

PLANNING APPLICATIONS COMMITTEE 9 FEBRUARY 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
16/P4324	09/11/2016
Address/Site:	223 Streatham Road & 1 Ridge Road, Mitcham, CR4 2AJ
Ward:	Graveney
Proposal:	Demolition of all buildings and redevelopment of the site to provide 36 residential units (C3 Use Class) within a residential block of 2, 3, and 4 storeys with a 5th storey set back and 246sq.m of non-residential floor space on ground floor for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure) together with associated access, car and cycle parking, landscaping and associated works.
Drawing No.'s:	SRM-HBA-00-XX-DR-A-00-0000, SRM-HBA-00-XX-DR-A-00-0002, SRM-HBA-00-00-DR-A-20-0100 (Rev: 001), SRM-HBA-00-01-DR-A-20-0101 (Rev: 001), SRM-HBA-00-02-DR-A-20-0102 (Rev: 001), SRM-HBA-00-03-DR-A-20-0103 (Rev: 001), SRM-HBA-00-04-DR-A-20-0104 (Rev: 001), SRM-HBA-00-05-DR-A-20-0105 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0200 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0201 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0202 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0203 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0204 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0205, SRM-HBA-00-XX-DR-A-20-0206 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0207 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0208 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0209 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0212 (Rev: 001), SRM-HBA-00-XX-DR-A-20-0209, SRM-HBA-00-XX-DR-A-20-0210, DBK1127.GA.101 (Rev: PL02), DBK1127.GA.102 (Rev: PL03), DBK1127.GA.103 (PL03), DBK1127.GA.104 (PL02), DBK1127.GA.105 (PL03), DBK1127.GA.106 (PL02), DBK1127.GA.107 (PL02), DBK1127.GA.108 (PL04) and DBK1127.GA.109 (PL03). And supporting documents: 'Town Planning Statement' dated November 2016, 'Air Quality Assessment' dated 17 October 2016, 'Arboricultural Impact Assessment' dated October 2016, 'Ecological Appraisal' dated October 2016, 'Surface Water Drainage Strategy' dated 19 October 2016, 'Framework Travel Plan' dated October 2016, 'Transport Statement' dated November 2016, 'Statement of Community Involvement' dated October 2016, 'Geoenvironmental Site Investigation Report' dated August 2016, 'Energy and Sustainability Statement' dated October 2016, 'Daylight, Sunlight and Overshadowing Assessment' dated October 2016, 'Noise Impact Assessment' dated 7 October 2016.
Contact Officer:	Jock Farrow (020 8545 3114)

RECOMMENDATION

Grant planning permission subject to conditions and s106 agreement.

CHECKLIST INFORMATION

- S106: Affordable housing, contribution for loss/replanting of street tree, contribution for carbon shortfall, contribution for installation of car club bay and agreement to provide a membership to car club for future occupants; cost to Council of all work in drafting S106 and monitoring the obligations.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: No
- Number of neighbours consulted: 288
- External consultations: 3
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood zone: No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site is located at 223 Streatham Road and 1 Ridge Road; the site has frontage to Caithness Road, along the southern boundary of the site, Streatham Road, along the western boundary of the site and Ridge Road, along the northern boundary of the site. The majority of the site is regular in shape with a small triangular section to the northeast – the site has an approximate area of 0.149ha. The site has a public transport access level of 2 (1 being poor and 6 being excellent).
- 2.2 The site is currently occupied by a series of single storey buildings (423 sq.m) including offices for the coach depot (Mitcham Belle Coaches), garages and an MOT garage with the remainder of the site being hardstanding and being used for coach parking; the use does not fit into any one use class for planning purposes and is considered to be sui generis. For planning policy purposes the site is considered to be an employment site. The site is predominantly enclosed by a brick wall, albeit the Streatham Road frontage is relatively open. The site currently has two points of vehicle access, these being from Streatham Road and Ridge Road.
- 2.3 The area is characterised by varied development both in terms of architectural style and scale. The site is located within a mixed use area comprising shops, takeaways, cafes, auto- repairs, offices and residential premises. Caithness Road and Ridge Road are primarily characterised by two storey residential development, albeit there

are also examples of semi-detached dwellings and single storey dwellings. Streatham Road, in the immediate vicinity of the application site, is primarily characterised by shops at ground floor with residential above; it is noted that the shops in this area form a designated neighbourhood parade.

- 2.4 The northeast corner of the site, on Ridge Road, is adjoined by a two storey (with loft level) semi-detached dwelling. Beyond Ridge Road to the north is a railway track/bridge which is a designated green corridor and site of importance for nature conservation (SINC). The southeast boundary of the site is bordered by a vehicle access, beyond which is a two storey (with loft level) end terrace dwelling fronting Caithness Road. To the south (across Caithness Road), there is a 3 storey (with undulating pitched roofs) terrace row which fronts Streatham Road. To the west (across Streatham Road), there is a 3 storey (with low pitched roofs) block of flats. Caithness Road and Streatham Road are both relatively wide at 12m and 14.5m respectively.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of all buildings on site and the redevelopment of the site to provide a part 2, part 3, part 4, part 5 storey mixed use building. The proposed building would provide 246sq.m of non-residential floor space on ground floor for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure) together with associated access, 17 car parking spaces, cycle parking, refuse storage, plant and the ground floor component of a number of residential duplex units. The remainder of the building would comprise 36 residential units (includes the ground floor component of the duplex units) and a first floor courtyard to be used as a shared outdoor amenity space. The residential units would comprise: 18 x 1 bed, 13 x 2 bed and 5 x 3 bed. The building would have a total floor area of 3,604sq.m.
- 3.2 The building footprint would encompass the entire site at ground floor level and would provide frontages to Caithness Road, Streatham Road and Ridge Road. However, at first floor level and above, the building would roughly align with the prevailing building lines of Caithness Road and Ridge Road, so that the massing would be concentrated around the outer edges of the site, leaving an open central courtyard at first floor level. The building would step down in height to three storeys at the south eastern corner and down to two storeys at the north eastern corner, with the height and massing generally increasing toward the west of the site and Streatham Road. At ground floor level, the non-residential components of the building would provide continuous and even frontage along the site boundary. The ground floor components of the duplex units however would incorporate setbacks from the pavement.
- 3.3 The building façade would predominately be red/brown brick with a light grey concrete plinth. Windows, doors and balconies would be recessed and would incorporate projecting concrete surrounds. The fifth floor would be set back with a staggered façade and would use light grey brick.
- 3.4 Vehicle access would be provided via an under-croft from Caithness Road, setback some 16.5m from the junction with Streatham Road; it is noted that internal access is provided from the carpark to the residential units. The main entrance to the residential units would be provided from Ridge Road, near the junction with Streatham Road; the upper floors would be served by a central staircore and two elevators.
- 3.5 The proposed building would have the following key dimensions:

- Heights:
 - 8.2m high at the north eastern corner (two storey)
 - 14.8m high to the top of the fourth floor
 - 17m high to the top of the fifth (recessed) floor
 - 18.4m high to the top of the lift overrun
 - 10.5m high at the south eastern corner (three storey)
 - Frontage:
 - 34m of frontage along Ridge Road
 - 24.7m of frontage along Streatham Road
 - 37m of frontage along Caithness Road
- 3.6 Following the initial submission of the application along with subsequent discussions between the developer and London Borough of Merton, revised plans were submitted which addressed concerns relating to the impact on the amenity of neighbouring properties and some minor design matters.
- 3.7 The application is accompanied by a number of supporting documents including: 'Town Planning Statement' dated November 2016, 'Air Quality Assessment' dated 17 October 2016, 'Arboricultural Impact Assessment' dated October 2016, 'Ecological Appraisal' dated October 2016, 'Surface Water Drainage Strategy' dated 19 October 2016, 'Framework Travel Plan' dated October 2016, 'Transport Statement' dated November 2016, 'Geoenvironmental Site Investigation Report' dated August 2016, 'Energy and Sustainability Statement' dated October 2016, 'Daylight, Sunlight and Overshadowing Assessment' dated October 2016, 'Noise Impact Assessment' dated 7 October 2016 and Viability Assessment Report. In addition, a 'Statement of Community Involvement' dated October 2016 was included which is summarised below:
- 3.8 Prior to the submission of the application, the developer undertook consultation with key stake holders and the public. The developer has advised that consultation included Member of Parliament for Mitcham and Morden, Siobhain McDonagh; local Councillors, including engagement with Councillor John Dehaney (Graveney ward), who attended a public consultation event relating to the proposals; and local residents. In addition, a two-day public consultation event took place on 23 and 24 September 2016, at St James Church Centre on Mitcham Lane. 2,460 invites were sent to surrounding properties and 69 people attended over the two days with a total of 32 people filling out feedback forms provides. A summary of the developers minutes (including written and verbal feedback) are as follows:
- Principle of development - Attendees considered a residential led scheme to be the right approach with the majority agreeing the current site was unattractive and that the scheme would enhance the area. A few attendees queried the loss of the MOT.
 - Commercial unit - Attendees were concerned about the nature of the existing parade i.e. generally being rundown with some vacant. There was support for a scheme that may help revitalise the parade albeit there was resistance to the unit being used as a betting shop, fast food or an off license. The most desired uses in order of popularity were gym, coffee shop, pharmacy or grocer/baker/butcher.
 - Parking – Parking was the biggest concern for attendees, all supported the provision of onsite parking yet queried whether the provisions would be sufficient. Some attendees expressed desire for a car free development, stating the public transport in the area was sufficient. Some attendees queried how the commercial space would affect parking.

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

3.9 Further to the above, the developer has advised that feedback received from key stakeholders along with the public was considered and where required, additional analysis and design testing was undertaken and where possible, revisions were made to address the matters raised. The key points are summarised as follows:

- Commercial unit – Having regard to residents suggestions the unit is proposed to have a flexible use including A1 (retail), B1 (office) or D2 (assembly & leisure which would include a gym).
- Parking – The scheme provides considerable onsite parking, would facilitate additional on street parking, would offer a car club bay along with free membership to residents (reducing the need for residents to own cars along with neighbouring residents), would offer policy compliant cycle parking and would provide a travel plan. The parking provisions are covered in detail in section 7 of this report, however, in summary, the scheme is considered likely to improve parking issues in the area.
- Existing tenants and employment – The existing tenants have been given an appropriate amount of warning regarding the redevelopment with the coach depot already having found an alternate site. The site would provide up to 20 jobs onsite (compared to the existing 3) with more employment being generated during construction.
- Impact on amenity - The design has been carefully considered; the impact upon neighbouring amenity is discussed in detail in section 7 of this report.
- Design and impact on character of the area – The design has been carefully considered; the merits of the design are discussed in detail in section 7 of this report.
- Construction management – A detailed construction management plan and construction logistics plan will be prepared prior to commencement of development addressing issues during construction.
- Other suggestions – The developer will look into improving lighting in the alley, while having due consideration to light spill and its impact upon neighbouring amenity.

4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

- 4.2 MIT3146: BOOKING OFFICE EXTENSION – Granted.
- 4.3 MER996/67: OUTLINE - ERECTION OF COACH GARAGE, INVOLVING DEMOLITION OF EXISTING GARAGE AND RAISING ROOF OF ANOTHER GARAGE – Refused (reason not recorded).
- 4.4 MER129/78: Change of use of the bungalow from residential to office – Refused (reason not recorded).
- 4.5 MER174/73: Use of 3 lock up garages for repairs to motor vehicles – Planning permission granted.
- 4.6 87/P0631: Outline planning permission – Redevelopment of part of the site by the erection of a 2 storey building containing offices reception and flat above and single-storey building for use for parking and repair of coaches – Planning permission granted.
- 4.7 88/P0300: Approval of detailed drawings in respect of erection of a single storey building for parking and repairing coaches - Granted.
- 4.8 88/P0302: Erection of a single storey toilet block – Planning permission granted.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site and press notices along with letters sent to 288 neighbouring properties, the outcome of the consultation process is summarised as follows:
 - 5.2 1 neutral representation which queries the impact of the development.
 - 5.3 6 letters of objection:
 - Exacerbate parking pressure (parking provisions insufficient)
 - Compromised highway safety
 - Increased traffic congestion
 - Excessive density
 - Excessive scale and height
 - Uninspired design
 - Poor quality design
 - Out of keeping with the surroundings
 - Commercial space at ground floor likely to be unviable and unneeded
 - Lack of affordable housing
 - Loss of vehicle repair facilities
 - 5.4 58 copies of a template letter which objects to the scheme, albeit it is noted that 6 of the objections came from 3 addresses i.e. in total, 55 copies of the letter were received from individual properties. The summary of the objections is as follows:
 - Exacerbate parking pressure (parking provisions insufficient)
 - Compromised highway safety
 - Increased traffic congestion
 - Excessive density
 - Excessive scale and height
 - Uninspired design
 - Out of keeping with the surroundings
 - Disruption during construction

Internal:

- 5.5 Transport/Highways officers: No objection. Advised the parking provisions are acceptable (including electric charging and cycle parking provisions); refuse storage is appropriately located (both for residents and council); trip generation unlikely to be significant; not considered the proposal would generate a significant negative impact upon the performance or safety of the highway network or its users. Recommended conditions which would require details of the proposed changes to the highway network, a construction method statement and a construction logistics plan to be submitted to, and approved by, the Council.
- 5.6 Flood Risk Engineer: No objection. Advised that the site is at low risk of flooding, albeit runoff from the site could contribute to flooding in the surrounding area. The scheme proposes robust sustainable urban drainage systems. However, more detailed information should be secured by way of condition.
- 5.7 Trees Officer: No objection. Scheme would involve the removal of 1 dead Norway Maple and a group of Buddleia from within the site which is acceptable. The scheme would result in the loss of a street tree which should be discussed with the Green Spaces Department. The proposed landscaping scheme is acceptable and should be secured by way of condition.
- 5.8 Green Spaces: Advised the loss of the street tree should be offset by a financial contribution of £11,002.00 and secured by way of s106 agreement; the payment would go towards a replacement tree. (Officers note that the payment has been calculated via the capital asset value for amenity trees (CAVAT) assessment – a nationally recognized formula).
- 5.9 Environmental Health Officer: No objection. Advised conditions to mitigate the impact of noise, light spill/pollution, odours, impacts during construction and highlighted the need for contamination investigations and remediation strategies.
- 5.10 Climate Change Officer: No objection. Advised the residential component should achieve a 41% improvement on Part L 2013 requirements which meets relevant policy requirements. Recommended a condition requiring evidence that the proposed improvements, along with relevant water consumption standards, are achieved prior to occupation. The proposal falls short of the zero CO2 emissions target by 25.1 tonnes, this must be offset by a cash in lieu payment of £45,180.00 and secured by way of s106 agreement.
- 5.11 Urban Design Officer: No objection. Advised the scheme is high quality in appearance, proposing high quality materials and taking architectural cues from the surrounding context; a high level of detail has been shown in the design and access statement. A suitable approach to massing and heights has been proposed. Advised amendments to the main residential entrance and the ground floor windows.
- 5.12 Waste Management (refuse): Advised the general waste provisions were acceptable; however, scheme would require a higher provision of recycle and food waste storage.

External:

- 5.13 Metropolitan Police – Designing out Crime Officer: No objection. Advised the built form of the scheme generally provides good security measures. Advised various technical standards should be met to ensure a high level of security.

- 5.14 Thames Water: No objection.
- 5.15 Environment Agency: No objection. Advised conditions relating to contamination investigations, remedial strategies and measures to stop the mobilisation of contamination.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2012)

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

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

Others sections of NPPF of relevance:

4. Promoting sustainable transport
6. Delivering a wide choice of quality homes.
7. Requiring good design.
10. Meeting the challenge of climate change/flooding

6.2 London Plan (2015)

Relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing
- 5.1 Climate change mitigation

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.11 Green roofs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An Inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 8.2 Planning obligations
- 8.3 CIL

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

Relevant policies include:

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

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM R2 Development of town centre type uses outside town centres
- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM E1 Employment areas in Merton
- DM E3 Protection of scattered employment sites
- DM E4 Local employment opportunities
- DM O2 Nature conservation, Trees, hedges and landscape features
- DM D1 Urban Design
- DM D2 Design considerations
- DM D7 Shop front design and signage
- DM EP2 Reducing and mitigating noise
- DM EP3 Allowable solutions

DM EP4 Pollutants
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

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

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

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

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

Principle of development

- 7.2 Policy DM E3 of the SPP seeks to protect scattered employment sites, it states that where proposals would result in the loss of an employment site, they would be resisted except where: the site is located predominantly in a residential area and it can be demonstrated it is having a significant adverse effect on residential amenity, the site characteristics make it unviable for whole site employment, it has been demonstrated that there is no prospect of employment or community use on the site in the future. Where the above criteria cannot be met, the loss can be mitigated by providing employment as part of a mixed use scheme.
- 7.3 The proposal, which seeks to deliver a mixed use scheme, presents an opportunity to significantly increase employment generation on the site. The scheme could generate between a 6 and 7 fold increase in employment in the form of uses which would be entirely compatible with new dwellings, for which there is an acknowledged need. It is noted that the developer has provided information which suggests the commercial premises could reasonably be let as retail, offices or as a gym, generating employment for up to 20 people, compared to the existing site which provides for 3 on site jobs. Furthermore, Mitcham Belle Coaches have relocated to the Mitcham Industrial Estate which is located 400m from the site and the business will continue to operate locally.
- 7.4 Policy 3.3 of the London Plan 2015 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2012 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

7.5 The site is an underutilised brownfield site which is considered to present opportunities for a more intensive mixed use development. It is further noted that the site is surrounded by residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.

7.6 Given the above, it is considered the proposal is acceptable in principle; subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Residential density

7.8 The area has a public transport accessibility level (PTAL) of 2 which is considered to be a poor level of accessibility. It is considered that the site is located within an urban area.

7.9 The resultant density is calculated to be as follows:

Units per hectare:

1/0.149 ha (site area) x 36 (number of units) = 241 units per hectare.

Habitable rooms per hectare:

1/0.149 ha (site area) x 95 (assumed No. of habitable rooms) = 638 habitable rooms per hectare.

7.10 Table 3.2 of the London Plan 2015 advises that sites with a PTAL rating of 2 within an urban setting should provide for a density range of between 70-170 units/ha and 200-450 habitable rooms/ha.

7.11 The figures above illustrate that the proposed development would provide for a density that far exceeds the recommended density range provided in the London Plan, for both units and habitable rooms. However, in terms of PTAL, there is a bus stop immediately opposite the site, the site is a 10 minute walk from Tooting station (Southern and Thames Link), a 15 minute walk from Streatham Common station (Southern and Thames Link) and a 13 minute bus trip or a 20 minute walk from Tooting Broadway underground station, thus the rating may not be representative of the of the true accessibility of this location.

7.12 In addition, while density is a material consideration, it is not the overriding factor as to whether a development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, amenity, including both neighbour and future occupier amenity, and the desirability of protecting and enhancing the character of the area and the relationship with neighbouring sites.

Design and impact upon the character and appearance of the area

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

Massing and heights

- 7.14 It is considered that a suitable approach to massing has been proposed which responds well to the surrounding context. The massing of the building would be focussed toward the western side (toward Streatham Road) of the site taking advantage of the wide streetscape and being positioned away from the town houses to the east. The perimeter block approach allows the upper floors of the development to respond to the rear building lines of the dwellings along Ridge Road and Caithness Road, providing a continuous building line which would knit the urban grain of the two roads together. This approach to the massing would result in a centrally located, first floor podium/courtyard to the rear of the building; this open space would align with the rear gardens of the dwellings to the east.
- 7.15 It is noted that there are no five storey buildings in the immediate vicinity of the site. However, given the isolated and unique nature of the site, being a corner plot with three road frontages and being bordered by open space and a railway bridge to the north, the site is not considered to have the same constraints as other sites in the area, for example as the constraints on height for a mid-terrace building.
- 7.16 The presence of a three storey terrace row (with pitched roofs) immediately to the south of the site is highlighted. The maximum height of these buildings are roughly in alignment with the four storey component of the proposal. It is noted that there is a separation distance (separated by Caithness Road) between the proposed building and the terrace to the south of approximately 12m. The fifth floor of the proposal has been specifically designed to lessen the visual impact of the bulk by setting it back from the front façade, utilising a staggered outer wall, which further breaks up the bulk, reducing the ceiling height and using a lighter colour to appear subordinate and to more readily blend in with the sky. Given the separation distance between the buildings and the reduced bulk of the recessed fifth floor, it is considered that the development would constitute a suitable and natural increase in height from the terrace row to the south. It is noted that the lift overrun is located centrally within the site, set well back from the street elevations, and would not be visible from the street level.
- 7.17 The development would provide a suitable transition in height from the neighbouring residential development by stepping down in height toward the houses along Ridge Road and Caithness Road. The building would step down from five storeys, to four storeys, to two storeys to align with the height of the adjacent dwelling on Ridge Road. Along the Caithness Road wing, the building would step down from five storeys to three storeys, which is considered to be acceptable in conjunction with the separation distance of 7m (between the proposal and adjacent dwelling on Caithness Road).
- 7.18 Given the isolated and unique nature of the site, the presence of the 3 storey buildings with pitched roofs to the south and west, the recessed fifth floor of the proposal, the generous width of Streatham Road and Caithness Road along with the open space to the north, it is considered that the maximum height of the building would be acceptable in townscape terms. In addition, it is considered that a building of the scale proposed would provide a suitable degree of enclosure to Caithness Road, helping to screen the residential road from the busier Streatham Road.

Layout

- 7.19 The footprint is considered to make effective use of the site, utilising the entire site at ground floor level and taking a perimeter block approach, which provides considerable active frontage to Caithness Road, Streatham Road and Ridge Road. The footprint takes cues from the surrounding development, aligning with, and

creating a transition between, the building lines established on Caithness Road, Streatham Road and Ridge Road.

- 7.20 The commercial unit primarily fronts, and has entrances to, Streatham Road, which is considered to be appropriate given the busy nature of the road and the presence of the adjacent neighbourhood parade. The unit is outward facing, providing a high level of connectivity between the public realm and the development.
- 7.21 The majority of the residential units are accessed from walkways to the rear of the building. However, duplex units are located toward the ends of the Caithness Road and Ridge Road wings of the building; these units are provided with direct access from the street. The positioning of these units is considered to be appropriate given the residential nature and urban fabric of Caithness Road and Ridge Road. The entrances of the units, being directly from the street, contribute to the continuation of the active frontage at ground floor. The units would incorporate a suitable setback from the pavement providing defensible space, which creates an important delineation between the public realm and private property, this would be further enforced by the presence of a metal gate and railing. The kitchen windows of the units are positioned to provide a high level of surveillance.
- 7.22 The main residential entrance is located on Ridge Road, near the junction with Streatham Road. The placement ensures the entrance is positioned away from the foot traffic of Streatham Road, while still being highly visible.
- 7.23 The vehicle parking area along with the plant rooms are located centrally within the building, screening them from the public realm and maximising active frontage.
- 7.24 It is considered that the proposed layout is well thought out and based on sound urban design principles, the layout provides an inclusive design and promotes natural surveillance; when compared the current extensive length of inactive frontage along Streatham Road, it is considered the approach will enhance the character and vitality of the area.

Design and appearance

- 7.25 The proportions of the façade reduce incrementally as height increases, contributing to a more vertical emphasis. The horizontal separation between floors, the brick detailing, periodic recesses in the façade, the usage of metal railings and the projecting concrete window/door surrounds successfully avoid monotonous elevations, contributing to a high quality and coherent design.
- 7.26 Large ground floor windows, the use of a concrete plinth and a higher ceiling height would help to delineate the commercial unit from the upper floor residential units, as well as to enhance the buildings street presence. The configuration of the ground floor commercial unit with flats above provides some continuity with the adjacent neighbourhood parade. While the visual distinction from the commercial and residential units is important, the horizontal and vertical alignment of fenestration and openings provides a degree of coherence across the building as a whole. The usage of the concrete façade for the duplex units identifies them as a single residential unit and provides a sense of domestic scale which relates well to the domestic context of Ridge Road and Caithness Road. The grandeur of the double height residential entrance creates a sense of place. The setback fifth floor which would utilise a lighter coloured material provides a layer of visual interest, breaking up the even façade and successfully completing the building.
- 7.27 The design approach to the external appearance of the development, which includes

the proposal to use a pallet of materials influenced by the character of the wider area is supported. The use of contrasting materials, recesses and horizontal separation between floors throughout the scheme successfully defines the individual façade elements. However, the success would be very much dependant on the exact materials used; therefore, a condition is recommended requiring samples of materials to be submitted for approval prior to the commencement of the development.

- 7.28 While of a modern design, the proposals pick up important cues from the surrounding, more traditional, development in terms of scale and architecture. It is considered the development would successfully harmonise with, and enhance the character of, the surrounding area.

Signage

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

Unit size mix and affordable housing

- 7.31 The development proposes 36 residential units with the following size mix: 18 x 1 bed, 13 x 2 bed and 5 x 3 bed which equates to 50% 1 beds, 36% 2 beds and 14% 3 beds. Policy DM H2 of the SPP seeks to create socially mixed communities by providing a range of dwelling sizes, the policy indicates a borough wide housing mix of 33% 1 beds, 32% 2 beds and 35% 3 beds to be appropriate.
- 7.32 2011 Census data for the Merton area identifies the following unit size mix 7.1% 1 bed, 14.4% 2 bed and 78% 3 bed. There is a very high proportion of larger dwellings in Merton, thus the proposal would contribute to balancing the housing choice in Merton as a whole. Furthermore, it is highlighted that there are a large number of 3 bed townhouses in the immediate vicinity of the application site, thus the proposal would also help to balance the housing choice in its immediate surroundings.
- 7.33 London Plan policy 3.12 requires that in making planning decisions a maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Decision makers are required to have regard to factors including current and future requirements for affordable housing at local and regional levels and affordable housing targets adopted in line with policy.
- 7.34 The London Plan requires that negotiation on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation and other scheme requirements.
- 7.35 Having regard to characteristics such as financial viability issues and other planning contributions Core Strategy policy CS 8 states that for developments providing 10 or more units 40% of the new units should meet this provision and be provided on site. The LDF notes that where a developer contests that it would not be appropriate to

provide affordable housing on site or wishes to deviate from the affordable housing requirements set out in the policy, the onus would lie with the developer to demonstrate the maximum amount of affordable housing that could be achieved on the site viably.

- 7.36 The developer has provided a financial viability appraisal (FVA) with the application which finds that the scheme as proposed would be unable to deliver both the affordable housing contribution and a reasonable target profit margin. An independent assessment of the FVA was undertaken, which found the appraisal to be fair and reasonable. In this case, the requirement for affordable housing could be reasonably waived.
- 7.37 However, notwithstanding the findings of the FVA, the developer has offered 5 units to be affordable units in the form of 'shared ownership'; the units would be offered on the basis of the developer accepting a reduced profit. The offer would include 4 one bed units and 1 two bed unit i.e. 11 habitable rooms or occupancy for 11 persons. The offer equates to approximately 14% of units being affordable units.
- 7.38 Further to the offer of 5 units, the developer has demonstrated the deliverability of these units by engaging in discussions with Amicus Horizon (a housing association and registered provider) and by providing a letter of interest from Amicus Horizon.

Impact upon neighbouring amenity

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

Light spill

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

Visual intrusion and loss of light

- 7.41 Given the building would be a maximum of five storeys in height and would be replacing single storey structures, visual intrusion and loss of light are of particular concern. To mitigate these affects, the proposal has been designed to shift the massing toward Streatham Road, away from the dwellings to the east, the upper floors have been aligned with the building lines of Ridge Road and Caithness Road and the first floor podium/courtyard aligns with the rear gardens of these properties.
- 7.42 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidelines; the methodology used is the vertical sky component (VSC) and no sky line (NSL) for daylight and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from all immediately surrounding dwellings have been assessed, including the blocks of flats located opposite the site, across Streatham Road.
- 7.43 The daylight and sunlight assessment finds the following:
- The effect on VSC is within the 80% guidance value in all cases, thus the impact will be minimal

- All windows meet the BRE criteria by virtue of either retaining 80% of their existing value, or 25% of annual hours and 5% of winter hours
 - The impact on the amenity space of surrounding properties will be negligible
- 7.44 The daylight and sunlight assessment is considered to be robust and reasonable; as such, it is not considered the proposal would unduly impact upon neighbouring amenity in terms of loss of light.
- 7.45 In addition to the above, particular attention should be paid to No.'s 2 Ridge Road and 2/2a Caithness Road, as these are the dwellings closest to the development.
- No. 2 Ridge Road
- 7.46 As the building approaches No. 2 Ridge Road, it reduces in height to two storeys; in addition, at first floor level and to the rear, the closest point of the building would be in alignment with the rear elevation of the dwelling, the building would then increase in depth as it shifts away from the dwelling, at an approximate angle of 45 degrees. This sensitive treatment ensures the views from the rear elevation of No. 2 Ridge Road would not be unduly impacted upon nor would the building be overbearing to its amenity space.
- 7.47 However, aside from the main building, it is also noted that the ground floor element (with the amenity space above) would be built along the entire length of the shared boundary; to mitigate the impact of this element, the height along the shared boundary has been reduced to a height of 2.5m, this height is maintained for a distance of 1.5m back from the shared boundary, before stepping up to a height of 5.4m (height of the podium plus the height of the screening). Given the proposed setback from the boundary and the usage of bamboo screening, it is not considered the proposal would be unduly visually intrusive.
- No. 2/2a Caithness Road
- 7.48 As the building approaches No. 2/2a Caithness Road, it reduces in height to three storeys; in addition, the rear elevation of the buildings' upper floors would be well within the rear building line established by this property. These mitigation measures in conjunction with the 3.5m wide access way which separates the proposal from the adjacent dwelling, would ensure the proposal is not unduly visually intrusive.
- Privacy
- 7.49 It is not considered the proposal would unduly impact upon the privacy of neighbouring properties.
- 7.50 The Ridge Road, Streatham Road and Caithness Road elevations all provide overlooking to public space. The rear outlook of the Caithness Road wing is directed toward the properties on Ridge Road; there is a separation distance of approximately 27m from the rear windows to these properties. The rear outlook from the central access deck along with the Ridge Road wing is directed toward the properties on Caithness Road; there is a separation distance from the rear windows of approximately 17m (closest point) to the amenity space of these properties and 24m window to window. Furthermore, it is noted that the window to window overlooking is at an angle. Any flank windows are either provide outlook to private terraces (thus are enclosed by the terraces' screening) or are obscure glazed.
- 7.51 Private roof terraces are proposed at the ends of the Ridge Road and Caithness Road wings and a first floor podium/court yard is proposed centrally within the development which would be used as communal amenity space. Overlooking from these areas is addressed by a combination of setbacks and screening (some of

which would be green screening); it is considered that the proposed methods could suitably address any overlooking concerns. However, the finer details such as how the setbacks would be maintained and how overlooking would be addressed while the green screening is still growing have not been supplied. As such, it is recommended to include a condition which would require details of screening to be submitted to, approved and implemented prior to first occupation.

Noise

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

Construction phase

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

Standard of accommodation

- 7.54 Policies 3.5 and 3.8 of the London Plan 2015 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan (amended March 2016). Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

Unit No. and Floor	Unit Size /Type	Required Area	Proposed Area	Compliant
Ground floor				
00.01	3B4P2S	84	95	Yes
00.02	3B4P2S	84	102	Yes
00.03	3B4P2S	84	100	Yes
00.04	3B5P2S	93	112	Yes
00.05	3B4P2S	84	109	Yes
First floor				
01.01	1B2P1S	50	50	Yes
01.02	2B3P1S	61	70	Yes
01.03	1B2P1S	50	50	Yes
01.04	1B2P1S	50	50	Yes
01.05	1B2P1S	50	50	Yes
01.06	2B3P1S	61	74	Yes
Second floor				
02.01	1B2P1S	50	56	Yes
02.02	1B2P1S	50	50	Yes
02.03	1B2P1S	50	50	Yes
02.04	1B2P1S	50	50	Yes
02.05	2B3P1S	61	70	Yes
02.06	1B2P1S	50	50	Yes
02.07	1B2P1S	50	50	Yes
02.08	2B3P1S	61	71	Yes
02.09	1B2P1S	50	57	Yes
02.10	2B3P1S	61	62	Yes
Third floor				
03.01	2B4P1S	70	102	Yes
03.02	2B3P1S	61	77	Yes
03.03	2B3P1S	61	70	Yes
03.04	1B2P1S	50	50	Yes
03.05	1B2P1S	50	50	Yes
03.06	2B3P1S	61	71	Yes
03.07	1B2P1S	50	58	Yes
03.08	2B3P1S	61	61	Yes
Fourth floor				
04.01	2B4P1S	70	97	Yes
04.02	1B2P1S	50	52	Yes
04.03	1B2P1S	50	53	Yes
04.04	1B2P1S	50	50	Yes
04.05	1B2P1S	50	50	Yes
04.06	2B3P1S	61	61	Yes
04.07	2B4P1S	70	74	Yes

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

- 7.55 As demonstrated by the table above, all units either meet or exceed London Plan standards. All habitable rooms are serviced by windows which are considered to offer suitable natural light, ventilation and outlook to prospective occupants. In addition, all units are considered to be suitably private, including the duplex units which incorporate defensible space to the front and use screening to separate their private amenity space from the communal space.
- 7.56 Dual aspect units are encouraged given the higher standard of living they offer, which includes better ventilation, increased daylight, increased sunlight hours and the ability to choose which side of the unit to open windows (when noise, odour or other nuisance is being generated on a particular side). With the exception of units 03.07 and 04.06, all units offer true dual aspect while the aforementioned units offer partial dual aspect. This is a very high proportion of dual aspect units for a scheme of this size. This has been achieved by utilising open walkways to the rear, thus facilitating rear windows to the units and by designing the ground floor units to be duplex units.
- 7.57 In accordance with the London Housing SPG, policy DMD2 of the SPP states that there should be 5sq.m of external space provided for 1 and 2 person flats with an extra square metre provided for each additional occupant. All units are provided with either private balconies or terraces, the sizes of which all meet or exceed the relevant standards. In addition to the private amenity space provided for each unit, the scheme would offer approximately 380sq.m of high quality communal amenity space. This space would be fully landscaped and would offer seating and play equipment.
- 7.58 It is noted that lifts serve all floors providing step free access and that 10% of units meet M4(3) of the building regulations in accordance with London Plan policy 3.8.
- 7.59 As outlined above, the scheme is considered to offer a very high standard of living for prospective occupants.

Transport, highway network, parking and sustainable travel

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

Vehicle parking provisions

- 7.62 The development would provide 17 vehicle parking spaces on site, 4 of which would be disabled spaces which is in line with London Plan Standards. Census car ownership data for the Graveney ward suggests that for a development of the nature and scale proposed, a maximum of 24 vehicles would be associated with the development. It is noted that this is a conservative estimate given the census data is largely based off dwellings with a higher occupancy (3 bed dwellings), thus the scheme which proposes predominantly 1 and 2 bed units, would likely generate less vehicles than Census data would suggest.

- 7.63 As such, taking into account both expected (conservative) vehicle generation and onsite parking spaces, the development would result in 7 overspill vehicles. However, it is noted that coach bays are currently located on Streatham Road and with the relocation of the coach depot, these would be redundant and would be converted to general parking bays; it is expected that 5 parking bays would be gained. As such, when taking into account the spaces gained on street, the development would result in 2 overspill vehicles. Furthermore, the developer has undertaken a parking survey during peak residential times which finds a 20% parking capacity on the surrounding network; the parking survey is considered to be robust and reasonable. Given the above, it is considered that any impact upon parking pressure in the area would be negligible.
- 7.64 Notwithstanding the developments acceptability in terms of parking pressure, the developer has proposed further initiatives to improve parking stress in the area which are considered to be over and above simply offsetting the impact of the development, initiatives which are welcomed by officers. The developer has proposed to fund/implement a car club bay along with the provision of a life-time membership to Zipcar for each unit; resulting in a £50 driving credit for each residential property (the £50 credit would come from the car club and would not be at the expense of the developer). Car plus studies show that the implementation of a car club bay and car can reduce vehicle ownership in the immediate area by up to 28 vehicles. Furthermore, it is noted that this figure does not take into account free membership, thus the figures would likely be higher.
- 7.65 Given the above, it is considered that the surrounding network would easily accommodate the vehicles associated with the development; in fact, given the commitment to a car club bay, the development may have a beneficial effect on parking capacity in the area. It is not considered that the level of parking proposed would compromise sustainable travel objectives.

Delivery, servicing and the highway network

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

Sustainable Travel

- 7.69 The developer has provided a Travel Plan in support of the application which seeks to promote sustainable travel for employees, residents and visitors; it is considered that the Travel Plan is robust and reasonable; however, it is recommended to include

a condition which would require details of separate Travel Plans for the residential component and the non-residential component of the development.

- 7.70 In accordance with London Plan policy 6.9 and table 6.3, 54 long term cycle storage spaces have been proposed for the residential component and 10 short term spaces for the commercial unit, which exceed London Plan standards. The spaces are considered to be suitably secure and accessible.
- 7.71 London Plan policy 6.13 requires 1 in 5 (20%) of the parking spaces to be electric charging spaces (both active and passive); the developer has proposed 20% of spaces being active (ready to use) and 20% being passive (potential for use in the future) which exceeds London Plan standards.

Refuse storage

- 7.72 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the CS.
- 7.73 The location of the refuse storage is considered to be appropriate and easily accessible by residents and Council (for collection). However, the storage provisions proposed are not in line with Merton Council requirements. The developer has confirmed that the storage area proposed for refuse can accommodate the storage capacity requirements of Merton Council. As such, it is considered that a condition could reasonably be added requiring details of refuse storage to be submitted to, and approved by, Merton Council prior to occupation.

Sustainability

- 7.74 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water. London Plan policy 5.2 now sets a zero carbon target for residential development, whereas non-residential development remains at a 35% improvement on Part L of the Building Regulations 2013.
- 7.75 The developer has submitted an Energy and Sustainability Statement (revised and dated December 2016) in support of the application which states the development could achieve a 41% improvement on Part L 2013 which is compliant with policies 5.2 of the London Plan and CS15; the statement is considered to be robust and reasonable. However, it also highlights a carbon shortfall of 25.1 tonnes (short of zero target); this shortfall translates into a cash in lieu payment of £45,180.00.
- 7.76 It is recommended to include a condition which would require evidence to be submitted to, and agreed by, Merton Council which confirms the development has achieved the carbon savings outlined in the Energy and Sustainability Statement along with water consumption standards not exceeding 105 litres per person per day.
- 7.77 Subject to a S106 payment of £45,180.00 along with the above conditions, it is considered the proposal would be policy compliant in terms of sustainability.
- 7.78 Payments to offset carbon shortfalls are used by council to fund projects which seek to reduce carbon generation in the borough. Projects include renewable energy technology and combined heat and power plant initiatives.

Other matters

Flooding and sustainable urban drainage

- 7.79 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.80 The site is not considered to be at risk of flooding; however, runoff flows from the site would contribute to the wider network. It is noted that the area under the railway bridge is prone to flooding. The scheme proposes to limit runoff rates to greenfield rates of 5l/s, which is acceptable.
- 7.81 It is recommended to include a condition which requires details of drainage, attenuation and management to be submitted to, and approved by Merton Council prior to the commencement of development.

Site contamination

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

Landscaping and impact on biodiversity and SINC

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

is considered to be high quality, improving the public realm and enhancing biodiversity; it is therefore recommended to include a condition requiring the recommendations of the Design and Access Statement to be implemented prior to occupation.

- 7.88 The developer has provided an Ecological Appraisal in support of the development; the methodology, findings and recommendations of the appraisal are considered to be reasonable. The appraisal includes recommendations to mitigate the impact on birds and of any light fall of the nearby SINC; in addition, the investigations carried out found no evidence of bats on site. It is therefore recommended to include a condition requiring the recommendations of the Ecological Appraisal to be implemented prior to occupation. Furthermore, details of external lighting and a bat survey (in the event buildings on site are not demolished within 12 months of the decision) should be required by condition.
- 7.89 Given the positioning of the vehicle access, the scheme would result in the loss of a street tree. It is considered that the proposed location of the vehicle access is the most appropriate location, thus the removal of the street tree can be considered. The developer has agreed to a payment of £11,002.00 which would be used to replace the street tree. Given the above, the removal of the tree is considered to be acceptable.
- Developer contributions
- 7.90 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).
- 7.91 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.
- 7.92 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.
- 7.93 In this instance the delivery of affordable housing, a payment to offset the loss of the street tree and provide replanting, a payment to offset the carbon shortfall, a payment to cover the costs of installing a car club bay and an agreement for the developer to provide a 25 year car club membership for future occupants of the development would be secured via a S106 agreement.
- 7.94 The developer has agreed to meet the Council's reasonable costs of preparing and monitoring the Section 106 Obligations. S106 monitoring fees would be calculated on the basis of the advice in the Council's adopted Supplementary Planning Guidance (2006) and legal fees would need to be agreed at a later date.
- 7.95 Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by Merton's Community Infrastructure Levy.

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, providing a mixed use scheme potentially increasing employment on site and increasing residential density in line with planning policy. The proposal is considered to be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout, architectural cues and materials; the proposal is considered to make a positive contribution to the streetscene. Despite the financial viability appraisal determining it would not be viable to provide affordable units while achieving a reasonable profit margin, the developer has offered approximately 14% of units as affordable housing units, which would be delivered on the basis of the developer conceding a reduced profit margin; this offer is welcomed by officers.
- 8.2 The proposal has been sensitively designed to ensure it would not unduly impact upon neighboring amenity. The proposal would offer very high living standards for prospective occupants. The proposal would not unduly impact upon the highway network, it is likely to improve parking congestion in the area and it would promote and facilitate sustainable travel. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations, which would warrant a refusal of the application.
- 8.3 The application is therefore recommended for approval subject to appropriate conditions and s106 agreement.

RECOMMENDATION

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

S106 legal agreement:

1. The provision of 5 (4 x 1 bed and 1 x 2 bed) 'shared ownership' affordable housing units onsite;
2. Contribution of £11,002.00 required to offset the loss of a street tree and the provision of replanting in the immediate area;
3. Contribution of £45,180.00 required to offset the carbon shortfall of the development;
4. Contribution of £4,000.00 required for the installation of a car club bay in the immediate area;
5. The developer agreement to provide a 25 year membership to zipcar (car club) for each residential unit of the development at the cost of the developer;
6. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [agreed by developer];
7. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [agreed by developer].

And the following conditions:

1. Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

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

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

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

3. Standard condition [materials to be approved]: No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

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

4. Non-standard condition [Design and access statement]: The details and measures proposed in the 'Design and Access Statement' (including landscaping strategy) (Rev: 001) dated 13/01/2017 shall be implemented in accordance with, and follow the sequence of events proposed in, the document.

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

5. Non-standard condition [Ecological appraisal]: The details and measures proposed in the 'Ecological Appraisal' dated September 2016 shall be implemented in accordance with, and follow the sequence of events proposed in, the document.

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

6. Non-standard condition [Updated bat survey]: In the event existing buildings on site have not been demolished within 12 months of the submission of the valid application (date valid: 09/11/2016), any construction work (including demolition) shall cease and shall not resume until details of an updated bat survey has been submitted to, and approved by, Merton Council.

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

7. Non-standard condition [Transport Statement]: The details and measures proposed in the 'Transport Statement' (includes details of parking provisions, changes to the highway network, electric charging provisions and cycle parking) dated November 2016 shall be implemented in accordance with, and follow the sequence of events proposed in, the document.

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

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

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

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

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

10. Standard condition [Construction logistic plan]: Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the 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: Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

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

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

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

and one for the non-residential use, shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:

- (i) Targets for sustainable travel arrangements;
- (ii) Effective measures for the on-going monitoring of the Plan;
- (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
- (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

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

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

13. No part of the development hereby approved shall be occupied until the applicant has entered into a highways agreement with London Borough of Merton's Highway Team to remove the existing redundant crossovers (Ridge Road and Streatham Road) by raising the kerb and reinstating the footway, to remove the length of coach parking bay on Streatham Road and to install on-street parking spaces in place of the redundant crossovers and coach bay, with all works being in accordance with the requirements of the Highway Authority.

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

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

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

15. Non-standard condition [noise levels insulation]: Recommendations to protect noise intrusion into the dwellings as specified in the K.P. Acoustics, Noise Impact Assessment Report 14726.NIA.01 dated 07/10/2016 shall be implemented as a minimum standard to protect future residents from noise. This shall also include the potential use of D2.

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

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

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

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

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

18. Non-standard condition [Details of external lighting]: Prior to first occupation of the development details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and shall be permanently retained as such thereafter.

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

19. Amended standard condition [Details of refuse]: Prior to first occupation of the development a scheme for the storage of refuse and recycling shall be submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the 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: policy 5.17 of the London Plan 2015, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

20. Non-standard condition [Details of drainage]: Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:
- i. Provide information about the design storm period and intensity, attenuation (volume of no less than 50m³ to be provided) and control the rate of surface water discharged from the site;
 - ii. Include a timetable for its implementation;
 - iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

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

21. Non-standard condition [Sustainability]: No part of the development hereby approved shall be occupied until evidence has been submitted to the local planning authority confirming that the development has achieved not less than the Part L 2013 carbon savings outlined in the submitted 'Energy and Sustainability Statement' revised and dated December 2016, and internal water usage consumption standards not in excess of 105 litres per person per day.
Evidence requirements: are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Ene1 of the Code for Sustainable Homes Technical Guide (2010).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28. Amended standard condition [Use of flat roof]: Access to the flat roof of the development hereby permitted, outside of those areas specifically identifies as terraces and as shown on the approved plans, 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: Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

29. Amended standard condition [Obscure glazing]: Before the development hereby permitted is first occupied, the windows to be obscure glazed as shown on the approved plans shall be glazed with obscured glass and shall be maintained as such thereafter.

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

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

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

INFORMATIVES:

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

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

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

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

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

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

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