

PLANNING APPLICATIONS COMMITTEE 16 MARCH 2017

APPLICATION NO.

DATE VALID

16/P3598

19/10/2016

Address/Site:

225 - 231 Streatham Road
Streatham
SW16 6NZ

Ward:

Graveney

Proposal:

Demolition of existing single storey buildings on site, comprising retail floorspace, a workshop, and a storage yard with associated office, and redevelopment of the site to provide a part three, part four and part five storey mixed-use building, comprising retail use at ground floor and 25 residential units above.

Drawing No.'s:

AL(01)100 (Rev: C), AL(01)101 (Rev: B), AL(01)102 (Rev: B), AL(01)103 (Rev: B), AL(01)104 (Rev: B), AL(01)105 (Rev: B), AL(02)220 (Rev: B), AL(02)280 (Rev: B), AL(03)320 (Rev: B), AL(03)340 (Rev: B), AL(03)360 (Rev: C), AL(03)380 (Rev: B), AA(76)100 (Rev: A).

And supporting documents: 'Acoustic Report for Planning' dated 30/06/2016, 'Daylight & Sunlight Report' dated 22 May 2016, 'Design & Access Statement' dated June 2016, '225 – 231 Streatham Road, Mitcham – Flood Risk Statement' dated 23 May 2016, '225-231 Streatham Road - Phase 1 Investigation' dated 20 April 2016, 'Planning Statement' dated October 2016, '225-231 Streatham Road, Surface Water Drainage Strategy Technical Note' dated 21 February 2017, 'Sustainable Design and Construction Statement' dated 18 May 2016, 'Transport Statement' dated 07 September 2016.

Contact Officer:

Jock Farrow (020 8545 3114)

RECOMMENDATION

Grant planning permission subject to conditions and a S106 agreement.

CHECKLIST INFORMATION

- S106: Affordable housing, contribution for loss/replanting of street tree, contribution for carbon shortfall, permit (parking) free 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: 174
- External consultations: 4
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled parking zone: Soon to be implemented (approval given to proceed with implementation which is anticipated to be on 13 March 2017)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the south)
- Green corridor – Yes (bordering the site to the south)
- Flood zone: Flood Zone 1

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site is located at 225 – 231 Streatham Road and 1 The Bungalows. Along the northern boundary, the site has frontage to Ridge Road, a residential cul-de-sac; along the western boundary the site has frontage to Streatham Road, a main arterial route; and along the southern boundary the site is bordered by railway tracks and associated buffer land. Streatham Road at the location of the site reduces in elevation as the road goes under the railway bridge, so that the site sits slightly lower relative to the land to the north and south. The site is roughly triangular in shape, coming to an elongated point where the railway land intersects Streatham Road. The site has an area of 975sq.m (0.0975ha). The site has a public transport access level of 3 (1 being poor and 6 being excellent).
- 2.2 The site is currently occupied by a parade of 4 single storey shops and a garage/workshop (225 – 231 Streatham Road) which front Streatham Road along with a single storey building (1 The Bungalows) that fronts The Bungalows. The remainder of the site is hardstanding and has been used for a variety of purposes including storage of plant and vehicles along with mechanical repairs (use class B8/sui generis); No. 1 The Bungalows has been associated with this use and has been used as an office and for storage. The B8/sui generis use does not appear to have been authorised, albeit it has become lawful for planning purposes through the passage of time (continued use for over 10 years). The site has a vehicle access from the Bungalows, near its junction with Streatham Road. Streatham Road is relatively wide at approximately 20m in the immediate vicinity of the application site.
- 2.3 The site has approximately 40m of frontage along Streatham Road and 19m of frontage along The Bungalows. Immediately to the south is an elevated railway line which is a designated 'green corridor' and 'site of importance for nature conservation' (SINC). There is a railway bridge bordering the southwest corner of the site where the railway crosses Streatham Road. Immediately to the east of the site is a residential property occupied by a bungalow.
- 2.4 The area is characterised by varied development both in terms of architectural style and scale. The site is located within a mixed use area comprising shops, takeaways, cafes, auto- repairs, offices and residential premises. The Bungalows is a residential cul-de-sac which is characterised by a mixture of bungalows and two storey dwellings

with additional pitched roofs. To the north of the site are two storey dwellings with high pitched roofs, the equivalent height of a three storey building. To the immediate west are two storey dwellings with pitched roofs. Immediately to the east are single storey dwellings, beyond which are two storey dwellings with pitched roofs. Beyond the railway bridge to the south are three storey buildings with pitched roofs, buildings of this scale are present on both sides of Streatham Road.

- 2.5 Immediately to the south of the railway bridge is 223 Streatham Road, which is a site occupied by a series of single storey buildings including offices for a coach depot (Mitcham Belle Coaches), garages and an MOT garage with the remainder of the site being hardstanding and being used for coach parking. Planning permission for this site was sought for a 5 storey mixed use development which was determined at the Planning Application Committee of 9 February 2017; the application was refused contrary to officer recommendation by members on grounds of bulk, height and siting.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of the existing single storey buildings on site and the redevelopment of the site to provide a part three, part four and part five storey mixed-use building. The proposed building would provide 486sq.m of retail (use class A1) floor space at ground floor together with associated access, cycle parking, refuse storage and plant. The remainder of the building would comprise 25 residential units and a first floor courtyard to be used as a shared outdoor amenity space. The residential units would comprise: 18 x 1 bed, 6 x 2 bed and 1 x 3 bed. The building would have a total floor area of 2,295sq.m. The development would be car free.
- 3.2 The building footprint would encompass the entire site at ground floor level and would provide frontages to The Bungalows and Streatham Road. However, at first floor level and above, the eastern end of the building would align with the rear elevation of the adjacent bungalow to the east, the building would step progressively both vertically and horizontally toward the south and west of the site, culminating in a 5 storey point at the southwestern corner of the site. The massing would result in a first floor courtyard located centrally within the site. The building would be composed of 3 volumes, being 3 storeys to the east, 4 storeys in the middle and 5 storeys to the west. At ground floor level, the non-residential component of the building would provide continuous and even frontage along the site boundary, while above the façade would be staggered.
- 3.3 The building façade would be predominately red brick and timber cladding; with brick to the eastern and western portions of the building along with the base, and timber cladding to the central upper floors. Windows and doors would be recessed within the façade and would be grey aluminium. Pre-cast concrete elements (such as projecting balconies) would be dark grey. The railings for balconies and terraces would be steel.
- 3.4 The main access to the commercial unit would be from Streatham Road with an additional entrance from The Bungalows (near the junction with Streatham Road). Access to the residential units would be from The Bungalows via two separate stair cores and a lift.

3.5 The proposed building would have the following key dimensions:

- Heights:
 - 10.8m high to the eastern side (three storeys)
 - 13.5m high to the central four storey element
 - 16.5m high to the central five storey element
 - 19.7m maximum height (south western corner)
- Frontage:
 - 35m of frontage along Streatham Road
 - 22.5m of frontage along The Bungalows

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 making the following amendments:

- Align the ground floor openings with the openings of the upper floors
- Increase the glazing (active frontage) at ground floor
- Step the building (first floor podium/courtyard) away from the amenity space of No. 2 The Bungalows and reduce the height of the wall along the shared boundary
- Increase the width of glazing to north facing units
- Add rear kitchen windows to certain units to provide dual aspect
- Reduce the recess of the residential entrance to promote safer by design principles
- Provide louvres to the sides of the balconies which are enclosed by wooden cladding to allow more light
- Screen views from east facing windows to mitigate overlooking
- Provide additional cycle parking and refuse storage, thus a minor reconfiguration of ground floor

3.7 During the course of the application the developer undertook consultation with surrounding land owners and occupiers along with certain stake holders, which included 2 – 4 The Bungalows, 228 – 238 Streatham Rad, 231A Streatham Road, Catholic Church Our Lady of the Assumption, Streatham Vale Property Occupiers Association and North East Mitcham Community Association. Consultation was undertaken by way of post sent on 13 January 2017. The letters advised the recipients of the development, provided contact details and invited comments on the scheme or an opportunity to meet to discuss the proposal. No responses were received.

4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

4.2 89/P1195: Continued use for display and sale of motor vehicles with ancillary office – Refused.

Reasons for refusal:

- **The proposal represents an unneighbourly form of development which is detrimental to the amenities of local residents by reason of general disturbance and visual intrusion in the street scene, contrary to Policy E.30 of the Draft Reviewed Borough Plan.**
- **The proposal is leading to an increase in on-street parking to the detriment of the safety and convenience of pedestrians and highway users contrary to Policies M.13 and M.18 of the Draft Revised Merton Borough Plan.**

- 4.3 99/P1943: Continued use of the site for the following purposes;
- A) Parking and storage of vehicles, plant and equipment associated with a concrete pumping business.
 - B) Parking and storage of vehicles, plant and materials associated with a construction site clearance landscaping business.
 - C) Retention of a portacabin for storage of tools and spare parts – Refused.

Reasons for refusal: The use represents an unneighbourly form of development detrimental to the amenities of neighbouring residents through general disturbance caused by increased vehicular activity associated with the uses, visual intrusion, increased demand for on-street vehicle parking within The Bungalows, and obstruction of the public highway, detrimental to highway safety and residential amenity, contrary to policies W.8, M.12 and M.29 of the Adopted Unitary Development Plan (April 1996) and policies E.11, PE.3 and PK.3 of the Deposit Draft Unitary Development Plan (September 1999).

- 4.4 99/P1945: Application for a certificate of lawfulness in respect of the existing use for vehicle maintenance and repairs and storage of skips and other machinery – Refused.

Reasons for refusal not recorded.

- 4.5 01/P0533: Application for a certificate of lawfulness in respect of the existing use for servicing and repair of cars, vans and lorries – Refused.

Reasons for refusal: The use of the site currently taking place is not solely the use the subject of the Application for the Lawful Development Certificate. As a consequence a number of elements of the said use began less than 10 years prior to the date of the Application.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site and press notices along with letters sent to 174 neighbouring properties, the outcome of the consultation process is summarised as follows:

- 5.2 3 letters of objection summarised as follows:

- Exacerbate parking pressure
- Loss of privacy
- Loss of light
- Loss of outlook
- Potential structural damage from construction
- Disruption during construction
- Noise
- Rubbish
- Out of keeping

- 5.3 Transport/Highways officers: No objection. Initial objection due to the parking stress in the area and the lack of onsite parking spaces being proposed. However, during the lifetime of the application a CPZ has been consulted on and approved with its implementation imminent; following this development a car free scheme has been proposed which has alleviated concerns. To support a car free development it was advised that the development should provide an over provision of cycle storage and car club memberships for all units. 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 the Council.

- 5.4 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 a suitable sustainable urban drainage system. However, more detailed information should be secured by way of condition.
- 5.5 Trees Officer: No objection. Scheme would involve the removal of 2 trees from within the site, neither of which have any particular value. The scheme would result in the loss of a street tree which should be discussed with the Green Spaces Department. Recommended conditions requiring details landscaping to be submitted.
- 5.6 Green Spaces: Advised the loss of the street tree should be offset by a financial contribution of £4,964.50 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.
- 5.7 Environmental Health Officer: No objection. Advised conditions to mitigate the impact of noise, odours, impacts during construction and highlighted the need for contamination investigations and remediation strategies.
- 5.8 Climate Change Officer: No objection. Advised that the non-residential floor space would achieve a 13% improvement on Part L 2013 requirements which falls short of the requirement to achieve a 35% improvement – the shortfall can be offset via a cash in lieu payment of £6,120 and secured by section 106. The residential component should achieve a 39% improvement on Part L 2013 requirements which surpasses relevant policy requirements. Recommended conditions requiring evidence that the proposed improvements, along with relevant water consumption standards are achieved prior to occupation.
- 5.9 Urban Design Officer: No objection. Supportive of massing strategy and described it as an interesting approach to a constrained site. Recommended more active frontage and a more flexible layout to the commercial space. Highlighted concerns regarding quality of outlook and amenity space of certain units. Advised that the base does not relate well to the upper components of the building and that improvements could be made to provide a more coherent appearance across the building as a whole.
- 5.10 Waste Management (refuse): No objection. Initially advised a higher provision of refuse to be provided and to separate commercial waste from residential. Amendments were made to the scheme to meet the suggested requirements.
- 5.11 Metropolitan Police – Designing out Crime Officer: No objection. Advised reducing the depth of the recess to the residential entrance. Advised various technical standards should be met to ensure a high level of security.
- 5.12 Thames Water: No objection.
- 5.13 Environment Agency: No objection. Advised conditions relating to contamination investigations, remedial strategies and measures to stop the mobilisation of contamination.
- 5.14 Network Rail: No objection. Provided advice relating to any impact upon Network Rail land and the operation of any trains – this information has been passed onto the developer along with contact details.

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 (B1/B2/B8 type uses), 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. While the SPP policy DM E3 seeks to resist the loss of scattered employment sites, the policy focuses on safeguarding premises or land that operate within B1/B2/B8 type uses, thus the reduction in floorspace for the A1 uses does not conflict with adopted policy.
- 7.3 The proposal, which seeks to deliver a mixed use scheme, presents an opportunity to significantly increase employment generation on the site. The existing shops on site are vacant and the use as vehicle and plant storage and repair is not considered to be compatible with the surrounding residential area. The scheme could generate approximately 12 jobs in the form of a use (A1 - retail) which would be entirely compatible with new dwellings, for which there is an acknowledged need.
- 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

- 7.7 The area has a public transport accessibility level (PTAL) of 3, where 1 is poor and 6 is excellent. It is considered that the site is located within an urban area.

- 7.8 The resultant density is calculated to be as follows:

Units per hectare:

$1/0.0975 \text{ ha (site area)} \times 25 \text{ (number of units)} = 256 \text{ units per hectare.}$

Habitable rooms per hectare:

$1/0.0975 \text{ ha (site area)} \times 58 \text{ (number of habitable rooms)} = 595 \text{ habitable rooms per hectare.}$

- 7.9 Table 3.2 of the London Plan 2015 advises that sites with a PTAL rating of 3 within an urban setting should provide for a density range of between 70-170 units/ha and 200-450 habitable rooms/ha.

- 7.10 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.

- 7.11 However, while density is a material consideration, it is not the overriding factor as to whether a development is acceptable; London Plan paragraph 3.28 states that it is not appropriate to apply the density ranges suggested in Table 3.2 mechanically. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.

Design and impact upon the character and appearance of the area

- 7.12 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

- 7.13 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 and the railway bridge) of the site taking advantage of the wide streetscape and the open space associated with the railway land; in addition, it is focussed away from the residential dwellings to the east. The building is composed of three volumes; to the east it is three storeys in height which is typical of the surrounding residential development (two storey with pitched roofs); the central portion of the building creates a transitional zone while the western portion provides a high focal point. The perceived mass of the building is broken up by the use of a distinct base which encompasses the nested volumes

above, recesses in the façade and contrasting materials, all of which work to break the building down into smaller components.

- 7.14 The building would incorporate a first floor courtyard/podium to the rear of the building, this open space would align with the rear garden of the adjacent bungalow while the main portion of the building (upper floors) would align with the rear elevation of the bungalow.
- 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 two road frontages and being bordered by open space and a railway bridge to the west and south, the site is not considered to have the same constraints as other sites in the area i.e. the constraints on height for a mid-terrace building.
- 7.16 Immediately to the north of the site are two storey buildings with particularly high pitched roofs, the maximum height of these buildings roughly correspond with the four storey element of the proposed building (sitting slightly lower). In terms of the wider context, three storey buildings with pitched roofs are present on the southern side of the bridge. Long sections of the surrounding area demonstrate that the maximum height of the proposed building would be below the height of the buildings to the south; this is in part due to the fact that the site is at a lower elevation relative to the surrounding land.
- 7.17 The site is isolated and unique in nature; as such, it is considered that a unique approach to development can be considered and that a step up in height (relative to the immediately surrounding development) may be acceptable subject to appropriate design and massing. The proposed building fits within the maximum heights established by existing development to the south of the bridge. Given the massing strategy, only a portion of the proposed building would be five storeys and it would be positioned adjacent to the wide streetscape of Streatham Road and the open space of the railway land/bridge to the south. Given the above, it is considered that the massing and heights would be acceptable in townscape terms.

Layout

- 7.18 The footprint is informed by the constraints of the site and by the building line established along The Bungalows, it is considered to make effective use of the site, utilising the entire site at ground floor level and taking a grid layout approach for the upper floors; the layout ensures considerable active frontage at ground level while allowing for multiple aspects for the residential units on the upper floors.
- 7.19 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 would serve to replace the existing parade of shops. The unit is outward facing, providing a high level of connectivity between the public realm and the development.
- 7.20 The residential entrance is located on The Bungalows. The placement ensures the entrance is positioned away from the foot traffic of Streatham Road, while still being highly visible from the public realm. In addition, the placement of the units above along with their window placement would further promote natural surveillance.
- 7.21 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 to the existing site, it is considered the approach will enhance the character and vitality of the area.

Design and appearance

- 7.22 Paragraphs 59 – 60 of the NPPF advises that local authorities should not become overly involved in the prescription or detail of architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.
- 7.23 It is considered that the architecture is an interesting and innovative approach to developing the unique site. Large ground floor windows along with the high base of the building would successfully delineate the commercial unit from the upper floor residential units, as well as to enhance the building's street presence.
- 7.24 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.

Signage

- 7.25 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.
- 7.26 An indicative signage strategy has been provided which proposes a modestly sized fascia above the retail entrances; it is considered that the indicative signage strategy is acceptable, subject to advertisement consent.

Unit size mix and affordable housing

- 7.27 The development proposes 25 residential units with the following size mix: 18 x 1 bed, 6 x 2 bed and 1 x 3 bed which equates to 72% 1 beds, 24% 2 beds and 4% 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.
- 7.28 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 and above, whereas for the ward of Graveney the data identifies a mix of 12% 1 bed, 19% 2 bed and 69% 3 bed and above. There is a very high proportion of larger dwellings in Merton and Graveney, thus the proposal would contribute to balancing the housing choice in Merton as a whole.
- 7.29 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.
- 7.30 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.

7.31 Having regard to factors 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 be on the developer to demonstrate the maximum amount of affordable housing that could be achieved on the site while remaining viable.

7.32 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 target (40%) affordable housing contribution and a reasonable profit margin. An independent assessment of the FVA was undertaken which agreed that the scheme could not support an onsite affordable housing provision of 40% while achieving a suitable profit margin, albeit it found that the scheme could provide a 12% onsite contribution or a cash in lieu payment of £335,000. Suitably worded clauses in a S106 planning agreement are recommended in order to deliver the affordable housing component of the scheme with the focus being that any off site financial contribution be the last option in accordance with relevant London Plan policies.

Impact upon neighbouring amenity

7.33 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

7.34 Light spill from the proposal is not expected to be significant given the scheme is predominately residential and as the commercial unit faces the main 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 external lighting to be positioned away from site boundaries.

Visual intrusion and loss of light

7.35 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 The Bungalows and the first floor podium/courtyard aligns with the rear gardens of these properties.

7.36 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the British Standard document BS8206 Pt2; the methodology used is the vertical sky component (VSC) and no sky line contour (NSC) for daylight and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from all immediately surrounding dwellings have been assessed, including the units across Streatham Road.

7.37 With the exception of one window at No. 2 The Bungalows (the adjoining property to the east), the daylight and sunlight assessment finds that all potentially affected habitable rooms will retain good levels of sunlight in excess of BRE criteria. In addition, the assessment finds that all potentially affected habitable rooms will retain good levels of sunlight in excess of BRE criteria.

No. 2 The Bungalows

- 7.38 As the only residential property that adjoins the site, particular attention should be paid to No. 2 The Bungalows. It is evident in the massing of the building that measures have been taken to reduce the impact upon this property. The rear elevation of the upper floors of the building aligns with the rear elevation of the adjacent bungalow so that the first floor courtyard/podium of the development aligns with the rear garden of this property. In addition, the first floor courtyard/podium is setback some 6m from the shared boundary, leaving a void adjacent to the rear garden; along the shared boundary would be a 2.15m high wall which is similar in height to the existing boundary fence. Given the above and as the proposed development would be located to the west of the bungalow, it is not considered the proposal would unduly impact upon the adjacent property in terms of visual intrusion or in terms of loss of light to the rear garden.
- 7.39 The main windows serving habitable rooms are to the front and the rear of the property. However, the property has two flank windows facing the development site, one of which serves a bathroom while the other is unknown and may serve a habitable room. The daylight and sunlight assessment finds that the windows to the front and rear would not be unduly affected by the development and the flank window serving the bathroom would not be relevant for assessment; however, the remaining flank window would be affected to a point below BRE criteria, thus it would be considered to be adversely affected. However, it is noted that this window is very close to the boundary and relies upon light received across the development site; this places considerable constraint upon the development site and means that any scale of development, above that of the existing low-rise buildings, would result in material reductions in daylight. Given the relationship between the flank window and the development site and as only one window is considered to be adversely affected, it is not considered the impact upon No. 2 The Bungalows, in terms of loss of light, would be to such a degree as to warrant refusal of this application.

Privacy

- 7.40 It is not considered the proposal would unduly impact upon the privacy of neighbouring properties.
- 7.41 The elevations facing north, west and south are all overlooking public space, thus the only elevation of concern is the east facing elevation which is directed toward the residential properties of The Bungalows. In addition to the east facing windows, the communal terrace and private balconies/terraces could facilitate overlooking to the east. To ensure any overlooking is avoided, it is proposed to enclose terraces and balconies with green screening, this screening would have the added benefit of enclosing the east facing windows on first and second floors; a suitable condition will be included requiring details of screening to be provided prior to occupation. On the third floor there are three kitchen windows which are not enclosed by balconies; however, given these are not habitable rooms, any overlooking can be addressed by the use of obscure glazing, thus a suitable condition will be included to require details of obscure glazing prior to occupation. The fourth floor would step away from the eastern boundary. Thus, any views from the fourth floor windows would be obscured by the presence of the third floor roof.

Noise

- 7.42 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 (6m) from the eastern boundary and by the presence of green screening.

Construction phase

- 7.43 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 provided prior to the commencement of the development.

Standard of accommodation

- 7.44 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				
Commercial space		-	486	-
First floor				
01_01	2B4P	70	82	Yes
01_02	1B2P	50	54	Yes
01_03	1B2P	50	64	Yes
01_04	1B2P	50	54	Yes
01_05	1B2P	50	54	Yes
01_06	1B2P	50	52	Yes
01_07	2B3P	61	74	Yes
01_08	Studio	39	47	Yes
Second floor				
02_01	2B4P	70	76	Yes
02_02	1B2P	50	54	Yes
02_03	1B2P	50	64	Yes
02_04	1B2P	50	54	Yes
02_05	1B2P	50	54	Yes
02_06	1B2P	50	52	Yes
02_07	2B3P	61	74	Yes
02_08	Studio	39	44	Yes
Third floor				
03_01	2B4P	70	76	Yes
03_02	1B2P	50	53	Yes
03_03	1B2P	50	63	Yes
03_04	1B2P	50	64	Yes
03_05	1B2P	50	57	Yes
03_06	Studio	39	42	Yes
Fourth floor				
04_01	2B4P	70	76	Yes
04_02	3B5P	86	92	Yes
04_03	Studio	39	42	Yes

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

- 7.45 As demonstrated by the table above, all units either meet or exceed London Plan standards. All habitable rooms are served 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 unit that adjoins the communal amenity space as it incorporates defensible space along with screening to separate their windows from the communal space. It is noted that lifts serve all floors providing step free access and that approximately 10% of units meet M4(3) of the

Building Regulations thereby providing units that are suitable for use as wheelchair user dwellings.

- 7.46 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). All units achieve some degree of dual aspect which has been achieved by utilising a grid layout, open walkways to the rear, thus facilitating rear windows to the units, and by the use of projecting windows to the front which creates an additional side elevation in which a window can be positioned.
- 7.47 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 units 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 25sq.m of communal amenity space.
- 7.48 While the development is in close proximity to the railway, it is considered that any impact on prospective occupants can be addressed by technical solutions which would address noise and vibration. As such, it is recommended to include a condition which would require details of measures to prevent the transmission of noise and vibration to be submitted prior to the commencement of development.
- 7.49 As outlined above, the scheme is considered to offer a high standard of living for prospective occupants.

Transport, highway network, parking and sustainable travel

- 7.50 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.
- 7.51 The London Borough of Merton Transport Planner has reviewed this application, their comments are integrated into the assessment below.

Vehicle parking provisions

- 7.52 It is proposed for the development to be car free. While the development site is not within an existing CPZ, a CPZ has been proposed, consulted on and agreed with its implementation imminent; it is expected to be implemented on 13 March 2017. As such, it is considered there would be a suitable mechanism in place to restrict parking for residents by the time the development would be occupied. Given the above, the development would not adversely affect parking pressure in the area. Furthermore, it is proposed to provide two on street parking spaces which would be facilitated by the removal of the existing vehicle access to the site. Given the development would be car free and as it would result in a net gain of two on street parking spaces, it is considered the development would have a beneficial effect on parking pressure; it is noted that the two additional spaces would be subject to the CPZ, thus the residents of the development would not be able to use them.

- 7.53 Notwithstanding the scheme's acceptability in terms of its impact on the surrounding parking network, a development must also be acceptable in terms of accessibility for prospective occupants. Car free developments are considered to be acceptable where they have a PTAL of 4 or above (in accordance with SPP policy DMT3); failing this, other mitigation measures can be implemented. The area has a PTAL of 3 which falls short of the requirement. Therefore, it is proposed to provide an over provision of cycle storage and to provide all units with a 3 year car club membership at the expense of the developer. Given 1 bed units require 1 cycle storage space and 2 bed (and above) units require 2 spaces, the scheme would require a minimum of 32 spaces; it is proposed to provide 50 cycles storage spaces which is a significant over provision. It is noted that there are 2 car club bays in the vicinity of the site, at Ribblesdale Road and Dahomey Road which are within 550m and 565m of the site respectively. Given the site has a PTAL of 3 and in conjunction with the proposed mitigation measures, it is considered that the site would be acceptable in terms of accessibility for prospective occupants.

Delivery, servicing and the highway network

- 7.54 The Transport Statement suggests that in terms of service and refuse vehicles, the development would generate 10 – 11 vehicle movements per week. It is considered that the highway network can comfortably accommodate these vehicles.
- 7.55 It has been proposed to install a dropped kerb on The Bungalows, in front of the residential entrance, to allow refuse collection and vehicle turning. It is proposed to relocate 2 parking spaces on Streatham Road by a distance of approximately 12m (no net change in parking spaces) and to extend the existing double yellow lines to allow for deliveries to occur from the Streatham Road frontage. In addition, it is proposed remove the existing vehicle access to the site by building out the pavement; this would improve pedestrian safety when crossing The Bungalows.
- 7.56 The above provisions are considered to be acceptable, thus the development is not considered to unduly impact upon the highway network.

Sustainable Travel

- 7.57 Given the development would be car free, the residents would rely on cycling, public transport and car clubs. The development has a PTAL of 3 which is considered to be moderate; however, in reality there are no barriers to transport given there are multiple modes of public transport (bus, rail and underground) which are within walking distance (maximum 15 minutes) and operate frequently. The development offers an over provision of cycle storage along with free car club memberships for future occupants. As such, it is considered the development would promote the use of more sustainable modes of transport.
- 7.58 In addition to the above, it is recommended to include a condition which will require details of travel plans to be provided, one for the commercial component and another for the residential component. The travel plans will provide education on sustainable travel for employees, residents and visitors.

Refuse storage

- 7.59 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.
- 7.60 The location of the refuse storage is considered to be appropriate for deposition by users and for collection. The storage provisions proposed are in line with Merton Council requirements.

Sustainability

- 7.61 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.
- 7.62 The developer has submitted a Sustainable Design and Construction Statement in support of the application which finds that the non-residential element of the development could achieve an improvement of 13% on Part L 2013 regulations, which fails to meet the 35% improvement required by CS policy CS15. This carbon shortfall has been calculated at 3.4 tonnes which can be offset via a cash-in-lieu payment of £6,120.00 (£60 per tonne for a period of 30 years). The residential element of the development would achieve a 39% improvement on Part L 2013 which surpasses minimum sustainability requirements.
- 7.63 It is recommended to include conditions which would require evidence to be submitted which confirms the development has achieved the carbon savings outlined in the Sustainable Design and Construction Statement along with water consumption rates not exceeding 105 litres per person per day.
- 7.64 Subject to a S106 payment of £6,120.00 along with the above condition, it is considered the proposal would be policy compliant in terms of sustainability.
- 7.65 Payments to offset carbon shortfalls are used by Merton Council to fund projects which seek to reduce carbon generation in the borough; projects to date have focussed on schools and have included insulating building envelopes and pipes, boiler controls, lighting motion sensors and solar panels.

Other matters

Flooding and sustainable urban drainage

- 7.66 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.
- 7.67 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 a flow control to restrict the rate of discharge to 6.6 l/s (50% reduction from existing site) along with an attenuation volume of no less than 20m³, this would be achieved using a combination of green/blue roofs and underground tanks/oversized pipes. The proposed drainage measures are in accordance with the requirements of the London Plan.
- 7.68 It is recommended to include a condition which requires details of drainage, attenuation and management to be submitted prior to the commencement of development.

Site contamination

- 7.69 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.

- 7.70 In light of the former commercial uses on 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

- 7.71 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.
- 7.72 The application site is dominated by hard-standing and buildings, which account for the entire site with the exception of two trees. 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 adjoining the site to the south, which coincides with the railway land. In addition, the proposal would result in the loss of one street tree.
- 7.73 It is not considered the building itself would adversely impact upon the SINC; however, any light fall could have an impact on wildlife and associated habitats. It is therefore recommended to require an external lighting to be directed away from the SINC.
- 7.74 The design of the scheme provides an opportunity to install green roofs thereby enhancing the biodiversity of a site alongside a green corridor/SINC, in accordance with adopted policy objectives. It is noted that green roofs have also been suggested as part of the sustainable urban drainage strategy. Notwithstanding the proposed urban drainage strategy, it is recommended to require details of a landscaping and planting strategy to be submitted and implemented prior to occupation.
- 7.75 Given the positioning of the residential entrance, the scheme would result in the loss of a street tree. It is considered that the proposed entrance is positioned at the most appropriate location, thus the removal of the street tree can be considered. The developer has agreed to a payment of £4,964.50 which would be used to replace the street tree. Given the above, the removal of the tree is considered to be acceptable.

Developer contributions

- 7.76 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).
- 7.78 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.
- 7.79 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.

- 7.80 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, restrictions on parking permits (permit free) and an agreement for the developer to provide a 3 year car club membership for future occupants of the development would be secured via a S106 agreement.
- 7.81 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.
- 7.82 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 acceptable in terms of design, responding appropriately to the surrounding context in terms of massing, heights, layout and materials; the proposal is considered to be an improvement as compared to the existing site. The proposal would offer a 12% affordable housing provision or an equivalent cash in lieu payment, an offer which is supported by an independently reviewed financial viability appraisal.
- 8.2 The proposal has been sensitively designed to ensure it would not unduly impact upon neighboring amenity. The proposal would offer 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 transport. 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 3 (units: 01_04, 01_05 & 01_06) 'shared ownership' affordable housing units on site OR a cash in lieu payment of £335,000 to provide affordable housing elsewhere in the borough; The applicant shall provide the council with the cash in lieu payment in the event a registered housing provider has not purchased the affordable units within six months of at least 75% of the market units being occupied, during that period the units identified as affordable units shall not be let, sold or otherwise occupied unless to a registered housing provider;
2. Contribution of £4,964.50 required to offset the loss of a street tree and the provision of replanting in the immediate area;
3. Contribution of £6,120.00 required to offset the carbon shortfall of the development;
4. The developer agreement to provide a 3 year membership to a car club for each residential unit of the development at the cost of the developer;

5. Restrictions put in place to prevent the future owner/occupiers of the development from applying for on-street parking permits within the surrounding Controlled Parking Zones;
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. Amended standard condition [Landscaping]: Details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any part of the building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: 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. 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.

6. 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.

7. 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 development hereby permitted being commenced and shall be so maintained for the duration of the construction period, 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.

8. 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.

9. Amended standard condition [Travel Plan]: Prior to the use/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.

10. Non-standard condition [Works to highway]: No part of the development hereby approved shall be in use or occupation until the applicant has entered into a highways agreement with London Borough of Merton's Highway Team to undertake the works as proposed in Appendix G (drawing no: 03) of the 'Transport Statement' dated 07 September 2016, with all works being in accordance with the requirements of the Highway Authority and to be completed prior to the use or occupation of the development.

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.

11. Standard condition [Cycle storage]: The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

12. 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.

13. Standard condition [noise levels insulation]: No development shall commence until a scheme for the soundproofing of the building to prevent the transmission of noise and vibration has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the measures have been approved and carried out in strict accordance with the approved details and those measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To safeguard the amenities of the occupiers of the proposed development 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.

14. 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.

15. Standard condition [kitchen extraction systems]: Prior to the installation of any kitchen ventilation system, plans and specifications of the kitchen ventilation system, including details of sound attenuation and odour control measures shall 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.

16. Non-standard condition [External lighting]: Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary and away from the SINC, the light 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.

17. Standard condition [Refuse]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: 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.

18. 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 in accordance with the Technical Note: TN001B-PB4861-310055-Egha, with subject: '225-231 Streatham Road, Surface Water Drainage Strategy Technical Note' dated 21 February 2017. 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 20m³ to be provided) and control the rate of surface water discharged from the site to no more than 6.6l/s;
- 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.

19. 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 'Sustainable Design and Construction Statement' dated 18 May 2016, and internal water usage consumption rates for residential units is 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 and Wat1 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).

20. 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.

21. 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 submitted '225-231 Streatham Road - Phase 1 Investigation' dated 20 April 2016, 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. Amended standard condition [Use of flat roof]: Access to the flat roof of the development hereby permitted, outside of those areas specifically identified as terraces on the approved plans, shall be for maintenance or emergency purposes only; these areas 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.

27. Amended standard condition [Obscure glazing]: Before the development hereby permitted is first occupied, the applicant shall provide details of which windows are to be obscure glazed for approval to the Local Planning Authority. The development shall not be occupied until such details as have been approved are implemented; those measures shall be retained thereafter 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. 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 and no staff shall be present at the premises more than one hour before opening or beyond one hour after closing time.

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 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).

f) The applicant is advised to discuss the proposal with Network Rail and to obtain all necessary permissions prior to the commencement of any works on site; contact can be made via assetprotectionsussex@networkrail.co.uk

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

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