

PLANNING APPLICATIONS COMMITTEE 20th April 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
16/P2166	25/08/2016
Address/Site:	Crownwall Works, Elm Grove, Wimbledon, London
Ward	Hillside
Proposal:	Demolition of existing office and warehouse buildings and erection of a building comprising 924.8 sqm of office floorspace (Use Class B1) and 6 x 3 bed houses (Use Class C3)
Drawing Nos:	4547 3 50 A, 54 B, 55 G, 56 B, 57 B, 58 B, 59 B, 60 A, 61 B, 62 B, 63 A & 64
Contact Officer:	David Gardener (0208 545 3115)

RECOMMENDATION

GRANT Planning Permission Subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: Permit free, Trees and landscaping, Affordable Housing
- Is a screening opinion required: No
- 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: 127
- External consultations: None

1. INTRODUCTION

- 1.1 The application has been brought before the Planning Applications Committee due to the number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two-storey building comprising 310.9sqm of office floor space (Class B1 use) and two single storey warehouse buildings (Class B8 use (Storage and distribution)) comprising a total of 613.9sqm of floorspace. The site forms part of the Cromwell Works Industrial Park, which comprises a number of commercial units.

- 2.2 The industrial park is located at the southern end of Elm Grove, a cul-de-sac which is accessed from Worple Road, Wimbledon. A public footpath, which is located between the main railway line to London and the application site, abuts the sites southern boundary.
- 2.3 A number of mature trees are located to the side of this footpath against one of the single storey warehouse buildings. Commercial buildings forming part of the industrial park are located immediately to the north and west of the site, whilst a mixed use 4/5 storey commercial/residential development is located to the east. A public footpath separates this development and the application site.
- 2.4 The site is not located in a conservation area but is within a controlled parking zone (Zone W1). The site also has a PTAL rating of 2 (Low).

3. CURRENT PROPOSAL

- 3.1 The applicant seeks planning permission to demolish the current office and warehouse buildings and erect a building comprising office use (Class B1 use) and 6 x 3 bedroom (6 person) houses.
- 3.2 The current two-storey office building comprises 310.9sqm of floor space whilst the warehouse buildings comprise a total of 613.9sqm of floor space, which means the site accommodates a total of 924.8sqm of commercial floor space. The proposal would result in the loss of the Class B8 (Storage and distribution) use however a total of 924.8sqm of office space is proposed. There would be a reduction in the amount of employment land to accommodate the proposed houses however there would not be a net loss of overall commercial floor space given the proposed office building would comprise 4 floors. The site currently employs 48 full time employees and it is anticipated that the proposed office building would employ approx. 109 full time employees.
- 3.3 The office element would be arranged over four floors and is located in the linear shaped southern element of the building fronting the railway line. The six proposed houses are also arranged over four floors and are grouped together in pairs. The houses are located on the north side of the development. The office element, which features higher floor to ceiling heights than the houses, features a flat roof and would have a maximum height of 14m.
- 3.4 The houses are arranged in pairs and also comprise four floors. The houses would each have an internal spiral staircase with garage and a bedroom at ground floor level, 2 bedrooms at first floor level, lounge, dining and kitchen at second and third floor levels leading to the amenity space of a terrace and roof top garden. The houses would have a maximum height of 14.4m (roof of spiral staircase) although the top of the main roof of each house would be 12.1m. Wind catchers would be located on the tops of the house stair towers to improve ventilation.

- 3.5 The ground floor of the building will feature a glazed brick plinth with blue engineering bricks. Above this, the façade will feature red brick with the corners and central section of the railway elevation for example enhanced by the use of a projecting section of contrasting brick. The windows would be metal framed and have a grid like appearance. The north facing flank walls of the houses would also feature timber feature door panels.
- 3.6 The proposed houses would each incorporate an integral car port, whilst two disabled parking spaces, which are located to the north of the proposed building, would serve the office element of the development. The proposed office development would incorporate 16 long stay cycle spaces and 2 short stay cycle spaces. The houses would each incorporate two cycle parking spaces.

4. PLANNING HISTORY

The following planning history is relevant:

- 4.1 WIM7028 - Outline - Application to reconstruct part of the factory buildings on this site, together with the erection of a warehouse and accommodation over. Granted - 04/02/1964;
- 4.2 WIM7669 - The erection of a single storey building comprising workshop store, office and toilet accommodation in replacement of a similar structure. Granted - 26/08/1964;
- 4.3 MER654/66 - Rebuilding of the existing factory buildings into a partly 1 storey and partly 2 storey building comprising factory warehouse & ancillary office space. Granted - 08/03/1967;
- 4.4 14/P4055 - Prior approval in relation to the change of use of ground and first floors from office use class B1(a) to residential use class C3. Granted - 22/12/2014
- 4.5 15/P0948 - Erection of perimeter fence. Granted - 01/09/2015

5. POLICY CONTEXT

- 5.1 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014):
DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM E3 (Employment Areas in Merton), DM E3 (Protection of Scattered Employment Sites), DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure), DM H2 (Housing mix), DM H3 (Support for affordable housing)
DM O2 (Nature conservation, trees, hedges and landscape features), DM EP2 (Reducing and mitigating noise), DM EP4 (Pollutants), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards)
- 5.2 Adopted Core Strategy (July 2011):

CS.8 (Housing Choice), CS.9 (Housing Provision), CS.12 (Economic Development), CS.13 (Open space, nature conservation, leisure and culture) CS.14 (Design), CS.20 (Parking, Servicing and Delivery)

- 5.3 London Plan March 2015 (as amended March 2016):
3.3 (Increasing Housing Supply), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 6.13 (Parking)
- 5.4 Mayor of London Housing Supplementary Planning Guidance (March 2016)
- 5.5 Department for Communities and Local Government 'Technical housing standards – nationally described space standard'
- 5.6 National Planning Policy Framework (NPPF)
- 5.7 The following Supplementary Planning Guidance (SPG) is also relevant:
New Residential Development (September 1999)

6. CONSULTATION

- 6.1 The application was originally publicised by means of a site notice and individual letters to occupiers of neighbouring properties. In response, 6 letters of objection and one letter of support were received. The letters of objection were on the following grounds:
- Loss of daylight/sunlight and privacy
 - Office scheme would only be temporary until such a time that a residential scheme would be eligible through permitted development
 - Too dense and tall, towers over the neighbouring properties, not in keeping and build to plot size is out of sync, no graduation of building on the street corner, vents would result in height precedent, out of character with street
 - The houses have poor outlook and lack privacy because of the office block
 - Poor vehicle access with little room to manoeuvre, impact on traffic and parking, office lacks any vehicle access for deliveries, commercial traffic into the estate has been given inadequate consideration, disabled parking spaces located off-site and a long distance from the development
 - Poor location for new houses
Having an overbearing office building attached to the new houses would put off prospective purchasers
- 6.2 The letter of support considers that the development would improve the quality of the lower half of Elm Grove and that the loss of the existing commercial uses would significantly reduce the amount of large delivery vehicles which use the industrial estate.
- 6.3 Wimbledon Society
Objects to loss of buildings designated for light industrial use as they make a valuable contribution to the area. There are also concerns regarding the living standards of future residents due to overlooking of courtyards from the office,

the constant flow of industrial vehicles, loss of privacy, noise and security risk due to office employees passing the ground floor bedroom windows of houses 1 to 4. The courtyard outside the entrance could also be a venue for office smokers. There is also no visitor parking and it would be inappropriate to locate a development so close to the railway given this land maybe required for Crossrail 2. The scheme would also give limited access to people with mobility difficulties.

6.4 Future Merton - Transport Planning

6.4.1 No objections subject to appropriate conditions.

6.5 Future Merton - Climate Change

6.5.1 Satisfied that the proposed energy approach for both the residential and commercial elements are policy compliant. Appropriate conditions should be attached.

6.6 Environmental Health Officer

6.6.1 No objections subject to appropriate conditions

6.7 Crossrail 2

6.7.1 Crossrail 2 has confirmed that the application relates to land which sits outside the limits of the land subject to consultation by the Crossrail 2 Safeguarding Direction. No comment has therefore been made.

6.8 Network Rail

6.8.1 No objections

7. PLANNING CONSIDERATIONS

7.1 Principle of Development

7.1.1 The application site is classed as a scattered employment site and as such it will have to comply with policy DM E3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014). Part A of this policy states that proposals that result in the loss of scattered employment sites will be resisted except where:

- i) The site is located in a predominately residential area and it can be demonstrated that its operation has had a significant adverse effect on local residential amenity;
- ii) The size, configuration, access arrangements and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use; and,
- iii) It has been demonstrated to the council's satisfaction that there is no realistic prospect of employment or community use on this site in the

future. This may be demonstrated by full and proper marketing of the site at reasonable prices for a period of 30 months.

7.1.2 Policy DM E3 goes on to state that in circumstances where proposals for mixed use development are considered, proposal must be designed to ensure the future occupation and function of employment uses, upon completion. The premises/sites retained for employment uses must:

- Be of an attractive size and character for occupation by employment and community uses and flexible to accommodate alternative uses
- Be compatible with the character and appearance of the area
- Be designed to accommodate the proposed use
- Not be harmed by way of noise, disturbance, loss of light or privacy
- Allow adequate safe vehicle access to and from the highway, provide adequate car parking facilities (both cycling and car parking) and there should be links to modes of transport and other private vehicle; and,
- The site must be built out in full before proposals for change of use from employment to alternative uses will be considered by the council.

7.1.3 The proposal is a mixed use scheme and would result in a reduction in the amount of employment land. However, it is considered that the development would accord with policy DM E3 given the site is located in a predominately residential area where its operation significantly impacts residential amenity with a high number of commercial vehicle movements taking place. The majority of the noise and disturbance currently experienced in the estate is caused by the occupiers of the application site. Currently, the warehouse and part of the office space is occupied by a recycling packaging supplier which generates circa 20 to 25 vehicle deliveries/collections per day including 15 deliveries/collections by a 3.5 tonne vehicle and 2 to 3 deliveries/collections by an articulated vehicle. This activity which is amplified by the fact that Elm Grove is a cul-de-sac meaning vehicles have to enter and exit at the junction with Worple Road whilst turning at the bottom of Elm Grove creates a significant amount of disturbance through noise and pollution. It is anticipated that the proposed development would generate only an average 3 to 4 delivery/collection and servicing trips per day. In addition, there would be some car movements from the proposed houses however it is considered that overall the development would result in a significant reduction in vehicle movements reducing the impact on residential amenity.

7.1.4 It should also be noted that although the development would result in a reduction in employment land there would not actually be a net loss in the overall amount of commercial floorspace. The application site currently comprises 310.9sqm of office space in a two-storey building and 613.9sqm of warehousing in two single storey buildings (total: 924.8sqm). The development is for a mixed use scheme comprising office accommodation arranged over four floors also totalling 924.8sqm of floorspace and six, three bedroom (6 person) houses. Although the office element is located on a smaller part of the site it is considered that it is of an attractive size and character for occupation. The applicant has provided a letter from a local chartered surveyor which states that there is a significant shortage of office

premises of between 1,000 and 50,000 sq ft in Wimbledon. It also states that new premises based at The Broadway or in Wimbledon Village will command premium rental levels which are not affordable to all businesses and as such it is considered that there would be a strong demand for a scheme at Elm Grove which would be more affordable. The proposed office would also result in a material uplift in employee numbers at the site with the number increasing from 48 to 109.

- 7.1.5 The proposal would also result in the provision of six, three bedroom houses and is supported by Policy CS.9 of the Core Planning Strategy 2011 which states that the Council will work with housing providers to facilitate the provision of a minimum of 4,800 additional homes for the period 2011-2026 including 500-600 for Wimbledon. In addition, policy CS.8 of the core planning strategy supports the provision of three bedroom family sized houses stating that Merton's 2010 Strategic Housing Market Assessment Study (Merton SHMA) has identified that there is a need for more housing types and sizes throughout the borough and that assessment of historical provision to date in the borough indicates a disproportionately greater delivery of smaller housing units of 1 to 2 bedrooms.

7.2 Design and Appearance

- 7.2.1 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings, whilst using appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.
- 7.2.2 The height, bulk and massing of the proposed development is considered to be acceptable given it would be very similar to that of the adjacent recent development at No.7 Elm Grove. The proposed office element would have a maximum height of approx. 14m whilst the proposed houses would have a height of 12.1m to the top of the main roof, although the roof of the spiral staircase would be taller with a height of 14.4m. It is also considered that given the sites location at the bottom of Elm Grove abutting the railway line combined with the fact that there is a significant gap to the nearest houses to the north of the site, means that there is scope for a development of this scale which is not visually overbearing or dominates the existing buildings along the road. The mass of the main elevation to the railway would be broken down through the use of different materials whilst the mass of the houses would be broken down by introducing curved stair towers and by cutting away the corners at third floor level.
- 7.2.3. In terms of the proposals design approach, it should be noted that there is an eclectic mix of architectural styles along Elm Grove, however all of the buildings apart from No.7 Elm Grove feature red brickwork on their elevations. It is considered that the proposal is acceptable in terms of its design with the appearance of the building developed so that it is distinctive but also reflects the materials used in the road for example through the use of red brick on its

facades. The proposal has also been clearly influenced by the fact that it is located in an industrial location abutting a railway and would have a warehouse style appearance which incorporates large grid like metal windows and spiral staircase to each of the houses which resemble industrial chimneys.

- 7.2.4 The current site is untidy whilst the commercial buildings are poor quality which has a negative impact on the appearance of this part of Elm Grove. It is considered that the proposal would result in a high quality development that would therefore enhance the Elm Grove street scene and its wider setting.

7.3 Residential Amenity

- 7.3.1 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.
- 7.3.2 Commercial units are located immediately to the southwest and northwest of the application site whilst the railway line is located immediately to the southeast of the site. It should be noted that on the other side of the commercial units located to the northwest of the site are Nos. 9 to 11 Elm Grove, which are residential houses. On the opposite side of the footpath linking the bottom of Elm Grove with the pedestrian footbridge over the Railway is No. 7 Elm Grove a four-storey mixed use development comprising a mixture of commercial and residential uses. It should be noted that the commercial element of this building is located closest to the application site. To the north of No.7 is Nos. 3 and 5 Elm Grove which are residential flats.
- 7.3.3 No residential properties located to the south or southwest of the application site would be affected by the development. Occupiers of No.5 would be able to view the development through the front windows of their flats. It is however considered that the development would not be visually intrusive or overbearing when viewed from No.5 given it is located approx. 25m from the front elevation of this building and would also be viewed from an oblique angle. It is also considered that the development would be visually intrusive or overbearing when viewed from Nos. 9 to 11 Elm Grove given the front or rear elevations of these properties would not directly face the development. The development would also be located a minimum 16.5m from the side boundary of No.9 and the current single storey commercial building would help screen the development when viewed from this property. Nevertheless, it should be noted that the houses do not feature any windows on their side elevations other than to the stair towers and a condition will be attached requiring a 1.7m high screen is provided on the north elevation of the terraces of houses 1, 3 & 5 to protect privacy. The applicant has provided a daylight/sunlight assessment which shows that Nos. 5 and 9 would continue to receive acceptable levels of daylight/sunlight. The applicant has also carried out a

shadow path analysis which demonstrates that there would be no adverse overshadowing impact to any existing amenity areas adjacent to the site.

- 7.3.4 The site is located in a predominately residential area and it is considered that its current operation significantly impacts residential amenity with a high number of commercial vehicle movements taking place. Currently, the warehouse and part of the office space generates circa 20 to 25 vehicle deliveries/collections per day including deliveries from articulated vehicles and this creates a significant amount of disturbance through noise and pollution. It is anticipated that the proposed development would generate significantly fewer vehicle movements therefore reducing the impact on residential amenity. This is discussed in more detail in paragraph 7.1.3.

7.4 Standard of Accommodation

- 7.4.1 The London Plan 2015, as updated by the Minor Alterations, March 2016 (Housing Standards) sets out a minimum gross internal area standard for new homes as part of policy 3.5. It provides the most up to date and appropriate minimum space standards for Merton. In addition, adopted policy CS.14 of the Core Strategy and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) encourages well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards and provides functional internal spaces that are fit for purpose. New residential development should safeguard the amenities of occupiers by providing appropriate levels of sunlight & daylight and privacy for occupiers of adjacent properties and for future occupiers of proposed dwellings. The living conditions of existing and future residents should not be diminished by increased noise or disturbance.
- 7.4.2 All six of the proposed houses with each being more than 200sqm in size would exceed the minimum space standards for a three bedroom (six person) house (110.5sqm) set out in the London Plan 2015, as updated by the Minor Alterations, March 2016 (Housing Standards). The proposed houses are considered to be generally well laid out with the bedrooms located on the lower two floors and the living/kitchen and lounge located on the upper two floors. The houses are intended to be 'loft' style dwellings with the interiors having exposed brickwork, visible structure and timber floors. The proposed amenity space (50sqm) will be located at second and third floor levels and is policy compliant. Although this isn't one single amenity space it is considered this alone would not warrant a refusal of the application in this instance.
- 7.4.3 The houses are arranged so that each pair would be located only 8m apart. This would not normally be considered to be acceptable as it is well below the minimum separation distances set out in the SPG on New Residential Development which requires 15m for a three bedroom house (there isn't a separation distance given for a four storey house). However, in this instance it is considered that the separation distance is acceptable given the rather unusual design of the houses which sees the living accommodation turned upside down. The houses have been designed so that the living/dining/kitchen areas where occupants would spend most of the daytime are located on the

upper two floors with the bedrooms, where occupants would generally sleep at night located on the lower two floors. This means the rooms which are likely to require more daylight are best positioned for this. The houses would also feature very large glazed windows with the living/dining area also featuring a double height ceiling which would be double aspect maximising the amount of available daylight. It should also be noted that the applicant has submitted a daylight/sunlight report which states that the ADF (Average Daylight Factor) results show that all the proposed habitable rooms would meet or exceed the BRE recommendations for their room type. It is also considered that the arrangement of the floors improves the outlook of each house with the rooms requiring better outlook located on the upper floors.

- 7.4.4 In terms of privacy the houses have been designed so that windows to utility rooms, en-suites or secondary windows to habitable rooms face the main habitable room windows of facing houses. These windows can therefore be obscure glazed to protect privacy without impacting on the amenity of occupiers. The north facing windows as well as the proposed roof terrace to the office element would also need to be obscure glazed or screened to prevent occupiers of this part of the development overlooking the windows roof terraces of the residential units. Landscaping is also proposed for in front of the bedroom windows at ground level to further protect privacy.

7.5 Parking and Traffic

- 7.5.1 Policy CS.18 of the Core Planning Strategy states that the Council will promote active transport by supporting schemes that prioritise the access and safety of pedestrian, cycle and other active transport modes. Policy CS.18 also encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers). Policy DM T3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development should only provide the level of car parking required to serve the site taking into account its accessibility by public transport (PTAL) and local circumstances in accordance with London Plan standards unless a clear need can be demonstrated.
- 7.5.2 Policy 6.13 Table 6.2 of the London Plan (March 2015) allows for up to 1.5 spaces per residential unit with 3 bedrooms where there is a PTAL rating of 2-4. The application site has a PTAL rating of 2, which means it technically has poor access to public transport. However, it is considered that in this instance the low PTAL rating does not truly reflect the good level of public transport accessibility with the site located only approx. 130m from Worple Road where a number of bus routes serving Wimbledon Town Centre, Kingston, Tooting etc. run. Nevertheless, the scheme proposes the provision of one off-street parking space per house located within an integral car port and as such is in accordance with London Plan policy. Given the site is located in a controlled parking zone (CPZ) the houses would be exempt from applying for parking permits in future.
- 7.5.3 No car parking spaces other than two blue badge spaces would be provided for the office element and these would be located on the access road. The

London Plan requires B1 use to provide a parking space for every 100-600sqm of office space in outer London, which means there would normally be a requirement to provide between circa 1 - 9 car parking spaces in this instance. However, this requirement is a maximum and given the site is well connected it is considered that this is acceptable in this instance given it promotes sustainable transport. It is considered that given the good public transport links that future occupiers of the building would however be exempt from applying for business parking permits.

- 7.5.4 As discussed in paragraphs 7.1.3 and 7.3.4 the sites current operation significantly impacts residential amenity with a high number of commercial vehicle movements taking place. Currently, the warehouse and part of the office space is occupied by a recycling packaging supplier which generates circa 20 to 25 vehicle deliveries/collections per day including 15 deliveries/collections by a 3.5 tonne vehicle and 2 to 3 deliveries/collections by an articulated vehicle. This activity which is amplified by the fact that Elm Grove is a cul-de-sac meaning vehicles have to enter and exit at the junction with Worple Road whilst turning at the bottom of Elm Grove creates a significant amount of disturbance through noise and pollution. It is anticipated that the proposed development would generate only an average 3 to 4 delivery/collection and servicing trips per day therefore significantly reducing this impact. Refuse bins would be stored at ground floor level with waste collected from Elm Grove in the same way as for other existing properties in the vicinity.
- 7.5.4 The London Plan expects offices in outer London to provide 1 long stay cycle space per 150sqm and 1 short stay cycle space per 500sqm. The proposed development would have a total ground floor area of approx. 924.8sqm and will provide 16 long stay cycle spaces and 2 short stay cycle spaces at ground floor level which means it would comply with London Plan standards. It is also considered that this element of the proposal would comply with Policy CS.18 of the Core Planning Strategy as the cycle storage is securely covered and other facilities such as showers would be provided.

7.6 Sustainability and Energy

7.6.1 Residential

The submitted sustainability and energy statement indicates that the domestic element of the proposed development should achieve a 21% improvement in CO2 emissions on Part L 2013. This exceeds the minimum sustainability requirements of Merton's Core Planning Strategy Policy CS15 (2011) and Policy 5.2 of the London Plan (2015), and is equivalent to the 25% improvement over Part L 2010 required under Code for Sustainable Homes Level 4. The internal water consumption calculations submitted for the development indicates that internal water consumption for the domestic units should be less than 105 litres per person per day, equivalent to Code for Sustainable Homes Level 4.

- 7.6.2 Whilst the development is located in one of the wider district heat opportunity areas in the London Heat Map, it is outside of the key opportunity areas

identified in Merton's Sites and Policies Plan (2014) Policy DMEP1: Opportunities for decentralised energy networks. It is therefore accepted that the provision of a heat network or use of a site-wide CHP in this location is unlikely to be feasible due to the low density and size of the scheme.

- 7.6.3 It is considered that the proposed energy approach to the development is policy compliant and recommend that Merton's Standard Sustainable Design and Construction (New Build Residential) Pre-Occupation Condition is applied to the domestic part of the development.

7.6.4 Commercial

The non-domestic element should achieve an 35% improvement in CO2 emissions on Part L 2013. This meets the minimum sustainability requirements of major development proposals under Policy 5.2 of the London Plan (2015). In addition, the BREEAM pre-assessment submitted for the development indicates that the non-domestic development should achieve a score of 57.70% under BREEAM (Shell and Core). This is equivalent to BREEAM 'Very Good' standard, in accordance with Policy CS15 Part e of Merton's Core Planning Strategy (2011). It is therefore content that the proposed development is policy compliant and suggest that Merton's BREEAM - Pre-Occupation (New build non-residential) Standard Condition is applied.

7.7 Trees and Landscaping

- 7.7.1 Policy DM O2 of the Adopted Merton Sites and Policies Plan and Policies Maps (July 2014) states that development will only be permitted if it will not damage or destroy any tree which is protected by a tree preservation order, is within a conservation area; or, has significant amenity value.

- 7.7.2 There are a total of 8 trees located on a council owned strip of land between the application site and the footpath to the south of the site, whilst another 6 trees are located on either side of the footpath between the application site and No.7 Elm Grove. The applicant has provided a tree survey where the trees located on the strip of land to the south of the site have been classed as category 'C' which means they are of very limited merit or amenity value. Three of the trees on the footpath between the application site and No.7 have also been given a category 'C' rating. Three of the trees, which are located within the boundary of No.7, have been given a category 'B' rating. These trees are considered to be of moderate quality and amenity value.

- 7.7.3 The proposal would result in the loss of 9 trees and 1 tree group which are located on the strip of land to the south of the site. It is considered that this is acceptable given all of the trees to be removed are category 'C' trees which means it would have a minor impact on public amenity. These trees have regenerated naturally on this strip of land however now due to their mature size are in direct conflict with the existing building. It is considered that regardless of the proposed development their retention would not be sustainable. The council's Highways Team have confirmed that they have no

objection to the removal of the trees however it will be necessary for the applicant to enter into a legal agreement regarding replacement planting.

- 7.7.4 Landscaping, which includes the planting of new tree is proposed around much of the proposed houses. It is considered that this would offer a significant improvement on the existing site and as such this is supported. A condition will be attached requiring the submission of a more detailed planting scheme.

8. ENVIRONMENTAL IMPACT ASSESSMENT

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

9. LOCAL FINANCIAL CONSIDERATIONS

- 9.1 The proposal would result in a net gain in gross floor space and as such will be liable to pay a Community Infrastructure Levy (CIL).

10. SECTION 106 LEGAL AGREEMENT

10.1 Permit Free

- 10.1.1 The development is to be 'Permit Free' in line with policy CS.20 of the Core Planning Strategy, which seek to reduce reliance on private motor vehicles in locations with good access to public transport facilities.

- 10.1.2 Further information in respect of the above, including details of supplementary research carried out in justification of the S106 requirements, can be viewed here:

<http://www.merton.gov.uk/environment/planning/s106-agreements.htm>

10.2 Affordable Housing

- 10.2.1 As of Friday 28 November 2014, the Government amended National Planning Policy Guidance to state that planning obligations (section 106 planning obligations) requiring a financial contribution towards affordable housing should not be sought from small scale and self-build development. Following this change, the council could no longer seek financial contributions towards affordable housing on schemes of 1-9 units but can still seek financial contributions to on developments with a gross area of more than 1,000sqm. The proposed development comprises six new houses with a gross floor area exceeding 1,000sqm which means a financial contribution will be required in this instance. The affordable housing contribution is calculated based on a formula using the median open market valuation of the completed development based on three independent valuations. After applying the formula a figure of (£582,397) would be sought as a S106 planning obligation.

11. CONCLUSION

- 11.1 The proposed reduction in employment land is considered to be acceptable given the site is located in a predominately residential area where the existing operation due to the high volume of vehicle deliveries significantly impacts residential amenity. The proposal is also considered to be acceptable in terms of residential amenity, standard of accommodation and traffic and parking with its height, scale, bulk, massing and design also considered to be appropriate for its setting. Overall, it is considered that the proposal would comply with all relevant planning policies and as such planning permission should be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a S106 agreement covering the following heads of terms:

- 1) Permit free (Office and residential)
- 2) Legal agreement to be entered into with the highways department regarding the removal of the trees and subsequent landscaping of the strip of land to the south of the application site
- 3) Financial contribution for Affordable Housing (£582,397)
- 4) Paying the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

And subject to the following conditions:

1. A.1 (Commencement of Development)
2. A.7 (Approved plans)
3. B.1 (External Materials to be Approved)
4. C.1 (No Permitted Development (Extensions))
5. C2 (No Permitted development (Windows and Doors))
6. C.3 (Obscured Glazing (Fixed Windows))
7. C.7 (Refuse and Recycling (Implementation))
8. C.8 (No use of flat roof)
9. C.9 (Balcony/Terrace (Screening))
10. D.10 (External lighting)
11. D.11 (Construction Times)

12. F.1 (Landscaping/Planting Scheme)
13. F.2 (Landscaping (Implementation))
14. H.4 The two disabled parking spaces shown on the approved plan 4757 3 55 G shall be provided and demarcated as disabled parking spaces before first occupation of the office building and shall be retained for disabled parking purposes for occupiers and users of the development and for no other purpose.

Reason: In order to comply with the requirements of Section 76 of the Town and Country Planning Act 1990 which relates to the provision of satisfactory access to buildings for people with disabilities and to ensure compliance with policy CS20 of the Adopted Merton Core Planning Strategy 2011.

15. H.7 The office use hereby permitted shall not be occupied until the cycle parking and washing facilities shown on the approved plan 4757 3 55 G have 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 the provision of satisfactory facilities to promote sustainable modes of transport and to comply with Policy CS18 (Active Transport) of the Adopted Merton's Core Planning Strategy 2011

16. H.8 (Travel Plan)
17. H.12 (Delivery and Servicing Plan to be Submitted)
18. H.13 (Construction Logistics Plan to be Submitted)
19. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4. Evidence requirements are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide (2010).

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

20. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good' has been submitted to and acknowledged

in writing by the Local Planning Authority. The submission shall also include confirmation that the development will meet the London Plan C02 reduction targets (equivalent to minimum emissions reductions required to achieve BREEAM excellent).'

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

21. No external windows and doors shall be installed until detailed drawings at 1:20 scale of all external windows and doors including materials, set back within the opening, finishes and method of opening have been submitted to and approved by the local planning authority. Only the approved details shall be used in the development hereby permitted.

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.

19. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

22. No development shall commence until a scheme for the soundproofing of the building/s to prevent the transmission of noise and vibration has been submitted to and approved in writing by the Local Planning Authority. The measures as approved shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained.

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.

[Click here](#) for full plans and documents related to this application.
Please note these web pages may be slow to load