (An inclusive environment)
 - 7.3 (Designing out crime)
 - 7.4 (Local character)
 - 7.6 (Architecture)
 - 8.2 (Planning obligations).
- 6.5 London Plan Housing SPG
- 6.6 National Planning Policy Framework (2012)
7. **PLANNING CONSIDERATIONS**
- 7.1 The principle of development was established by the granting of planning permission 15/P2070. Whilst the applicant is applying for a variation of Condition 2 of that permission, under Section 73 of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to that original condition. In considering the current application officers have been mindful of any material changes in planning circumstances since the granting of that original permission. Officers also note that there has been a material change in planning circumstances since that application in that it has been confirmed that the Local Planning Authority can seek affordable housing contributions for schemes resulting in less than 10 new dwellings. In addition, a recent appeal decision (ref. APP/T5720/W/15/3132477 – 314 Haydons Road – appeal allowed 4 February 2016) has made it clear that in light of a Written Ministerial Statement dated March 2015 and the relevant paragraphs on Housing Standards in Planning Practice Guidance, that a condition to ensure that the units are built to Lifetime Homes Standards should not be applied. The Inspector stated the following when considering whether a condition relating to Lifetime Homes should be applied:

- “Policy CS 8 of CPS and Policy 3.8 of the LP requires all new housing to be built to Lifetime Homes Standards. Policy DM D2 of Part of Merton’s Local Plan Sites and Policies Plan and Policies Maps 2014 further supports such a requirement. However, both the WMS and PPG indicate that such a standard cannot be applied because it has been replaced by the new system of BR and standards. As previously indicated, the WMS and PPG are clear and up-to-date statements of government policy. For this reason, they outweigh the requirements of development plan policies”.
- 7.2 The Inspector took the view that on this basis, the condition should not be applied. Therefore, this is a change in planning circumstances which indicates that a condition relating to the Lifetime Homes Standard should not be applied (condition 28 of 15/P2070).
- 7.3 At the time of the granting of the previous planning permission (16/07/2015) the Council was obliged to take into account the Written Ministerial Statement (delivered on 28 November 2014) by Planning Minister Brandon Lewis, which included introducing into national policy a threshold of ten units beneath which affordable housing contributions should not be sought. However, following a High Court decision on 31 July 2015, the Government rescinded its national planning policy guidance published on 28 November 2014, which stated that builders of between 1 to 10 dwellings would be exempt from having to meet affordable housing requirements. Therefore, meeting the Councils policy CS8 (Housing Choice), including financial contributions for proposals involving less than 10 dwellings, is a requirement for all development seeking planning permission that the policy wording states it applies to. Therefore, the current proposal is subject to the requirements of Policy CS8 in relation to affordable housing.
- 7.4 There have been no other significant changes in policy circumstances since the previous decision which would alter the decision-making process. There have been no significant changes to site circumstances that would alter the decision-making process.
- 7.5 Notwithstanding the change in circumstances relating to affordable housing thresholds, it is a highly material planning consideration that there is an existing permission which could be implemented on site. Members are advised that it would be inappropriate and unreasonable to revisit the principle of the entire development.
- 7.6 The principal planning considerations concern the principle of the demolition of the existing commercial and residential uses within the site, which have been established by the granting of the previous planning permission, the design and appearance of the proposed development, its

- impact on the character and appearance of the surrounding area, and the impact of the development upon neighbour amenity, and parking.
- 7.7 Principle of the Demolition of the Existing Commercial and Residential Buildings
- 7.8 The loss of the existing commercial floorspace was assessed and found acceptable under the previous planning permission 15/P2070. Therefore, the principle of the loss of existing commercial floorspace has been established by the grant of the previous planning permission 15/P2070 and as such no objection is raised on this basis.
- 7.9 Design and Residential Amenity
- 7.10 Policies DM D1, DM D2, CS 14, and the Council's New Residential Development SPG seek to ensure that any new development is of a high standard of design and which respects or compliments its surroundings.
- 7.11 Policies CS 14 and DM D2 and the relevant Supplementary Planning Guidance (SPGs) seek to ensure that there would not be a detrimental impact on the residential amenities of the occupiers of the adjoining properties as a result of a proposed development.
- 7.12 The previously granted scheme was considered acceptable in design terms. However, the differences between the previous scheme and the current scheme must be assessed.
- 7.13 The bulk and massing of the proposed development remains similar to that previously proposed and it is considered that the overall bulk and massing of the current proposal would be acceptable in terms of visual amenity.
- 7.14 The main changes to the exterior of the building relate to the use of materials. Whilst the choice of materials would be significantly different to the materials previously proposed, it is considered that a mixture of types of facing brickwork would not appear out of keeping in the context of the site and would be acceptable in terms of visual amenity.
- 7.15 The building line of the proposed building would be positioned 500mm closer to the rear boundary of the rear garden of Nos.48-50 Trafalgar Road. However, due to the recessed nature of the proposed balcony to Unit 2 the separation distance of the balcony from the rear boundary would be greater than in the previously approved application. The resultant separation distance would be 11.5m, whereas the permitted scheme shows a separation distance of 11m. Therefore, there is a slight improvement in terms of the impact on neighbouring properties.

- 7.16 The limited changes to the internal layout have largely been necessary in order to comply with Building Regulations and whilst there would be a slight reduction in size to some of the units and a slight reduction in external amenity space, the proposals would still comply with the relevant Local and London Plan policies in terms of the standard of accommodation.
- 7.17 As was the case in the previous application, there would be windows within the main building facing the rear of site however these would be high level windows and so are not considered would result in a detrimental loss of privacy to the occupiers of the properties at Haydons Road.
- 7.18 There are concerns regarding the roof terrace of the penthouse flat in terms of privacy, however, a condition could be imposed on any approval to include obscure glazed screening to the rear elevation of at least 1.8m, as was the case for the previous planning permission 15/P2070.
- 7.19 Concerns have been raised by residents regarding an increase in noise pollution from the rear car park however it is not unusual for residential properties to be located adjoining car parking areas, for example along most standard residential roads. There are only five car parking spaces and so activity to the car park is not considered would be at a high level and a condition can be imposed on any approval requiring any lighting to be positioned in such a way to avoid undue glare to neighboring properties. This is consistent with the conclusions of the previous application.
- 7.20 The inclusion of a security gate to the car park is welcomed.
- 7.21 The changes to the layout and use of materials of the proposed development are considered to be acceptable in terms of visual and residential amenity.
- 7.22 Standard of Accommodation
- 7.23 Table 3.3 of the London Plan 2015 requires a minimum gross internal area (GIA) of 50sqm for 1 bedroom/2 person units, 61sqm for a 2 bedroom/3 person unit, 70sqm for 2 bedroom/4 person units and 74sqm for 3 bedroom/4 person units. This standard would be met for all of the proposed flats. It is of note that the plans for the previous planning permission 15/P2070 showed double rooms in Units 3, 4, 6 and 7, which did not meet the minimum internal floor area for a double room and, as such, the proposal has been revised to show these double rooms as single rooms and accordingly the units are now shown as 3 person units as opposed to 4 person units.

- 7.24 Policy DM D2 and the London Plan 2015 require a minimum of 5sqm of private outdoor space be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant.
- 7.25 The ground floor unit would be provided with a rear private amenity space in excess of this minimum requirement and the balconies provided for the remaining units would comply with, or marginally exceed, this standard.
- 7.26 Refuse and recycling, and cycle storage would comprise covered stores within the rear car park and would only be accessible to the residents of the flats. This is acceptable in principle and conditions can be imposed on any approval requiring the proposed cycle and refuse storage areas be implemented prior to occupation of the development.
- 7.27 If approved, the dwellings would be required to be built to Lifetime Homes standards.
- 7.28 The changes to the external amenity space and internal layout of residential units would comply with the relevant minimum standards and are considered to be acceptable in planning terms.
- 7.29 Highways
- 7.30 The Council's Transport Officer raised no objection on highways grounds to the previous planning application 15/P2070, subject to conditions in respect of the vehicle access to be provided, provision of vehicle parking, cycle parking to be implemented, construction vehicles, and a Delivery and Servicing Plan be submitted. Informatives in respect of the construction of accesses, and works affecting the public highway were also requested be added to any approval. The parking layout and access arrangements have not materially changed since the previous proposal and it is considered that the principle of development has been established in relation to highway issues.
- 7.31 The proposal includes five off-street parking spaces (including one disabled parking space) however to protect existing residents' parking, the new units would be required to be 'permit free' by a S106 legal agreement.

8 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.

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

9 MAYORAL COMMUNITY INFRASTRUCTURE LEVY

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to agree to pay CIL.

10 MERTON'S COMMUNITY INFRASTRUCTURE LEVY

- 10.1 Merton's Community Infrastructure Levy was implemented on 1 April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected except for affordable housing.

11 S106 LEGAL AGREEMENT

- 11.1 Policy CS8 seeks affordable housing contributions on schemes involving the provision of 1-9 units. The policy states that "in seeking affordable housing provision we will have regard to site characteristics such as the site size, site suitability and economics of provision such as financial viability issues and other planning contributions". Officers are also mindful of the advice within the NPPF in relation to planning obligations, which states: "Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable".
- 11.2 The maximum affordable housing payment liable for this scheme, determined using Merton's online affordable housing calculator, is £440,793.

- 11.3 The applicant has submitted a detailed financial viability argument which concludes that it would not be financially viable to make any contribution towards affordable housing. This argument has been scrutinized by independent financial viability experts, appointed by the Council. The independent financial viability expert has concluded that the values assumed by the developer are generally accurate and in line with what can be expected within the current market. In addition, the independent financial viability expert has found that the assumptions made by the developer for their income and costings are generally in line with the 2015 GLA toolkit (Three Dragons) benchmark values, and when variances do occur it is down to the small nature of the development which increases values. Therefore, the independent financial viability expert recommends that the council seeks no financial contribution from this development, in relation to affordable housing.
- 11.3 Alongside Merton's CIL, planning obligations for site specific infrastructure may still be required to make a development acceptable in planning terms.
- 11.4 The proposed development would result in a net gain of 8 new units and since the site is located within Controlled Parking Zones, the dwellings would be required to be 'permit free' by a S106 legal agreement. To ensure the development is 'car free' in line with policy on sustainable transport, future occupants of the development would not be eligible for parking permits.

12 CONCLUSION

- 12.1 In conclusion, it is considered that the principle of the development is acceptable in policy terms.
- 12.2 The design, siting, size, height and materials of the proposed building are in keeping with the varied character of the surroundings.
- 12.3 The residential amenities of the occupiers of the adjoining residential properties would not be sufficiently affected to warrant a refusal and the development provides an acceptable quality of accommodation for future occupiers.

RECOMMENDATION

GRANT PLANNING PERMISSION

Grant Variation of Condition 2 of Planning Permission 15/P2070 subject to conditions and deed of variation to S106 agreement, covering the following heads of terms:

1. Designation of the development as car-free and that on-street parking permits would not be issued for future residents of the proposed development.
2. The developer agreeing to meet the Council's costs of preparing, drafting, or checking the agreement.
3. The developer agreeing to meet the Council's costs of monitoring the agreement.

Vary Condition 2 of Planning Permission 15/P2070 as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans: QK-100 Rev B, QK-101 Rev B, QK-102 Rev B, QK-103 Rev B, QK-104, QK-200, QK-201, QK-202, QK-203, QK-301, QK-400, QK-401 Rev A, QK-402 Rev A, QK-403 Rev A and covering letter dated 1 December 2015.

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

Add additional condition 46:

46. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4. Evidence requirements are detailed in the "Schedule of evidence Required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide". Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and approved in writing by the Local Planning Authority, unless otherwise agreed in writing.

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

Remove condition 28 (Lifetime Homes).

And additional informative 6

Inf 6: INFORMATIVE: The applicant is made aware that the conditions

and informatives imposed on the original planning permission 15/P2070 still continue to apply.