

PLANNING APPLICATIONS COMMITTEE 17 AUGUST 2017

APPLICATION NO.

17/P0092

DATE VALID

06/01/2017

Address/Site: Holt Lodge, 170 London Road, Morden, SM4 5AN

Ward: Merton Park

Proposal: Demolition of Holt Lodge, one half of a semi-detached pair of dwellings (Class C3), and redevelopment of the site to construct two, three storey buildings comprising 9 residential units (4x1 bed and 5x2 bed) in use class C3.

Drawing No.'s: 597.2/ 001P4, 008K, 009H, 010H, 011H, 012E, 013D, 014J, 015J, 017D, 030B, 031B, 032A, 033A, 034A.

And supporting documents: 'Daylight and Sunlight Report' dated 22 May 2017, 'Desk Top Study Report' dated May 2014, 'Design and Access Statement' dated 22 December 2016 and 'Planning Statement Energy Assessment' dated 14 May 2015.

Contact Officer: Jock Farrow (020 8545 3114)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 107
- External consultations: 6
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood zone: No
- Archaeological priority zone: Yes – tier 2

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature of the development and objection(s) received.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located on the north western side of London Road, positioned approximately 160m to the south of Morden Town Centre. The site is regular in shape and elongated in a direction perpendicular from the highway; the site has a frontage to London Road of approximately 11m and extends for a depth of approximately 31m; the site has an area of approximately 745sq.m. The site is bound by a vehicle access road for the full length of the north eastern boundary, a parking lot to the rear, a mixture of storage space and residential properties along the south western boundary and London Road to the front.
- 2.2 The site is currently occupied by Holt Lodge, a two storey (with loft level) semi-detached dwelling which is characterised by a dual pitch roof with gable ends along with a front gable. The dwelling is setback from the road frontage by some 25.5m; the resulting forecourt is currently used as an informal parking lot. The site has existing vehicle access from London Road.
- 2.3 The area is characterised by varied development both in terms of architectural style and scale. To the north east (immediately beyond the adjoining vehicle access road) of the site is a 3 storey block of flats, comprising a high pitched roof with hipped ends (The Holt). To the south west, the site is bordered by three sites: toward the front are purpose built flats with the appearance of two storey (with loft level) semi-detached dwellings, this building is characterised by pitched roofs and hipped ends (190-192 London Road); located centrally is the semi-detached pair which is currently attached to the dwelling on site, this dwelling is characterised by a dual pitched roof and front gable (Holt Cottage); toward the rear is a storage complex occupied by single storey garages. Opposite the site and to the east (across London Road) is a sprawling 3 storey complex of flats with a mansard style top floor.
- 2.4 The site is located 500m from Morden Underground Station. London Road is a Transport for London 'Red Route'. The site has a public transport accessibility level (PTAL) of 3 (average), however it is within 100m of a PTAL 6a (excellent) area, thus the site is considered to be very well connected to public transport links.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of one half of a semi-detached pair of dwellings and the redevelopment of the site to construct two, three storey buildings comprising a total of 9 residential units (4x1 bed and 5x2 bed) together with landscaping, 2 vehicle parking spaces, cycle storage and refuse provisions. The proposed building would have a total floor area of 672sq.m.
- 3.2 The site would retain vehicle access from London Road with 2 'blue badge' parking spaces being provided to the front of the site. The footprint of the two

buildings would be regular in shape and would be set in from the site boundaries. Landscaping would be provided including hedges to delineate boundaries, trees along the north eastern boundary and a communal garden space between the two buildings. The southern block (which addresses London Road) would be setback from the highway by 13m, following the building line established by the adjacent buildings; it would be set in from the north eastern boundary by approximately 2.8m; it would be set in from the south western boundary by approximately 2.8m and setback from the resulting flank wall (resulting from the demolition of the building on site, Holt Lodge) of Holt Cottage by 1.22m. The northern block would be setback from the southern block by 8.6m; it would be set in from the north eastern boundary by 2.6m; it would be set in from the south western boundary (adjacent to the storage garages) by 1.7m and set back from the rear boundary by 5m.

- 3.3 The main building envelope would be regular in shape with projecting balconies to the front and rear and vertically orientated projecting windows along the north eastern (flank) elevation; a pyramid style roof would be utilised to the front, behind which would be a flat roof housing a series of solar panels. The front elevation would incorporate recessed brick detail which would be vertically orientated. The building façade would predominately be red brick. The pyramid style roof would be clay tiles. Windows would be recessed and would utilise aluminium frames. Balconies would utilise glass balustrades. The projecting windows would be clad in Larch (wood) and would utilise zinc for the roof.
- 3.4 The main access to the southern block would be provided from the southwestern (flank) elevation and would comprise a stair core and lift serving all floors; the ground floor units would have private entrances and would also be provided from this elevation. The main entrance to the northern block would be provided from the south eastern elevation (elevation directed toward London Road) and would comprise a stair core; the ground floor unit would have a private entrance accessed via the southwestern elevation.
- 3.5 The proposed buildings would have the following key dimensions:
- Southern block:
 - 22m deep/long
 - 7.3m wide
 - 9.1m high to the eaves
 - 12.1m maximum height
 - 9.5m high to the flat roof component
 - Northern block
 - 12.7m deep/long
 - 7.4m wide
 - 9.5m high to the flat roof
- 3.6 Following the initial submission of the drawings, concerns were raised by officers regarding the design, form and appearance of the proposed building and how it would address the streetscene, revised drawings were subsequently submitted which sought to address these concerns. The revisions included:

- Adding a pyramid style roof to the front
- Reducing the width of the balconies to the front
- Providing vertically orientated brick detail to the front elevation
- Providing defensible space to the ground floor units

3.7 It is noted that the application site benefits from extant planning permission 14/P2817, which is for the construction of an MOT warehouse building (equivalent of two storey in height) toward the front of the site and a 3 storey flat roof building toward the rear of the site which would provide 9 flats; the proposal would involve the demolition of both halves of the semi-detached dwellings (both Holt Lodge and Holt Cottage). Following the granting of planning permission 14/P2817 it became apparent that acquiring the site of Holt Cottage would be problematic; as such, this revised scheme has been submitted which would utilise the site of Holt Lodge only.

4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

4.2 14/P2817: Application for planning permission for the demolition of the existing single storey building providing a car sales office [22 square metres], and two storey buildings providing a three bedroom house, and 2 two bedroom flats on land known as Holt Lodge and Holt Cottage [located between The Holt and 190-192 London Road] and the construction of two new buildings consisting of a vehicle repair workshop providing MOT testing [Use Class B2 and 235 square metres] at the front of the site with a front yard using the existing vehicular access from London Road and a three storey building at the rear of the site providing 9 flats [6 two bedroom flats and 3 one bedroom flats] with pedestrian access to London Road – Granted.

5. CONSULTATION

5.1 Public consultation was undertaken by way of site and press notices along with letters sent to 107 neighbouring properties. In addition, re-consultation was undertaken for a 14 day period due to amendments being received, the most notable being the addition of the pyramid roof. The outcome of the combined consultation periods is summarised as follows:

5.2 Two representations were received which objected to the proposal, albeit it is noted that these were received from the same person and were submitted in response to the two separate consultation periods. The objections are summarised as follows:

- Building too close to the neighbouring sites
- Compromise privacy and security
- Loss of daylight and sunlight
- Loss of outlook
- Out of keeping with the area
- Adverse impact upon parking
- Lack of employment on site

Internal:

- 5.3 Transport/Highways Officers: No objection. The site is not within a CPZ. PTAL is 3 but increases to 6a within 100m. Given the excellent public transport links available the parking provisions are considered to be acceptable. Cycle parking provisions are acceptable. Refuse storage are considered to be appropriately located. Proposal will not generate a significant negative impact on the performance or safety of the highway network. Consultation with TFL required given London Road is a 'Red Route'.
- 5.4 Climate Change Officer: No objection. The Energy Statement indicates that the proposal should achieve a 42% improvement on Part L 2013 (CO2 emissions) which far exceeds the policy requirement of a 19% improvement. Recommended a condition requiring policy compliant CO2 improvements and water efficiency.
- 5.5 Environmental Health: No objection. Recommended conditions relating to contamination, external lighting and measures to reduce disturbance during the construction period.
- 5.6 Waste Services: No objection. The storage provisions are in line with Merton requirements.

External:

- 5.7 Transport for London (TFL): No objection. Advised that the applicant will need to enter into a legal agreement with TFL for any works to the highway. Advised that the footway and carriage must not be blocked and that it must be safe for pedestrians during the construction phase.
- 5.8 Historic England – Greater London Archaeological Advisory Service: No objection. Advised that while the proposal is located within an archaeological priority zone, the limited size of the proposal along with the anticipated levels of previous ground disturbance pose a limited risk to archaeology.
- 5.9 Metropolitan Police – Designing out Crime Officer: No objection. Advised that the dwarf wall should be designed so it cannot be used as seating, a gate should be added to the defensible space of the ground floor unit to the front, cycle storage should be secure.
- 5.10 Environment Agency: No objection.

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;
- 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

Other NPPF sections 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
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 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 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 H2 Housing mix
- DM D1 Urban Design
- DM D2 Design considerations
- 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 – Nationally described space standard 2015

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

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

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network and parking
- Refuse storage
- Sustainability
- Contamination
- Developer contributions

Principle of development

- 7.2 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.
- 7.3 The site is within a residential area and benefits from excellent public transport links. The site is an underutilised brownfield site which is considered to present opportunities for a more intensive residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.
- 7.4 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.

Design and impact upon the character and appearance of the area

- 7.5 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.
- 7.6 The building incorporates a considerable setback from London Road to align with the building line established by the adjacent developments. The building is set in from all boundaries and it is considered to fit comfortably within the site. The development has been proposed as two separate blocks, with the space between the blocks aligning with the rear garden of Holt Cottage to the south west. Planting and gates are proposed in front of the ground floor units to create defensible space and to delineate between communal and private areas. Given the above, the footprint and layout of the building is considered to be well thought out and appropriate for the site.
- 7.7 Immediately to the north east of the site is a 3 storey block of flats with a high pitched roof (positioned to the front of the building), behind the pitched roof the building reduces in height to a flat roof. Immediately to the south west of the site is a two storey with pitched roof building. Immediately opposite the site is a 3 storey block of the flats. Considering the existing built environment, the proposed 3 storey building, with an additional pitched roof, is considered to be well justified in terms of bulk and height and that it would sit comfortably within its context. In addition, the massing approach, which focuses the bulk

toward the wide streetscape of London Road and reduces in bulk toward the rear, is considered to be appropriate.

- 7.8 The surrounding development is characterised by a variety of architectural styles and scales. However, a common characteristic which is considered to make a positive contribution to the streetscene is the vertical emphasis of the buildings. Given the above, discussions ensued between the developer and Merton Council to provide a building which would more readily harmonise with the surrounding context and pick up on this architectural cue. Revisions to the scheme were subsequently received which added a pyramid style roof to the front of the building, added vertically orientated brick recesses/detailing to the front elevation and reduced the width of the balconies to the front. These architectural treatments create a vertical emphasis to the building which is considered to sit comfortably within its context.
- 7.9 The external appearance would be characterised by a red brick façade, a clay tile pyramid roof, wooden cladded projecting bay windows, recessed aluminium windows, vertically orientated brick detail to the front and glazed projecting balconies. It is considered that the materials pallet along with the different elements of the façade harmonise to create an interesting, high quality and coherent design. However, the success would be very much dependant on the exact materials used; therefore, a condition is recommended requiring specific details of materials to be submitted for approval prior to the commencement works above foundation level.
- 7.10 As viewed holistically, it is considered that the proposal would constitute a high quality scheme, responding appropriately to the surrounding context in terms of massing, heights, layout, architectural cues and materials; the proposal is considered to make a positive contribution to the streetscene.

Impact upon neighbouring amenity

- 7.11 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:

- 7.12 Light spill from the proposal is not expected to be significant given the scheme is entirely residential. However, there are external spaces which would require lighting. As such, it is recommended to include a condition which would require any external lighting to be positioned away from residential properties.

Privacy:

- 7.13 The primary outlook would be provided to the front and rear, where the scheme would overlook the public highway and a carpark. Bay windows would be incorporated which would also provide directional outlook from the flank elevations toward the front and rear.

- 7.14 To address concerns of overlooking, the scheme proposes a combination of obscure glazed and fixed shut windows, 1.7m high obscure glazed screening to balconies and projecting bay windows to provide directional outlook (to avoid direct overlooking). It is considered that this combination of techniques could suitably address any undue overlooking. However, the details of obscure glazed windows and balcony screening as currently submitted are not considered to be sufficient, it is therefore recommended to require further details to be submitted by way of condition.

Visual intrusion:

- 7.15 Given the proposed buildings would be 3 storey in height it would be replacing a two storey (with additional pitched roof) dwelling which only covers a small section of the site, visual intrusion should be closely scrutinised.
- 7.16 With regard to the surrounding development: it is noted that the primary outlook to 190-192 London Road (existing development to the south west and toward the front of the site) it directed toward the front and the rear, which does not face the development site; in addition, the building is setback from the amenity space of this property by some 6.5m. With regard to Holt Cottage (existing development positioned centrally and to the south west of the site), while the proposal would be in very close proximity to this property (1.22m at the closest point), it is noted that there would be no windows in its flank elevation facing the proposed development; furthermore, the gap between the two blocks of flats would align with the amenity space of Holt Cottage. With regard to The Holt (block of flats to the north east), the proposed buildings would maintain a setback of approximately 8.5m; in addition, the gap between the two buildings would break up the bulk of the proposal.
- 7.17 To further mitigate the impact of visual intrusion, the proposed building would utilise a flat roof, thus reducing the overall height and trees would be planted along the north eastern boundary to help obscure the proposal.

Loss of daylight and sunlight:

- 7.18 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidelines; the methodology used is the vertical sky component (VSC), daylight distribution and average daylight factor (ADF) for daylight and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from all immediately surrounding dwellings have been assessed.
- 7.19 With regard to 190-192 London Road and Holt Cottage (dwellings to the south west): 190-192 London Road has 4 windows which serve habitable rooms which would experience reductions in VSC beyond the recommended 20%; however, all of these windows meet BRE guidelines in terms of daylight distribution. All remaining windows, and all windows at Holt Cottage, would meet BRE guidelines in terms of daylight and sunlight. Furthermore, the amenity space of both of these properties would retain BRE guideline levels of

daylight and sunlight. Given the above, it is not considered that the proposal would unduly impact upon 190-192 London Road or Holt Cottage in terms of loss of daylight or sunlight.

- 7.20 With regard to the Holt (block of flats to the north east), all windows would meet BRE guidelines with the proposal in place in terms of sunlight (APSH), both in winter and annually. However, 21 windows/rooms would experience a reduction in VSC and daylight distribution below BRE guidelines. 15 of these windows would retain close to the recommended 27% VSC, being in excess of 20% VSC. The remaining 6 windows would retain at least 16.9% VSC.
- 7.21 The developer makes the following argument in their daylight and sunlight assessment:
- 16.9% VSC would still provide a reasonable amount of daylight to the rooms beyond
 - The main living space of the affected flats are understood to be on the opposite side of the building, which would be unaffected
 - The most affected windows are those opposite areas of the site that are currently undeveloped; in such locations, reductions in daylight beyond 20% are more likely (even when reasonable development is proposed) as the windows rely on light 'borrowed' from the adjacent site. In such situations, strictly adhering to the 20% BRE guidelines can lead the underdevelopment of site.
- 7.22 As confirmed by the developer's submitted daylight and sunlight assessment, 21 windows within The Holt would experience a reduction in daylight beyond BRE guidelines. However, it should be noted that the proposal is considered to be suitable in terms of the way it addresses streetscene and its impact upon the character and appearance of the area, it is not considered to be unduly visually intrusive or to unduly impact upon the privacy of neighbouring dwellings; and as per the remaining assessment, the proposed units are considered to offer a high standard of living, and the proposal is considered to be compliant with transport, refuse and sustainability objectives and policies. Furthermore, the proposal accords with a key planning objective in delivering new housing. Given the above, it is considered that significant weight should be given to the delivery of housing and that some level of flexibility may be awarded given to the characteristics of the site and the surrounding development (relying on 'borrowed light') - it may be considered unreasonable in this instance to withhold permission based on loss of daylight alone.

Standard of accommodation

- 7.23 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.	Unit Size/ Type	Required Area	Proposed Area	Compliant
1	1b2p	50	50.5	Yes
2	2b4p	70	71	Yes
3	1b2p	50	53	Yes
4	1b2p	50	51	Yes
5	2b4p	70	70	Yes
6	2b4p	70	70.5	Yes
7	1b2p	50	51	Yes
8	2b4p	70	70	Yes
9	2b4p	70	71	Yes

Where b = beds (no. of bedrooms) and p = persons (maximum occupancy)

- 7.24 As demonstrated by the table above, all units either meet or exceed London Plan standards. All habitable rooms are serviced by windows which are considered to offer suitable natural light, ventilation and outlook to prospective occupants. In addition, all units are considered to be suitably private, including the ground floor units which incorporate defensible space to screen and separate their windows from communal space. 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 dual aspect.
- 7.25 In accordance with the London Housing SPG, policy DMD2 of the SPP states that there should be 5sq.m of external space provided for 1 and 2 person flats with an extra square metre provided for each additional occupant. All units are provided with either ground level gardens or balconies, 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 landscaped communal space which would be positioned between the two blocks.
- 7.26 The southern block, which would contain 6 of the 9 flats, would be served by a lift, thus providing step free access. As such, 7 of the 9 proposed units would benefit from step free access (the ground floor unit of the northern block included). Given the layout of the proposal, it would appear impracticable to install an additional lift to achieve step free access to the remaining 2 units; as such, in this instance the provision of step free access to 7 of the 9 units is considered to be acceptable.

Transport, highway network, parking and sustainable travel

- 7.27 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. 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 and to provide parking spaces on a restraint basis (maximum standards).

- 7.28 Transport for London along with the London Borough of Merton Transport Planner and Highways Officer have reviewed this application; their comments are integrated into the assessment below.
- 7.29 The development would provide 2 off street parking spaces which is considered to be acceptable given the excellent public transport links within close proximity of the site. Given the low level of parking provisions which include electric charging points, the excellent public transport links and the 14 cycle storage spaces (policy compliant) proposed, the scheme is considered to promote sustainable transport objectives.
- 7.30 The proposed development is not considered to result in a significant trip generation nor is it considered to negatively impact upon highway performance or safety. It is noted that the forecourt could easily accommodate delivery and servicing requirements.

Refuse storage

- 7.31 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.
- 7.32 The proposed refuse storage provisions are in line with Merton requirements and the collection location is considered to be appropriate.

Sustainability

- 7.33 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.
- 7.34 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The submitted energy statement indicates that the proposed development could achieve a 42% improvement on Part L which far exceeds the minimum policy requirements. It is recommended to include a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Site contamination

- 7.35 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.
- 7.36 Due to the potential for ground contamination on site, 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.

Developer contributions

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

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, increasing residential density in line with planning policy. The proposal is considered to be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout, architectural cues and materials; the proposal is considered to make a positive contribution to the streetscene.
- 8.2 The proposal is not considered to unduly impact upon neighbouring amenity in terms of visual intrusion or loss of privacy. The proposal would offer a high standard of living for prospective occupants. The proposal would not unduly impact upon the highway network or surrounding parking provisions and it would promote and facilitate sustainable travel. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability.
- 8.3 It is acknowledged that the proposal would result in loss of daylight, to a point below BRE guidelines, to a number of flats within the adjacent block of flats, The Holt. As summarised above, the proposal is considered to be acceptable in terms of all other material considerations. Given the above, it is considered that significant weight should be given to the delivery of housing and that some level of flexibility may be awarded given to the characteristics of the site and the surrounding development (relying of 'borrowed light').
- 8.4 The application is therefore recommended for approval on balance, subject to appropriate conditions.

RECOMMENDATION

Grant planning permission subject to the following conditions.

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

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

4. Non-standard condition [Parking]: The development hereby permitted shall not be occupied until the vehicle parking provisions, including the electric charging points, shown on the approved plan 597.2/ 008K 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 thereafter.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 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: It is necessary for the condition to be discharged prior to the commencement of development ensure vehicle and pedestrian safety and to

protect 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 [External lighting]: Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

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.

8. Standard condition [Refuse]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plan 597.2/ 008K 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.

9. 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 CO2 reductions not less than a 19% improvement on Part L of the Building Regulations 2013 and internal water usage of not more than 105 litres per person per day.

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

10. Amended standard condition [Obscure glazing and screening]: Notwithstanding the approved plans, before the development hereby permitted is first occupied, details of obscure glazing to windows and screening of balconies 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.

11. Amended standard condition [Use of flat roof]: Access to the flat roof of the development hereby permitted, shall be for maintenance or emergency purposes only, and these areas shall not be used as a roof garden, terrace, patio or similar amenity area.

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.

12. Amended standard condition [Hardstandings]: Notwithstanding the approved plans, the hardstandings hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2015, policy CS16 of Merton's Core Planning Strategy 2011 and policy F2 of Merton's Sites and Policies Plan 2014.

13. Non-standard condition [Contamination investigation]: Prior to the commencement of development, an investigation and risk assessment scheme, to assess the nature and extent of any contamination on the site, whether or not it originates on the site, shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons, in accordance with the approved scheme and prior to the commencement of development and a written report of the findings must be produced. The written report is subject to the written approval of the Local Planning Authority. The report of the findings must include where relevant:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: It is necessary for the condition to be discharged prior to the commencement of development in order to protect any 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.

14. Non-standard condition [Contamination remediation]: Prior to the commencement of development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: It is necessary for the condition to be discharged prior to the commencement of development in order to protect any 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.

15. Non-standard condition [Remediation verification]: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: It is necessary for the condition to be discharged prior to the commencement of development in order to protect any 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.

16. Non-standard condition [Unexpected contamination]: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must

be prepared in accordance with the requirements of condition 14, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 15.

Reason: In order to protect any 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.

17. Standard condition [Landscaping]: Prior to the use or occupation of the development hereby approved, full details of a landscaping and planting scheme has been 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 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.

18. Amended Standard condition [Cycle storage]: The development hereby permitted shall not be used or occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use 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.

Informatives:

a) 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 LBM officers have provided feedback and allowed for additional time and amendments to improve the scheme. In addition, the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

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

c) 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).

d) Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

e) Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Detailed documentary evidence representing the dwellings 'As Built'; showing:
 - the location, details and type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment); and
 - the location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling; along with one of the following:
 - Water Efficiency Calculator for New Dwellings; **or**
 - Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; **or**
 - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

Continued over page:

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