Agenda Item 11

PLANNING APPLICATIONS COMMITTEE 10 October 2013

10 October 2013 <u>Item No:11</u>
UPRN APPLICATION NO. DATE VALID

13/P1898 13/06/2013

Address: 34 - 40 Morden Road, South Wimbledon, SW19

3BJ

Ward Abbey

Proposal Application for outline planning permission

considering access and scale for the demolition of the existing two storey buildings [providing 1 two bedroom house, 2 one bedroom flats and 7 studio flats] at 34-40 Morden Road and erection of a eight storey building providing an 'aparthotel' consisting of 31 serviced apartments [10 studio units, 19 one bedroom units and 2 two bedroom units] provided short term accommodation together with 9 residential flats [4 one bedroom, 4 two bedroom

and 1 three bedroom flats].

Drawing No's DMWR/A3/21; DMWR/A3/22A; DMWR/A3/23B;

DMWR/A3/24B; DMWR/A3/25B; DMWR/A3/26A; DMWR/A3/27A; DMWR/A3/28A; DMWR/A3/29A; DMWR/A3/30; DMWR/A3/31; DMWR/A3/32; DMWR/A3/33; Planning Statement; Daylight and Sunlight Assessment Design and Access Statement; Transport Note; explanatory note 'The

Concept of an Aparthotel [C1 Use]'

Contact Officer Tony Ryan [020 8545 3114]

<u>RECOMMENDATION</u> GRANT OUTLINE PLANNING PERMISSION subject to planning conditions and a S106 legal agreement.

CHECKLIST INFORMATION.

- S106: sustainable transport, public realm improvements.
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted No
- Press notice Yes
- Site notice Yes
- Design Review Panel consulted No
- Number of neighbours consulted 181
- External consultations Transport for London, Police Crime Prevention Design Advisor and Thames Water.
- PTAL: 6a [TFL Planning Information Database]
- Density 650 habitable rooms per hectare [78 hab. Rooms 0.12 hectares].
- Number of jobs created: 1

1. INTRODUCTION

1.1 This application is brought before Committee for Members' consideration as a result of the public interest in the proposal, in response to a request from Councillor Henry Nelless for committee

determination and to seek authority to enter into a S106 legal agreement.

2. SITE AND SURROUNDINGS

- 2.1 The application site [0.1 hectares] is located on the west side of Morden Road [A219] at the road junction with the cul-de sac called The Path and opposite the road junction with High Path. The application site is currently occupied by two storey pitched roof buildings that provide 1 two-bedroom house, 2 one-bedroom flats and 7 studio flats. The existing pitched roof buildings are 7 metres high at the roof eaves and 9.8 metres high at the roof ridge.
- 2.2 The existing buildings are set back from the front boundary of the site with front gardens separating the existing buildings from the pavement in Morden Road. The buildings are constructed in different facing materials including yellow brick, red brick and render. The majority of the buildings have previously been extended with single and double storey rear extensions and a large double storey side extension facing The Path.
- 2.3 A private access road separates the rear gardens of the properties on the application site from the side elevation of a terrace of two storey residential properties on the north side of The Path [with the Nelson Industrial Estate located to the south of The Path]. This private access road provides access to garages and off street parking located to the rear of properties on the application site and in The Path.
- 2.4 The application site forms part of a group of buildings located between the road junctions with The Path and Milner Road. The residential building at 30 Morden Road that is located immediately to the north of the application site is part two storey, part three storeys in height with additional accommodation within a mansard roof. This building constructed of yellow brick with red brick detailing is set back behind the front elevation of the buildings on the application site and provides 12 flats. The adjacent four storey flat roofed residential building at 26 Morden Road is constructed in buff brick and provides 23 flats.
- 2.5 The three storey red brick commercial building [11.3 metres high] at 16-20 Morden Road is occupied by Barclays Bank with vacant office space on the upper floors. Spur House is located at the junction of Morden Road and Milner Road and currently provides residential and commercial uses. This six-storey building has planning permission for extensions and alterations to provide a nine-storey building [see planning history section of this report].
- 2.6 To the south of the application site are commercial buildings set back from Morden Road that are within the Nelson Trading Estate. On the eastern side of Morden Road opposite the application site is the High Path Housing Estate with two four-storey buildings called Priory Close [32 flats] and Gilbert Close [20 flats]. The High Path Housing Estate also including three 12-storey tower blocks.

- 2.7 The open space called Nelson Gardens and St John the Divine Church are also located on the eastern side of Morden Road. The church was built in 1913 to mark the centenary of the death of Admiral Lord Nelson, whose country house, Merton Place formerly stood nearby. The church is not included on the national statutory list of historically important buildings. The church is included on the Council's separate non-statutory list of buildings in the borough that are considered to be of local rather then national significance. The church is described as a stone built gothic church, with the main features of interest the squat tower, the large west facing window, and the roof which is covered in greenish coloured slate. The nave and aisle each have separate gabled roofs. Nelson Gardens does not appear on the national or local list.
- 2.8 The site has a Public Transport Accessibility Level rating of 6a [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility]. South Wimbledon Underground Station is 130 metres to the north and Morden Road tram stop 570 metres to the south. The site is located within a controlled parking zone [zone S1] with double yellow line waiting restrictions along the main Morden Road frontage and along part of the secondary frontage in the Path. A bus lane also passes the front of the site. The railings associated with a nearby traffic light controlled pedestrian crossing are along the pavement to the front of the site. There is a large area of pavement to the side of the application site at the Morden Road/The Path road junction and includes a marked cycle route.
- 2.9 The main traffic route in the local area is the strategic A24 red route that forms part of the Transport for London road network. The A24 runs from Morden Town Centre in a northerly direction along Morden Road to the road junction with Merantun Way [100 metres to the south of the application site]. At this junction the A24 turns eastwards off Morden Road onto Merantun Way towards central London and Colliers Wood. The other arterial route in the area is Kingston Road/Merton High Street (A238) that is 170 metres to the north of the application site. The application site is located off these main traffic routes on a section of Morden Road that forms part of the A219.
- 2.10 The application site is not in an archeological priority area, and not in an area at risk from flooding [June 2012]. A purple leaf plumb tree in the rear garden of the adjacent property at 30 Morden Road is the subject of a Tree Preservation Order.

3 CURRENT PROPOSAL

3.1 The current outline planning application, considering access and scale, involves the demolition of the existing two storey buildings [providing 1 two bedroom house, 2 one bedroom flats and 7 studio flats] at 34-40 Morden Road. The redevelopment of the site will provide a new building providing an 'aparthotel' consisting of 31 serviced apartments including 10 studio units, 19 one bedroom units and 2 two bedroom units. The proposed building also provides 9 residential flats including 4 one bedroom, 4 two bedroom and 1 three bedroom flats that will be

- provided as general market accommodation. A schedule providing information on room sizes, amenity space provision and tenure is provided as an appendix to this report.
- 3.2 The ground floor of the proposed building provides a lounge for residents and a reception and concierge area at the front of the site. The ground floor has a main entrance from Morden Road and a secondary entrance from an under croft parking area at the rear of the site. This parking area with a proposed new vehicular access from 'The Path' provides five car parking spaces, including two spaces suitable for those with disabilities. This under croft area also provides a self-contained store for 21 cycles and a self-contained refuse store. Two lifts and a staircase in the centre of the building provide access to the upper floors of the building.
- 3.3 The proposed 31 serviced apartments are located on the first, second, third and fourth floors of the building with external amenity space in the form of roof terraces at first and third floor levels. All of the individual units also provided with private balconies apart from units 1 and 2 on the first floor.
- 3.4 The proposed aparthotel accommodation concept is aimed at those persons that are seeking residential accommodation for time periods that are longer then the typical hotel stay, but shorter than the six months minimum period that is required for a tenancy agreement and would be suitable for persons seeking accommodation for a period of a few months whilst they are working locally. The accommodation would generally offer a 24 hour reception and aims to provide a 'home away from home' feeling in a hotel-like environment.
- 3.5 The accommodation typically uses a hotel booking system but is able to provide accommodation that is cheaper then a normal hotel as the accommodation would not include all the normal services of a hotel such as room service, or a hotel bar. The apartments are different then normal residential accommodation because a resident of an aparthotel will not be required to enter into a tenancy contract. There would be no minimum level of stay for a resident of an aparthotel and they would not be directly responsible for utility bills, maintenance and ground rent.
- 3.6 Central Government circular guidance [ODPM Circular 03/2005] advises "...short-term (i.e. purchased at a nightly rate with no deposit against damage being required) self-contained accommodation, sometimes called Apart-Hotels..." fall within the C1 Planning Use Class. Planning Use Class C1 also includes hotels, guesthouses and boarding houses but excludes hostels.
- 3.7 The proposed 9 residential flats are located on the fifth, sixth and seventh floors of the building and include external amenity space in the form of roof terraces at fifth and seventh floor levels and private balconies to all of the residential flats.

3.8 Following the withdrawal of an earlier planning application the current proposal includes a reduction in the height of the proposed building from 10 storeys to 8 storeys; a reduction in number of serviced apartments from 58 to 31; a reduction in the number of flats from 10 to 9 units and changes to the shape and layout of the building.

4. PLANNING HISTORY.

4.1 The planning history associated with the application site at 34, 36, 38, 40 is provided below. The planning history for the nearby site at Spur House, 14 Morden Road is also provided. This site is considered relevant as an appeal has recently been allowed which allows three additional storeys to the existing six storey building on this nearby site.

34, 36, 38, 40 Morden Road

4.2 On the 5 December 2012 an outline planning application [reference 12/P1891] was withdrawn for the site 34-40 Morden Road South Wimbledon. The applicant withdrew the application after the applicant was advised that the application was likely to be recommended for refusal. This application was for the demolition of the existing two storey buildings [providing 1 two bedroom house, 2 one bedroom flats and 7 studio flats] and erection of a nine-storey building providing an 'aparthotel' consisting of 58 serviced apartments [22 studio units and 29 one bedroom units] provided short term accommodation together with 10 residential flats (2 one bedroom, 8 two bedroom and 1 three bedroom flats).

36 Morden Road

4.3 Planning permission was approved in May 2004 [reference MER105/84] for alterations to and conversion of dwelling house into two flats involving erection of a single storey rear extension, new front porch and two garages at rear.

34 and 36 Morden Road

4.4 Planning permission was refused on the 17 March 2008 [reference 07/P3503] for the demolition of 34 and 36 Morden Road and the construction of 14 one-bedroom flats. The reasons for refusal are provided below. A subsequent appeal to the Secretary of State against the refusal of planning permission was dismissed.

"The current proposal fails to demonstrate that adequate living standards can be provided for future occupiers of the building or that an appropriate mix of dwelling can be provided without adverse impacts which would result to neighbouring occupiers by reason of loss of outlook and overshadowing, contrary to policies BE15, BE22, HS1 and HN3 of the Adopted Unitary Development Plan 2003".

4.5 An application was withdrawn in October 2008 [reference 08/P1897] for outline planning application [with access to be determined], for demolition of the residential properties at 34 and 36 Morden Road and construction of a new building providing nine, one bedroom residential units.

40 Morden Road

- 4.6 In December 1987 planning permission [reference 87/P1324] was refused for the conversion of property to form 2 one-bedroom flats and two studio flats involving the erection of two 2 storey extensions at the rear and the provision of 4 parking spaces. Planning permission was refused on the following grounds:
 - 1. "The proposed conversion would bring about an over intensive use of the property and will result in substandard units of accommodation contrary to policy P3.13 (as revised) of the Adopted Borough Plan".
 - 2. "The proposed two storey rear extension nearest the southern boundary would by reason of its size and siting be detrimental to the amenities of the adjoining residential property".
- 4.7 In March 1988 planning permission was approved for the [reference 88/P0162] for alterations to and conversion of property into 4 studio flats involving erection of a two storey extension at rear and a new enclosed entrance staircase at side together with provision of four parking spaces at rear involving the demolition of the existing entranceway and single storey rear extension.
- 4.8 In July 1990 planning permission [reference 90/P0127] was refused for the erection of a two-storey extension at rear of building for use as a bedsitting unit at first floor level together with the provision of two off street car parking spaces at ground floor level. Planning permission was refused on the grounds
 - 1. "The proposed bedsitting unit by reason of its layout and size represents a substandard unit of accommodation contrary to Policy H.15 of the Merton Borough U.D.P. Pre-Deposit Draft Plan".
 - 2. "Having regard to the extant planning permission granted on 31st March 1988 (ref.88/P0162) for the conversion of the existing building to use as four flats, the proposed development would bring about an over intensive use of the site, resulting in inadequate provision of amenity space for the benefit of prospective occupiers of the proposed flats, contrary to Policy H.12 of the U.D.P. Pre-Deposit Draft".
 - 3. "The proposed extension would result in a loss of daylight/sunlight to rooms at the rear of the existing building at 40 Morden Road, causing a loss of amenity to the occupiers of this accommodation, contrary to Policy H.17 of the U.D.P. Pre-Deposit Draft"
 - 4. "The proposed extension is unacceptable in that it would be detrimental to the amenities of the occupiers of No. 38 Morden

Road by reason of a loss of daylight/sunlight, contrary to Policy H.17 of the U.D.P Pre-Deposit Draft".

Spur House 14 Morden Road

- 4.9 In November 2009 the Planning Applications Committee resolved to refuse planning permission [LB Merton Ref 09/P2219] for the extension and refurbishment of Spur House to provide a building ranging from one to nine storeys in height providing 46 private flats (21 one bedroom, 20 two bedroom and 5 three bedroom) on the upper floors with external amenity area at first floor level and a retail shop unit (986 square metres) at ground floor level including an internal service area, electricity substation and cash point machines on the Milner Road elevation.
- 4.10 Planning permission was refused for the following reasons:

"The proposed development, by reason of its size, bulk and scale, would be unduly dominant and visually prominent and would fail to either respect the height and massing of surrounding buildings, or enhance the character of the area, detracting from visual amenities of the locality and the surrounding street scenes. The proposal would therefore be contrary to Policies BE.22 and BE.23 of the Adopted Unitary Development Plan (October 2003)".

- 4.11 Following an appeal to the Secretary of State an appeal decision letter dated 11 May 2010 overturned the decision of the Council to refuse planning permission and granted planning permission for the redevelopment of Spur House.
- 4.12 In March 2010 the Planning Applications Committee resolved to grant planning permission [LB Merton Ref 10/P0049] subject to a section 106 agreement for the extension and refurbishment of Spur House to provide a building ranging from one to eight storeys in height providing 49 private flats (29 one bedroom and 20 two bedroom) on the upper floors with external amenity area at first floor level and a retail shop unit (986 square metres) at ground floor level including an internal service area, electricity substation and cash point machines on the Milner Road elevation. The developer chose not to proceed with the S106 in relation to this development and the application was withdrawn in January 2011. This proposal included a reduction in building height from 9 storeys to 8 storeys to the proposal that was approved after an appeal submission but an additional three residential properties.
- 4.13 On the 4 June 2013 planning permission was approved [reference 12/P2165] following a committee resolution for the demolition of existing commercial buildings fronting Milner Road and forming part of Spur House and the construction of two residential blocks, one four storey and one three storey containing 16 apartments [8 two bedroom and 8 one bedroom] with access on to Milner Road.

5. **CONSULTATION**

The submitted planning application was publicised by means of a site notice, and individual consultation letters sent to 181 neighbouring properties. As a result of this consultation 91 letters have been received objecting to the proposal on the following grounds:

5.2 <u>Design and scale</u>

- The development will lead to the loss of local historic buildings worthy of protection.
- There is no reason for demolition of the existing buildings of a vernacular style that could be renovated.
- The development does not respect, reinforce and enhance the local area contrary to policy CS14.
- The development is contrary to policy CS14 as it provides a tall building that is not of an exceptional design or has architectural quality that is outside a town centre.
- The development would overlook St John the Divine Church and Nelson Gardens that have local historical significance.
- The development is contrary to policy BE22 as it fails to respect the siting, scale, rhythm of surrounding Victorian 'grid iron' terraced properties.
- The mass of the development will completely change the tight-knit feel of the area.
- The approval of a nine storey building on the Spur House site does not justify a taller building on this site in terms of the relationship with The Path.
- The height of the building will damage the character of the area.
- Other commercial development has been kept low to avoid any loss of character.
- The building is out of proportion with its surroundings:
- The buildings surrounding the site are a maximum of four storeys and seven storeys is excessive.

5.3 Parking and Traffic

- The development will lead to additional traffic in this area and possible detrimental impact on traffic flow.
- The development with no additional parking will result in pressure on local on street parking.
- The off street parking mentioned by the rear of the Grove Public House is no longer available.
- The development will harm the safety of the nearby vehicle access.
- The development would impede traffic to the adjacent Nelson Trading Estate.

5.4 Nuisance and amenity.

- The development will lead to visual intrusion and loss of outlook.
- The development will lead to a loss of sunlight and daylight to adjacent dwellings contrary to policy BE15.

- The short term nature of the proposed accommodation will bring residents who will not consider existing residents and will increase crime rates.
- The proposal would introduce a commercial presence into a residential area with problems of noise.
- The development will have an adverse impact on the privacy of adjacent properties.
- The development will have a negative impact on the 'special quality' of The Path with great character and community spirit.
- The proposal will lead to increased noise disturbance.

5.5 The proposed accommodation

- There is a concern that the aparthotel will turn into a 'low quality hostel' as there is no aparthotel company involved.
- The proposal would create few local jobs.
- A hotel is inappropriate in this area.
- There is no need for an additional hotel in this area.
- The proposal represents overdevelopment
- There is insufficient local infrastructure to support the development.
- The development appears to be a 'quick money making venture'.

5.6 Other comments

- The development is contrary to policy CS1 as the proposal fails to increase the overall number of residential units.
- The development is contrary to policy CS1 as the proposal removes a family house thereby reducing the housing mix.
- The application form fails to mention protected trees on nearby sites.
- The development will decrease local property values;
- There are other sites such as Brown and Root tower that are more suited to this type of development.
- There is no need for this development.
- 5.7 LB Merton Transport Planning Transport Planning have no objection to the proposal on the basis that conditions are used to seek further details in relation to intended cycle and pedestrian movements; the new vehicle access and cycle parking, the submission of Delivery and Servicing Plan and submission of a Hotel Travel Plan for staff and visitors, a planning obligation stating that occupants will not be able to obtain on street parking permits and informatives relating to construction of accesses and works affecting the public highway.
- 5.8 <u>LB Merton Tree and Landscape Officer</u> There is no objection to the development as the proposal is unlikely to have any impact on the tree protected by a Tree Preservation Order in the rear garden of the adjoining property at 30 Morden Road.
- 5.9 <u>Transport for London</u> Transport for London have no objection to the development subject to planning conditions securing a travel plan, construction logistics plan, further details of the access and servicing

- arrangements and electric vehicle charging points and a planning obligation preventing occupants from obtaining on street parking permits.
- 5.10 Metropolitan Police Crime Prevention Design Advisor It is recommended that Secured by Design should be incorporated as a minimum standard for security in this development. There have been no adverse comments on this application from the local Counter Terrorism Security Advisor.
- 5.11 <u>Councillor Andrew Judge</u> There is an objection to the application on the basis that this application will lead to the demolition of existing dwelling houses of character in a vernacular style that represent some of the oldest buildings in the district. The proposal represents an overdevelopment of the site with a building height too high that will result in visual intrusion and will overshadow the nearby two storey dwellings.
- 5.12 <u>Councillor Henry Nelless</u> The application is called in for determination by the Planning Applications Committee primarily on the basis of its height and its contravention of the Council's planning policy on tall buildings.

6 POLICY CONTEXT

The London Plan [July 2011].

- The relevant policies in the London Plan [July 2011] are 3.3 [Increasing 6.1 housing supply]; 3.4 [Optimising housing potential]; 3.5 [Quality and design of housing developments; 3.6 [Children and young people's play and informal recreation facilities]; 3.8 [Housing choice]; 3.9 [Mixed and balanced communities]: 3.11 [Affordable housing targets]: 4.5 [London visitor infrastructure]; 5.1 [Climate change mitigation]; 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]: 5.7 [Renewable energy]; 5.10 [Urban greening]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tacking congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 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 noise and enhancing soundscapes]; and 8.2 [Planning obligations].
- Policies retained in Adopted Unitary Development Plan [October 2003]
 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE.15 [New buildings and extensions; daylight; sunlight; privacy; visual intrusion and noise]; BE16 [Urban design]; BE.21 [Important local views, panoramas and prospects]; BE22 [Design of new development]; BE25 [Sustainable development]; C1 [Location and access of facilities]; C13 [Planning obligations for educational facilities]; E2 [Access for disabled people]; F2 [Planning obligations]; HS1 [Housing layout and amenity]; L9 [Children's play facilities]; PE7 [Capacity of water systems]; PE.9

[Waste minimisation and waste disposal]; PE.11 [Recycling points]; PE.12 [Energy generation and energy saving]; RN3 [Vehicular access].

Merton Supplementary Planning Guidance

6.3 The key supplementary planning guidance relevant to the proposals includes New Residential Development [1999]; Design [2004] and Planning Obligations [2006].

Policies within the Merton LDF Core Planning Strategy [July 2011]

The relevant policies within the Council's Adopted Core Strategy [July 2011] are; CS7 [Centres]; CS.8 [Housing choice]; CS.9 [Housing provision]; CS.13 [Open space; nature conservation; leisure and culture]; CS.14 [Design]; CS.15 [Climate change]; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

National Planning Policy Framework [March 2012]

- 6.5 The National Planning Policy Framework [NPPF] was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.
- 6.6 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.
- 6.7 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations include assessing the principle of the development in terms of the loss of the existing buildings, housing need, the impact of the development including in terms of design, scale and layout, the standard of the proposed residential accommodation; and the impact on residential amenity including privacy daylight and sunlight and the impact on access and parking.

Principle of proposed development

Building Height

- 7.2 The London Plan defines tall buildings as those that are a) substantially taller than their surroundings; b) that cause a significant change to the skyline, c) or are larger than the threshold size for the referral of planning applications to the Mayor of London.
 - a) 'substantially' taller than their surroundings;
- 7.3 The existing nearby two storey residential properties at 4a, 8, 14 The Path have had rear roof extensions to the original pitched roof creating three storeys of accommodation. Other properties on The Path and on the application site also with pitched roofs have a height equivalent to a three storey building.
- 7.4 The building immediately adjacent to the application site at 30 Morden Road is four storeys high including three floors with roof space accommodation. The flat roof building at 26 Morden Road is also four storeys high. Two four-storey flat roof buildings are located along the opposite side of Morden Road with these buildings forming part of the High Path housing estate that includes three, twelve storey tower blocks. The commercial buildings within the Nelson Industrial Estate are also three storeys in height.
- 7.5 Spur House is located 70 metres to the north of the application site. This building is currently six storeys high with planning permission approved by a planning inspector appointed by the Secretary of State for a nine storey building on this site [29.4 metres high]. Following a committee resolution planning permission was approved [reference 12/P2165] in June 2013 for an additional three storey building that would separate the nine storey building from the adjacent two storey pitch roof residential properties in Milner Road. The scale of this development of Spur House and the relationship with nearby residential properties is similar to that proposed as part of the current application.
- 7.6 The submitted outline application proposes a eight-storey building at the front of the site which steps down to five storeys then three storeys along the secondary road frontage in The Path and towards the rear of the site. With three and four storey buildings located immediately adjacent to the application site and nine and twelve storey buildings nearby as a matter of planning judgement the height of the proposed building is not considered 'substantially' taller than it's surroundings.
 - b) that cause a significant change to the skyline
- 7.7 In terms of the existing character of the application site and its surroundings the application site is located on Morden Road which is a main traffic route that carries a substantial amount of traffic. The area immediately to the south of the site provides three storey commercial buildings within the Nelson Trading Estate. The area to the north of the site provides large multi storey buildings with a mixture of commercial and residential uses. In this context with other buildings of a similar height nearby it is considered that the proposed development will not result in a 'significant' change to the skyline.

- c) or are larger than the threshold size for the referral of planning applications to the Mayor of London.
- 7.8 The Town and Country Planning (Mayor of London) Order 2008 states that a local planning authority is required to refer planning applications to the Mayor of London for "Development which comprises or includes the erection of a building...." that is more than 30 metres high. The current application proposes a building of 22.9 metres and as a result this application is not referable to the Mayor of London
- 7.9 In conclusion it is considered that the proposed building does not constitute a 'tall building' within the definition provided in the London Plan.

Loss of the existing buildings and impact on St John the Divine

- 7.10 Policy CS8 within the LDF Core Strategy [2011] states that all development needs to be designed in order to respect, reinforce and enhance the local character of the area in which it is located and to contribute to Merton's sense of place and identity. We will achieve this by conserving and enhancing Merton's heritage assets and wider historic environment including other non-designated heritage assets.
- 7.11 The existing buildings on the application site are not located in a conservation area and do not appear on the statutory national list of historically important buildings or on the Council's own local list of buildings that are considered to have historic, architectural or townscape value.
- 7.12 Historic maps suggest that the existing buildings on the application site were built around 1820. The buildings have suffered from various subsequent inappropriate building extensions and alterations [including a large and prominent two storey side extension and rear extensions] that severely detract from the appearance of the buildings and any value they may have had. In this context it is considered that the loss of the existing buildings does not constitute grounds in which to refuse planning permission for the current development.
- 7.13 St John the Divine Church is included on the Council's list of historically important buildings The application site is located on the opposite side of Morden Road to the church and there would be a distance of 65 metres separating the proposed building from the church. The nearby four-storey building called Priory Close is located 40 metres from the church. In this context, and with the separation between the buildings, it is considered that the proposed development will have no significant impact on St John the Divine Church.

Provision of new residential accommodation

7.14 In terms of current planning policy, policy CS9 within the Council's Adopted Core Strategy [2011] states that the Council will support the provision of well-designed housing located to create socially mixed and sustainable neighbourhoods.

- 7.15 The existing buildings on the application site provide 1 two bedroom house, and 9 flats [2 one bedroom flats and 7 studio flats]. The current development as well as the 31 serviced apartments within the aparthotel will provide 9 residential flats [4 one bedroom, 4 two bedroom and 1 three bedroom flat]. The removal of the 7 studio flats and the provision of an improved mix of residential accommodation are both welcomed and are considered to outweigh the overall loss of one residential unit as part of this development.
- 7.16 The supporting text to policy CS7 of the Council's Adopted Core Strategy [2011] states that new hotels will be directed to parts of the borough that are very accessible by public transport, such as town centres as this will minimise traffic congestion and help support surrounding restaurants, shops, cafés and theatres. Policy 4.5 of the London Plan states that developments should contribute towards the hotel provision target of 40,000 net additional hotel bedrooms by 2031 and ensure that at least 10 per cent are wheelchair accessible.
- 7.17 The application site has a Public Transport Accessibility Level rating of 6a which is one level below the highest possible Public Transport Accessibility rating of 6b. South Wimbledon Underground Station is 130 metres to the north of the site and Morden Road tram stop 570 metres to the south. There are also various bus routes that pass the application site. With the high public transport accessibility and access to the underground network this location is considered suitable for the provision of hotel accommodation.
- 7.18 The current development is considered in keeping with policy CS7 of the Council's core strategy and policy 4.5 of the London Plan. There are no planning policies in the development plan that restrict hotel provision in certain areas and it should also be noted that the current proposal seeks to provide accommodation that is different to that which is currently provided locally.

Density, layout, design and scale.

7.19 Policy CS8 within the LDF Core Strategy [2011] states that the Council will require redevelopment proposals to be well designed. Policy CS14 within the Council's Adopted Core Strategy [2011] states that development should respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. Policies BE.16 and BE.22 of the adopted Unitary Development Plan [October 2003] require proposals for development to complement the character and appearance of the wider setting with consideration of density, scale, design and materials in relation to the setting.

Density

7.20 The London Plan states that in urban areas along main arterial routes with a public transport accessibility level of between 4 and 6 new residential development should be within a density range of between 200 and 700 habitable rooms per hectare.

7.21 The proposed development that has a public transport accessibility level of 6a has a residential density of 650 habitable rooms per hectare. The density of the proposed development is considered appropriate for this location and is within the London Plan density range.

Scale

- 7.22 The existing development along Morden Road between the application site and South Wimbledon Underground Station is mainly four storeys in height and provides a mix of residential and commercial uses. The area to the west of the application site provides a 'grid iron' pattern of residential development with buildings typically of a smaller scale then those on Morden Road.
- 7.23 It is considered that the application site located on the Morden Road frontage has a stronger visual and spatial relationship with the higher density development and higher buildings along Morden Road then it does with the residential development in The Path. In this context the scale of the development with an eight-storey building fronting Morden Road stepping down to three storeys at the rear of the site is considered appropriate for this location. A similar scale of development has been considered acceptable in terms of the relationship of the proposed nine storey building on the Spur House site at 14 Morden Road and the nearby two storey residential buildings in Milner Road

<u>Layout</u>

7.24 The nearby existing development along Morden Road does not have a defined front building line with the Barclays Bank building set forward of all other existing buildings. The front elevation of the proposed building has been set back 5.5 metres from the front boundary of the application site to reflect the position of the front elevation of Spur House and this is considered appropriate for this location.

Impact on residential amenity

- 7.25 Policy BE.15 of the adopted Unitary Development Plan [2003] states that the orientation and design of new buildings will be expected to provide for levels of sunlight and daylight to adjoining buildings and land to ensure proper living conditions of all residents and enjoyment of amenity spaces; to ensure good levels of privacy for occupiers of adjoining properties; and protect amenities from visual intrusion.
- 7.26 Policy HS.1 of the adopted Unitary Development Plan [2003] states that all proposals for residential development should safeguard the residential amenities of occupiers of nearby properties in terms of maintaining adequate daylight and sunlight and the protection of privacy.

Noise, Loss of privacy and overlooking

7.27 In order to protect privacy and avoid overlooking the Council's Supplementary Planning Guidance on Residential Development sets out a minimum recommended separation distance of 20 metres between directly facing habitable room windows on upper floor levels.

- 7.28 The side elevation of the residential building at 30 Morden Road and the side elevation of the residential property at 2A The Path face towards the application site. There are no windows in the side elevation of 30 Morden Road and what appears to be a non habitable staircase window in the side elevation of 2A The Path. The proposed development does not include any windows that will directly face this existing window.
- 7.29 New windows providing light to corridors are on the rear elevation of the proposed building on the fourth, fifth, sixth and seventh floors. Whilst the proposed building will provide some screening to these windows and there is a separation distance of 14 metres from the side boundary of 2A The Path a planning condition is recommended stating that these windows must be fitted with obscured glass. A planning condition is also recommended seeking screening to be fitted to the proposed roof terraces and balconies on the north and west elevations of the proposed building.
- 7.30 In order to avoid any additional disturbance to neighbouring residents from the general use of the car parking area a planning condition is recommended to restrict the servicing times of the proposed new building.

Visual intrusion, loss of sunlight and daylight

- 7.31 In order to protect daylight and sunlight to existing properties the Council's Supplementary Planning Guidance on Residential Development advises on general building design and location. As part of the application the applicant has also submitted the conclusions of a more detailed BRE investigation into the daylight and sunlight impact of the proposed new building.
 - 2A The Path.
- 7.32 The proposed new building will be separated from the rear garden of the property at 2A The Path by a private shared road providing access to the rear of neighbouring gardens. The proposed building will be three storeys high where it is closest to the property at 2A The Path.
- 7.33 The three storey building will be separated from the side garden boundary of 2A The Path by distances of between 4 metres and 6 metres and extend past the rear elevation of 2A The Path by a distance of 8.5 metres. The five storey high section of the new building will be separated from the rear garden of 2A The Path by a distance of 11 metres at the closest point; and the eight storey high part of the building will be separated by a distance of 14.2 metres.
- 7.34 With the reduction in the scale of the proposed building towards the rear of the site, achieved through negotiation, and the separation distances from the adjacent garden it is considered that there are no sustainable grounds on which to refuse planning permission in relation to loss of daylight and sunlight or visual intrusion. The BRE study commissioned by the applicant also concluded that whilst the new building would result in some increased overshadowing to the rear

garden of this adjacent property, this impact was well inside recommended thresholds.

- 30 Morden Road

- 7.35 The residential building at 30 Morden Road is located immediately to the north of the application site. The building is part two storey, part three storeys in height with the two storey part of the building adjacent to the boundary with the application site. There are no windows at ground floor level adjacent to the boundary as a rear under croft vehicle access is provided. A dormer window in the front mansard roof provides light to the roof space.
- 7.36 The existing two storey building on the application site with a pitched roof currently extends 6 metres past the front elevation of the adjacent building at 30 Morden Road. The proposed building at ground and first floor levels would extend 8.5 metres past the front elevation of 30 Morden Road.
- 7.37 There would be a separation distance of one metre between the two buildings and two metres separation distance between the side elevation of the new building and the existing window in the front elevation of 30 Morden Road. At second to sixth floor levels the section of the new building closest to the boundary would extend 3.4 metres past the front elevation of 30 Morden Road.
- 7.38 With the presence of the existing building, the set back of the proposed building adjacent to the boundary and the separation distances it is considered that there are no grounds on which to refuse planning permission in relation to loss of daylight and sunlight or visual intrusion to this property. The BRE study commissioned by the applicant concluded that due to the orientation of the front elevation windows the impact on daylight and sunlight to this property would be minimal.

- Priory Close

- 7.39 This four storey building on the opposite side of Morden Road provides 32 flats. There is a distance of 50 metres separating the proposed building from this existing residential accommodation. The BRE study commissioned by the applicant concluded that due to the orientation of the front elevation windows the level of daylight and sunlight to this building would be within recommended limits.
- 7.40 In conclusion it is considered that there are no grounds on which to refuse planning permission in relation to the loss of residential amenity and the proposed development is in line with policies BE.15 and HS.1 of the adopted Unitary Development Plan [2003]. The methodology used by the applicant in assessing daylight and overshadowing issues is considered to be sound and follows the assessment criteria that are recognised in the justificatory text to the relevant Council's planning policies in the UDP.

Standard of the proposed new accommodation.

7.41 Policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed. Policy HS.1 of the adopted Unitary Development Plan [2003] states that all proposals for residential development should safeguard the residential amenities of future occupiers in terms of providing adequate internal space, a safe layout and access for all users; and provision of adequate amenity space to serve the needs of occupants.

Internal layout and room sizes

- 7.42 The London Plan was published on the 22 July 2011 and minimum gross internal area [GIA] floor space standards for new residential units are set out at table 3.3 within the plan. The standards are expressed in terms of gross internal area and supersede the individual room size standards provided within the Council's Supplementary Planning Guidance "New Residential Development" [1999]. Further advice on internal layout is provided within the Supplementary Planning Guidance on Housing published by the Greater London Authority in November 2012.
- 7.43 There are no internal space standards within the London Plan or supplementary guidance for hotel accommodation or serviced apartments, however the table provided as an appendix to this report has assessed the proposed accommodation against general space standards. Whilst a number of the serviced apartments provided well in access of the general minimum space requirements [unit 9 floor space of 109 square metres with a minimum standard of 50 square metres] 17 of the serviced apartments were under the minimum floor space by a maximum of 9 square metres.
- 7.44 The minimum floorspace standards for permanent accommodation are provided only as a guide against which to judge the proposed temporary residential accommodation. It is considered that whilst a number of the units did not meet the general minimum space standards for permanent accommodation the proposed temporary accommodation is considered acceptable in light of the nature of the accommodation and the length of proposed stay.
- 7.45 All of the proposed nine flats are provided with internal floor space above the minimum gross internal areas specified in the London Plan for this type and size of accommodation.

Amenity space

7.46 UDP amenity space standards are set out in UDP policy HS.1 and these standards seek a minimum of 10 square metres of private garden space per habitable room for all new flats or maisonettes. More recently the Mayor has adopted Supplementary Planning guidance (November 2012) on housing and this seeks a minimum of 5 square metre of private outdoor space for 1-2 person dwellings and an extra 1 square metre provided for each additional occupant. There are no external amenity space standards for the proposed serviced

- apartments, however in the table provided as an appendix to this report the units are assessed against the standards for normal flats.
- 7.47 The proposed 31 serviced apartments are located on the first, second, third and fourth floors of the building with external amenity space in the form of roof terraces at first and third floor levels and with all of the individual units also provided with private balconies apart from units 1 and 2.
- 7.48 All of the proposed nine flats are provided with external amenity space in the form of a balcony. Whilst the provision of external space is below the Council's normal standards similar external space provision has been found to be acceptable on other sites in the borough. These sites include the redevelopment of the nearby Spur House site, with members resolving to grant planning permission for development of this site in March 2010 for the application under LB Merton Ref 10/P0049.
- 7.49 In conclusion it is considered that the proposal is well designed and provides adequate internal space, a safe layout and access for all users; and provision of adequate amenity space to serve the needs of occupants in accordance with policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] and Policy HS.1 of the adopted Unitary Development Plan [2003] and the Mayor's Supplementary Planning Guidance on Housing.

<u>Traffic impact, access, servicing, car parking, and cycling</u> Traffic impact

- 7.50 Policy CS 19 of the adopted Core Strategy [2011] states that the Council will support and enhance the public transport network by ensuring that the proposals do not have an adverse effect on transport within the vicinity of the site.
- 7.51 The application site is in an accessible location in terms of the road network with the A24 [Transport for London road network], the A238 and the A219 located nearby. A planning condition is recommended seeking the submission of a bespoke travel plan that will be required to demonstrate how an operator will minimise impact on the public highway. It is considered that the anticipated traffic that would be generated by the proposed development can be adequately and safely accommodated on the existing road network.
- 7.52 In conclusion the proposal is considered acceptable and in line with Policy CS 19 of the adopted Core Strategy [2011]. The Council's Transport Planning Team and Transport for London have both confirmed that they have no objection to the proposed development in terms of any potential impact on the road network

Access and servicing

7.53 Policy CS 20 of the adopted Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developments to incorporate safe access to and from the

public highway as well as on-site parking, refuse storage and collection, and for service and delivery vehicles and by seeking planning obligations to mitigate the impact of development proposals and provide improvements to the highway network/public realm.

- 7.54 As shown on the submitted plans the proposed accommodation is provided with a shared refuse storage area within the new building. A planning condition is recommended to seek further information and to ensure that this storage is provided and retained. The Council's Transport Planning Team and Transport for London have both confirmed that they have no objection to the proposed development in terms of the arrangements for servicing and access.
- 7.55 A planning condition is recommended seeking further details from the developer on the proposed new vehicle access from The Path and access and servicing activities. This condition will seek to ensure that there is no adverse impact on the operation of the existing contra flow cycle lane.
- 7.56 In conclusion it is considered that the proposed development has been designed with adequate access and servicing arrangements and with the planning condition seeking to protect the nearby cycle lane the proposal is considered in line with Policy CS20 of the Core Strategy [July 2011].

Car parking

- 7.57 Policy 6.13 of the London Plan [July 2011] states that a maximum of one car parking space should be provided for a three bedroom flat and less then one space for each one or two bedroom flat. A maximum of one car parking space should be provided for each ten members of hotel staff with no standard for residents of hotels. The standards for car parking are set at maximum levels rather then minimum levels with the aim of discouraging the use of the private car.
- 7.58 The site is located within a controlled parking zone [zone S1] with double yellow line waiting restrictions along the main Morden Road frontage and along part of the secondary frontage in the Path. The application site is located in an area of very good public transport accessibility. The proposal includes 5 parking bays 2 of which are suitable for disabled use.
- 7.59 In order to promote public transport a planning obligation is recommended to ensure that future residents of the proposed accommodation are unable to apply for on street parking permits in the surrounding CPZ. A planning condition is also recommended seeking the provision of an electric vehicle charging point as part of the development.
- 7.60 In conclusion the level of off street car parking is considered acceptable and the development in accordance with Policy 6.13 of the London Plan [July 2011].

Cycling

- 7.61 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities.
- 7.62 The submitted plans show cycle storage within the new building in line with Transport for London cycle parking standards and a planning condition is recommended to seek further details of this cycle storage and to ensure that this storage is maintained.
- 7.63 In conclusion the level of off cycle parking is considered acceptable and the development in accordance with Policy CS 18 of the adopted Core Strategy [July 2011]

8. <u>SUSTAINABLITY AND ENVIRONMENTAL IMPACT ASSESSMENT</u> Sustainability

- 8.1 Policy CS 15 of the adopted Core Strategy [2011] states that proposals will be required to demonstrate how resources have been used effectively. Proposals would also need to demonstrate how they make the fullest contribution to minimising carbon dioxide emissions. Residential development should achieve Code for Sustainable Homes level 4 certification. Proposals should meet the CO2 reduction targets in line with the London Plan. Policy 5.2 of the London Plan [2011] states that development proposals should make the fullest contribution to minimising carbon dioxide emissions.
- 8.2 Planning conditions are recommended to seek the submission of a design stage assessment and post construction certification to show that Code for Sustainable Homes Level 4 is achieved for the residential flats and BRE 'Very Good; standard for the aparthotel accommodation together with a minimum 25% improvement in the dwelling emissions rate in accordance with Policy 5.2 of the London Plan.

Environmental Impact Assessment

8.3 The application site is less than 0.5 hectares in area and therefore falls outside the scope of Schedule 2 development under the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for an Environmental Impact Assessment as part of this planning application.

9. <u>LOCAL FINANCIAL CONSIDERATIONS</u> <u>Mayor of London Community Infrastructure Lev</u>

9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.

9.2 The CIL charge that would be payable, for the proposed development, [providing additional floor space of 338 square metres], under the Mayor of London Community Infrastructure Levy would be £11,830

Planning Obligations

- 9.3 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.
- 9.4 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.

Affordable housing

- 9.5 The current application involves the demolition of the existing two storey buildings that provide ten residential units [1 two bedroom house, 2 one bedroom flats and 7 studio flats] and the erection of a eight storey building that includes 9 residential units [4 one bedroom, 4 two bedroom and 1 three bedroom flats]. As the development does not provide any additional housing a financial contribution towards affordable is not applicable in this instance.
- 9.6 The proposed development also includes an 'aparthotel' consisting of 31 serviced apartments [10 studio units, 19 one bedroom units and 2 two bedroom units] provided short term accommodation. To ensure that the proposals remain in compliance with the relevant local and national policies in relation to affordable housing provision, a planning condition is recommended to ensure that the apartments do not become permanent residential units within the terms of Class C1 or Class C3 of the Town and Country Planning (Use Classes) Order 2005.

A restriction preventing future occupants from obtaining an on street car parking permit.

9.7 In order to encourage public transport use a planning obligation is recommended to prevent future occupants from obtaining on street car parking permits.

The developer agreeing to meet the Council's costs of preparing and monitoring the Section 106 Obligations;

9.8 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fee would be £250 with legal fees agreed at a later date.

10. CONCLUSION

10.1 The proposed development represents an effective and sustainable use of this brownfield site providing additional residential units that

- would meet a need for hotel accommodation set out in the London Plan.
- 10.2 The development incorporates a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. Accordingly, it is recommended that planning permission be granted subject to the planning conditions and planning obligations set out below.

RECOMMENDATION

GRANT OUITLINE PLANNING PERMISSION subject to the completion of a Section 106 Agreement and planning conditions.

- 1. A planning obligation preventing future occupants from obtaining on street car parking permits.
- 2. The developer agreeing to meet the Council's costs of drafting the Section 106 Obligations [to be agreed].
- 3. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [£250].

And the following conditions:

- Standard condition [Time period outline] The development to which this permission relates shall be commenced before the expiration of 3 years from the date of this permission or 2 years from the approval of the last of the reserved matters as defined in the condition below, whichever is the later. Reason for condition: To comply with Section 92 (as amended) of the Town & Country Planning Act 1990.
- 2. <u>Standard condition</u> [Submission of reserved matters] Details of the reserved matters set out below ('the reserved matters') shall be submitted to the Local Planning Authority for approval within 3 years from the date of this permission: (i) layout; (ii) appearance; and (iii) landscaping. The reserved matters shall be carried out as approved and the approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced. <u>Reason for condition:</u> To comply with Section 92 (as amended) of the Town & Country Planning Act 1990.
- Amended standard condition [Approved plans] The development hereby permitted shall be carried out in accordance with the following approved plans: DMWR/A3/21; DMWR/A3/22A; DMWR/A3/23B; DMWR/A3/24B; DMWR/A3/25B; DMWR/A3/26A; DMWR/A3/27A; DMWR/A3/28A; DMWR/A3/29A; DMWR/A3/30; DMWR/A3/31; DMWR/A3/32; DMWR/A3/33; Planning Statement; Daylight and Sunlight Assessment Design and Access Statement; Transport Note; explanatory note 'The Concept of an Aparthotel [C1 Use]' Reason for condition: For the avoidance of doubt and in the interests of proper planning.
- 4. <u>Standard condition</u> [Timing of construction work] No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on

Sundays or Bank Holidays. <u>Reason for condition:</u> To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

- 5. Non standard condition [Demolition dust and noise] No development [including demolition] shall commence until a method statement outlining the method of demolition, and measures to prevent nuisance from dust and noise to the surrounding occupiers has been submitted to and approved in writing to the Local Planning Authority for approval. Once approved, the scheme shall be implemented and retained thereafter. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
- 6. Amended standard condition [Construction phase impacts] No development shall commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate: 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 carried out except in full accordance with the approved method statement. Reason for condition: 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.
- 7. Non Standard condition [Aparthotel length of stay] The short-term let /serviced apartments forming part of the aparthotel shall not be used other than for temporary sleeping accommodation (periods of less than 90 consecutive nights) only and for no other purpose including any other purpose falling within Class C1 and Class C3 of the Town and Country Planning (Use Classes) Order 2005 Reason for condition: To ensure that the short-term lets/serviced apartments are not used for permanent residential purposes without the provision of affordable housing, obligations towards local education provision and provision of accommodation of a suitable standard in accordance with Central Government Guidance, the London Plan, policy CS8 of the Core Strategy, policy HS1 of the adopted Unitary Development Plan and supplementary planning advice.
- 8. Non standard condition [Car parking spaces] Prior to occupation of the development hereby permitted the car parking spaces shown on the approved drawing that will include an on site facility for charging electric vehicles to serve the development shall be provided and thereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's

Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.

- 9. Amended Standard condition [Timing of deliveries] All deliveries, loading, unloading or other servicing activities associated with the operation of the completed building shall take place before 0800hrs or after 1800hrs Mondays Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays and not at any time on Sundays or Bank Holidays. Reason for condition To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
- 10. Non Standard condition [Hotel travel plan for staff and visitors] Prior to occupation of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall demonstrate how the applicant will implement and manage sustainable travel arrangements for both staff and visitors including: i) Targets for sustainable travel arrangements; ii) Effective measures for the ongoing monitoring of the Plan; iii) A commitment to delivering the Plan objectives for a period of at least 5 years; and iv) Effective mechanisms to achieve the objectives of the Plan by both present and future users of the hotel. The Travel Plan shall be updated and submitted to and approved in writing by the Local Planning Authority on a yearly basis and the development shall be implemented only in accordance with the approved Travel Plan. Reason for condition To promote sustainable travel measures and comply with policy CS18. CS19 and CS20
- 11. Amended standard condition [Roof terrace and balcony screening] Prior to the occupation of any of the accommodation hereby approved screening to the proposed roof terraces and balconies on the west elevation shall be installed in accordance with details that had been previously submitted to and approved in writing by the Local Planning Authority with the screening retained permanently thereafter in accordance with these approved details. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan 2003.
- Amended standard condition [Obscured Glazing] Prior to occupation of the development hereby permitted, the windows in the west building elevation serving circulation areas shall be glazed with obscured glass and shall be maintained as such thereafter. Reason for condition: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan.
- 13. <u>Standard condition</u> [Code for Sustainable Homes Pre-Commencement -flats] No development shall commence until a copy of a letter from a person that is licensed with the Building Research Establishment (BRE) or other equivalent assessors as a Code for Sustainable Homes

assessor that the development is registered with BRE or other equivalent assessors under Code For Sustainable Homes and a Design Stage Assessment Report demonstrating that the development will achieve not less than Code for Sustainable Homes Level 4 has been submitted to and approved in writing by the Local Planning Authority. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.

- 14. Standard condition [Code for Sustainable Homes Pre-Occupation-flats] Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be occupied until a Building Research Establishment or other equivalent assessors Final Code Certificate confirming that it has achieved not less than a Code 4 level for Sustainable Homes has been submitted to, and acknowledged in writing by the Local Planning Authority. Reason for condition: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
- 15. Standard condition [BREEAM - Pre-commencement-aparthotel] No development shall commence until a copy of a letter from a person that is licensed with the Building Research Establishment (BRE) or other equivalent assessors as a BREEAM - Pre-Commencement (New build non-residential) assessor that the development is registered with BRE under BREEAM (either a 'standard' BREEAM or a 'bespoke' BREEAM) and a Design Stage Assessment Report showing that the development will achieve a BREEAM rating of not less than 'Very Good' has been submitted to and approved in writing by the Local Planning Authority. The submission shall also include evidence to show how the development will meet the London Plan C02 reduction targets (equivalent to minimum emissions reductions required to achieve BREEAM excellent). Reason for condition: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
- 16. Standard condition [BREEAM Pre-occupation aparthotel] Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than 'Very Good' has been submitted to and acknowledged in writing by the Local Planning Authority. The submission shall also include confirmation that the development will meet the London Plan C02

reduction targets relevant at the time of determination of the application (equivalent to minimum emissions reductions required to achieve BREEAM excellent) Reason for condition: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.

- Amended Standard condition [New vehicle access] No development shall commence until details of the proposed vehicular access to serve the development including the relationship with the nearby cycle lane 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 for condition: In the interests of the safety of vehicles and pedestrians and to comply with policy RN.3 of the Adopted Merton Unitary Development Plan 2003.
- 18. Amended Standard condition [Delivery and servicing plan to be submitted] No development shall commence until a Delivery and Servicing Plan has been submitted in writing for approval to the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use. Reason for condition: In the interests of the safety of vehicles and pedestrians and to comply with policy RN.3 of the Adopted Merton Unitary Development Plan 2003.
- 19. <u>Standard condition</u> [Lifetime homes] The new dwelling units shall meet Lifetime Homes Standards, and shall not be occupied until the applicant has provided written evidence to confirm this has been achieved based on the relevant criteria. <u>Reason for condition</u>: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy [July 2011].
- 20. Non standard condition [Cycle storage] Prior to occupation of the development hereby permitted further details of the cycle storage facilities shown on the submitted plans shall be submitted to and approved in writing by the Local Planning Authority with the approved facilities provided prior to occupation and retained permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policies comply with policy CS18 of the Adopted Core Strategy [July 2011].
- 21. <u>Non standard condition</u> [Refuse and recycling facilities] Prior to occupation of the development hereby permitted and notwithstanding the submitted information further details of the refuse and recycling facilities including the height of any enclosure and measures to reduce visual impact shall be submitted to and approved in writing by the Local

Planning Authority with the approved facilities provided prior to occupation and retained permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies BE.15 and PE.11 of the Adopted Merton Unitary Development Plan 2003.

22. <u>Standard condition</u> [External lighting] Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. <u>Reason for condition</u>: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

INFORMATIVES:

- a) The applicant is advised that details of Lifetime Homes Standards can be found at www.lifetimehomes.org.uk
- b) The applicant is advised that 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.
- The development hereby approved is liable to the Community Infrastructure Levy (CIL). The chargeable amount of CIL that would be payable (subject to any successful applications for relief, surcharges or late payment interest charges) is £11,830 To avoid substantial surcharges an Assumption of Liability Notice and a Commencement Notice must be submitted to the Local Planning Authority prior to commencement of the development hereby approved. A Liability Transfer Notice can be submitted prior to the day the final payment falls due should parties who will be liable to pay change. These notices can be found on the planning portal at www.planningportal.gov.uk. For more information regarding CIL visit www.merton.gov.uk/CIL or email cilevy@merton.gov.uk.
- d) The applicant is advised to contact the Council's Highways team prior to undertaking any works within the Public Highway.
- e) The applicant is advised that It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
- f) 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).

g) The applicant is reminded of the need to comply with the Control of Asbestos Regulations 2012 in relation to the demolition of the existing garages on the application site, with further advice available at the following link: http://www.hse.gov.uk/asbestos/regulations.htm.

Appendix 1: Room sizes, amenity space and tenure information for the proposed residential accommodation

• Ground floor – no residential accommodation.

• Table 1: First floor accommodation providing 9 aparthotel units

	Floor area	London Plan standard	Amenity space	SPG standard	Tenure
	[Sq. M]	[Sq. M]	[Sq. M]	[Sq. M]	
Unit 1	35	37 [one person flat]	191- shared terraces	10	Aparthotel unit - market rent
Unit 2	35	37 [one person flat]	191 - shared terraces	10	Aparthotel unit - market rent
Unit 3	32	37 [one person flat]	6.1 and 191 - shared terraces	10	Aparthotel unit - market rent
Unit 4	28	37 [one person flat]	5.3 and 191 - shared terraces	10	Aparthotel unit - market rent
Unit 5	48.5	50 [one bed two person]	3.6 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 6	55	50 [one bed two person]	8.3 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 7	55	50 [one bed two person]	5.8 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 8	61.5	50 [one bed two person]	5.8 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 9	109	50 [one bed two person]	5.8 and 191 - shared terraces	20	Aparthotel unit - market rent

• Table 2: Second floor accommodation providing 8 aparthotel units

	Floor area [Sq. M]	London Plan standard [Sq. M]	Amenity space [Sq. M]	SPG standard [Sq. M]	Tenure
Unit 10	29.5	37 [one person flat]	2.9 and 191 - shared terraces	10	Aparthotel unit - market rent
Unit 11	29.5	37 [one person flat]	2.9 and 191 - shared terraces	10	Aparthotel unit - market rent
Unit 12	47	50 [one bed two person]	9.4 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 13	48.5	50 [one bed two person]	3.6 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 14	55	50 [one bed two person]	8.3 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 15	55	50 [one bed two person]	6.2 and 191 - shared terraces	20	Aparthotel unit - market rent
Unit 16	61.5	50 [one bed two person]	5.8 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 17	112	70 [two bed four person]	5.8 and 191 - shared terraces	20	Aparthotel unit - market rent.

• Table 3: Third floor accommodation providing 7 aparthotel units

	Floor	London Plan	Amenity	SPG	Tenure
	area [Sq. M]	standard [Sq. M]	space [Sq. M]	standard [Sq. M]	
Unit 18	33	37 [one person flat]	2.9 and 191 - shared terraces	10	Aparthotel unit - market rent.
Unit 19	29.5	37 [one person flat]	2.9 and 191 - shared terraces	10	Aparthotel unit - market rent.
Unit 20	47	50 [one bed two person]	8.6 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 21	48.5	50 [one bed two person]	3.6 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 22	55	50 [one bed two person]	8.3 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 23	55	50 [one bed two person]	6.2 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 24	61.5	50 [one bed two person]	5.8 and 191 - shared terraces	20	Aparthotel unit - market rent.

• Table 4 Fourth floor accommodation providing 7 aparthotel units

	Floor	London Plan	Amenity	SPG	Tenure
	area [Sq. M]	standard [Sq. M]	space [Sq. M]	standard [Sq. M]	
Unit 25	33	37 [one person flat]	5.8 and 191 - shared terraces	10	Aparthotel unit - market rent.
Unit 26	29.5	37 [one person flat]	2.9 and 191 - shared terraces	10	Aparthotel unit - market rent.
Unit 27	47	50 [one bed two person]	8.6 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 28	48.5	50 [one bed two person]	3.6 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 29	55	50 [one bed two person]	8.3 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 30	55	50 [one bed two person]	14.5 and 191 - shared terraces	20	Aparthotel unit - market rent.
Unit 31	61.5	50 [one bed two person]	5.8 and 191 - shared terraces	20	Aparthotel unit - market rent.

• <u>Table 5 Fifth floor accommodation providing 4 residential flats</u>

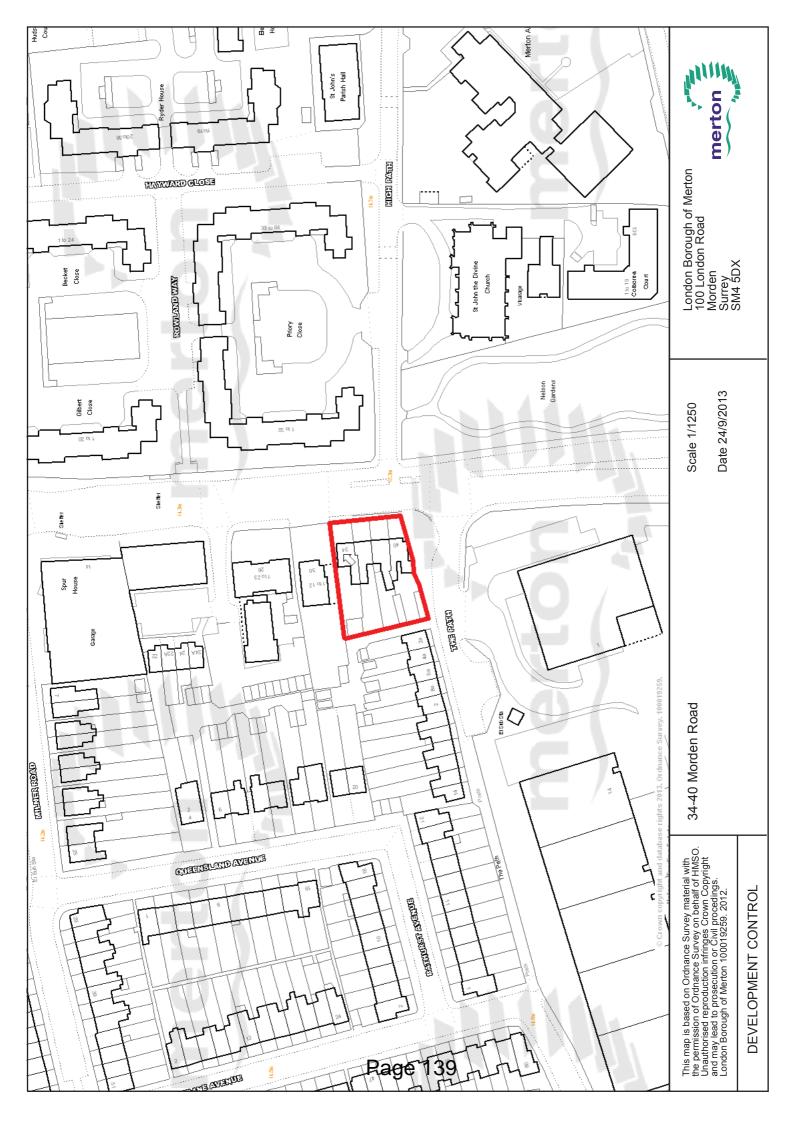
	Floor area [Sq. M]	London Plan standard [Sq. M]	Amenity space [Sq. M]	SPG standard [Sq. M]	Tenure
Unit 32	85	70 [two bed four person]	5.8 and 191 - shared terraces	30	Market
Unit 33	78	70 [two bed four person]	9.4 and 191 - shared terraces	30	Market
Unit 34	55	50 [one bed two person]	8.3 and 191 - shared terraces	20	Market
Unit 35	55	50 [one bed two person]	6.2 and 191 - shared terraces	20	Market

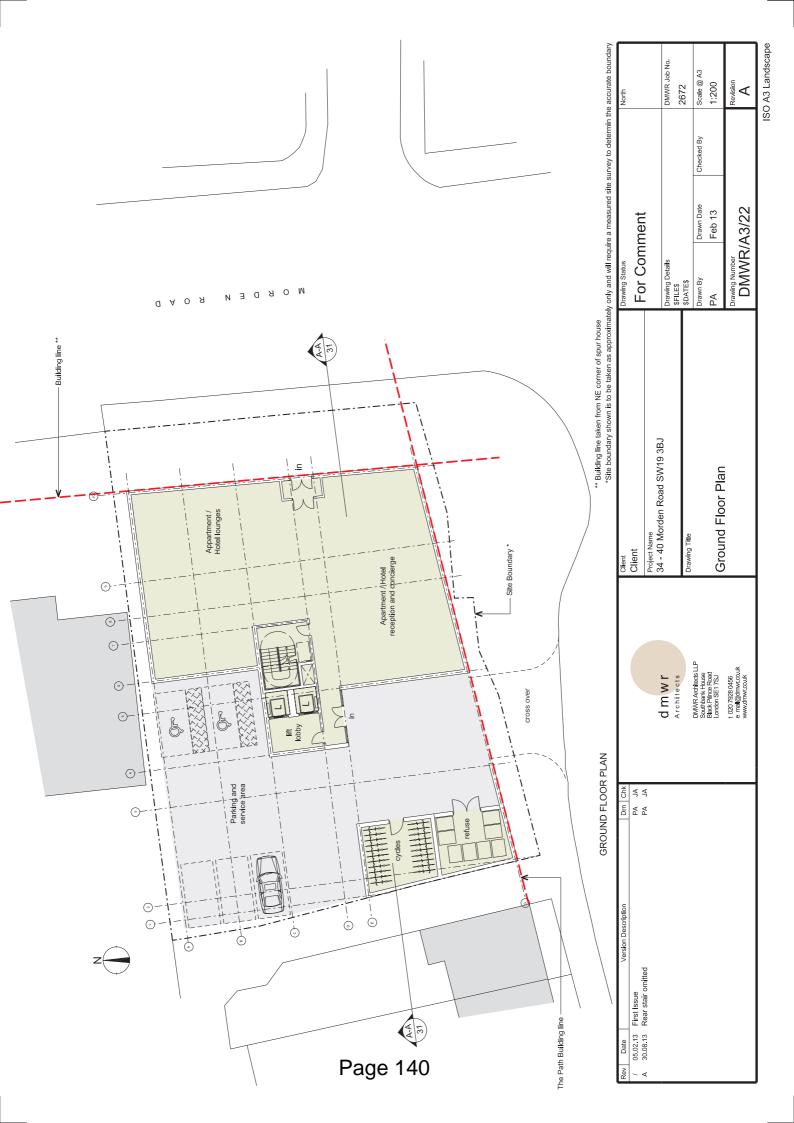
• Table 6 Sixth floor accommodation providing 4 residential flats

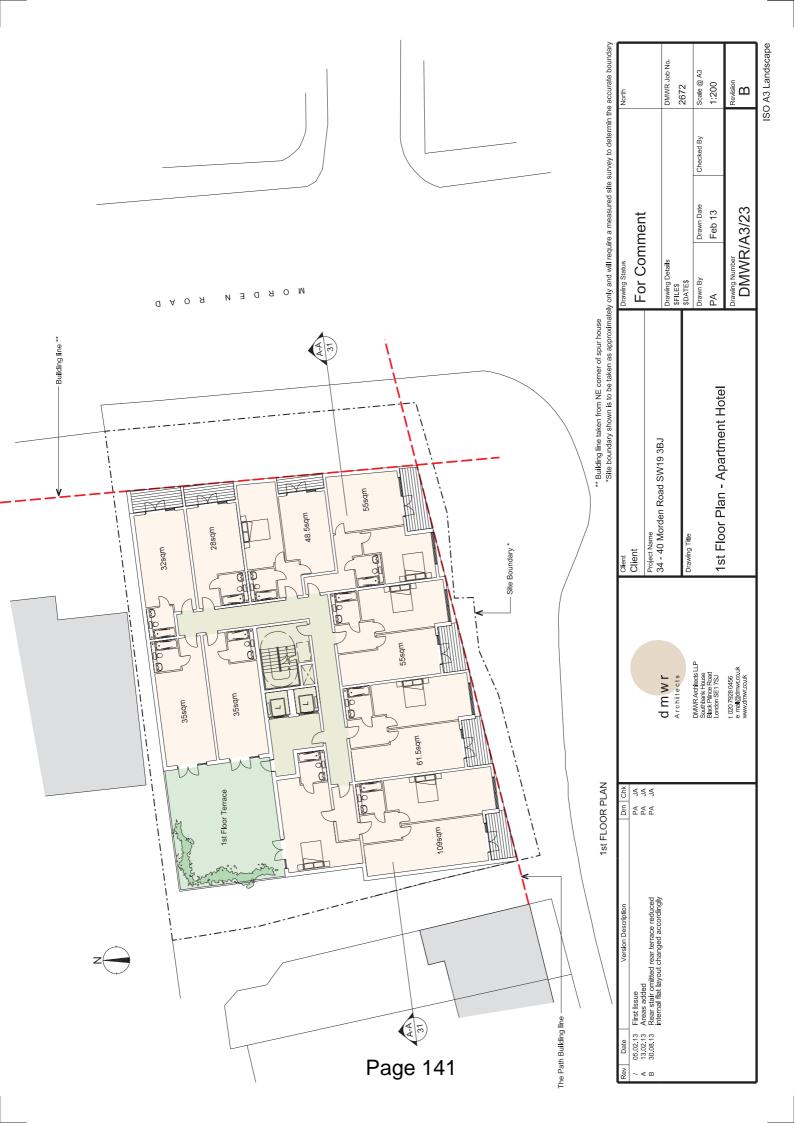
	Floor area [Sq. M]	London Plan standard [Sq. M]	Amenity space [Sq. M]	SPG standard [Sq. M]	Tenure
Unit 36	85	70 [two bed four person]	5.8 and 191 - shared terraces	30	Market
Unit 37	78	70 [two bed four person]	9.4 and 191 - shared terraces	30	Market
Unit 38	55	50 [one bed two person]	8.3 and 191 - shared terraces	20	Market
Unit 39	55	50 [one bed two person]	5.8 and 191 - shared terraces	20	Market

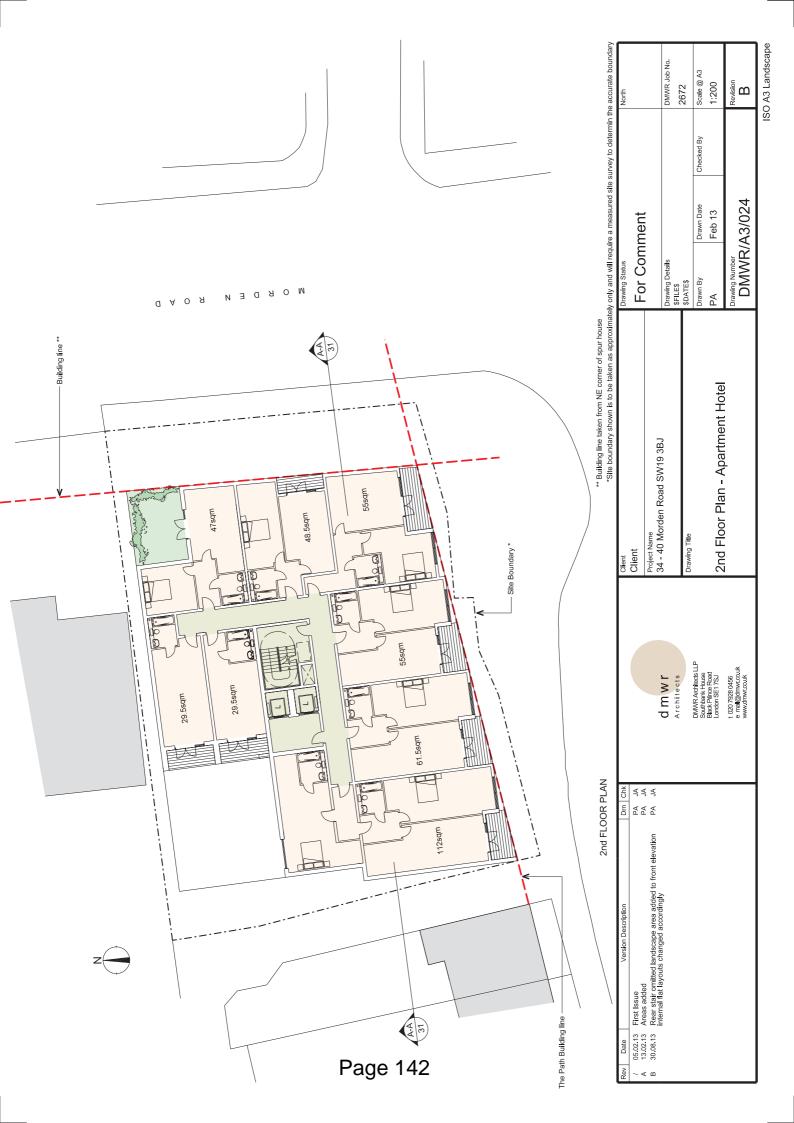
• Table 7:Seventh floor accommodation providing a single flat

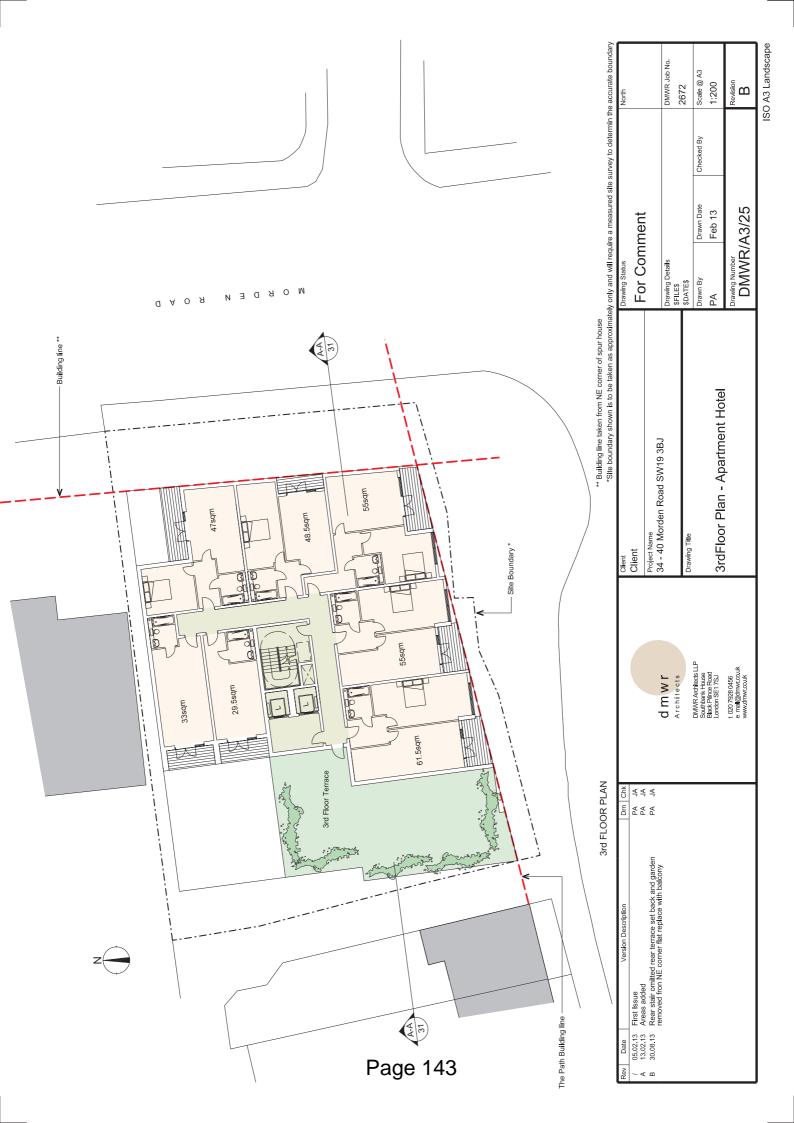
	Floor area [Sq. M]	London Plan standard [Sq. M]	Amenity space [Sq. M]	SPG standard [Sq. M]	Tenure
Unit 40	146.5	95 [three bed six person]	53 and - shared terraces	40	Market

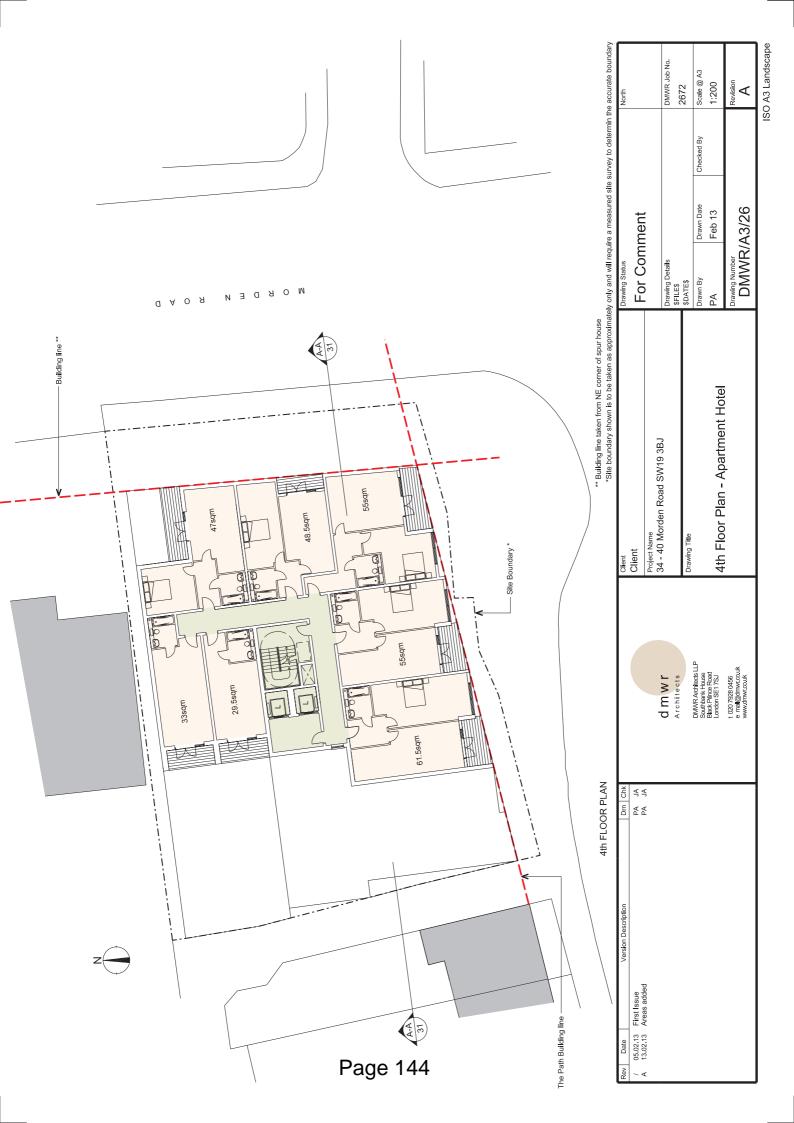


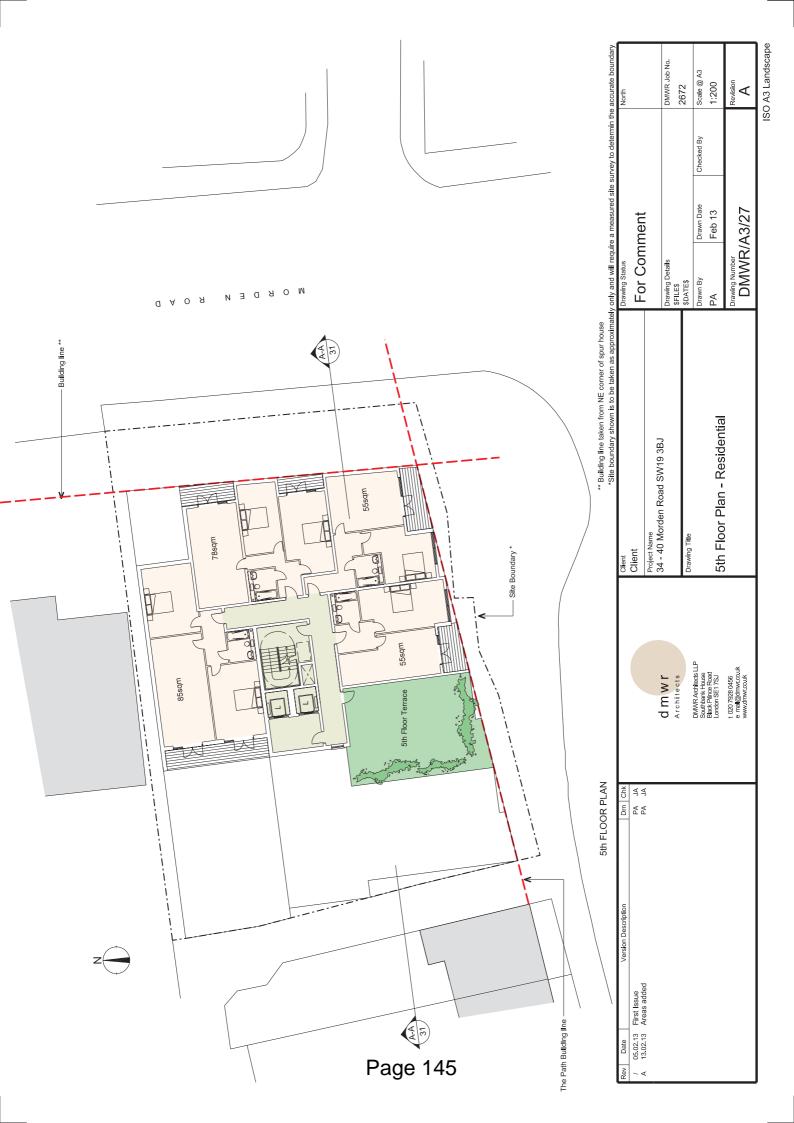


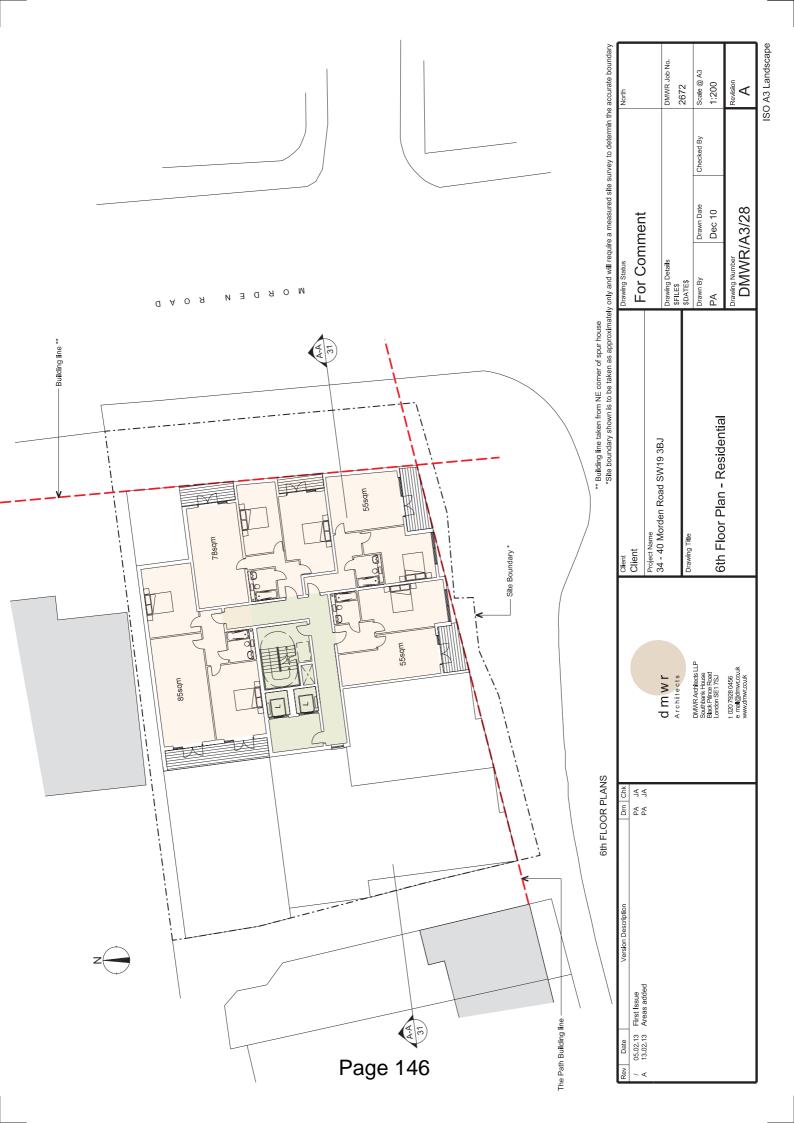


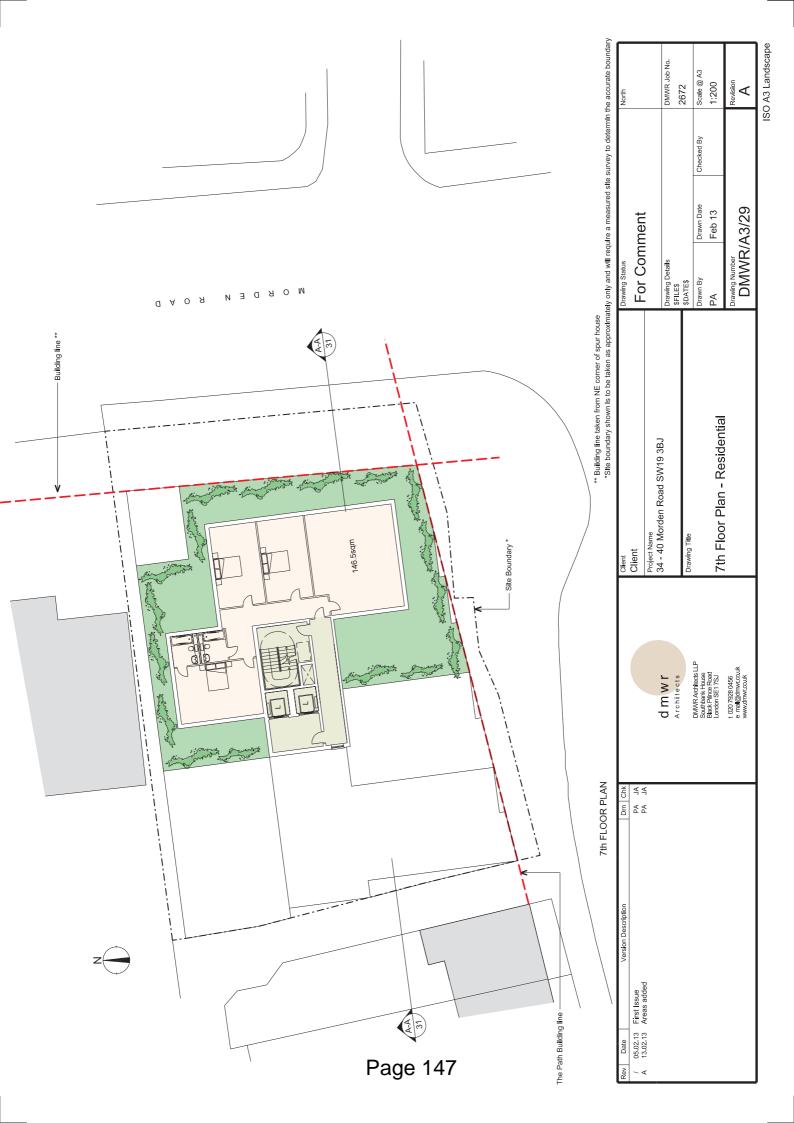














Site boundary shown is to be taken as approximately only and will require a measured site survey to determin the accurate boundary DMWR Job No. Scale @ A3 2672 1:200 Checked By Drawn Date Feb 13 DMWR/A3/32 For Comment Drawing Details \$FILE\$ \$DATE\$ PA Project Name 34 - 40 Morden Road SW19 3BJ SIDE ELEVATION Client Client DMWR Architects LLP Southbank House Black Prince Road London SE1 7SJ t 020 7928 0456 e mal@dmwr.co.uk www.dmwr.co.uk d m w r Drn Chk PA JA Date Date 05.02.13 First Issue

ISO A3 Landscape

+ 29.420*

Merton Council planning application 09/P2219 11-05-2010 (appeal date) approved building outline shown dotted

+ 22.955

Proposed application – building shown dotted

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