

PLANNING APPLICATIONS COMMITTEE 18 JANUARY 2018

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
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17/P3677	16/10/2017
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Address/Site: 23 Streatham Road, Mitcham, CR4 2AD

Ward Figges Marsh

Proposal Demolition of existing building and erection of a single storey Lidl foodstore with associated car parking, cycle parking and landscaping.

Drawing No's Site location plan and drawings; 0105041 Rev 18, 0105042 Rev 1, 0105043 Rev 1, 020041 Rev 17, 020051 Rev , 020052 Rev 9, 0200053 Rev E & 1216 Rev K, Air quality assessment by Syntegra Consulting ref 16-2728 February 2017, Noise Impact assessment report by Acoustic Consultants Ltd ref 6896BL December 2017

Contact Officer Leigh Harrington (020 8545 3836)

RECOMMENDATION

GRANT PLANNING PERMISSION subject to conditions.

CHECKLIST INFORMATION

- Head of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted - No
- Number of neighbours consulted - 137
- Press notice - Yes
- Site notice - Yes
- External consultations – Transport for London, Metropolitan Police
- Density - N/A
- Number of jobs created 10 Full time, 30 Part time

1. INTRODUCTION

- 1.1 This application is brought before the Planning Applications Committee due to the level of objection.

2. SITE AND SURROUNDINGS

- 2.1 The application site is situated on the south east side of Streatham Road to the east of the junction with Graham Avenue which runs along one side of the site. Part of the site is currently occupied by a vacant Halfords store and associated parking area. The site also includes a vacant area of open land with mature trees to the rear adjacent to Tudor House and an area of vacant hard standing to the east behind a garage and adjacent to Coast House and Beaulieu Close. The front of the site opens onto Streatham Road with Figges Marsh open space beyond that. A number of mature trees are located on the corner of Streatham Road and Graham Avenue including two subject of a Tree Preservation Order. Two trees to the rear of the site on the Graham Avenue elevation are also subject of the same TPO.
- 2.2 The site is not within an Archaeological Priority Zone (APZ), Controlled Parking Zone (CPZ) or Conservation Area and is not shown to be at risk of flooding. Streatham Road is a London Distributor Road carrying heavy traffic loads. The site enjoys above average access to public transport with a PTAL level of 4. The site is in close proximity to an Air Quality Focus Area.

3. CURRENT PROPOSAL

- 3.1 The proposal reflects a revision to the previously refused scheme that has been designed to address the grounds for refusal. The proposal still involves the demolition of the vacant Halfords Store but now, once cleared there would be an expanded area of parking located to the rear of the new supermarket to incorporate the vacant area of open land to the rear of the site whilst the existing vacant hardstanding area to the north would be utilised to provide an additional parking area. The area in front of the new store would just provide cycle parking and landscaping
- 3.2 The 33m wide large glazed frontage of the supermarket would face Streatham Road with a corner entrance in the north east corner of the building. The building would feature a slightly lower sloping roof than previously with a height of 7.14m (down from 7.56m) along the eastern elevation sloping down to 5.28m along most of the Graham Avenue elevation. The building would feature exposed brickwork to a height of around 4m along each of the other three elevations with a light coloured cladding finished area up to the roof slope. Servicing and deliveries would take place at the rear of the store within a flat roofed enclosed section with a 4.41m roof height. The revised store will include a bakery area as well as chiller and freezer sections and have a smaller total GIA of 2141m² (down from 2,236m²) with a smaller sales area of 1291m² (down from 1352m².) Following objections from residents and officers plant and machinery for the freezers and chillers will now be located in a plant area on the roof of the delivery bay area rather than on the Graham Avenue elevation.
- 3.3 Externally the store will now provide 90 parking spaces which will include 1 rapid electric vehicle charger covering two spaces and 9 fast chargers covering 9 spaces (refused scheme proposed 93 spaces) , and two trolley bays, cycle parking and boundary landscaping. To improve access to the

store and so as not to impact traffic movement there will be alterations to the road layout through new road markings and traffic island placement on Streatham Road. An advertising totem would be situated on the Streatham Road elevation by the entrance to the store although this would be the subject of a separate application for advertisement consent.

- 3.4 In the previous application the rear of the development abutted the rear boundary fence with Tudor House whilst the front elevation was set back approximately 37m from Streatham Road. For the scheme now before members the rear of the building is now around 21m from the Tudor House boundary and the front elevation is approximately 15m from Streatham Road. The main building would no longer abut the pavement edge on Graham Avenue, being set in by 2m behind a landscaping strip.

4. PLANNING HISTORY

- 4.1 89/P0532 Planning permission refused but allowed on appeal for erection a of retail store for the sale of cycle and vehicle parts and accessories with mot bay five vehicle service bays and associated car parking.
- 4.2 90/P0197 Advertising consent granted for display of internally illuminated signs to Streatham Road elevation.
- 4.3 92/P0565 Advertising consent granted for retention of three forecourt light-column
- 4.4 05/P0035 Planning permission granted for the change of use from retail store for the sale of cycle and vehicle parts, accessories and associated products together with mot and service bay facilities to use as a non-food retail warehouse within class A1.
- 4.5 16/P4418 Planning permission refused by Planning Applications Committee (25th May 2017), contrary to officer recommendation, for demolition of existing building and erection of a single storey Lidl foodstore with associated car parking, cycle parking and landscaping.

Reason; The proposals by reason of their siting and design: a) would fail to deliver a high quality design response that relates positively and appropriately to the existing street layout, and would by reason of the degree of separation of the store from the adjoining street, fail to adequately activate the frontage onto Streatham Road, failing to impact positively on the character and quality of the public realm; b) would result in extensive and inactive frontage that would be unduly intrusive and fails to enhance the Graham Avenue frontage, to the detriment of the visual amenities of neighbouring occupiers, and failing to impact positively on the character and quality of the public realm; and c) would appear visually intrusive and harmful to outlook when seen from Tudor House to the detriment of the visual amenities of occupiers. The proposals would be contrary to policies 7.4 and 7.6 of the London Plan (2015), policy CS.14 of the Merton LDF Core Planning Strategy (2011)

and policies DM.D1 and DM.D2 of the Merton Sites and Policies Plan (2014).

5. CONSULTATION

- 5.1 The application was advertised by means of neighbour notification letters, Major Application Press Notice and a site notice.
- 5.2 5 letters of objection have been received from local residents raising the following concerns:-
- The plant room will impact neighbours on Graham Avenue from noise and visual intrusion
 - A higher border fence is need to stop cutting through and deflect noise
 - The building should be left as it is.
 - A petrol station would be useful
 - The position of the building is too far back from Streatham Road impacting views from the houses opposite
 - The car park to the rear should be enclosed in high brick walls
 - As the building won't be fully brick it won't be in keeping with the houses opposite and will be obvious it is a supermarkets
 - Storage and disposal of food may attract vermin and vagrants to the area
 - Staff might smoke at the rear of the premises
 - hours of opening and lighting may be distracting to residents due to increased numbers of people
 - Impact of loss of greenery along Graham Avenue
 - No provision has been made for bird nesting boxes
 - Traffic will block Graham Avenue exit and the yellow box junction should go there
 - No staff parking shown on plans so they will park on surrounding roads.
 - Deliveries should be limited to 9am to 5pm
 - Litter and greenery maintenance systems need to be in place.
- 5.3 Following alterations to the positioning of the plant area and alterations to the boundary fencing the matter was re-consulted upon with local residents
- Internal consultations.
- 5.4 Highways officers No objection subject to conditions.
- 5.5 Transport planning Satisfied that sufficient vehicle and cycle parking facilities were provided and that the revised road layout for site access was acceptable. Officers confirmed that the proposed electric vehicle charging facilities were acceptable.
- 5.6 Climate change. Satisfied that the development should achieve BREEAM 'Very good' and that the proposals were policy compliant.
- 5.7 Environmental Health. Subject to the imposition of appropriate conditions, there were no objections to the proposals.

- 5.8 Flood Risk Management. The officer observed that the site is at low risk of fluvial (Flood Zone 1) and surface water flooding, as shown on the Environment Agency's published flood maps. The application is supported by an acceptable drainage strategy (produced by RSK ref: 881045-R1(02)-SA dated Oct 2017) which is compliant with the London Plan 5.13 and Merton's policy DM F2. Consequently no objections were raised subject to conditions.
- 5.9 Trees officer. No objection following the submission of revised landscaping proposals that addressed concerns relating to the density of planting and the provision of additional tree planting. Tree protection matters would be addressed through conditions.

External consultations.

- 5.10 Transport for London No objection to design of proposed access from Streatham Road. Requested the number of parking spaces be significantly reduced because of the PTAL rating of 4 (TfL had previously not raised objections to parking provision on the 2016 application). TfL considered the number of electric vehicle charging points needed to be increased such that 20% of spaces had active and a further 20% had passive vehicle charging points. The number of cycle spaces was considered sufficient and conditions relating to a Construction Logistics Plan and a Delivery and Servicing Plan were requested.
- 5.11 Metropolitan Police Designing out Crime Officer.
No objections were raised but has advised the applicant with regards to alarm and CCTV systems. Matters relating to lighting were raised and will be addressed through appropriate conditions as will details of boundary treatments including vehicle gates that should be installed to prevent access out of hours.

6. POLICY CONTEXT

- 6.1 NPPF (2012)
Paragraph 7 and 11-14 – Achieving sustainable development.
Section 1 paragraphs 18 and 19 – Building a strong, competitive economy.
Paragraph 24 – Assessing retail impact outside town centres.
Section 4 – Promoting sustainable transport.
Section 7 – Requiring good design.
Section 11 – Conserving and enhancing the natural environment.
Paragraph 187 - Solution finding basis for decision taking.
Paragraph 196 – Determination of applications in accordance with the Development Plan.
- London Plan (2016)
- 6.2 Relevant policies are 2.15 (Town Centres), 4.7 (Retail and town centre development), 5.2 (Minimising CO2 emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.15 (Water use and supplies), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.13

(Parking), 7.2 (Inclusive environment), 7.4 (Local character), 7.5 (Public realm), 7.6 (Architecture), 7.19 (Biodiversity and access to nature)..

Merton Core Planning Strategy (2011)

- 6.3 Relevant policies are CS 2 (Mitcham Sub Area), CS 7 (Centres), CS 11 (Infrastructure), CS 12 (Economic Development), CS 14 (Design), CS 15 (Climate Change), CS 17 (Waste management), CS 18 (Active Transport), CS 19 (Public Transport) & CS 20 (Parking servicing and delivery).

Merton Sites and Policies Plan (2014)

- 6.4 Relevant policies are DM D1 (Urban Design and the Public Realm), DM D2 (Design considerations in all developments), DM EP 2 (Reducing and mitigating against noise), DM EP4 (Pollutants), DM F2; Sustainable urban draining systems (SUDS), DM O2 (Nature conservation), DM R2 (Development of town centre type uses outside town centres), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards).

7.0 PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include the principle and impact of re-developing the site for a limited assortment discount retailer, neighbour amenity, traffic highways and parking, design and appearance, biodiversity and sustainability

The retail impact of the supermarket use.

- 7.2 The existing lawful use of the site falls within Use Class A1, the same Use Class as this proposal. The store will be operated by Lidl whose business model is that of an identified group of retailers known as Limited Assortment Discounters. LAD's typically stock 2,000-5,000 lines compared to 5-10,000 lines in a comparable supermarket. The shops do not offer concessions such as pharmacies, opticians, cold meat counters etc and so offer less competition to smaller local businesses. This form of retail operation is acknowledged to have a different impact on other retailers and the wider area than mainstream operators. The applicants have submitted a Retail Impact Assessment and Sequential test information which has been considered by the Council's retail policy officers who were of the opinion that provided the operator remained an LAD then there would not be an unacceptable impact on local retail services and that the proposals would therefore accord with relevant out of centre retail policies. Officers would note that the current proposals are for a retail development smaller than that previously proposed and for which retail impact did not constitute a reason for refusal. A condition is recommended to ensure that the unit remains a Limited Assortment Discounter.

Neighbour amenity

- 7.3 The application was the subject of extensive consultation and statutory publicity and there were concerns raised relating to the impact on neighbour amenity and in particular for the occupiers of Graham Avenue from the plant

area positioning, being proposed as an open topped section enclosed by timber fencing. In order to address these concerns and to improve the appearance and security of the development these were relocated to the area above the delivery bays. In relation to general activity noise, as these proposals set the building further (26m) from Tudor House than was previously the case when the separation distance was only 6m. It is considered that the new position and the use of acoustic fencing along that boundary will mean the proposals will not impact on amenity of those neighbours and no objections were received.

- 7.4 Noise impact and Air quality assessments accompanied the application. The Council's Environmental Health officers have considered the documents and were of the opinion that if the recommendations were incorporated into the development there would be no harmful impact on the amenity of neighbours. Therefore in order to protect neighbour amenity from noise and air pollution, relevant planning conditions are recommended that the report findings be implemented.
- 7.5 Additionally a 2.4m high acoustic fence along the boundary would further assist in mitigating the impact of the parking area and the delivery loading bay, now significantly further from Tudor House than previously proposed, is to be enclosed. Stores of this size typically receive two deliveries a day and conditions regulating their hours should further mitigate the impact on neighbour amenity. Gating the car park outside trading hours (subject to a condition) would prevent unauthorised vehicles and associated noise and disturbance that might effect neighbouring residents at times when residents might normally expect a greater degree of peace and quiet. To protect amenity during the demolition and construction phases a condition is recommended limiting the emissions from any Non-road mobile machinery is recommended.

Traffic, highways and parking

- 7.6 When the previous application was submitted there were officer and neighbour concerns regarding access to and from the site and the impact of cars queuing to enter the site on the smooth operation of the highway. Following discussions with officers from LBM and TfL a scheme to reposition the traffic island and create a waiting zone for 5 cars waiting to turn right into the site was considered adequate to prevent tailbacks having a clogging effect on the Figges Marsh roundabout and further impact traffic in Mitcham. A yellow box junction across the entrance would prevent the entrance becoming blocked. Such changes to the highway are proposed by the latest application and would be dealt with via a planning condition.
- 7.7 The proposal will provide 90 parking spaces in two areas of the site, which is a reduction from the originally proposed 93 spaces. While London Plan standards would suggest a maximum of 65 spaces given the size of store and its accessibility to public transport, Transport for London raised no objection to the level of parking on the original proposal. Officers note that neighbouring occupiers are concerned about the impact of the development on parking and traffic in the area. In the absence of on-street parking controls the provision of

capacity over and above that recommended by the London Plan may effectively dampen pressure for additional vehicles movements and shoppers seeking to park on the surrounding streets. The modest reduction in on-site parking from the previous application, along with its reconfiguration and remodelling of the building footprint allows for improved landscaping. On balance the parking provision is considered acceptable.

- 7.8 The design of this layout is such that there would now be no car parking in front of the shop with the space being given over to landscaping and the provision of 12 short term cycle parking spaces with 12 long term staff cycle spaces at the rear of the shop which meets relevant standards. Officers consider that this would improve the appearance of the development when viewed from Streatham Road. Officers have also worked with the applicant to revise the car park layout reduce the number of spaces and to improve the amount of space to be given to landscaping and the planting of trees around the boundary. 10 accessible car parking spaces and 6 parent and child spaces will be provided closest to the store with the other bays being situated to the north and east of the site. This level of provision would meet London plan standards. In the car park 1 rapid charger covering 2 spaces and 9 no fast chargers covering 9 spaces will be provided. The rapid chargers provide greater speed at charging and Transport officers consider that while the overall number of electric vehicle spaces does not meet London Plan standards their far greater efficiency, coupled with the acknowledgement that they are significantly more costly to install than the fast chargers, is overall, an acceptable solution.
- 7.9 The Vehicle tracking diagrams demonstrate that the delivery bay can be accessed by HGVs. Pedestrian access would be to the east of the site with a walkway leading to a marked crossing leading to the store entrance. Following concerns raised by residents and officers a revised waist height metal railed fence along the Graham Avenue and Streatham Road elevations will channel pedestrians in through the main Streatham Road entrance.

Design/Appearance and Impact on the streetscene

- 7.10 Core strategy policy CS14 and SPP Policy DMD3 require well designed proposals that will respect the appearance, materials, scale bulk, proportions and character of the original building and its surroundings. The proposed building will be of a design common to the Lidl group and whilst of a functional design the light coloured cladding reduces the visual impact of the roof and the front elevation is predominantly glass to create the effect of light and space and will be set behind and enclosed within improved landscaping so as not to jar with views from Figges Marsh.
- 7.11 Concerns have been raised regarding the impact of the loss of the ivy clad walls of the existing building on the views from the houses opposite the site. However the revised positioning of the main store building is such that there would now be sufficient room to allow for planting all along the Graham Avenue elevation along with landscaping on a larger strip that will be provided

to the rear of the site between the parking spaces and the acoustic fencing near Tudor Court.

Biodiversity and Trees

- 7.12 The application was submitted with an ecology habitat report that stated 'The nature of the proposed development, its location and the relatively small size of the site are all factors which will combine to result in no adverse impacts upon surrounding habitats, protected species and wildlife in general'. The report did however recommend types of nesting spaces that should be provided on the new development and that restrictions should be placed on demolition times in order to minimise any impact on the fauna that does inhabit the site. There is a low risk of Bats roosting on site but the wording of the condition requiring a demolition and construction method statement requires a soft strip of the roof under the supervision of a suitably qualified ecologist.
- 7.13 The existing mature ivy supports nesting sites for a number of birds and the applicant has agreed to a condition requiring the provision of suitable bird nesting boxes along the Graham Avenue elevation prior to the opening of the new store.
- 7.14 The site features four trees subject of Tree Preservations Orders which will not be affected by the proposals. Two trees of lower quality would be removed from the junction of Streatham Road and Graham Avenue. However along the total Graham Avenue elevation 7 new trees will be planted between the building and the pavement and 4 new trees in the south east corner of the site. By modifying the car park layout the increased planting area along the eastern end of the site would allow for 5 new trees to be planted to screen the development from the adjacent flats whilst modifications to the design of some of the car bays on the north side of the site it will be possible to plant four new trees along that side of the site. The maintenance of these features is recommended to be secured by condition. The design has also been amended to provide more openness on the Graham Avenue elevation and the level of planting has been increased around the site in response to the concerns of officers. Suitable conditions are recommended to ensure the protection of the retained trees on site during the construction process.

Sustainability and construction

- 7.15 Merton Core strategy policy CS15 sets minimum sustainability requirements for developments like this and the council's climate change officer has confirmed that the proposals are compliant with the relevant policy requirements.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an Environmental Impact Assessment (EIA).

9 CONCLUSION

- 9.1 The proposal will introduce a new Limited Assortment Discount retailer. The impact of the proposals in retail terms has been assessed and found not to harm local retail services. The proposals would therefore accord with relevant out of centre retail policies.
- 9.2 The design of the retail store along with its location on the site has been the subject of amendment since the earlier refusal and officers consider the amended scheme is satisfactory and overcomes earlier concerns in particular by providing a better relationship with Streatham Road, better scope for landscaping along Graham Avenue and thereby softening the visual impact of the proposals, and a better and far less harmful impact on the outlook and amenities of occupiers of Tudor House.
- 9.3 Subject to the imposition of suitable conditions the new store could operate without having an adverse impact on the retail hierarchy in the area, the amenity of neighbouring occupiers, the effective operation of the highway or local biodiversity and consequently the proposal is recommended for approval subject to conditions.

RECOMMENDATION

Grant planning permission subject to conditions.

Conditions

1. A.1 Commencement of development for full application.
2. A.7 In accordance with the approved plans Site location plan and drawings; Site location plan and drawings; 0105041 Rev 18, 0105042 Rev 1, 0105043 Rev 1, 020041 Rev 17, 020051 Rev 9, 020052 Rev D, 0200053 Rev E & 1216 Rev K, Air quality assessment by Syntegra Consulting ref 16-2728 February 2017, Noise Impact assessment report by Acoustic Consultants Ltd ref 6896BL December 2017.
3. B.3 External materials as specified.
4. B.4 Details of site/surface treatment to be approved.
5. B.5 Details of walls/ fences and security gates to be approved.
6. C.6 Details of refuse storage to be approved.
7. Non standard condition. 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 deliver the carbon savings outlined with the approved energy strategy (ACL-4101-03-02 – Energy Statement rev1.pdf, 07-02-2017).' 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.

8. Non standard condition. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:

- hours of operation
- confirmation that works will be undertaken outside of the bird nesting season and that the demolition of the roof shall be undertaken as a soft strip demolition under the supervision of a suitably qualified ecologist.
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative - displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason. To safeguard the amenities of the area, the occupiers of neighbouring properties and the protection of wildlife 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.

9. Non standard condition; The noise mitigation measures as recommended in the Noise Impact Assessment report by Acoustic Consultants Ltd ref 6896BL October 2017 shall be implemented. 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.

10. D.5 Soundproofing of Plant and Machinery Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery associated with the development shall not exceed LA90-10dB at the boundary with the closest residential or noise sensitive property

11. D.8 Deliveries No servicing of (including waste service collections) or deliveries to the retail premises shall take place other than between the hours of 07:00 and 19:00 Monday to Saturdays and 10:00 to 13:00 on Sundays, Bank Holidays or Public holidays.

12. D. 11 Hours of construction

13. Non standard condition The air quality mitigation measures as proposed in the air quality assessment by Syntegra Consulting ref 16-2728 February 2017 should be incorporated into the development. Details of these measures to be submitted to the local planning authority for approval. 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.

14. D.10 External lighting

15. F2 Landscaping implementation All hard and soft landscape works shall be carried out in accordance with the approved details as shown on drawings 015041 Rev 14. The works shall be carried out in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is the sooner, and any trees which die within a period of 5 years from the completion of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of same approved specification, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied. 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.

16. F5 Tree protection

17. Non standard condition; Prior to first occupation of the development hereby approved the applicant shall have entered into and completed an agreement under s278 of the Highways Act with the Local Highways Authority to secure the repositioning of highway furniture and the remarking of the

highway and the provision of access to the site as may be required and as shown on the drawings 17/0301/SK07 Rev C & 17/0301/TK08 Rev C within the approved Transport Assessment compiled by Transport Planning and Infrastructure Ltd dated October 2017

Reason. To ensure the safe and efficient operation of the public highway in accordance with policies CS 20 of the Core Strategy 2011 and DM T2 of the Adopted Merton Sites and Policies Plan 2014.

18. H.6 Cycle Parking

19. H.12 Delivery and Servicing Plan (including details of the size of service vehicles and timing of deliveries)

20. H.13 Construction logistics plan

21. M.1 Contaminated Land – Site investigation An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

22. M.2 Contaminated Land – Remedial measures Subject to the site investigation for contaminated land, if necessary, 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.

23. M.3 Contaminated Land – Validation report. Following the completion of any 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.

24. Non standard condition 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 DEFRA and the Environment Agency's 'Model

Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Reason; In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

25. Non-standard condition - Details of drainage. Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:

- i. Provide information about the design storm period and intensity, attenuation (attenuation volume to be provided is no less than 317m³) and control the rate of surface water discharged from the site to no more than 7.9l/s;
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

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

26. Non standard condition; All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason; 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.

27. Non standard condition. No more than 916 sq.m of the total retail floor space hereby approved shall be used for the sale of convenience goods and no more than 387 sq.m shall be used for the sale of comparison goods and the retail unit hereby approved shall trade as a Limited Assortment discounter (typically offering for sale between 2,000 and 5,000 individual product lines). Reason: The Local Planning Authority would wish to retain control over any further change of use of these premises in the interests of safeguarding the vitality and viability of nearby town centres in accordance with the applicant's retail impact assessment to ensure compliance with the following Development Plan policies for Merton: policy 4.7 of the London Plan 2015, policy CS 7 of Merton's Core Planning Strategy 2011 and policy DM R2 Merton's Sites and Policies Plan 2014.

28. Non standard condition. Prior to commencement of the use hereby approved a scheme for the maintenance of all landscaped areas including details of planting replacement and litter collection shall be submitted to an approved in writing by the Local Planning Authority and the use shall operate in accordance with those details. Reason; To ensure a satisfactory appearance of the development and the protection of landscape features in accordance with policy DM D2 of the adopted Merton Sites and Policies Plan 2014.

29. Notwithstanding the details submitted, prior to the occupation of the development hereby approved 1 x rapid charging unit and 9 x fast chargers shall be provided for electric vehicle charging capability. Reason. To ensure the provision of sufficient facilities for electric vehicles and to address the objectives of adopted policy 6.13 of the London Plan 2016.

INFORMATIVE

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

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

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