

PLANNING APPLICATIONS COMMITTEE

8 MARCH 2018

APPLICATION NO.

17/P1721

DATE VALID:

16/11/2017

Address/Site

Land to the north and east of Marsh Court, Pincott Road, bound by High Path, Pincott Road, Nelson Grove Road and Rodney Place inclusive of garages, Marsh Court Play area and The Old Lamp Works, 25 High Path, London, SW19 2JL

Ward

Abbey

Proposal:

OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED, EXCEPT IN RELATION TO PARAMETER PLANS) FOR THE COMPREHENSIVE PHASED REGENERATION OF THE HIGH PATH ESTATE COMPRISING THE DEMOLITION OF ALL EXISTING BUILDINGS AND STRUCTURES; ERECTION OF NEW BUILDINGS RANGING FROM 1 TO A MAXIMUM OF 10 STOREYS PROVIDING UP TO 1570 RESIDENTIAL UNITS (C3 USE CLASS); PROVISION OF UP TO 9,900 SQM OF COMMERCIAL AND COMMUNITY FLOORSPACE (INCLUDING REPLACEMENT AND NEW FLOORSPACE, COMPRISING: UP TO 2,700 SQM OF USE CLASS A1 AND/OR A2, AND/OR A3 AND/OR A4 FLOORSPACE, UP TO 4,100 SQM OF USE CLASS B1 (OFFICE) FLOORSPACE, UP TO 1,250 SQM OF FLEXIBLE WORK UNITS (USE CLASS B1), UP TO 1,250 SQM OF USE CLASS D1 (COMMUNITY) FLOORSPACE); UP TO 600 SQM OF USE CLASS D2 (GYM) FLOORSPACE); PROVISION OF NEW NEIGHBOURHOOD PARK AND OTHER COMMUNAL AMENITY SPACES, INCLUDING CHILDREN'S PLAY SPACE; NEW PUBLIC REALM, LANDSCAPING WORKS AND NEW LIGHTING; CYCLE PARKING SPACES (INCLUDING VISITOR CYCLE PARKING) AND CAR

PARKING SPACES (INCLUDING WITHIN GROUND LEVEL PODIUMS), TOGETHER WITH ASSOCIATED HIGHWAYS AND UTILITIES WORKS.”

Drawing No's:

. 2011, 2017 and 2018

Documents

Covering Letter

Guide to the Outline Planning Application for the High Path Estates

Application Form and Certificates

Community Infrastructure Levy Questions Form

Site Location Plan

Drawing List

Town Planning Statement (including Affordable Housing Statement, draft s106 Heads of Terms and Ventilation / Extraction Assessment)

Design and Access Statement (including Open Space and Lighting Strategy)

Design and Access Statement - Errata Sheet

Design Code

Design Code Page 31 replacement

Townscape, Heritage and Visual Impact Assessment

Townscape, Heritage and Visual Impact Assessment Addendum

Townscape, Heritage and Visual Impact Assessment Letter

Statement of Community Involvement

Daylight, Sunlight and Overshadowing Report

Daylight and Sunlight Addendum on the overshadowing of the proposed open spaces

Modification to Daylight and Sunlight Addendum on the overshadowing of the proposed open spaces

Daylight, Sunlight and Overshadowing Letter

Sustainability Statement

Energy Statement (including Overheating Strategy)

Flood Risk Assessment (including Sequential Test and Drainage Strategy)

SuDS Strategy

Commercial Report

Commercial Floorspace Assessment

Demolition and Construction Management Plan

Ground Condition Assessment (Contamination and Stability)

Transport Assessment (including Parking Provision and Management, PERS Audit, outline Construction Logistics Plan, and outline Servicing and Delivery Plan)

Framework Travel Plan

Biodiversity Survey Report

Arboricultural Impact Assessment

Air Quality Assessment

Technical Note - Amendments to Air Quality Assessment from the Maximum Parameters Accommodation Schedule

Noise and Vibration Assessment

Socio-Economic Assessment

Technical Note on Amendments to the Socio Economic Assessment from the Maximum Parameters Accommodation Schedule

Health Impact Assessment

Health Impact Assessment Addendum

Archaeological Assessment

Operational Waste Management Strategy

Technical Note - Amendments to Operational Waste Management Strategy from the Maximum Parameters Accommodation Schedule

Utility Infrastructure Report

High Path Financial Viability Assessment

Merton Estate Regeneration Programme Financial Viability Assessment

Merton Estate Regeneration Programme Financial Viability Assessment - addendum report

Financial Viability Assessment Summary Report

Parking Management Plan

Response to GLA Comments

Overarching Approach to Energy

Letter Response to GLA Stage 1 Report

Response to TfL Comments

Response to GLA Energy Comments

Letter Response to Consultation Responses

Minimum Courtyard Dimensions

South Wimbledon Station Design Study

Design Response Note

South Wimbledon Station Illustrative Study

Applicant Response to Comments made by Designing Out Crime Officer

Applicant Response to Sport England Comments

Applicant Response to Comments from Climate Change and Sustainability Officers

Masterplan Tenure Mix Rev. A

Phase 1 Accommodation Schedule

Movement Strategy Technical Note

Internal Layout and Vehicle Movement Strategy

Movement Strategy Diagram 1

Movement Strategy Diagram 2

Movement Strategy Diagram 3

Emergency Vehicle Tracking

Existing and Proposed Street Network Diagram

Merton Estates Housing Tenure and Mix

Net Uplift in Units by Tenure based on Illustrative Maximum Accommodation Schedule

Merton Estates Project - Habitable Room and Floorspace Information for GLA

Sports Facilities Assessment

Merton Regeneration Project Affordable Housing Offer

Surface Water Flood Risk Extents

Supportive Documents

Townscape and heritage assessment, Archaeological assessment, Statement of community involvement, Sustainability statement, Energy strategy, Biodiversity survey report, Aboricultural impact assessment, Operational waste management strategy, Noise assessment, Transport statement, Draft travel plan, Daylight, Sunlight and Overshadowing assessment, Flood risk assessment, Foul sewage and utilities strategy, Ground investigation report, Air quality assessment; and, Construction management plan

Contact Officer:

Zulema Nakata

RECOMMENDATION

Grant Outline Planning Permission subject to s106 legal agreement and conditions.

CHECKLIST INFORMATION.

- S106 Heads of agreement: Yes
- Is a screening opinion required: Yes
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted –No
- Design Review Panel consulted – Yes
- Number of neighbours consulted – 413
- Press notice – Yes
- Site notice – Yes

- External consultations: Greater London Authority, Transport for London, Environment Agency, Metropolitan Police, Greater London Archaeological Advisory Service, Thames Water Utilities,
- Number of jobs created – n/a
- Public Transport Accessibility Level (PTAL): Level 4 TFL Information Database (On a scale of 1a, 1b, and 2-5, 6a, 6b where zone 6b has the greatest accessibility)
- Flood Risk Zone 1

1. INTRODUCTION

- 1.1. The application is brought before PAC due to the development being a departure from the development plan with regards to the quantum of proposed commercial floorspace. Furthermore, Officers consider it is appropriate for the development to be determined by Committee due to the scale and complexity of the proposals which concern the Council's involvement in subsequent purchase notices being served. For the time being, the decision of Merton's Planning Committee is not the final decision as the major application is required to be referred to the Mayor of London for any direction.
- 1.2. This application is the masterplan for the phased redevelopment of the High Path Estate, phases 2-7. Phase 1 of the Estate has already been granted full planning permission (ref: 16/P3738) on 5th October 2017, which is subject to conditions and a s106 agreement.

2. SITE AND SURROUNDINGS

- 2.1 High Path Estate is situated within Abbey Ward in South Wimbledon. The estate extends across 6.91 hectares. The application site is bounded between Merton High Street in the north, Abbey Road in the east, High Path in the south and Morden Road in the west. The Grade II Listed South Wimbledon Underground station is located to the north-west of the site, while to the south of High Path is the locally listed St John's Church, Merton Abbey Primary School, High Path Community and Resource Centre and the Elim Church.
- 2.2 The estate is made up of 608 residential units, a small portion of commercial and community uses, some open/play spaces, and about 422 car parking spaces (excluding garages and driveways). The residential units consist of a mix of social rented and private ownership (as a result of right to buy).
- 2.3 There are a mix of residential building typologies across the estate which reflect its 30 year build out period between 1950's – 1980's. The oldest part of the estate is on the west, adjacent to Morden Road: the 4-storey Priory Close, Gilbert Close, and Ryder House were built in the late 1950's. The centre of the estate, extending towards the east, was developed in the 1960's and includes: 4-storey Ramsey House, Eleanor

House, a row of six 2-storey terraced houses on Pincott Road, 12-storey Marsh Court, May Court and Hudson Court, and a number of other 3/4-storey blocks distributed towards the east. The row of 3-storey buildings fronting Merton High Street, closest to South Wimbledon Station were built in the 1970's while the 2-storey buildings closer to Abbey Road, were built in the 1980's.

- 2.4** There is an existing convenience store on the corner of Pincott Road and Nelson Grove Road, and a nearby Community Centre. There are three public houses in close proximity to the estate although none are within the red line boundary of this application: The Trafalgar pub is located on the corner of Pincott Road and High Path; Kilkenny Tavern is on Merton High Street adjacent to South Wimbledon Station; and The Nelson Arms is on the corner of Abbey Road and Merton High Street.

3. CURRENT PROPOSAL

- 3.1** This outline planning application with all matters reserved (except for parameter plans,) is for the phased demolition and redevelopment of the High Path Estate. The proposed buildings will be constructed over a 10 year period of phased demolition and redevelopment, creating buildings up to 10 storeys/ 37m in height. The applicant proposes up to 1570 new homes as part of the maximum parameter scheme, providing a minimum 277 socially rented affordable homes.
- 3.2** In terms of non-residential development, there will be up to 9,900sq.m of commercial and community floorspace, including 2,700sq.m of shops (A1), financial services (A2), restaurants and cafes (A3), drinking establishments (A4), and up to 5,350sq.m of offices (B1) including 1,250sq.m of flexible work units, and up to 1,250sq.m of community (D1) and 600sq.m gym/leisure facilities (D2).
- 3.3** Connecting Merton High Street with High Path, there will be a 7,500sq.m Neighbourhood Park over 60m wide through the middle of the estate, as well as additional associated landscaping in the form of communal courtyards, private gardens and public realm.
- 3.4** The proposal includes associated highways and utility works, 269 car parking spaces and over 3000 private residential and visitor cycle parking spaces.

3.5

4. PLANNING HISTORY

There are numerous entries under the planning history of the estate, which is to be expected (considering its size and age of the estate), the most relevant have been listed below:

- 4.1** M/M6123 – Priory Close, Gilbert Close, & Becket Close - *Erection of 124*

flats, (amended to 108 flats); DEEMED CONSENT, 31/12/1951

- 4.2 M/M7170 – High Path Estate – *Outline redevelopment providing a total of 345 dwellings comprising maisonettes, flats, bed sitting rooms and old peoples bungalows with 80 garages; GRANTED, 19/04/1956*
- 4.3 M/M7586 – 25A High Path - *Retrospective planning permission for the erection of a store building; GRANTED, 14/12/1957*
- 4.4 M/M7497 - *One four storey block of 34 flats, one block of 14 flats, one four storey block of 7 pairs of maisonettes, one four storey block of 30 flats and 6 houses; GRANTED, 16/09/1957*
- 4.5 M/M9787 – May Court - *Erection of two 12 storey residential blocks on sites west and east of Pincott Road; GRANTED, 17/12/1964*
- 4.6 M/M9918 – May Court - *Residential and shopping redevelopment; GRANTED, 25/03/1965*
- 4.7 MER183/68 – Hudson Court – *Erection of a 12 storey block of flats containing 66 units and 2 blocks of garages – 1 x 24 and 1 x 7, with formation of 104 parking spaces and 2 children’s play areas; DEEMED CONSENT, 21/03/1968*
- 4.8 MER/606/74 - *Erection of 7 three storey blocks (block type a, 2 each containing nine 3 bed houses, 3 block type. B containing 24, three bed houses, block e containing 12 one bed flats, block f containing 3 two bed maisonettes) and one 2 storey block containing 5 three bed houses; DEEMED CONSENT, 30/01/1975*
- 4.9 96/P0900 – Old Lamp Works – *Change of use from general industrial (b2) use to office, warehousing and distribution (B1/B8) use; GRANTED, 29/10/1996*
- 4.10 16/P3738 – Land to the north and east of Marsh Court, Pincott Road, bound by High Path, Pincott Road, Nelson Grove Road and Rodney Place inclusive of garages, Marsh Court Play Area and The Old Lamp Works, 25 High Path, London, SW19 2JL - *Demolition of existing structures associated with the old lamp works, all garages (74 in total) and marsh court play area to provide residential accommodation (134 units - class c3) in buildings of three - nine storeys, provision of car parking (31 spaces including 5 disabled spaces), cycle parking (249 spaces), landscaping and public realm works together with associated utilities and infrastructure; GRANTED 05/10/2017*

5. CONSULTATION

- 5.1 The planning application was publicised by means of site and press notices, together with individual letters to 3176 nearby addresses. The Council received 42 objection responses from 35 addresses (7 separate names from the same household/address).
- 5.2 All of the representations received are summarised by subject matter below:

5.3 Neighbour Responses:

- Housing

4 comments were received concerned with an underprovision in affordable housing. The proposed 18% social housing is inadequate "with no public justification and should be 40% perhaps more if the published London plan figure is adopted: no viability assessment has been provided for public scrutiny. One of the four comments received on housing related to the tenure mix not addressing the needs of low income and young families.

- Viability

A number of comments were received stating that the viability report should be made public in order to justify the quantum of development and apparently low provision of affordable housing.

- Density

3 comments were received stating that the density of the development is too high.

- Transport/Highways

There were about 6 comments received regarding transport and Highways issues particularly with regard to there being too little existing and the development making this worse. There were 1 or 2 comments concerned with the likely increase in traffic congestion in the area. One person was concerned with safety along Abbey Road for pedestrians, and parked vehicles, due to rat running. One person raised the point that the development offered the opportunity to improve west to east cycle route along Merton High Street and suggested LBM and developers should consult with London Cycling Campaign about the network improvements and cycle parking provision.

1 resident objects to public funds being used to mend damage to the highway as a result of construction of the development.

- Environmental Health

6 comments received regarding noise, dust, vibration likely to cause disturbance during construction. One resident was also concerned with the pollution caused by construction vehicles. Two residents also concerned with pollution due to 'canyon affect' of tall buildings, air pollution from traffic congestion in the area does not disperse as quickly. Specifically one resident stated '37m high buildings proposed at junction with Morden Road and Merton High Street, will 'act as a barrier and hinder natural dispersal of exhaust

fumes at this very busy junction.'

- Design

30 objections were received regarding the proposed heights of the buildings. Local residents and businesses on Merton High Street were particularly concerned about the overbearing buildings of 7-10 storeys fronting existing buildings on Merton High Street which are 2-3 storeys. The buildings would dominate the skyline and change the character of the area. Residents are concerned that this development would set a precedent for tall buildings in the area. The tall buildings are out of keeping with the Edwardian/Victorian Streets which surrounding the Estate. An equal number of residents and occupiers were concerned particularly with regard to the Morden Road, Merton High Street corner with South Wimbledon Station, where the development design is thought to dominate the area and be overbearing with relation to the South Wimbledon Listed Station. There were

- Conservation & Heritage

About 5 of the objections received were concerned about the impact of the high buildings in close proximity to the listed building and Roman Stane Street and and Merton Priory therefore Archaeological conditions required. Concern over 'massive', 'bulky' buildings affecting the heritage asset and its setting, S. Wimbledon Underground Station.

- Light

6 objections were received with concerns regarding the loss of light as a result of the development. One resident mentioned that the internal communal amenity space courtyards did not meet BRE standards for daylight sunlight and overshadowing, while another resident commented that the retention of the mature trees along Merton High Street provided a reasonable set back from the existing buildings on the north side which would help to minimise overshadowing.

- Public/ Residential Amenity

19 objections were received regarding the impact on the amenity of existing and future occupiers. About 3 people raised a point regarding the lack of children's play space in the new development, many people were concerned about the overshadowing of the existing buildings from the development. There were 2 objections regarding overlooking but were unspecific.

- Land uses

3 objections were received regarding the proposed land uses. One

was interested in the ability to deliver the appropriate quality, scale and diversity of community amenities and commercial units/ activity, another raised concern over the commercial and community uses exacerbating congestion, one was concerned over the loss of the existing community uses on the site namely; on Pincott Road and the Church Hall on High Path. Furthermore, it was stated that “even with the additional residential units, one does not see a great demand for additional retail offerings.”

- Sustainability

1 person objected to the illustrative layout of the buildings on the basis that the open plan layout makes it more difficult to heat rooms.

- Drainage/ Flooding

1 objector raised concern over the existing poor drainage of surface water and/or maintenance of drainage particularly at Merantun Way and High Path and greater mitigation needs to be considered.

- Biodiversity/ Ecology

Concern over impact on birds and other animal lives at risk by loss of trees and changes in environment Arboriculture/ Landscaping. The resident particularly mentioned the following species: green and golden Privet, Elder and Hawthorn should be retained or improved along Morden Road and High Path.

- Economy

1 neighbour objected over the Impingement on the redevelopment on the Broadway.

- Procedural

Consultation process is flawed and the application is pre-mature as the Estates Local Plan had not been adopted at the time of the application submission neither had the Inspector's report on the local plan has been made public.

- Other

1 resident stated that responses previously submitted to the Estates Plan and the phase 1 full application on the Lamp Works site should be incorporated into the considerations of this planning application. "This application is contrary to law." The application submission precedes the Planning Inspector's report on the Main Modifications of the Local Plan being made public. Objects to the "demolition of buildings of substance", specifically Norfolk House

and the Private Garages in Hillborough Close/DeBurgh House. The application should be considered in the light of 'planning guidelines' and 'consultation'.

Height of buildings will 'block the television signal'

Concern over disregard for existing private renting tenants.

The decision to redevelop the estate should have been a democratic process

Allowing existing residents to stay in the area and to be able to move into comparable new housing as the scheme progresses should be an integral part of any application.

Budget should include compensation for non-estate residents for damage caused to properties from pile driving etc.

Compensation is sought for resident freeholders who will be CPO through the process of the development.

5.4 Design Review Panel

Overall the Panel felt that the masterplan was a good piece of urbanism and they liked the use of design codes. They did however, feel that the plan would benefit from some clarification and development in certain areas, but otherwise it seemed like a robust document.

It was important that the codes allowed for, and promoted variety in architecture, not just between blocks, but within them as well. The images showed that there was a danger of the area simply looking like another estate if it was too uniform in appearance and the elevations looked too generic.

The Panel did not have an issue with the proposed single large square, however, there were issues that needed to be clarified relating to it. The focus of it was the back of a small pub and this was not very satisfactory. The Panel suggested that it needed to have a frontage facing the park and how this could be achieved needed to be explored. The routes across the space did not seem to follow obvious desire lines.

The Panel liked the vista from the mews to the church, but noted that this would not be the main view of most people. There were other views and nearby taller buildings could compromise the views of the church. These views needed to be shown to demonstrate this relationship is satisfactory.

The Panel felt that the main blocks with the communal space and podium parking needed to work better in terms of light penetration. It was suggested there should be variations in height of buildings and occasionally gaps in order to let in light and ensure a good quality of space within. This didn't appear to be the case. The width of some of the communal gardens also seemed narrow in relation to the height of

the surrounding buildings and this made adequate light penetration more important.

The Panel noted there was a variety of dwelling types proposed, but that only one street of town houses was proposed. The Panel applauded the proposals to repair the high street with commercial uses, but they needed to ensure the quality of the environment in this street was not poor. The applicant therefore needed to show cross sections of this street in model form as with the other streets. The Panel felt that variety in heights and gaps were critical in ensuring sufficient light penetration into this street in order to ensure it had a good quality environment.

The Panel discussed the need to minimise the number of single aspect flats and asked the applicant about this. It was stated that single aspect units were limited to 1-bed units, that they were only east or west facing and constituted only 20% of the 1-bed units. On this understanding the Panel felt this was acceptable.

The Panel felt that it was not very clear about how the estate connected with its surroundings, such as the streets to the north and east, the school to the south and the narrow pavements around the tube station. This was not just about street patterns but how people can easily cross the roads surrounding the estate and vice versa. The highways within the site seemed to be a mix of adopted and non-adopted streets. The Panel were clear that this could mark out different types of occupiers and lead to some areas having a better quality feel than others. A uniform approach should be taken across the site regarding highway adoption.

The Panel were also concerned that the estate was robust and flexible enough to accommodate modern and future needs of vehicles. For example, sufficient allowance needed to be made for delivery vehicles (eg. for online shopping deliveries), car clubs, electric cars etc. The estate should also plan for the advent of driverless vehicles and how this may change patterns of vehicle use and ownership. The physical fabric of the buildings and spaces needed to show how they would accommodate this. Integral garages needed to be easily convertible to habitable rooms and podium parking areas needed to show how they could be.

The Panel expressed some concern regarding the proposals for trees on the estate. A number of significant tree groups seemed to be scheduled for felling on the site. Notably this included most of the existing mature plane trees fronting the high street. This was shown on some of the plans, but seemed to contradict the statements of the applicant at the meeting. Clarification was needed on this. There was also tree planting shown in places that would be difficult to achieve and create poor quality spaces – notably in the space behind the mews houses. Elsewhere, the east-west street seemed devoid of trees.

Finally the Panel felt there needed to be more emphasis on the use of art and artists in the regeneration in order to build on and create local distinctiveness. Suggestions included involving the Polka theatre, Merton College of Art, use of the open space for festivals and celebrating the

former house of Lord Nelson.

All the issues raised by the Panel could be addressed by embedding them in the design codes and developing the imagery to show how this could be achieved.

VERDICT: GREEN

Statutory Consultees

5.5 Greater London Authority

Below is a summary of the GLA's comments on the outline planning application for High Path Estate. The complete response from the GLA is included in Appendix 1 of the Committee report.

Strategic issues summary

Estate regeneration and affordable housing: The estate regeneration scheme would result in no net loss of affordable housing with replacement homes being provided on an equivalent basis. The applicant's viability assessment will be robustly interrogated to ensure the maximum amount of additional affordable housing is provided. Review mechanisms in accordance with the draft London Plan and the Mayor's Affordable Housing and Viability SPG will be secured (paragraphs 19-27 and 31-37).

Commercial and community uses: The provision of flexible retail, commercial and community uses, including incubator and SME workspace is supported. The re-provided community facility must be secured in accordance with Policy S1 of the draft London Plan (paragraphs 28-30).

Urban design and heritage: The overall design strategy is supported and the plans and design code demonstrate that a suitably high residential quality, amenity provision and public realm would be achieved. The scheme would preserve existing heritage assets. Robust conditions are required to secure the design commitments made by the applicant (paragraphs 45-57).

Climate change: Further information is required including scope for further carbon savings, before an appropriate contribution to the Council's carbon offset fund is secured. Details of the drainage strategy also need to be secured by condition (paragraphs 61-64).

Transport: Further information is required in relation to junction improvement works, trip generation assessment and cycling infrastructure improvements. A number of mitigation measures, conditions and obligations are also required (paragraphs 65-73).

Recommendation

That Merton Council be advised while the principle of the application is supported, the application does not comply with the London Plan and draft London Plan, for the **reasons** set out in paragraph 78 [see extract below]. However, the resolution of those issues could lead to the application becoming compliant with the London Plan and draft London Plan.

(The following extract is from GLA comments dated 8th January 2018, paragraph 78)

Conclusion

78 London Plan and draft London Plan policies on estate regeneration, urban design, climate change and transport are relevant to this application. The principle of the comprehensive estate renewal, which increases overall housing delivery is supported; however, the application does not fully comply with the London Plan and draft London Plan. The scheme could become compliant if the following matters are resolved:

Estate regeneration: The estate regeneration scheme would result in no net loss of affordable housing with replacement homes being provided on an equivalent basis. The applicant's viability assessment will be robustly interrogated to ensure the maximum amount of additional affordable housing is provided. Review mechanisms in accordance with the draft London Plan and Affordable Housing and Viability SPG will be secured.

Commercial and community uses: The provision of flexible retail and commercial uses, including incubator and SME workspace is supported. The re-provided community facility must be secured in accordance with Policy S1 of the draft London Plan.

Urban design: The overall design strategy is supported and the plans and design code demonstrate that a suitably high residential quality, amenity provision and public realm would be achieved, which would contribute towards an overall enhancement of the estate. The scheme would preserve existing heritage assets. Robust conditions are required to secure the design commitments made by the applicant.

Climate change: Further information is required, including scope for further carbon savings, before an appropriate contribution to the Council's carbon offset fund is secured. Details of the drainage strategy also need to be secured by condition.

Transport: Further information is required in relation to junction improvement works, trip generation assessment and cycling infrastructure improvements. A number of mitigation measures, conditions and obligations are also required.

5.6 Metropolitan Police (Designing out crime unit)

The Metropolitan Police Secure by Design Officer had the following comments on the Outline Planning Application:

Thank you for inviting me to view the outline planning permission. I have met with the architects previously to discuss the incorporation of Secured by Design Principles within this development. It is appreciated page 57 of the Design and Access statement shows how designing out crime is proposed to be achieved.

The crime trends in the location of the site for the past year October 2016 - October 2017 are detailed in the table below. The figures are the number of crimes (count) and the crime rate to provide an easy

comparison between areas that have different population densities. The ward has a lower crime rate when compared with the borough and London rates.

AREA	COUNT	RATE
London	878,131	2.17
Merton Borough	14,493	1.53
Abbey Ward	833	1.49

(Figures obtained from www.met.police.uk/stats-and-data/crime-data-dashboard/ on 20th November 2017)

The top five offences and their count for Abbey Ward for the past year are detailed in the table below. The table indicates that much of the reported crime is linked to the public realm with theft offences and violence against the person as normally seen in town centre economic areas.

CRIME	COUNT
Theft and Handling	310
Violence Against the Person	290
Criminal Damage	77
Burglary	61
Drugs	41

(Figures obtained from www.met.police.uk/stats-and-data/crime-data-dashboard/ on 20th November 2017)

www.police.uk was viewed to source the Anti-social behaviour (ASB) statistics and showed between October 2016 and September 2017 there were 256 reports of ASB which is approximately 26% of total crimes reported, again an indicative crime issue within public realm areas.

These comments are based on the submitted documents, with the understanding that the proposal is illustrative for an outline planning application.

General Comments

1. Public Realm

1.1 Residential communal space should be clearly defined and access controlled to prevent unrestricted public access. There should be no linkage between public, communal and private areas.

1.2 Vehicular and pedestrian routes should be designed to ensure that

they are visually open, direct, and well used.

1.3 Rat runs especially with mopeds may become common. Roads must be designed to encourage slower car speeds – raised crossings, shared surface treatments and breaking up the routes should be incorporated to discourage the chance of rat runs.

1.4 Pedestrian and cycle routes should form a coherent network linking trip origins and key destinations and promote a safe feeling.

1.5 Footpaths should be as straight as possible, at least 3 metres wide, well lit, devoid of potential hiding places, overlooked by surrounding buildings and well maintained so to encourage surveillance along the path and its borders.

1.6 Shared surface arrangements should be designed for those with visual impairment.

1.7 Any cycle routes through pedestrian areas should be clearly defined and mindful of disabled users, in particular the visually impaired.

1.8 Any narrow 'choke' points produced by street furniture should be removed.

1.9 Seating spaces should be carefully considered and located in the appropriate locations such as closer to where facilities are or where there will be natural surveillance.

1.10 Any benches should be designed to include centrally positioned arm rest dividers to assist those with mobility issues and prevent people from lying down or rough sleeping. 1.11 Space should be created between any seating and footpaths to help reduce the fear associated with having to walk past and thus promote legitimate use of the route.

1.12 Communal play-areas must be designed with due regard for natural surveillance, not located to the rear of dwellings and have adequate resources for its satisfactory future management.

1.13 Access footpaths located at the rear of properties should be avoided. If essential they should be secured with robust gates placed at the entrance to the footpath, as near to the front building line so that attempts to climb them will be in full view of the street. The gates must not be easy to climb or be removed from their hinges. They should be key – operated from both sides and serve four or less houses.

1.14 Exposed side or rear gardens need robust defensive barriers such as walls or fencing to a minimum height of 1.8m topped with trellis.

1.15 Blank gable end walls and windowless elevations should be avoided as they tend to attract graffiti, inappropriate loitering or ball games.

1.16 Dwellings should be positioned facing each other to allow neighbours to easily view their surroundings and so make the potential

offender feel vulnerable to detection.

1.17 Defensible space should be provided adjacent to all residential doors and windows that abut public or communal areas.

1.18 Recessed doors onto public spaces should be avoided.

1.19 Care should be taken that street furniture at the rear edge of the footway does not make adjoining properties less secure by providing climbing access to windows.

1.20 Public space cycle parking should be in an area with good natural surveillance with parking systems that provide good anchor points for the pedal cycles.

1.21 Public motorcycle or moped parking should be provided as these are prone to theft, as they can be easily targeted and readily lifted into another vehicle. Security should be a key consideration with parking facilities provided with fixed features such as rail, hoops or posts offering a simple locking point.

1.22 Cars should be either parked in locked garages or on a hard standing with the dwelling boundary.

1.23 If communal car parking areas are necessary, they should be in small groups close and adjacent to homes and within view of active rooms within these homes.

1.24 Rear car parking courtyards are discouraged as they introduce access to the vulnerable rear elevations, and provide areas of concealment which can encourage anti-social behaviour.

1.25 Any planting should not impede the opportunity for natural surveillance, and avoid the creation of potential hiding places.

1.26 Shrubs should be selected to have a mature growth height no higher than 1 metre, and trees should have no foliage, epicormic growth or lower branches below 2.4 metres thereby allowing a 1.4 metre clear field of vision.

1.27 The location and orientation of the footpaths within the Neighbourhood Park should be carefully considered to prevent the formation of 'desire lines' through planted areas.

2. Residential door sets

2.1 All communal entrance doors should be video access controlled SBD approved door sets, tested with the appropriate locking mechanisms in situ.

2.2 Please note I recommend considering where possible the use of single leaf doors as double doors require double the security furniture. However, as long as the double door set used is a SBD communal door

set that will be acceptable. Communal SBD door sets are tested with the appropriate communal door locking mechanism; they are not adapted residential doors with an additional electronic lock attached.

2.3 Due to Equality Act 2010 requirements for lower front call plates, the video access control camera should be located above and to one side of the communal door set, providing an identifiable view of the caller and others around them. If left in the call plate, the cameras field of view is lower and would fail to capture facial images thereby compromising the view of the visitor. By using a camera adjacent to the door persons standing with the caller as well as the caller can be seen.

2.4 Individual flat front door sets should meet the SBD standard. It is preferred that those that open onto internal corridors would not be fitted with letter plates. Their mail should be delivered either to a facility at the primary entrance point of the building within view, within an internal area covered by CCTV and located within an 'airlock' access controlled entrance hall, or externally at the front of the building within view of those using the building.

2.5 House front doorsets should also meet the SBD standards with any glazing in and adjacent to the doorsets incorporating one pane of laminated glass meeting the requirements of BS En 356:2000 class P1A.

2.6 Front entrance doors within car ports or undercroft parking areas have little surveillance opportunities and should be relocated

3. Commercial and retail door sets

3.1 These door sets may vary in the security level required depending on the business that they are intended to defend. All accessible door sets and windows should meet the SBD standard as a minimum physical security standard.

3.2 For retail outlets usually the door set is unlocked during the day and an out of hours SBD security solution is provided. This may mean either an SBD door set is fitted, which can be locked out of hours or a secondary door set, or internal grill, providing suitable out of hours security.

3.3 Generally developers build an SBD shell, awaiting further detailed requirements depending on the tenant once the space is let, depending on the business use proposed.

4. Layout

4.1 Suitable secure private garden areas should be provided adjacent to the units facing the podium communal areas.

4.2 The layout of the units should allow the active rooms towards the front of the units to allow greater surveillance of the streets. Inadequate surveillance over footpaths, the street, communal spaces, play areas and

car parking areas would allow for the opportunity for crime and disorder.

4.3 Where communal car parking areas are necessary they should be in small groups, close and adjacent to home and must be within view of the active rooms within these homes.

4.4 Rear car parking courtyards should be avoided, unless if considered absolutely necessary then they must be protected by a gate and any abutting gardens should have robust boundary treatments.

4.5 There should be active building frontages with no large blank elevations fronting onto the public realm to promote passive surveillance, and so safety.

5. Access control

5.1 A zoned fob controlled system should be installed to control access throughout any blocks of flats. This can assist with the management of the development and allow access to residents to specific designated areas only.

5.2 Any trades persons buttons must be disconnected.

5.3 The fobs should always be encrypted to reduce the risk of them being copied by a third party.

5.4 Internal residential corridors should not provide excessive permeability; compartmentalisation of the cores, with a low number of flat entrance doors to a communal corridor would reduce unauthorised access of persons with possible criminal intent.

6. CCTV

6.1 Consideration should be given to fitting external cameras that adopt the existing Merton Borough Council town centre CCTV standards.

6.2 Contact should be made with Safer Merton CCTV manager at an early planning stage to ensure fibre optic cabling for the CCTV is laid when the services are being installed.

6.3 Any soft landscaping and lighting fixtures should not be in conflict with the CCTV cameras field of view.

6.4 All CCTV systems should have a simple **Operational Requirement (OR)** detailed to ensure that the equipment fitted meets that standard, without an **OR** it is hard to assess a system as being effective or proportionate as its targeted purpose has not been defined. The **OR** will also set out a minimum performance specification for the system.

6.5 The system should be capable of generating evidential quality images day or night 24/7

6.6 For SBD CCTV systems there is a requirement that the system is operated in accordance with the best practice guidelines of the

Surveillance and Data Protection Commissioners and the Human Rights Act.

7. Car park

7.1 Any covered car park proposed should have walls and ceilings must have light colour finishes to maximise the effectiveness of the lighting as this will reduce the number of luminaires required to achieve an acceptable light level. Light finishes also assist CCTV.

7.2 Any car parks should be designed to the principles of Safer Parking Scheme initiative aimed at reducing crime and the fear of crime in parking areas.

7.3 Stair cases leading from the shared residential basement car parks are usually designated as fire exit routes and are therefore **insecure**. Fitting break glass in case of an emergency and then adding fob controllers is not acceptable as a criminal is more than willing to break the glass to gain instant access. For that reason access from the car park to the stair cores is considered unrestricted. The stair case should terminate into either an air locked ground floor lobby or straight out of the building. This will mean non residents exit out of the building at ground level **without** having access up into the residential block.

7.4 Residents can continue on up into the block from the ground floor lobby area via the stairs which should be fob access controlled. Access to the lifts should also be fob access controlled both from the basement and at the ground floor.

7.5 Lifts from basement car parks can be access controlled, they are not considered as emergency fire escape routes.

7.6 Vehicle access to the all basement car parks should be restricted by fob controlled roller shutters, unrestricted vehicle and non-resident access is not acceptable within SBD.

7.7 Careful consideration should be given to the location of any zip car club locations, if public use is intended the car should be parked within public realm rather than a communal parking area.

8. Cycle stores

8.1 Residential pedal cycle stores should relate to each residential block or if internal each stair core, thereby limiting unauthorised access.

8.2 Cycle stores must be located in secure containers or securely caged with access control, and have appropriate CCTV coverage to provide identity images of those who enter and activity images within the space; this may mean multiple cameras depending on the design and size of the each storage area.

8.3 Commercial or retail staff bike stores should be separate to residential stores and have similar security furniture.

8.4 The locking system of the cycle stores must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person.

8.5 The cycle storage should incorporate stands or racks secured into concrete foundations, which should enable cyclists to use at least two locking points so that the wheels and crossbar are locked to the stand rather than just the crossbar.

9. Lighting

9.1 Lighting across the entire development should be to the required British Standards, avoiding the various forms of light pollution (vertical and horizontal glare). It should be as sustainable as possible with good uniformity.

9.2 Lighting can contribute to discouraging crime and vandalism making people feel secure and so encourage increase pedestrian activity. Both the carriageway and the footway should be illuminated, with shadows avoided.

9.3 Bollard lights, under bench and architectural up lighting are not considered as good lighting sources for SBD purposes.

9.4 SBD asks for white light as this aids good CCTV colour rendition and gives a feeling of security to residents and visitors.

9.5 The public space lighting should also meet the current council requirements.

Whilst the introduction of Approved Document Q (ADQ) of the Building Regulations from 1st October 2015 means that it is no longer appropriate for local authorities to attach planning conditions relating to technical door and window standards, these standards form only a small part of the Secured by Design (SBD) award scheme. Having reviewed the design and layout of the application and taken into account the provisions of ADQ, there is no reason why this development would not be able to achieve the SBD Gold or SBD Silver awards. If planning permission is granted, I would like to seek to have a planning condition requiring that this development achieve SBD accreditation.

Community Safety – Secured by Design Condition:

I have every confidence that if the developers seek to achieve full SBD accreditation for this project that by working together we can ensure compliance.

We strongly advise that independent third party certification is obtained from a manufacturer to ensure the fire performance of any of their doorsets in relation to the required needs and to ensure compliance with both current Building Regulations and the advice issued by the Department for Communities and Local Government on 22nd June 2017

following the Grenfell Tower Fire.

5.7 Environment Agency

The Environment Agency are the had the following comments on the Outline Planning Application:

Thank you for consulting us on the above application. We have reviewed the document 'Ground Condition Assessment (Contamination and Stability)' by PBA (reference 32120/3503/R001/Rev06 dated 3rd November 2017). The report provides a comprehensive summary of the site's historic uses and environmental setting with respect to the potential for ground/groundwater contamination to be present. In particular, it is noted that site has former potentially-contaminative uses including garages, coach station and engineering works.

Based on this we have no objection to the proposed development as submitted if the following planning conditions are imposed as set out in Section 1 below.

We have provided further advice on Flood Risk in Section 2 of this response.

Section 1: Conditions

[Conditions summary]

Condition 1 - Risks Associated with Contamination

Condition 2 - During Development, Remediation Strategy

Condition 3 - Verification Report

Condition 4 - Infiltration of Surface Water Drainage

Condition 5 - Piling or Any Other Foundation Designs

Section 2: Flood Risk Standing Advice

As this site is located in Flood Zones 2 and 1 it would be covered by our Flood risk standing advice. We would therefore you to assess the application and ensure that the submitted FRA demonstrates that the development was safe and did not result in an increase in flood risk.

5.8 Transport for London

I write following receipt of additional information submitted by the applicant in January 2018 in support of the above outline planning application for the High Path Estate. These comments supplement TfL's earlier advice via the initial comments and the Mayors Stage 1 response issued on 18th December 2017 and sets out TfL's latest position following the receipt of the additional information.

The following comments represent the views of Transport for London

officers and are made on a “without prejudice” basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to a planning application based on the proposed scheme. These comments also do not necessarily represent the views of the Greater London Authority.

Site Access

In the original Transport Assessment (November 2017) submission the applicant identified proposed improvements to the High Path/ Morden Road signalised junction to facilitate access by service vehicles (rigid vehicles and refuse vehicles) to the western part of the estate.

The proposals involved widening the junction to allow service vehicles to egress, setting back the existing stop line and re-providing the existing uncontrolled pedestrian crossing facility across High Path. TfL raised a number of concerns at the initial comments stage relating to the proposed improvements. The applicant has advised that they are discussing options with London Borough of Merton (LBM) regarding alternatives for HGV movements and overall circulation within the site and TfL will be consulted if any improvements are required to the Morden Road/ High Path junction.

However, prior to determination of the outline application TfL requires the applicant to provide further information on the proposed delivery/ servicing movement strategy including the specific access points under consideration for deliveries/ service vehicles and how these would operate, particularly in relation to the Morden Road/ High Path junction and the access to High Path from the A24 Merantun Way junction. This will allow TfL to consider operational impacts of the strategy.

TfL requests that it is also fully consulted on any proposed improvements to the Morden Road/ High Path junction in order to advise if the changes are acceptable from a design/ signals perspective. This requirement should be secured by condition/ S106 obligation. It should be noted that TfL will not approve any proposed improvements including those submitted within the outline application, unless the following is submitted and agreed:

- Full AutoCAD design files outlining the proposed improvements.
- The use of LinSig to assess the impact of the proposals and development trips at the junction is considered to be acceptable in principle; however, TfL requests that this is updated to reflect any design review comments. The 2014 baseline flows that inform the 2014 baseline and future year assessment are also considered to be old and should be updated as part of this process. The LinSig assessments should include a baseline year, an opening year baseline (base + growth + committed development) and an opening year with development (opening year baseline + development).
- The LinSig model files and any corresponding documents informing the assessment (signal data information, validation data, flow and queue length datasheets and a Technical Note with validation tables showing comparison between modelled and surveyed results and

explaining any assumptions that have been made during model development) should be provided. This will enable TfL to undertake a review of the model against Model Audit Process (MAP) standards. TfL have a recent Transyt model for this junction which could be leased to the applicant for a fee and used for the assessment. It is based on 2017 data and considers on site collection of DoS and signal data and recent traffic flows.

- A Stage 1 Road Safety Audit should also be undertaken for the proposed junction design.

Should any improvements be proposed to the Merton High Street / Pincott Road priority T-junction TfL should be consulted to enable any impacts on the segregated cycle path which crosses the junction to be reviewed.

Car Parking

The applicant has stated in their latest response that 10% of the residential car parking spaces to be provided will be for disabled users as agreed with LBM for Phase 1. Clarification is required on the number of disabled spaces proposed as this is not compliant with the London Plan or the Draft London Plan 2017.

The London Plan 2016 requires 10% of new housing to be wheelchair accessible with each wheelchair accessible dwelling having an associated accessible parking space. This would equate to 157 Spaces (assuming a total of 1,570 units are delivered in Phases 2-7).

As detailed in TfL's previous comments the applicant should, however, aspire to provide disabled parking for the residential uses in accordance with Draft London Plan 2017 standards which are now a material consideration in referable planning applications.

In line with Draft London Plan 2017 standards the applicant should ensure that at least one disabled parking space per dwelling for 3 per cent of dwellings is available from the outset (equating to 47 spaces). It should then be demonstrated as part of the Car Parking Management Plan (CPMP) how the remaining bays (to a total of one per dwelling per ten percent of dwellings) can be provided in the future should demand arise. The applicant has confirmed that they are happy for the CPMP to be secured by condition.

The applicant should also aspire to provide disabled car parking spaces for the non residential uses in accordance with the Draft London Plan 2017 standards for these uses.

The TA states that Electric Vehicle Charing Points (EVCPs) will accord with London Plan standards (20 per cent of all spaces must be for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future). Assuming 269 car parking spaces are provided (excluding Phase 1), this would equate to 54 active provision with all remaining spaces having passive provision. The EVCP's should be secured by condition.

The proposed four car club spaces on site should be secured by S106 agreement. The applicant has also noted that residents will be offered a minimum of 2 years' free car club membership through the s106 agreement but this is likely to exclude residents with on-plot parking. This is accepted by TfL.

Cycle Parking

As stated in TfL's initial response the applicant should aspire to provide all cycle parking within the estate in accordance with Draft London Plan 2017 standards. The actual cycle parking provision should be quantified prior to determination of the outline planning application and secured by condition in line with these standards. The other comments made in TfL's initial response relating to cycle parking provision for residential and retail uses and the visitor cycle parking locations remain valid.

Pedestrian and Cycle Access

Further information has been provided on proposed cycling improvements and integration with the local cycle network. This will include retention of existing connections and new connections including a north-south cycle route on the western edge of the Neighbourhood Park which will link the site with High Path and Merton High Street.

Bus Stop Relocation

The original Transport Assessment included an aspiration by the applicant to permanently relocate two bus stops; one on Merton High Street (immediately east of South Wimbledon Underground Station) and the other on the eastern side of Morden Road (serving Morden Road bus route 93 southbound services). It is also proposed to temporarily relocate these two stops during construction works.

TfL requested further details of the proposed relocation options with assessments undertaken for both bus stops. The applicant has stated that full details will be provided as part of the reserved matters applications and this will be secured by condition. TfL is satisfied in principle with this approach but will not approve either the temporary or permanent relocation of these bus stops until drawings are provided identifying the proposed relocation options, full assessments have been undertaken and TfL have considered feasibility. The scope of these assessments should be agreed with TfL in advance. The applicant should, however, be aware that it is not guaranteed that TfL will ultimately agree to their relocation either temporarily or permanently.

Tram

The potential tram extension from South Wimbledon to Sutton would operate along Morden Road. TfL requested that an area of land fronting Morden Road is safeguarded for the potential tramway corridor and South Wimbledon tram stop.

The applicant provided some details within the original Transport Assessment on the set back of buildings fronting Morden Road, with the design of the buildings having the ability for the ground floor level to be

removed, with the upper floors cantilevered to safeguard for the stop.

In TfL's initial comments it was requested that more detailed discussions are held between the applicant and TfL in relation to height and width requirements of the safeguarding area to ensure both the High Path Estate development and the tram extension can be developed with a well-designed interface. It is understood that these discussions will commence shortly outside of the planning process.

In terms of the height requirement it is considered that 6.5 metres from the rail level would be sufficient in order to satisfy the following:

- Provide a clearance from the underside of the structure to the rail level, which complies with ORR Guidance on Tramways of not less than 5.2m above the ground, or above a place where a person may reasonably stand, with a further requirement for electrical clearance above the wire.
- The clearance between the overhead wire and the building / overhead structure should be 400mm and a further allowance needs to be made for fixings / brackets to fix the overhead wire equipment to the building.

The above dimension requirements should be secured by condition together with a commitment by the applicant to enter into detailed discussions with TfL prior to developing reserved matters proposals for the associated development phase, in order to agree suitable width dimensions for the stop. TfL approval will then be required at the reserved matters stage.

While noting the minimum width and height requirements, TfL's preference would be for the new building line to be set back sufficiently to allow for an unconstrained corridor for the proposed tram line(s) and terminus, allowing for the maximum flexibility for design and customer experience once operational.

It should be noted that if the approach to safeguarding is for the tram to use ground floor space with the building cantilevered above it, then it will be important for the ground floor of the building to be designed appropriately, including the location of any support columns. For example, it would not be possible to have any doors or openable windows which opened immediately onto or above a tram track.

TfL expects to make a decision on the preferred option for the tram extension in summer 2018 which would then allow safeguarding requirements to be more precisely defined. The applicant has confirmed that detailed design for this phase of the High Path masterplan is unlikely to commence prior to Summer 2018.

Construction Access

Prior to any work commencing on-site the applicant should submit a detailed Construction Logistics Plan (CLP) for approval. More detailed information on access points, routes and any temporary relocation of bus stops will need to be agreed pre-commencement. The CLP should consider the full impacts of the development during the construction of

each phase.

Trip Generation and Modal Split

Updated trip generation calculations have been provided to correct errors identified by TfL. The trip generation approach is now considered to be acceptable.

Bus Capacity

During the AM peak bus route 93 is currently operating at capacity which will be exacerbated by the development. TfL requests that a contribution is sought from the applicant of £75,000 over 5 years towards a single additional journey in the morning peak from North Cheam to Putney. This should be secured by S106 agreement.

Planning Obligation

TfL expects the final travel plan to be secured, monitored, reviewed, and enforced through the s106.

A full stand alone Delivery and Servicing Plan should be secured by condition.

A full Construction Management Plan (CMP) will be required to be secured by condition.

A Car Parking Management Plan should be secured by condition.

Mitigation

Mayoral CIL is payable at a rate of £35 per sqm.

Summary

In summary, TfL would welcome further discussions with the applicant and LBM on a range of issues including disabled car parking and cycle parking requirements and a bus contribution, prior to being satisfied that the application complies with the London Plan 2016 and Draft London Plan 2017. The S106/ planning conditions should include the requirement for the applicant to fully consult TfL on any improvements to the High Path/ Morden Road junction, bus stop relocation proposals and the safeguarding of land for the South Wimbledon tram stop, with these matters to be resolved at reserved matters stage.

I trust this provides you with an understanding of TfL's current position on this estate regeneration proposal. Please do not hesitate to contact me if you have any queries.

5.9 Historic England (GLAAS)

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph

128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

The planning application lies in an area of archaeological interest.

It is noted that an archaeological desk-based assessment by Cotswold Archaeology Ltd dated April 2017 has been submitted as part of the planning application documentation. Having considered the submitted document I am happy to recommend its approval as an initial assessment of potential documentary evidence associated with the history of the site.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two- stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by attaching a condition as follows:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and

deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Informative

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

I envisage that the archaeological fieldwork would comprise the following:

Condition two-stage

It is recommended that there is a discernible on-going archaeological interest with the site but limited to the area east of Pincott Road and the association with Nelson and Emma Hamilton.

Condition foundation design

I also recommend that the following condition is applied... Reason: The planning authority wishes to secure physical preservation of the site's archaeological interest in accordance with the NPPF. Condition: No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Condition Protective Fencing

I also recommend that the following condition is applied... Reason: The planning authority wishes to protect archaeological remains during development works. Condition: No development shall commence until details of fencing, signage and other control measures to protect archaeological remains in-situ have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained for the duration of operational works.

5.10 Historic England (Development Management)

Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Recommendation

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation

advice.

It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

In returning the application to you without comment, Historic England stresses that it is not expressing any views on the merits of the proposals which are the subject of the application.

Please note that this response relates to historic building and historic area matters only. If there are any archaeological implications to the proposals it is recommended that you contact the Greater London Archaeological Advisory Service for further advice (Tel: 020 7973 3712).

5.11 Sports England

The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), therefore Sport England has considered this a non-statutory consultation.

Proposed loss of existing ball courts

The existing estate has two fenced ball courts (approx. 14m x 30m and 11m x 21m) that it is understood are used by young people on the estate. Sport England notes that a replacement area of open space has been provided within the development. However, the loss of the ball courts is of concern as this could leave the young people who use the site without a sports facility.

If the courts cannot be provided on site then a contribution is required to provide a new facility off site. However, this may require planning permission and the Local Authority may wish to ensure that this is secured before granting planning permission for the loss of these courts.

Sport England does not consider that the sports facilities assessment provided by the applicant justifies the loss of the ball court. This is for the reasons explained below but also because this facility provides a free play facility that is well used by the young people on the existing estate. If the ball court is not reprovided then a contribution is required to provide a replacement facility close to the application site.

Sports facilities assessment

It is understood that is a Community Infrastructure Levy (CIL) charging authority and as such, the proposed development is required to provide CIL contribution in accordance with the Councils adopted CIL Charging Schedule. It is acknowledged that there is no requirement to identify where those CIL monies will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Delivery Plan (or similar) and direct those monies to deliver new and improved facilities for sport. As required by the Merton Estates Local Plan, the applicant has provided a sports facilities assessment, to review local provision.

Sport England does not support the conclusions of the applicant's assessment in relation to need for indoor and outdoor sports facilities in the Borough. For example, paragraph 7.1.1 states that 'outdoor facilities for formal sport are generally sufficient to meet existing and future population demands'.

Sport England does not agree that this is the case. For example, the 2011 PPS clearly demonstrates that there are shortfalls in existing pitch provision in Merton. Sport England's Facilities Planning Model also indicates that there is insufficient artificial grass pitch provision in the Borough to meet demand.

5.12 Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby continuing to sustainable development.

The Wildlife and Countryside Act 1981 (as amended)

The conservation of habitats and conservation species Regulations 2017

Natural England's comments in relation to this application are provided in the following sections.

5.12.1 Statutory Nature Conservation Sites – No objection

Based upon the information provided Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

5.12.2 Protected Species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published *Standing Advice* on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

5.13 London Borough of Croyden

5.13.1 It is considered that whilst the proposals constitute a Major development as the proposals are a significant distance from the Borough boundary, the Council would not wish to comment on the proposals.

5.14 London Borough of Wandsworth

No objection

5.15 Royal Borough of Kingston

No objections

5.16 The Wimbledon Society

Concern raised with regard to the following points below:

- Protection of the mature trees along Merton High Street is welcomed
- Allowing existing residents to stay in the area and to be able to move into comparable new housing as the scheme progresses should be an integral part of any application
- the proportion of affordable housing proposed is too low

- the density of development is too high and does not conform to policy
- parking congestion is an existing issue
- east west routes, cycle routes need improving
- Massive set of blocks, bulky buildings along Merton Road, Kingston Road do not accord with policy
- Heights proposed are excessive and should be lowered to 7 storeys
- Bulk is too great and not in accordance with policy
- Overshadowing report appears that development does not meet BRE standards
- Bulky buildings affecting setting of the South Wimbledon Station heritage asset
- Roman Stane Street and Merton Priory require archaeological conditions

5.17 Battles Residents Association

5.18 The Battles Area Residents Association”, “Friends of Haydons Road Recreation Park” and Trustees of “South Wimbledon Community Association”

5.19 Merton Green Party

5.20 Councillors

5.21 Cllr Oonagh Moulton – e-mail received 12/12/17

Request on behalf of constituents to extend the consultation period beyond the 4 weeks already given. Residents would like to have a public meeting with the applicants and the Council.

6. INTERNAL CONSULTEES

Green and social Infrastructure

6.1 Biodiversity

6.1.1 The Council Policy Officer has been consulted on the application and had the following comments:

6.1.2 A preliminary ecological appraisal report was provided as part of the application, providing information and recommendations from a desktop study (30th June 2016) and field survey (19th October 2016). The methodology of this report is considered acceptable for this stage of the application.

6.1.3 After reading this report, the following queries should be asked of the

consultants:

- The date of the field survey is noted as 19/10/2016. Given that this date was a year ago and the report mentions the previous 2015 findings of a bat roost on site, it is considered that a more recent field survey should be undertaken to confirm whether the bat roost is currently considered to be active.
- It is not clear from the report (section 8) whether the field survey (19/10/2016) found any bats to be using the roost previously identified in TN5. This therefore needs to be clarified.
- The recommendation to obtain a EPSM licence is queried, given the points above. Further information should be provided by the ecologist to clarify the reasons why this license is considered necessary. Natural England guidance indicates that an EPSM should not be used for bats species, rather a bat mitigation license, should mitigation be required: <https://www.gov.uk/government/publications/european-protected-species-apply-for-a-mitigation-licence>

6.1.4 The following recommendations made in the report are supported:

- Protection of bird nests, tree works to be undertaken outside of nesting season.
- Overall ecological enhancement as part of the development.

6.1.5 The following are not mentioned in the report, but should also be addressed by the applicant in line with the Council's CS13 policies:

- Make use of green roofs throughout the development to enhance the net biodiversity value of the site.
- A lighting strategy for the entire site should be provided and reviewed by the ecologist to ensure that there are no undue effects on any protected species.
- The landscaping plan should indicate the planting of appropriate native species throughout the site.

6.1.6 These comments/questions were forwarded to the applicant and based on the applicant's response received 20th December, the Biodiversity Officer provided the following additional comments:

6.1.7 I do not agree that the Outline application was submitted in April 2017. The date of submission as per the council's Planning Explorer is [16/11/2017](#).

6.1.8 I could not see the following statement described below in the Natural England response "*We note that Natural England also confirmed that conditions should be used to secure bat surveys prior to demolition works, on the relevant phase of development at High Path.*"

6.1.9 The response from Natural England on this application, dated 15th December 2017 states the following "We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a

material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.”

- 6.1.10 Natural England’s standing advice indicates that a protected species survey can be conditioned as part of an outline application to ensure that protected species are not affected.
- 6.1.11 Should you be minded to recommend approval for this application, I would recommend that a suitably worded condition be included to require that a new survey be carried out prior to the submission of the reserved matters application and that this is carried out in accordance with Natural England’s standing advice and the bat survey guidance published by the Bat Conservation Trust.
- 6.1.12 The applicant will also be required to provide a mitigation strategy and provide details of the proposed replacement purpose built bat roost features that have been reviewed by the appointed ecologist, in addition to addressing the recommendations and proposed ecological enhancement provided by the appointed ecologist.

6.2 Open Space

Part of the site falls within WVRP 400m buffer – Brangwyn Crescent (CS5, CS13, DM01)

6.3 Children’s Play Space

6.3.1 The Council’s Officer had the following comments regarding the children’s play space proposed as part of this development:

6.3.2 Merton’s Core Planning Strategy policy CS 13 and The London Plan policy 3.6 require housing proposals to provide play spaces for the expected child population and the Mayor of London’s ‘Play and Informal Recreation’ SPG 2012 provides detailed guidance on this matter.

6.3.3 Below are my age group estimates using the GLA Intelligence Unit’s (2014) Population Calculator and Single Year of Age Tool, which, unlike the 2012 SPG, incorporates the 2011 census figures.

6.3.4 I’ve used the indicative dwelling and tenure mix taken from the Design & Access Statement (see table 2 below) and only used the figures given for the current outline application, not including the Phase 1 application that has already been determined.

<i>Play Space Age Group Yields (including flats and houses)</i>		
Age	Number	Area in sqm
< 5	232.5	2325
5 - 11	162.2	1622
12 - 18	93	930
	487.7	4877

<i>Play Space Age Group Yields (flats only)</i>		
Age	Number	Area in sqm
< 5	217.1	2171
5 - 11	150.3	1503
12 - 18	83	830
	450.4	4504

6.3.5 It is important to note the following criteria when entering data into the Population Calculator:

6.3.6 ‘Intermediate’ affordable housing units should be included as ‘Market’ units,

6.3.7 ‘Affordable Rent’ housing units should be treated as ‘Social’ units, and the sub region ‘South’ aggregation must be used and only its results should be used in the SYA Tool.

Comments

6.3.8 My calculations above indicate that the expected child yield for the proposal (both flats and houses) is 487.7 children, requiring 4877sqm of play space.

6.3.9 For flats only the expected child yield is 450.4 children, requiring 4504sqm of play space.

6.3.10 New children’s play space is proposed within the new park and

communal courtyards.

- 6.3.11 The D&A Statement has identified that the proposed amount of formal child's play space to be provided on site will be 3450sqm. This does not meet the need identified above and will need to be addressed by the applicant.
- 6.3.12 Abbey Recreational Ground is within 187m and 650m actual walking distance of the site. This ground provides both formal playspace and other facilities such as cricket and football pitches for older children. Access to this facility includes crossing the A24 road, which requires improvements for pedestrian and cycle access.
- 6.3.13 Haydon's Road Recreational Ground is within 387m and 715m actual walking distance of the site. This ground provides both formal playspace and other facilities such as a bowling green, cricket square and a multi-sports pitch.
- 6.3.14 While these areas are considered accessible for children over the age of 5 years, the Play Strategy should ensure the provision of a dedicated play space for under 5years should be included on site with features in line with the SPG.

6.4 Urban Design

- 6.4.1 The Council's Urban Design Officer has provided detailed response which is available on the application on the applications' file online. These comments are structured on the format of the Design Code document. However, they also take into account what is included in the parameter plans, the Tube station analysis document and associated views analysis. The Tube station rear access study, the courtyards dimensions and the tracking plans for the estate.
- 6.4.2 A summary of those comments are provided below:

General

- General updating in relation to other changes made as part of the outline application in order [to ensure consistent and clear guidance that cannot be mis-interpreted.]
- An improvement to the clarity, quality and consistency of text with regard to grammar and use of jargon [to ensure consistent and clear guidance that cannot be mis-interpreted.]
- Improvement to the clarity of the layout and content to improve its accessibility and readability [to ensure consistent and clear guidance that cannot be mis-interpreted.]
- To remove numerous inconsistencies and contradictions in the document [to ensure consistent and clear guidance that cannot be mis-interpreted.]
- To rewrite the text to give clear instruction and guidance throughout, rather than vague, general statements [to ensure consistent and clear

guidance that cannot be mis-interpreted.]

- Improvement to the clarity, size, content, accuracy, consistency, scaling and proportions of plans, diagrams, images and graphics, [to ensure clear instruction and consistent and clear guidance that cannot be mis-interpreted.]
- To combine text and images where possible to make them clearer, more meaningful, easier to understand, compact and efficient in their message, [to ensure consistent and clear guidance that cannot be mis-interpreted.]
- Clearer, stronger and more consistent reference to adhering to relevant policies, standards and regulations.

General Design Issues

- A simpler, less complex approach to the public realm, covering open space, car/cycle parking bins, street widths, corner radii etc. An approach based on making the majority of streets adoptable should be pursued.
- Better integration of the peripheral streets of High Path, Abbey Road and Merton High Street into the strategies for streets and the public realm.
- An improvement of the E-W street to better accord with the aims and spirit of the ELP, or an otherwise robust rationale justifying the currently proposed approach.
- A strong rationale and justification for the provision of a single large park and the reason why an E-W street cannot pass across it.
- A justification for the access arrangements into the estate or changes to the access points and vehicular movement around the estate, particularly to make the western half of the estate more accessible.
- Separation of non-residential servicing access from the residential estate by providing access to these directly from Merton High Street, or a robust justification of why the propose arrangement is better.
- Consistency between the parameter plans and building heights shown in the design codes: A clear rationale needs to be shown justifying the chosen heights and how they relate to the local context and the requirements of the ELP.

Specific Design Issues

- A strategy on the focus of the development and how it relates to and is part of Merton High Street.
- A clear strategy on refuse: This is for both URS and traditional collection, requiring a distinction between residential and non-residential waste, showing how public realm and buildings will be designed for both options.
- A design, layout and location strategy for URS bins: This must be workable for collection and be designed to minimise visual impact on,

and inefficient use of space within the public realm.

- A strategy on accommodation a tram extension to South Wimbledon: This should include different scenario options and how they will affect buildings, the public realm and practicalities of implementation.
- A workable strategy for the secondary access to the Tube station: This should show the existing Tube building in all plans to demonstrate that it is truly deliverable and future-proofed and not dependent on a comprehensive redevelopment above the Tube station.
- A Strategy for integration of Rodney Place: This should how how the individual sites around and including Rodney Place combine together to create an urban layout and public realm that is consistent and good urban design.
- A revised impact assessment on Heritage assets: This includes how the buildings and their proposed heights and elevations respond positively to, and are not detrimental to, the heritage assets of the tube station, Nelson Arms PH and St. John's Church.
- Open Space Strategy: A clear understanding of the different types of amenity space and the approach taken towards them. This should include a rebalancing of the emphasis on public realm open space in favour of communal open space and demonstrating a clear understanding of the concept of defensible space and gradation from public to private space.
- Parking Strategy: A clear policy on parking that is based on the ELP policy that prioritises on-street parking over podium parking. This should lead to a more efficient use of space in the streets for more parking that is better integrated into the street.
- Landscaping: Reappraisal of the approach to landscaping, that sees less dependence on this to create a successful and workable place. This is linked to a clearer strategy for open space, and should include a clearer approach to tree planting and species, and more emphasis on tree planting and less on low level planters and defensible planting strips.
- Dual Aspect & Deck Access: A clearer understanding of their relationship and clear guidance on where and how to use deck access, with guidance on their design. A clear policy on what percentage of units should be dual aspect and where and when it will be allowed or not allowed.
- Roofscape: Guidance on aspects of roofscape such as skyline, plant, phone masts, aerials and satellite dishes etc.
- New guidance that adequately covers shop-fronts and non-residential frontages, including quality and the interface between the inside and outside of the building.”
- It is recommended that a more fundamental look is taken towards the detail s of the design code and vehicular movement. This should

include a fully accessible, permanently open street across the park, , access from Merton High Street to service yards, two-way access into and out of Pincott Road (or forming a one-way gyratory around the park, and selected left turns in and out of side streets subject to a Transport Impact Assessment. This will be secured by s106 or condition.

6.5 Housing Policy

- 6.5.1 These are high level housing planning policy comments rather than a comprehensive exhaustive presentation of all housing policy matters. Please note that the housing design elements will be assessed by urban design colleagues.
- 6.5.2 The comments below are largely based upon the submitted Town Planning Statements and do not reflect any cross checking against all other submitted outline planning application documents regarding consistency.
- 6.5.3 It is however noted that a number of inconsistencies were identified between the suite of planning application documents regarding proposed housing in the previous superseded version of these documents (e.g. town planning statements and application forms). These were flagged up with the applicants and it is therefore assumed that they have been addressed in the updated versions.
- 6.5.4 Regeneration provides a significant opportunity for additional new housing within the borough which is welcomed set within the context of a substantial need for more housing London wide and within the borough.

Strategic housing target

- 6.5.5 The council's current strategic housing target for the Core Strategy Plan period of 2011 to 2026 is 4,800 additional new homes (411 per annum) and clear indications from the Mayors recently published Draft London Plan is that this target requirement will increase to 13, 280 for period 2019 – 2028 (1,328 per annum) for Merton. This increase for Merton not only represents a 233% uplift but also the highest strategic housing target uplift in London.
- 6.5.6 The estates regeneration will provide a sizeable contribution to meeting Merton's Strategic housing target. However it is important that this proposal is consistent with relevant National, London Plan and Local Plan and the adopted Estates Local Plan policy requirements.

Presentation of housing data

- 6.5.7 Presentation of proposed housing data in section 4 of the Town Planning Statements is largely set out as gross figures and habitable rooms. It is considered that this is confusing to comprehend, particularly regarding identification of net uplift in units and the extent to which development

plan policies have been addressed. It is requested that simpler summary tables should be included, clearly referring to existing and proposed numbers of units and the tenure. These should include both gross and net figures to aid comprehension, comparison and transparency.

Affordable housing habitable rooms v homes

- 6.5.8 Both the Mayor's London Plan and Merton's affordable housing Local Plan requirements are for homes. Merton's Local Plan 40% target and the numerical target (1,920) are for affordable homes and not habitable rooms.
- 6.5.9 Reference to affordable floorspace is confined in the London Plan to supporting paragraph 3.82 of Policy 3.14 . London Plan Policy 3.11 (Affordable Housing Targets) "seeks to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes"
- 6.5.10 Neither London Plan 2016 policy 3.11 (affordable housing targets) nor Policy 3.12 (negotiating affordable housing on individual private residential and mixed use schemes) nor 3.13 (affordable housing thresholds) propose setting affordable housing targets that are based only on habitable rooms or floorspace.
- 6.5.11 The Mayor's Affordable Housing Viability SPG 2017 https://www.london.gov.uk/sites/default/files/ah_viability_spg_20170816.pdf paragraph 2.8 concerns the approach to planning applications and states that : Applicants should present affordable housing figures as a percentage of total residential provision by habitable rooms, by units and by floorspace to enable comparison.
- 6.5.12 As with the London Plan, the Mayors SPG also does not base affordable housing requirements only on habitable rooms or floorspace.
- 6.5.13 The rationale for the Mayor's SPG setting the threshold at 35% of habitable rooms is specifically concerned with determining whether an application should be accompanied by a viability assessment rather than being an affordable housing provision requirement. Paragraph 2.18 of the Mayor's SPG : *As stated previously, it is not a fixed level of affordable housing, but a threshold at which the approach to viability information changes. Notwithstanding, the Mayor's SPG exempts estates regeneration schemes from following the fast track route.*
- 6.5.14 It is understood that the housing provision proposed in the outline applications for the three estates is as follows:

Table 1 - Proposed net gain / loss (units)

Estate	Tenure	Proposed homes (Units)	Existing homes (Units)	Net gain (+) or Loss (-)
High Path	Private	1,293	251	+1,042
	Affordable	277	357	-80
Eastfields	Private	538	219	+319
	Affordable	262	247	+15
Ravensbury	Private	88	11	+77
	Affordable	92	86	+6

Table 2 - Proposed total number of units

Estate	Total units (gross)	Total units (net)	Net gain (+) or Loss (-)
High Path	1,570	608	+962
Eastfields	800	466	+334
Ravensbury	180	97	+83
TOTAL	2,550	1,171	+1,379

6.5.15 The above proposals indicate a net increase of +1,379 homes in total across the three estates.

Affordable housing

6.5.16 Merton's Local Plan affordable housing target requirement, set out in Policy CS8 (Housing Choice) of Merton's Core Strategy is 40% for schemes of 10 units and above with an affordable housing tenure split of 60% affordable / social rented and 40% intermediate tenure.

6.5.17 The following table is an extract from Merton's Annual Monitoring Report (AMR) 2015 -16. It indicates that the average level of affordable housing provision from 2008- 2016 is 29%.

Table 4.4 – Affordable Home Completions 2008 – 2016

Affordable Homes: Completions 2008-2015								
Financial Year	Total Completions	Affordable Home Completions	% Affordable	Target	Social Rented	%	Intermedate	%
2008/09	774	265	34%	50%	200	75%	65	25%
2009/10	338	49	14%	50%	30	61%	19	39%
2010/11	357	112	31%	50%	45	40%	67	60%
2011/12	453	162	36%	40%	n/a	n/a	n/a	n/a
2012/13	478	141	29%	40%	71	50%	70	50%
2013/14	440	163	37%	40%	75	46%	74	45%
2014/15	459	186	41%	40%	143	77%	43	23%
2015/16	678	68	10%	40%	17	25%	51	75%
Total	3977	1146	29%		581		389	

6.5.18 Should Merton’s affordable housing performance continue, this will be further challenged by the Mayor’s draft London Plan proposed increased affordable housing target for the borough of 6,604 units per annum (up from 205 units per annum). The draft consultation London Plan (Dec 2017) identifies the need for around 43,500 affordable homes per year and expects all schemes to maximise the delivery of affordable housing.

6.5.19 The estates regeneration proposals represent the largest ever proposed housing development for the borough to date and provides a rare opportunity to provide a commensurate sizeable number of much needed additional affordable homes.

6.5.20 Application of Merton’s Policy CS8 results in the net requirement for 552 affordable homes (based on application of the policy to the total net uplift) which would make a sizeable contribution to improving Merton’s performance in the provision of affordable housing. The submitted planning applications proposes a net total of 21 affordable homes which represents 1.5% proportion of the total number of homes proposed across the three estates (please note that the 1.5% includes the proposed High Path Phase 1 application re-provided affordable homes).

6.5.21 Tables 3 and 4 set out the tenure split proposed in the estates regeneration outline planning applications.

Table 3 - Proposed tenure split (%) - gross

Estate	Private	Affordable
High Path	82%	18%
Eastfields	67%	33%
Ravensbury	49%	51%

Table 4 – Proposed tenure split (%) - net

Estate	Private	Affordable
High Path	100%	0%
Eastfields	96%	4%
Ravensbury	93%	7%

6.5.22 Table 3 and 4 both indicate that the outline applications do not propose a tenure split in accordance with Policy CS8 policy i.e. (60% Private / 40% Affordable housing tenure split). Merton's Core Strategy advises that the onus lies with the developer to demonstrate the maximum amount of affordable housing that could be achieved viably, through the submission of a residual land viability assessment, where a developer contests that it would not be appropriate to provide affordable housing on-site or wishes to deviate from the affordable housing requirements set out in Policy CS8, as is the case with the submitted estates regeneration outline planning applications.

6.5.23 The provision of affordable housing is required on-site and only in exceptional circumstances will provision off-site or in lieu financial contributions be considered.

6.5.24 In accordance with Policy CS8, in seeking affordable housing provision regard will be made to site size, site suitability, financial viability and other planning contributions. It is understood that residual land viability assessments have been submitted as part of the outline applications and are currently being independently assessed. Should the independent assessment conclude that the proposed shortfall in affordable housing provision is justified then review mechanism(s) as part of s106 agreement(s) will need to be applied to ensure that in accordance with relevant policy and guidance in place at that time, viability of each phase is assessed at an appropriate time when development is delivered.

Proposed Bed unit mix

6.5.25 Table 5 below sets out the proposed bed unit breakdown by tenure type of the net (i.e. additional).

Table 5 - Proposed bed units breakdown of net (additional) proposed units

Estate	Bed unit size	Private	Affordable	Net gain (+) or loss (-)
High Path	1	+568	-50	+518
	2	+445	-38	+407
	3	+26	+4	+30
	4+	+3	+4	+7
TOTAL		+1042	-80	+962
<hr/>				
Eastfields	1	+155	-79	+76
	2	+194	+92	+286
	3	-30	+2	-28
	4+	0	0	0
TOTAL		+319	+15	+334

Ravensbury	1	+27	+15	+42
	2	+19	+10	+29
	3	+27	-32	-5
	4+	+4	+13	+17
TOTAL		+77	+6	+83

6.5.26 Merton's Sites and Policies Plan Policy DM H2 (Housing Mix) states that *"residential development proposals will be considered favourably where they contribute to meeting the needs of different households such as families with children, single person households and older people by providing a mix of dwelling sizes, taking account of the borough level indicative proportions concerning housing mix."*

6.5.27 The supporting text to policy DM H2 states that in assessing development proposals the council will take account of Merton's Housing Strategy(2011-2015) borough level indicative proportions which are one bed = 33%; two = 32% and three bed = 35%.

6.5.28 The consultation draft London Plan (Dec 2017) [Table 4.3 pg. 171] sets out the London wide SHMA findings, which indicates needs of :

- 65% / 35% = private / affordable tenure split
- 71% / 29% = 1-2 bed / 3-4+ bed

6.5.29 It is noted that Table 5, indicates that for all three estates the greatest proportion of provision concerning the net additional proposed of homes is for 1 and 2 bed homes – around 95% for High Path, 100% for Eastfields and 84% for Ravensbury and it is advised that the applicants are requested to demonstrate and justify the extent to which the proposed bed unit mix addresses and has been informed by Merton's identified local housing needs.

Proposed Minimum and maximum parameters (gross)

Table 6 - minimum and maximum parameters

Estate	Minimum Total (gross)	Affordable housing %	Private housing %	Maximum Total (gross)	Affordable housing %	Private housing %	Parameter difference	Tenure change (y/n)
HP	1,527	18%	82%	1570	18%	82%	+43	N
EA	773	34%	66%	800	33%	67%	+27	Y
RAV	173	51%	49%	180	51%	49%	+7	N

Grant funding / public subsidy

- 6.5.30 Comparative scenarios setting out the level of affordable housing provision with or without grant funding would be helpful in assessing the extent to which opportunities to maximise affordable housing provision have been sought.
- 6.5.31 Details on level of affordable housing the secured grant funding is supporting would be helpful e.g. quantity, bed unit size etc. of affordable housing per estate
- 6.5.32 Also it would be helpful to understand whether any grant funding has been (or is proposed to be secured towards meeting the council's 40% affordable housing policy target.
- 6.5.33 Can the applicants confirm that references to affordable (rent) refers to existing social rented affordable housing tenure and consider amending as such to avoid confusion with affordable rent tenure.

6.6 Housing Needs

- 6.6.1 The Council's Housing Needs Officer was consulted on the application and provided comments as follows:
- 6.6.2 I have set out key figures from our emerging SHMA update below. These figures are based on the more up-to-date GLA 2016-based Households Projections and show growth for the next 10 years (2017-2027). Using projections of household growth as a starting point is in line with NPPG and the government's new proposed methodology for calculating housing need, although I have not applied the newly proposed market signals adjustment to the figures.

Key stats to date

- Merton needs another 11,130 homes over the next 10 years, or 1,113 per annum, to meet the needs of population growth (or 1,600 p.a. after market-signal adjustment)
- There is a need for 8,681 additional affordable homes in the borough over the next 10 years, or 868 per annum (backlog of need at 2017 + estimated newly arising need, minus estimated new lets and re-lets between 2017-2027)
- Note that these are housing needs figures that will be part of Merton's OAN. Further work will be required (e.g. looking at land supply, constraints etc.) to develop housing target for the Local Plan
- The need for 868 affordable homes per year can be met through either Social Rent / London Affordable Rent homes for low income households, and Shared Ownership or London Living Rent homes for middle income households
- Note that a proportion of this need 8,681 affordable homes can also

be met in the private rented sector supported by Housing Benefit / Local Housing Allowance payments

- The table below shows estimated bed size mix for all tenure and for affordable housing (both rented and LCHO)

	All Tenure	Affordable Housing
1 Bed	30%	45%
2 Bed	38%	31%
3+ Bed	32%	24%
	100%	100%

6.6.3 The proposal would provide a re-provision of the affordable housing units mostly through Social Rented units, which is considered the most favoured tenure of affordable housing. The proposal would also provide an adequate mix of units and an appropriate amount of three beds to be allocated social rented affordable housing. In this instance the proposals would be acceptable in terms of housing needs.

6.7 Heritage

6.7.1 These comments relate specifically to the revised Townscape. Heritage & Visual Impact Assessment Addendum, dated January 2018. These consist of 5 key views, 1, 4, 7, 8 & 9.

View 1 Morden Road

6.7.2 The main item of interest is St. John's Church. The church is well secluded by mature vegetation in this view and will only become more apparent in winter months. The reduction in building height is welcome and it is acknowledged that these buildings need to relate to the Morden Road frontage. However, at the junction with High Path, the juxtaposition of the church and new buildings will be much more apparent and this corner building will become much more dominant over the church and its setting. There is a reasonable case for the height on this corner to be reduced further and architectural expression to be used as a means of expressing the corner as a landmark.

View 4 Abbey Parade

6.7.3 This is a strong linear high street and significant intrusions into this regular form will disrupt it. The main building of conservation interest is the Nelson Arms PH, which is locally listed. Most of the new buildings fronting the high street will be screened by the existing mature trees.

However, the two 'book-end' buildings stand out prominently from this and disrupt the view. This is acceptable up to a point, but the easternmost one has a significant detrimental effect on the setting of the PH in this view. This is because it looms large in the background directly behind the pub as a high single building mass and will significantly detract from, and compete with, the view of the pub. Therefore, at this point, the blue line maximum extent should be cut back to match the grey mass of the 'intended' extent. This will make it less dominant, and a more fragmented form and not compete with the view of the pub.

View 7 Merton Road (Balfour Road jn)

- 6.7.4 This is a key view from the Wimbledon direction from the north. The view chosen is misleading for two reasons. Firstly it is taken where a tree obscures one of the proposed buildings. Secondly, it is the other side of the road where most people and vehicle occupants will see the building, also, closer to the junction – where the new buildings will have a greater impact. The view shown however, shows a huge disparity in scale between the station building and the proposed building and these will clearly undermine views of the station from the north at varying distances from the station. Further reductions in height in addition to the minimal changes shown so far, are needed. This is as true for this view as it is for view 8.

View 8 Kingston Road

- 6.7.5 Like view 7, this also seems a carefully selected view, there being none from the actual junction itself, and the panorama of the whole backdrop to the station that will be visible by all the pedestrian and vehicle occupants who use this junction and are waiting to cross. This is a clear omission in the views and ought to be rectified. Nevertheless, the reduction in height of the building immediately to the east of the station sets up a relationship that is more acceptable in terms of difference in scale. However, the case here is equally applicable to the view from the north of the flank of the building fronting Morden Road and the flank of the 'middle' building adjacent to it. These are out of sight in this view but will become clear and very apparent when the walker on the pavement takes the few steps forward to the traffic light. These buildings need to have their impact – and height – reduced further to be in line with those of the building to the east of the station (fronting Hayward Close).

View 9 Hamilton Road

- 6.7.6 The impact of the buildings from this point is less severe here, but it would be more accurate to have a view from the middle of the road, to account for the fact that pedestrians can be on either side of the road and people also view the buildings from inside vehicles. No changes are suggested for this view.

6.8 LBM Highways & Transport

- 6.8.1 Highways Officers have had ongoing communication with the applicants during the course of this application and prior to submission, since the option to redevelop High Path came into the picture. In December 2017, LBM Highways Officers had the following comments:

Refuse collection (existing)

- 6.8.2 The refuse route currently starts at Merantun Way (A24) turning left into High Path heading west adjacent to the High Path Site and turning right into Haywards Close.

Refuse Collection (proposed)

- 6.8.3 There is no indication of the proposed route of refused vehicles to and from the site.

Current access restrictions

- 6.8.4 The applicant needs to provide a comprehensive Transport Impact Assessment providing justification for any proposed changes to the above existing restrictions. The applicant must also provide the appropriate mitigation measures.

- Abbey Road width restriction
- Pincott Road width restriction
- left turn only from High Path into Morden Road
- One way on Pincott Road from Merton high street
- One way (part) on High Path

Pincott Road with High Path Junction

- 6.8.5 The development proposals will include rigid vehicles and refuse vehicles servicing the west side, requiring to exit the Estate via High Path/ Morden Road signalised junction. It is therefore proposed to widen the left turn from High Path onto Morden Road for large rigid vehicles.

- 6.8.6 The applicant must carry out a Highways Impact Assessment of this junction coupled with Morden Road (A219)/ Merton High street (A238) junction to the north of the site. This entire area is classed as Strategic Road Network and therefore subject to TfL approval process.

Vehicle Swept Path Analysis

- 6.8.7 A vehicular swept path analysis has been undertaken to show how various vehicles can access and egress throughout the proposed layout. However the tracking diagrams for 11.2m wide refuse vehicles overrun the footways/buildings, which is not acceptable.

Insufficient information provided:

- Bus Stops:
 - Adopted highway areas require revisions and agreement.
 - Access across the proposed park area requires options to stop general use.
 - Impact on vehicular traffic to and from existing and proposed schools to be considered.
- 6.8.8 A number of assumptions have been made within the Construction traffic proposals including bus stops repositioned, junction revisions and routings, without alternative options or impact considerations or justification. During discussions [with the applicant] during 2016 with TfL on this project, the request for the bus stop relocation has previously been refused by TfL.
- 6.8.9 The Applicant should have a separate discussion with LBM Highways regarding the aspirations for highway adoption across the High Path Estate and the subsequent areas to be stopped up. However, the Council is keen to adopt land to the back of existing footway along High Path.

Tram

- 6.8.10 It is essential that the applicant proactively engages with TfL and LBM Planning & Highway Asset Manager on the need to safeguard flexibility within the design to accommodate a potential tram spur from Morden Road to South Wimbledon. This could also impact on access arrangements at High Path junction with Morden Road and any proposals to improve the left turn swept path to serve larger vehicles.
- 6.8.11 The Council requires a comprehensive and meaningful Transport Impact Assessment for the area to include all the surrounding network including the necessary mitigating measures to address any adverse impact.

Conclusion

- 6.8.12 Notwithstanding further information provided by the applicant since the comments as detailed above by LBM's Highways officer, concerns remain unchanged.

6.9 Climate Change

- 6.9.1 Comments were provided by the Council's Sustainability Team on the application pre-submission as follows:

Sustainable Design

- 6.9.2 The applicant has indicated that the development will be designed in accordance with the energy hierarchy detailing a site-wide strategy

including: energy efficiency measures, CHP system (providing 55% of the heating and hot water demand) and solar PV, and has detailed the carbon emissions savings for each stage of the energy hierarchy, split by domestic and non-domestic sources.

- 6.9.3 The applicant has provided a clear commitment to achieving carbon emissions reductions compared to Part L 2013 and indicated that the development will be designed in accordance with the energy hierarchy, detailing a site-wide strategy, including: energy efficiency measures, CHP system (providing 55% of the heating and hot water demand) and solar PV.
- 6.9.4 Re: domestic emissions – the applicant has indicated that 2% of the emissions reductions will be achieved via energy demand reduction. The scheme should adequately demonstrate compliance with the fabric first approach (i.e. secure emissions reductions via energy demand reduction first, prior to exploring other methods of emissions reduction).
- 6.9.5 The applicant has acknowledged the requirement to achieve zero carbon standard, with a minimum 35% improvement on Part L 2013 on-site for domestic elements.
- 6.9.6 Any non-domestic uses on the development with a GIA of 500m² or more will need to achieve the BREEAM New Construction performance requirements, as detailed under Policy CS15 of Merton's Core Planning Strategy 2011.
- 6.9.7 As part of a major mixed use application, all non-domestic uses will be required to achieve emissions reduction requirements in accordance with a major scheme (i.e. minimum 35% improvement on-site, with potential for zero carbon requirements).
- 6.9.8 The applicant should consider the implications of anticipated policy introduction on the future phasing and delivery of the development. Specifically, from October 2019, under Policy 5.2 of the London Plan, zero carbon requirements will apply to non-domestic as well as domestic elements of the development.
- 6.9.9 The council will secure on-site emissions reductions, in accordance with the energy statement to be submitted, via the use of Sustainable Design & Construction condition(s).
- 6.9.10 The council will secure BREEAM targets for all eligible non-domestic uses, in accordance with the submitted sustainability statement, via the use of a BREEAM standard condition.

Water efficiency

- 6.9.11 The applicant has indicated in the submitted Sustainability Statement that the development will '...aim to implement design measures that will allow for water consumption to be reduced to 105 litres/person/day.' The applicant should note London Plan Policy 5.15 requires developments to minimise the use of mains water by 'designing residential development so that mains water consumption would meet a target of 105 litres or less

per head per day'. All domestic development should therefore achieve at least 105 litres per person per day for internal water consumption.

- 6.9.12 The council will secure on-site water efficiency targets, in accordance with the submitted sustainability statement, via the use of Sustainable Design & Construction condition(s).

Carbon offsetting

- 6.9.13 The developer has provided a commitment to work with the council to explore options for addressing any emissions reductions that cannot be achieved on-site. This includes potential further on site reductions, investment in the applicant's existing housing stock in the borough, or by payment into Merton's carbon offset fund. The Council is supportive of this approach and would welcome further dialogue on this matter in due course.
- 6.9.14 The council will secure the development's carbon offset contribution (whether on near-site offset or cash in lieu contribution) via S.106 agreement.

District energy

- 6.9.15 The applicant has demonstrated that they have explored the scope for connection to existing or planned district heating network near to the development. LB Merton can confirm that there are no existing heat networks in the vicinity of the site.
- 6.9.16 The applicant has made a commitment to a site-wide heat network served by CHP from a single energy centre, delivering 33% of the on-site emissions saving. The application indicates that all residential and non-residential uses will be connected to the network (albeit additional renewables will be required to supplement the non-domestic element). This approach is consistent with the London Plan guidance, where all heat uses on a site should be connected to the local heat network.
- 6.9.17 The proposed development comprises up to 1,570 residential units and up to 9,900m² of non-domestic floorspace. The development could therefore be considered by the GLA of sufficient size to be considered as a catalyst for an area wide network.
- 6.9.18 The applicant has indicated that there is no scope to include additional plant in the proposed plant room to address any considerable additional load – although they have indicated that some capacity for extension has been built in. This may not be sufficient to satisfy the GLA of the scope to use the site as a catalyst for further network expansion.
- 6.9.19 Feasibility work undertaken by AECOM on behalf of Merton Council has indicated that there is limited viability for the future development of a network beyond the immediate site boundary.
- 6.9.20 A notable exception is the proposed secondary school development at High Path that could provide an opportunity for connection. To date, this scheme is in pre-application stage.

- 6.9.21 The applicant should ensure that the plant room could provide sufficient scope for potential connection to the school (should the school development come forward), albeit the feasibility and timescales/phasing of development will need to be carefully considered. The applicant should therefore seek dialogue with the EFSA on the timescales for development of the school to fully explore whether a linked energy statement for the sites could be deemed viable.
- 6.9.22 The applicant should note that the council is unlikely to support a proposal for biomass-fired CHP due to the associated adverse air quality impacts.
- 6.9.23 The council will secure the decentralised energy network and on-site emissions reductions, in accordance with the submitted energy statement, via the use of CHP and decentralised heat network decentralised energy condition(s).

Renewable energy technologies

- 6.9.24 The applicant has provided an initial feasibility assessment of on-site renewable energy technologies and has indicated that solar PV will be used to help achieve the onsite emissions reduction targets for the non-domestic elements – amounting to 3% of site-wide emissions reductions.
- 6.9.25 The council will secure on-site use of solar PV, in accordance with the submitted energy statement, via the use of a renewable energy condition(s).

Overheating

- 6.9.26 The applicant has acknowledged the policy requirements re: overheating and cooling and has indicated that the scheme will be delivered in accordance with the Mayor's Cooling Hierarchy detailed under London Plan Policy 5.9. The applicant has indicated that the development will be assessed against CIBSE guidance TM52. Furthermore they have indicated that a dynamic assessment will be undertaken within a sample of dwellings that have been identified as having a potential risk of overheating. This will be undertaken at the detailed design stage.
- 6.9.27 The council will secure the approach to overheating analysis in accordance with the submitted energy statement via the use of a non-standard condition.

District Heating

- 6.9.28 The councils District Heating Feasibility Phase 1: Heat Mapping and Energy Master planning document should be referred to in the application in order to demonstrate compliance with London Plan policies, Merton Core Strategy and Estate Plan policies that make reference to district heating. Particular attention should be drawn to the heat maps within this report that should be very helpful in setting the

development in the wider context in district heating. It should be noted that the Eastfield's development is identified in Figure 5 -1 Merton heat demand map.

- 6.9.29 Site wide district heating schemes should be designed to operate at low temperatures. This will require that secondary side systems and domestic central heating systems are aligned with a low temperature network. One of the key challenges identified within the District Heating Feasibility Study was the difficulty in connecting a low temperature network to existing buildings that would require a higher temperature district heating network. The results of Merton's district Heating Feasibility study are based on the assumption that any district heating scheme designed to service new developments will be a low temperature network.
- 6.9.30 The council is unlikely to support a proposal for biomass-fired CHP unless it can be demonstrated that there will be no potentially adverse air quality impacts. Air quality impacts from biomass can be mitigated through careful plant design, flue design and location and demonstrated through careful dispersion modelling. Without sufficient evidence to demonstrate that air quality concerns have been addressed the council is unlikely to support a proposal for biomass-fired CHP.
- 6.9.31 The applicant should explore the potential of delivering 75% of the developments energy requirements from the district heating network, this would potentially allow the development to benefit from financial support from the Heat Networks Investment Project (HNIP).

Air Quality – District Heating

- 6.9.32 In order to help with the dispersion of flue gasses from CHP energy generation flues are normally designed to be vented at the tallest part of the development. The applicant will need to demonstrate that opting for a lower part of the development for the location of the flue will not adversely impact on air quality through dispersion modelling.

Estates Plan Policies

- 6.9.33 The applicant will need to incorporate more detailed responses to the Estate Plan Policies within their response. With respect to the sustainability policies it will require more information on the energy performance of new development compared to existing dwellings and the potential for battery storage.

6.10 Trees

- 6.10.1 The arboricultural information provided with this outline application is only useful in terms of an initial impact assessment. It does not provide a full assessment of the design and its impact on the trees. It is of limited value. There are aspects of the proposal where it affects the important trees located on Merton High Street which need to be carefully considered within the context of the proposed development. Although the Arboricultural Method Statement and Tree Protection Plan can be left to

reserved matters, I think it should be addressed at the earliest stage to show that those trees can be retained once the actual details have been properly looked at. It's not unusual for developers to provide this information as part of the full planning application.

6.10.2 On close examination of the Landscape Masterplan and Arboricultural Report, in respect the trees bordering Merton High street, I would comment as follows;

- There would appear to be some discrepancies in terms of what trees are to be removed. It would seem that the trees listed as T91, T99 and T116 would be removed, over and above those listed in the arboricultural report;
- The arb. report does briefly cover the encroachment of the new paving and whatever edging is proposed to the new landscape beds bordering Merton High Street. It is likely that there will be considerable root disruption to the retained trees and there is of losing trees as a result of changes in levels and rooting habitat.

6.10.3 A planning condition requiring any trees lost as a result of this development, or within 5 years following the completion of the development should be replaced with semi-mature London Plane trees of a minimum 30 – 35 cm girth so as to restore the amenity provided by the existing trees.

6.10.4 If you are minded to recommend a grant of outline planning permission, then I would therefore advise attaching the following planning conditions:

- i. F5 – Tree Protection
- ii. F8 – Site Supervision (Trees)
- iii. Landscaping - No development shall take place until full details of a landscaping and planting scheme has been submitted to and approved in writing by the LPA. The details shall include on a plan, full details of the size, species, quantities and location of the proposed plants. The approved works shall be carried out in the first available planting season following 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 semi-mature London Plane trees of a minimum 30 – 35 cm girth so as to restore the amenity provided by the existing trees, unless the LPA gives written consent to any variation. Reason: To enhance the appearance etc.

6.11 Flood Risk

6.11.1 The Council's Flood Risk Manager has had ongoing communication with the applicant's drainage consultants and most recently (26th February) provided the following comments on the revised details submitted with

the application:

- 6.11.2 I have reviewed the revised AECOM Drainage/SuDS Strategy (Project Number 60332278) dated Jan 2018. The report has been revised and updated to take into account my previous comments from Merton's Lead Local Flood Authority.
- 6.11.3 In summary, the following is now proposed:
- 6.11.4 It is understood that the final detailed foul and surface water strategy will be required to be submitted for the reserved matters submission. The outline SuDS strategy layout drawing can be found in Appendix A (Drawing number 60332278 - C-001). Please note that this drawing is marked as indicative. The submitted report now acknowledges that the development will be constructed in phases and calculates attenuation, SuDS measures and discharge rates for each phase. It is understood that the phasing strategy is in progress and final phasing will be determined at a later date. An indicative phasing plan is included for reference in Appendix B of the report.
- 6.11.5 The total site area encompassing all phases, i.e. 1-7, is 7.47 hectares. The area within the redline boundary (excluding phase 1) is 6.91 hectares. Based on the assumption that 80% of the existing development consists of impermeable areas, the surface water runoff calculation is based on area of 5.528 hectares. The Greenfield rate for the development was calculated at 8.9 l/s for the 1:1 year return period based on a site area of 6.91ha as shown in Appendix C. The approximate volume of attenuation based on the Greenfield runoff rate was calculated as 4681m³.
- 6.11.6 It is proposed to adopt the discharge rates as shown in Table 4 of the AECOM Drainage Strategy for each phase. The proposed overall site-wide reduction in runoff, compared to the existing discharge rate is 85.5%. This reduction is based on the existing run-off rate from the site as calculated in section 2.2.1. Therefore the proposed discharge for the development will be no greater than 101.2 l/s for a 1:100 year return period plus 40% climate change.
- 6.11.7 In order to reduce the surface water runoff by 85.5%, an attenuation volume of 3643m³ will be required for phase 2-7 as shown in Appendix E.
- 6.11.8 The report shows various forms of SuDS measures including green and brown roofs, permeable paving (non-infiltration), swales and oversized pipes/man-holes and calculates storage within each component.
- 6.11.9 The Highway Authority has not yet seen any details or proposals or had any discussions with the applicant with regards to adoption of any surfaces or road or footway layout. A number of drainage diversions are proposed. Any diversions of adopted sewers or highway drainage should be the approval of Thames Water or the Highway Authority.
- 6.11.10 Should you be minded to approve the application, please include the following conditions:

Non-Standard Condition:

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by Peter Brett Associates (ref: 32120/2010 Revision DWG 2019-PLdated February 2018). The flood risk and drainage mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future users, and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DM F1 and DMF2 and the London Plan policies 5.12, 5.13.

Non-Standard Condition:

Prior to commencement of the development hereby permitted by this planning permission, details shall be submitted to the approval of the local planning to demonstrate that finished floor levels for all residential units shall be assessed in detail and details regarding flood risk mitigation shall be submitted and approved by the Local Planning Authority. The mitigation strategy for each block shall follow this hierarchy and demonstrate that floor levels will be (i) raised above the corresponding surface water flood depth for the given block location (ii) set no lower 250mm above existing ground levels (iii) or include flood risk resistance or resilience measures up to the corresponding surface water flood depth. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's policies CS16, DM F1 and the London Plan policy 5.12.

Non-Standard Condition:

The development hereby permitted shall not be occupied until such time as a Flood Warning and Evacuation plan and procedure is implemented and agreed in writing to the satisfaction of the Local Planning Authority. The Flood Warning and Evacuation Plan shall be implemented in accordance with the submitted document included within Appendix D of the FRA Addendum by Peter Brett Associates ref: 32120/2010 Revision DWG 2019-PLdated February 2018) and the procedures contained within the plan shall be reviewed annually for the lifetime of the development. Consultation of the plan shall take place with the Local Planning Authority and Emergency Services.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's CS16 and policy DM F1 and the

London Plan policy 5.12.

Non-Standard Condition:

No development approved by this permission shall be commenced until a detailed scheme for the provision of an overarching surface and foul water drainage strategy for the whole site, and each phase, has been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The final detailed drainage scheme shall be designed at reserved matters stage in accordance with the outline details submitted in the AECOM Drainage/SuDS Strategy (ref: 32120/2010 Revision DWG 2019-PLdated February 2018) dated Jan 2018.

The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to sewer at the agreed restricted rate in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (the provision of attenuation volume is to be no less than 3643m³) and control the rate of surface water discharged from the entire site at a maximum rate of 101.2 l/s for a 1:100 year return period plus 40% climate change. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

Green and Blue roof Condition:

Prior to the commencement of development, the detailed design, specification and planting scheme for the green and brown roofs shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved, retained and maintained in perpetuity thereafter. The Green and Brown Roofs shall be designed in accordance with the drainage and attenuation measures set out in the Flood Risk Assessment produced by Peter Brett Associates

(ref: 32120/2010 Revision DWG 2019-PLdated February 2018).

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

6.12 Waste Management

- 6.12.1 I have read the attached Waste Management strategy for the High Path redevelopment
- 6.12.2 Although I support the idea of underground waste storage the methodology proposed is not compatible with our current waste collection vehicles.
- 6.12.3 For underground storage to work we require the containers to be accessible by our crews and collection vehicles at street level.
- 6.12.4 Under the proposed scheme we would need the containers to be lifted up to street level prior to collection. Please note that our vehicles are not fitted with the required cranes to lift the containers up and out of the underground reservoir as suggested in the planning document.
- 6.12.5 For the underground solution to be practical we would require hydraulic lifts to be fitted underground, below the waste containers. The system would need to be operated from street level by either our crews or by the estates caretakers.

6.13 Environmental Health

- 6.13.1 Noise
No objection, subject to conditions
- 6.13.2 Air quality
No objection, subject to conditions
- 6.13.3 Contamination
No objection, subject to conditions

6.14 Economic Development

- 6.14.1 The study undertaken by Peter Brett on Health and Socio-Economic considerations is welcomed, in particular that the development will introduce quality housing and dedicated open space that supports health

and well-being in the community.

- 6.14.2 The economic benefits, particularly around local spend of new residents; council tax, disposable income and CIL are significant positives for the development and good for Merton in general.

6.15 Public Health

- 6.15.1 We welcome that HIA has looked at the affect of vulnerable families and individuals more during the regeneration and welcome that Clarion Housing have commissioned Merton Centre for Independent Living (MCIL) to help investigate how to best contact, support and accommodate disabled people and other vulnerable groups. More importantly that this research will inform not only their rehousing processes but the continued engagement of this this section of the population throughout the regeneration work and beyond. We welcome that the HIA has looked at the health benefits to the surrounding area also. We welcome the inclusion of the Monitoring section the HIA.

7. POLICY CONTEXT

- 7.1 By virtue of s38 (6) of the Planning and Compulsory Purchase Act (2004), the starting point for the consideration of this outline planning application is the Development Plan. The Council is required to make decisions in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan for the London Borough of Merton comprises:

- The London Plan (2016);
- Merton Estates Local Plan ((2018)
- Merton LDF Core Planning Strategy (2011)
- Merton Site and Policies Plan (2014)

Any other supporting and relevant guidance

7.2 National Planning Policy Framework (2012)

- 7.2.1 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as "*a golden thread running through both plan-making and decision-taking.*"

7.2.2 For decision-taking the NPPF (2012) states that the presumption means *'approving development proposals that accord with the development plan without delay'* and where the Development Plan is *'absent, silent or relevant policies are out of-date, granting permission unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole'*.

7.2.3 The whole of the NPPF (2012) is potentially material to this application, but the specific policy areas considered directly relevant are as follows:

- Building a strong, competitive economy;
- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design; and
- Promoting healthy communities.

7.3 The London Plan (2016)

7.3.1 The London Plan (2016) is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital for the next 20-25 years.

7.3.2 The London Plan was published on 14th March 2016. The policies relevant to this application are:

2.3 Growth Areas and coordination corridors;

2.6 Outer London: vision and strategy;

2.7 Outer London Economy;

2.8 Outer London Transport;

2.13 Opportunity and intensification areas;

3.1 Ensuring Equal Life Chances for All;

3.3 Increasing housing supply;

3.4 Optimising housing potential;

3.5 Quality and design of housing developments;

3.6 Children and young peoples play and Informal Recreation Facilities;

3.7 Large residential developments;

3.8 Housing choice;

3.9 Mixed and balanced communities;

3.10 Definition of affordable housing;

3.11 Affordable housing targets:

3.12 Negotiation affordable housing on individual private residential and mixed use schemes;

3.13 Affordable housing thresholds;

3.16 Protection and enhancement of social infrastructure;

3.18 Education Facilities;

5.2 Minimising carbon dioxide emissions;

5.3 Sustainable design and construction;

5.7 Renewable energy;

5.13 Sustainable drainage;

5.15 Water use and supplies;

6.2 Providing public transport capacity and safeguarding land for transport;

6.3 Assessing effects of development on transport capacity;

6.7 Better Streets and Surface Transport;

6.9 Cycling;

6.10 Walking;

6.13 Parking;

7.2 An inclusive environment;

7.3 Designing Out Crime;

7.4 Local character;

7.5 Public realm;

7.6 Architecture;

7.8 Heritage Assets and Archaeology;

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 Community Infrastructure Levy;

7.3.3 The new consultation **draft London Plan 2017-18** is currently in consultation until 02nd March 2018. Following the close of the consultation period, the next formal step will be the holding of the Examination in Public (EiP). This will be led by an independent panel, which is expected to take place by autumn 2018. The Mayor of London is likely to publish the new London Plan by autumn 2019. The GLA's Stage 1 response refers to policies within the new consultation draft London Plan 2017. For the purposes of the determination of this planning application, officers consider that while the consultation draft London Plan 2017-18 is a material consideration, it is at a first consultation stage. This report indicates if officers have considered that the policies within the draft London Plan are a material consideration that outweighs adopted policy.

These policies are:

Policy GG1 Building strong and inclusive communities

Policy GG2 Making the best use of land

Policy GG3 Creating a healthy city

Policy GG4 Delivering the homes Londoners need 19

Policy GG5 Growing a good economy 21

Policy SD1 Opportunity Areas 28

Policy SD10 Strategic and local regeneration

Policy D1 London's form and characteristics 98

Policy D2 Delivering good design 102

Policy D3 Inclusive design 106

Policy D4 Housing quality and standards 109

Policy D5 Accessible housing 115

Policy D6 Optimising housing density 117

Policy D7 Public realm 122

Policy D8 Tall buildings 126

Policy D9 Basement development 131

Policy D10 Safety, security and resilience to emergency 132

Policy D11 Fire safety

Policy D12 Agent of Change 136

Policy D13 Noise

Policy H1 Increasing housing supply 144

Policy H2 Small sites 152

Policy H3 Monitoring housing targets 159

Policy H4 Meanwhile use 160

Policy H5 Delivering affordable housing 161

Policy H6 Threshold approach to applications 164

Policy H7 Affordable housing tenure 169

Policy H8 Monitoring of affordable housing 173

Policy H9 Vacant building credit 174

Policy H10 Redevelopment of existing housing and estate regeneration
175

Policy H11 Ensuring the best use of stock 177

Policy H12 Housing size mix 178

Policy H13 Build to Rent 180

Policy H14 Supported and specialised accommodation 185

Policy H15 Specialist older persons housing 186

Policy H16 Gypsy and Traveller accommodation 190

Policy H17 Purpose-built student accommodation 193

Policy H18 Large-scale purpose-built shared living

Policy S1 Developing London's social infrastructure 202

Policy S2 Health and social care facilities 204

Policy S3 Education and childcare facilities 208

Policy S4 Play and informal recreation 212

Policy S5 Sports and recreation facilities 214

Policy S6 Public toilets 218

Policy S7 Burial space

Policy E2 Low-cost business space 227

Policy E3 Affordable workspace 230

Policy E10 Visitor infrastructure 261

Policy E11 Skills and opportunities for all

Policy HC1 Heritage conservation and growth 268

Policy HC5 Supporting London's culture and creative industries 287

Policy HC6 Supporting the night-time economy 292

Policy G1 Green infrastructure 302

Policy G3 Metropolitan Open Land 304

Policy G4 Local green and open space 305

Policy G5 Urban greening 308

Policy G6 Biodiversity and access to nature 311

Policy G7 Trees and woodlands 313

Policy G8 Food growing 315

Policy G9 Geodiversity

Policy SI1 Improving air quality 320

Policy SI2 Minimising greenhouse gas emissions 324

Policy SI3 Energy infrastructure 329

Policy SI4 Managing heat risk 334

Policy SI5 Water infrastructure 336

Policy SI6 Digital connectivity infrastructure 341

Policy SI7 Reducing waste and supporting the circular economy 344

Policy SI8 Waste capacity and net waste self-sufficiency 347

Policy SI12 Flood risk management 359

Policy SI13 Sustainable drainage 361

Policy T1 Strategic approach to transport 402

Policy T2 Healthy Streets 403

Policy T3 Transport capacity, connectivity and safeguarding 406

Policy T4 Assessing and mitigating transport impacts 412

Policy T5 Cycling 414

Policy T6 Car parking 420

Policy T6.1 Residential parking 423

Policy T6.5 Non-residential disabled persons parking 429

Policy T7 Freight and servicing 430

Policy T9 Funding transport infrastructure through planning

Policy DF1 Delivery of the Plan and Planning Obligations

7.4 London Borough of Merton LDF Core Planning Strategy (2011)

7.4.1 The relevant policies in the Merton LDF Core Planning Strategy (2011) are:

CS.2 Mitcham;

CS.7 Centres;

CS.8 Housing choice;

CS.9 Housing provision;

CS.11 Infrastructure;

CS.12 Economic development;

CS.13 Open space, nature conservation, leisure and culture

CS.14 Design;

CS.15 Climate change;

CS.16 Flood risk management;

CS.18 Active transport;

CS.19 Public transport;

CS.20 Parking servicing and delivery;

7.5 London Borough of Merton Site and Policies Plan (2014)

7.5.1 The relevant policies in the Merton Site and Policies Plan (2014) are:

DM H2 Housing mix

DM H3 Support for affordable housing

DM C1 Community facilities

DM E2 Offices in town centres

DM E4 Local employment opportunities

DM D1 Urban design and the public realm

DM D2 Design considerations in all developments

DM D3 Alterations and extensions to existing buildings

DM F1 Support for flood risk management

DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure

DM O1 Open space

DM O2 Trees, hedges and landscape features

DM EP2 Reducing and mitigating noise

DM T2 Transport impacts of development

DM T3 Car parking and servicing standards

DM T4 Transport infrastructure

DM T5 Access to the Road Network

7.6 London Borough of Merton Estates Local Plan (February 2018)

OEP 1 Vision

OEP 2 Strategy

OEP3 Urban Design Principles

EP H1 Townscape.

EP H2 Street network

EP H3 Movement and access

EP H4 Land use.

EP H5 Open Space.

EP H6 Environmental protection.

EP H7 Landscape

EP H8 Building heights.

7.7 OTHER DOCUMENTS AND GUIDANCE

7.7.1 Mayors Affordable Housing & Viability SPG

The current London Plan seeks to maximize affordable housing provision in London and deliver mixed and balanced communities as set out in policies 3.9, 3.11 and 3.12. A consultation on this SPG ran from 29 November 2016 to 28 February 2017.

7.7.2 Mayors Housing SPG

The Housing SPG was published in March 2016 following publication of the Further Alterations to the London Plan (FALP) and the Minor Alterations to the London Plan (MALP). It provides guidance on a range of strategic policies including housing supply, residential density, housing standards; build to rent developments, student accommodation and viability appraisals. This SPG replaced the 2012 Housing SPG and the Mayor's Housing Standards Policy Transition Statement.

7.7.3 Mayors Sustainable Design & Construction SPG

This SPG provides guidance on the implementation of London Plan policy 5.3 - Sustainable Design and Construction. It also features guidance on a range of other policies, primarily in Chapters 5 and 7, which deal with matters relating to environmental sustainability.

7.7.4 Mayors Play and informal Recreation SPG

The guidance supports the implementation of the London Plan Policy 3.6 on 'Children and Young People's Play and Informal Recreation Facilities,' and other policies on shaping neighbourhoods (Chapter 7 of the London Plan), in particular Policy 7.1 on Lifetime Neighbourhoods.

7.7.5 Mayors Homes for Londoners Draft Good Practice Guide to Estate Regeneration

This is a draft Guide for consultation. Following consultation, a final version will be published by the Mayor. The document informs good practice in estate regeneration projects which will typically fall into three broad categories: maintaining good quality homes; supporting the supply of new housing; and improving the social, economic and physical environment in which those homes are located.

7.7.6 London Borough of Merton 'Planning Obligations SPD' 2006

The purpose of this SPD is to assist developers, applicants, landowners and the Council in the process of preparing planning obligations. It explains the relationship between planning obligations, planning conditions, CIL and s278 Agreements.

7.7.7 London Borough of Merton 'Archaeology SPD' (Part 1 & 2) 2004

This Guidance Note is intended to provide information and advice on the importance of archaeology when developing a site within the London

Borough of Merton. The Guidance Note is divided into 2 Sections, the first explains the importance of archaeology, both nationally and in the local context and outlines Merton's archaeological heritage. The second Section sets out the Planning Framework in relation to the development process and provides advice and guidance to owners and developers on the processes involved.

8. PLANNING CONSIDERATIONS

The main planning considerations include assessing the following:

- 8.1** Principle of redevelopment
- 8.2** Case for regeneration
- 8.3** Principle of non-residential uses
- 8.4** Principle of residential land use
- 8.5** Affordable housing
- 8.6** Housing Mix
- 8.7** Standard of Residential Accommodation
- 8.8** Residential Amenity (daylight sunlight, overshadowing, outlook noise, etc)
- 8.9** Design, Conservation & Heritage (including parameters for layout, scale and massing and impact on locality heritage assets)
- 8.10** Ecology & Trees, Open space & Landscaping
- 8.11** Biodiversity
- 8.12** Access
- 8.13** Transport
- 8.14** Sustainable design and construction and energy
- 8.15** Drainage/Flooding
- 8.16** Environmental Health: Contamination, Air Quality, Noise
- 8.17** Waste and Recycling
- 8.18** Health Impact
- 8.19** Planning obligations

8.1 Principle of redevelopment

8.1.1 The site is identified in the London Plan as an area suitable for intensification of development (Area 44 in the London Plan). The plan indicates that across London intensification areas can accommodate a further 8,650 homes and 8,000 new jobs. The plan encourages and offers support for the development by boroughs of suitable strategies to realise the potential of intensification areas.

8.1.2 London Plan policy 2.13 identifies a number of key factors in decision making in these areas including seeking to optimise residential outputs and densities, providing necessary social and other infrastructure to sustain growth and where appropriate containing a mixture of uses. Decisions should support wider regeneration and should integrate development proposals to the surrounding areas.

- 8.1.3 The annual housing target for the London Borough of Merton in the current London Plan (Table 3.1) is 411 which is set to increase by 223% to 1,328 net housing completions with the publication of the Draft London Plan (2017), and a ten-year target for the period 2019-2018 amounting to 13,280.
- 8.1.4 The plan indicates that across London 66,000 homes every year and 8,000 new jobs will be required. The plan encourages and offers support for the development by boroughs of suitable strategies to realise the potential of intensification areas.
- 8.1.5 London Plan policy 2.13 identifies a number of key factors in decision making in these areas including seeking to optimise residential outputs and densities, providing necessary social and other infrastructure to sustain growth and where appropriate containing a mixture of uses. Decisions should support wider regeneration and should integrate development proposals to the surrounding areas.
- 8.1.6 Since 2014 the Council has been exploring the regeneration of the High Path and two other large housing estates managed by the applicant (Eastfields and Ravensbury Estates) in consultation with residents, the Mayor of London, TfL and Clarion (the applicant, previously known as Circle Housing Merton Priory). Development proposals such as the Estates Regeneration Project are essential in assisting the Borough meet this regional target.
- 8.1.7 Since 2014 the Council has been exploring the regeneration of the High Path and two other large housing estates (Eastfields and Ravensbury Estates) managed by the applicant, Clarion (previously known as Circle Housing Merton Priory) in consultation with residents, the Mayor of London, TfL and Clarion.
- 8.1.8 The public consultation on the Main Modifications to Merton's Estates Local Plan has been developed through various rounds of consultation and revisions, closed on 7th November 2017. Following the publication of the Inspector's report in December 2017, the Estates Local Plan was formally adopted in February 2018
- 8.1.9 The plan's purpose is to shape and guide any redevelopment proposals on this and the other two estates that come forward within the next 10-15 years. The plan is a material consideration in planning, for the delivery of new homes and to meet housing targets, improve the building fabric and to improve infrastructure on the three estates. The plan recognizes the opportunities presented on High Path to sustain much higher densities.
- 8.1.10 This planning application relates to the masterplan phases 2-7 of the regeneration of the High Path Estate. Phase 1, which included the Old Lamp Works, and provided for the delivery of 134 new homes including 80 affordable homes, was approved under a separate application (ref: 16/P3738) by the Planning Committee, on 16th March 2017. Phase 1 provides the kick start for the regeneration of the High Path estate, in order to deliver new homes for existing residents, without having to move residents off-site.

8.2 Case for regeneration

- 8.2.1 The proposal involves the phased demolition and redevelopment of High Path Estate. Currently there are 608 residential units on the estate and a scattering of non-residential uses including community facilities and a small commercial unit. The estate was constructed over a 30 plus year build out period dating back to 1950's. The proposal will provide
- 8.2.2 When Merton Council transferred it's housing stock to Clarion, part of the transfer agreement was for Clarion to improve the quality of accommodation up to Decent Homes standard. Clarion identified that the work required significant maintenance, refurbishment and financial investment to achieve the required standard and narrowed down their options to the most cost effective way of delivering longer term sustainable Decent Homes standards through regeneration which allows for the provision of new, well designed, energy-efficient homes that will meet the needs of residents now and in the future.
- 8.2.3 Paragraph 1.33 of the adopted Estates Local Plan states, *'It is the council's view, supported by Clarion Housing Groups evidence that whilst incremental refurbishment and Decent Homes works would improve the internal housing quality in the short to medium term, regeneration provides an opportunity to deliver comparatively more significant positive changes to the three neighbourhoods and a once in a generation opportunity to improve the quality of life for current and future residents.'*
- 8.2.4 A string of benefits related to regeneration are identified in the ELP para. 1.34, including high quality well-designed neighbourhoods, wider housing mix, more private space for residents, better quality green spaces and community facilities and the creation of job opportunities.
- 8.2.5 This is in line with paragraph 111 of the National Planning Policy Framework (NPPF) which encourages the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of a high environmental value.

8.3 Principle of non-residential uses

- 8.3.1 The applicant proposes up to 9,000sq.m of non-residential floor space, this will include 2,700sq.m of shops (A1), financial services (A2), restaurants and cafes (A3), drinking establishments (A4), and up to 5,350sq.m of offices (B1) including 1,250sq.m of flexible work units, and up to 1,250sq.m of community (D1) and 600sq.m gym/leisure facilities (D2). The reprovision of the existing convenience shop and community centre on site will be included within this provision of non-residential floorspace.
- 8.3.2 Policy DMR2 of the Merton Sites and Policies Plan (2014) sets out how proposals relating to the scale and function of proposed development outside of Merton's town centres will be considered. Specifically, the policy requires that there is a sequential test and impact assessment submitted which is proportionate to the scale of the development

proposed and satisfies the council's requirements, the vitality and viability of Merton's existing town centres must not be not harmed, and local convenience development outside town centres may not exceed 280sq.m of net retail floorspace.

8.3.3 Paragraph 1.25 of policy DMR2 states 'In accordance with Merton's Core Planning Strategy, impact assessments may be required for any retail proposals located edge-of-centre or out-of-centre where the net floor area exceeds 280 sqm. In accordance with the National Planning Policy Framework 2012 (NPPF), impact assessments will be required for leisure and office development above 2,500 sqm located outside town centres and not in accordance with the development plan.'

8.3.4 Policy EPH4 of the Estates Local Plan, relates to land use in the High Path Estate and states under that 'a) Non-residential uses may be appropriate to support employment, community activities and street vibrancy.' The council supports the reprovision of the existing convenience shop in Pincott Road, however paragraph 3.175 requires that 'any proposed new local convenience shop which is located outside the designated town centre and parades boundary and is above 280sq.m will be subject to sequential test and impact assessment.'

8.3.5 A Commercial Report and Floorspace Assessment has been submitted as part of this application and reviewed by independent assessors on behalf of the LPA. The results of the independent assessment are summarised as follows:

Sequential test

8.3.6 The application site is in an out of town centre location and national, regional, and local policy generally considers town centre type uses should be located within main town centres in order to ensure their viability and vitality.

8.3.7 The NPPF advises that Local Planning Authorities (LPAs) should apply a 'sequential test' to planning applications for main town centre uses that are not in an existing town centre and are not in accordance with an up-to-date Local Plan. LPAs should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. The NPPF also advises that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre and that applicants and LPAs should demonstrate flexibility on issues such as format and scale.

8.3.8 The NPPF advises that when assessing applications for retail, leisure and office development outside of town centres, LPAs should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (which is 280sq.m in Merton). This should include assessment of:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of

the proposal; and

- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.
- 8.3.9 The NPPF advises that where an application fails to satisfy the 'sequential test' or is likely to have significant adverse impact on one or more of the above factors, it should be refused.
- 8.3.10 The applicant has carried out a 'sequential test' in respect of the proposed non-residential proposal. The nearest designated centres are Collier Wood District Centre, Wimbledon Town Centre and Morden District Centre. If the Council is satisfied the proposed development will not have a significant adverse effect on designated town centres, then the availability of suitable sites within and on the edge of designated centres should be considered.
- 8.3.11 The results of the sequential test demonstrate that cumulatively vacant floorspace within the four designated centres is capable of accommodating most if not all of the proposed retail, leisure and office uses, but this would require a significant level of disaggregation and would not deliver development that is suitable or closely similar.
- 8.3.12 The two development sites identified by the applicant which appear to be capable of accommodating the scale of development proposed. However, the availability of these sites for development in a similar timeframe is unclear. Based on the information provided, there is no clear indication these sites that are available and suitable to accommodate a closely similar development within the same timeframe. On this basis the sequential approach has been satisfied.

Retail Impact Assessment

- 8.3.13 The NPPF (paragraph 26) indicates that impact assessments are required for retail, leisure and office development located outside of town centres and not in accordance with an up to date plan.
- 8.3.14 Paragraph 26 of the NPPF suggests, where there is no locally set floorspace threshold within an up to date development plan, then retail impact assessments will only be required for developments of 2,500 sq.m gross or more. The application proposals are expected to provide up to 2,700 sq.m of Class A1 to A5 uses, 4,100 sq.m of B1 office use and up to 1,850 of Class D1 and D2 uses. The main town centre uses proposed exceeds the minimum impact threshold.
- 8.3.15 NPPF states that planning applications for town centre uses should be assessed against:
1. the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

2. the impact of the proposal on the town centre vitality and viability, including local consumer choice and trade in the town centre and wider area.
- 8.3.16 If a proposal is likely to lead to a significant adverse impact then it should be refused.
 - 8.3.17 Cumulative impact (i.e. taking into account recent development, under-construction schemes, extant planning permissions or allocations) is not referred to in the NPPF. Even if commitments are not explicitly mentioned in the NPPF impact tests, they will be “other material considerations” that the decision-taker may take into account and attach weight to; they may affect the vitality and viability of a town centre over the 5 year period for which impact assessments are required.
 - 8.3.18 The highest levels of impact are expected to fall of local convenience stores that are not located within designated centres i.e. at South Wimbledon. Impact on designated town centres is expected to be offset by growth in expenditure between the base year, 2016 and design year, 2021.
 - 8.3.19 The independent assessment concluded that predicted levels of retail impact are not significant and will not harm the vitality and viability of any designated centre.

Employment floorspace

- 8.3.20 As indicated in the previous section, the NPPF (paragraph 26) indicates that impact assessments are required for office development over 2,500sq.m located outside of town centres and not in accordance with an up to date plan. This proposal seeks permission for 4,100sq.m of B1 office use therefore an impact assessment is required.
- 8.3.21 The independent assessment for High Path Estate proposals identified that the development has the potential to account for between 17% to 42% of the latest net office requirement in the Borough up to 2035. There is a future shortfall of office space, particularly for larger floor-plate office premises in Wimbledon town centre and incubation premises for start-up firms. In this respect the application proposal can be viewed as beneficial in terms of meeting a specific identified need.
- 8.3.22 The independent assessment concluded that there appears to be sufficient projected demand to fill vacant office floorspace in Wimbledon town centre and the application proposals. Planned investment within the town centre has either been pre-let or is not at a sufficiently advanced stage to be afforded protection. The High Path Estate is unlikely to attract large cooperate office occupiers and compete with Wimbledon town centre.
- 8.3.23 It is considered that the proposed non-residential element of the development has been justified in terms a sequential test and that it would not compromise the viability of existing or proposed retail facilities in the locality. Should this application be approved, it is recommended that the retail floorspace proposed by the applicant and which formed the basis of the impact assessment be secured by a planning condition. The

proposed retail unit would also create an estimated 51 full time employment positions at the application site, which will help to reduce unemployment levels within both LBM

8.4 Principle of residential land use

- 8.4.1 Policy CS. 9 within the Council's Adopted Core Strategy (2011) and Policy 3.3 of the London Plan (2016) state that the Council will work with housing providers to provide a minimum of 4,107 additional homes (411 new dwellings annually) between 2015 and 2025. As stated earlier in section 8.1, this housing target has been increased significantly with the adoption of the Draft London Plan (2017). The estates regeneration will provide a sizeable contribution to meeting Merton's Strategic housing target.
- 8.4.2 There are 608 residential units existing on the high Path Estate, and the applicant proposes the phased demolition and redevelopment of up to 1,570 new residential units. The estates Local Plan Policy EP H4 for the High Path Estate states that the primary land use for the Estate will be residential, to accord with the predominant land use of the existing site and surrounding area.
- 8.4.3 Phase 1 of the comprehensive phased regeneration of the estate, is to be located on the Old Lamp Works, allocated as site 46 in the Merton Sites and Policies Plan 2014. Full planning permission was granted in March 2017 for phase 1 which consists of 134 units and associated landscaping and car parking. That part of the site that lies outside of the boundary of this outline planning application and the Estates Local Plan, however, it presented an opportunity as a kick-start site for the redevelopment. This has allowed for Clarion to be able to offer existing residents to be decanted directly into their new homes, as the first new units will be built on neighbouring disused industrial and garage sites.
- 8.4.4 In the above context, the principle of the redevelopment of the site for a residential use is compliant with national, regional and local planning policy.

8.5 Affordable housing

- 8.5.1 London Plan Policies 3.9, 3.11 and 3.12 require the maximum reasonable amount of affordable housing to be delivered in all residential developments above ten units and provide for mixed and balanced communities.
- 8.5.2 The Mayor's Affordable Housing Viability SPG, 2017 introduces a threshold approach to viability, where the approach to viability information differs depending on the level of affordable housing provision being provided. The SPG introduced a fast-track route to applications that meet or exceed 35% affordable housing provision.
- 8.5.3 Applicants who do not meet this minimum threshold of affordable housing provision or require public subsidy to do so, must submit detailed viability

information to be scrutinised by the LPA and potentially the Mayor, to determine whether a greater level of affordable housing could viably be supported. The applicant submitted a detailed viability assessment with this outline planning application and the Council has employed independent viability assessors to scrutinise the results.

- 8.5.4 The SPG requires that where permission is granted, review mechanisms should be applied to ensure that the maximum reasonable amount of affordable housing, up to 50 per cent is provided. A two stage viability review assessment; an early stage review and a late stage review, will be required. The SPD also allows for mid-term reviews for longer term phased schemes such as this Estates Regeneration. This application is being recommended for grant therefore a review clause is set out as part of this application's s106 agreement in line with the Mayor's SPG.
- 8.5.5 The SPG also sets out that, where the Mayor considers that affordable housing opportunities for affordable housing may have been missed for reasons such as the unsatisfactory provision or insufficient scrutiny of viability information, the Mayor may choose to 'call in' the application, which means that that he is to be the Local Planning Authority for the purposes of determining an application.
- 8.5.6 Policy CS 8 within the Core Strategy states that for new development involving housing of 10 or more dwellings the affordable housing target is for 40% of the units to be affordable of which the desired tenure mix should be 60% social rented and 40% intermediate. Furthermore, the policy states that in seeking affordable housing provision the Council will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.
- 8.5.7 Policy CS 9 states that the Council will support the provision of well designed housing, located to create socially mixed and sustainable neighbourhoods, including the redevelopment of poor quality existing housing and not support proposals that result in a net loss of residential units, or net loss of affordable housing units.
- 8.5.8 The application received 4 letters of objection regarding housing which is addressed in this section.
- 8.5.9 In terms of affordable housing provision, there will be no net loss in affordable housing on the High Path Estate. It is important here to note that this includes the reprovided affordable homes included in the Phase 1 'kick-start' site, which already benefits from full planning permission (ref: 16/P3738), as it is linked to the outline planning application in terms of viability. The comprehensive masterplan will therefore provide 357 affordable homes (790 affordable habitable rooms), which is equivalent to the number of affordable homes existing, plus an additional 76 affordable habitable rooms, because larger affordable homes are proposed to accommodate existing issues of overcrowding.
- 8.5.10 As part of this application, 277 affordable homes for Phases 2-6 (18% by unit; 20% by habitable room) would be provided. The affordable units will all be rented accommodation to provide replacement homes for the

existing tenants of the High Path Estate. As there are no existing intermediate tenures to be decanted, therefore no intermediate tenures are proposed. The applicant has committed to providing new homes to existing tenants at the same rental levels as their existing tenancies.

- 8.5.11 The applicant has applied about £21million of the Mayor's grant funding into the scheme to maximise the provision of affordable homes delivered as part of this scheme in line with the SPG which aims to support Registered Providers to deliver programmes with at least 50% or 60% affordable housing.
- 8.5.12 It is acknowledged that there is a shortfall in affordable housing provision in line with the Borough target as set out under Policy CS 8. Financial Viability Assessment has been undertaken and submitted as part of this application, which revealed that 24% of affordable housing (on a habitable room basis) (based on the indicative accommodation schedule and inclusive of Phase 1) is the maximum reasonable amount of affordable housing that can be delivered at High Path, having regard to the financial viability of the Merton Estates Project as a whole.
- 8.5.13 High Path is the largest estate within the programme and is located in the highest value area. The applicants have promoted a single regeneration programme is that the regeneration of the High Path Estate is financially more viable than Eastfield or Ravensbury Estates. In order to ensure that all three progress to delivery cross subsidisation is needed so that surpluses from High Path could be used to plug viability gaps in the other two estates. Comprehensively, the three estates when taken as a whole, provide 27% affordable homes or 726 affordable rented units. If the three estates were redeveloped on an individual basis, it would not be possible to deliver the programme as proposed through the outline planning applications.
- 8.5.14 The NPPF states in Paragraph 173 that careful attention to viability should take place to ensure that the burden of required or necessary planning obligations, such as affordable housing, do not threaten the viability of development, and provide a competitive return to willing land owners and developers when taking the normal costs of development into account. Assessing viability demonstrates the scale of planning obligations which are appropriate. However, the NPPF is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and that these safeguards cannot be secured, planning permission should not be granted for unacceptable development.
- 8.5.15 The Local Planning Authority appointed independent viability consultants to review the assessment submitted by the applicant and verify the conclusions of the assessment. The independent assessment confirmed the fundamental role that value generation in High Path has in cross-subsidising the delivery of the other estates. On a standalone basis the High Path Estate generates a level of return which would suggest a higher on-site affordable housing provision may be supported. However, in contrast the level of return generated at Ravensbury and Eastfields is

far below that which could justify the regeneration proposals put forward.

- 8.5.16 The overall return generated by the project reflects the applicant's intention to both re-provide all affordable tenure units, whilst providing a sustainable balance of tenures across replacement homes, private rented and private sale. In doing so Clarion have sought to deliver a significant quantum of private rented homes across the High Path Estate.
- 8.5.17 The report highlighted a number of potential variances in the Financial Viability Appraisal the cumulative effect of these potential variances will actually reduce the viability of the overall programme. The report concluded that there is not capacity for the development to fund additional affordable housing or other planning gain at this stage (BBP High Path Viability Assessment, para. 6.19). It is therefore considered that the resulting affordable housing offer meets policy objectives.
- 8.5.18 Notwithstanding the offer of 27% affordable rented accommodation, it would be prudent for a legal agreement to ensure that this is the minimum proportion of units to be provided as affordable housing with at least 60% providing rented accommodation. Therefore, a S106 legal agreement will be entered into between the applicant and the Council, as part of the application process, providing a review mechanism as required by the Mayor's SPG, detailed above.
- 8.5.19 A clawback review mechanism, will provide the Council with an opportunity, to review the viability of the development in terms of affordable housing provision, at a later stage. For instance, as of each of the subsequent applications for the detailed phases of the masterplan come forward, an updated viability assessment will evaluate the outturn cost and achieved sales values of the scheme, to determine whether a greater level of affordable housing provision or contribution may be achievable.

8.6 Housing Mix

8.6.1 The accommodation mix of the proposed 1570 units is as follows:

Unit Type	Total No. Units	% Units
Studios	163	10
1 Bed	552	35
2 Bed	686	44
3 Bed	160	10
4 Bed	9	1
Total	1570	

8.6.2 London Plan Policy 3.8, together with the Mayor's Housing SPG seeks to

promote housing choice and a balanced mix of unit sizes in new developments, with particular focus on affordable family homes. Family sized accommodation is taken in the London Plan and LBM policy to include any units of two bedrooms or more. In this instance, this would equate to 855 of the proposed units (56%) providing family sized accommodation.

- 8.6.3 Of the total 1570 units, 277 would be for affordable housing (affordable rent), to accommodate the reprovided units which currently exist on the estate.
- 8.6.4 Paragraph 9 of the NPPF states that sustainable development involves seeking positive improvements in the quality of the built environment including widening the choice of high quality homes. The NPPF recognises that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic trends, market trends and the needs of different groups should be provided.
- 8.6.5 At the regional level, London Plan Policy 3.8 states that boroughs should seek to ensure that new developments offer a range of housing choices in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.
- 8.6.6 London Plan Policy 3.9 further seeks a more balanced mix of tenures in all parts of London. This is emphasised within the Mayor's Housing SPG which provides further guidance to aid the delivery of a wide choice of quality homes and a mix of housing that meets local and strategic demand.
- 8.6.7 At the local level, the Council's Sites and Policies DM H2 requires mixed and balanced communities and sets out the Council's priority for a choice of housing with respect to dwelling size and type in the borough. This policy recognises the need of housing of families with children, single person households and older people by providing a mix of dwelling sizes. Policy DM H2 reiterates Core Planning Strategy Policy CS8 and sets out the Council's preferred housing mix for mainstream market housing schemes which states that there should be a varied mix of units across the development, with the indicative percentage being as follows: 33% 1 bedroom units, 32% 2 bedroom units and 35% 3 bedroom units. Currently the estate comprises only one bed flats and three bed houses.
- 8.6.8 The proposals comprise a sustainable mix of tenure and dwelling types and sizes. The proposed development comprises a high proportion of two bedroom and single person units to comply with the objectives of the policies noted above. The proposed development seeks to provide the following mix of unit sizes to cater for the socially mixed community within the borough; 315 x 1 bed units (39%), 319 x 2 bed units (40%), and 166 x 3 bed units (21%).
- 8.6.9 Although the percentage of three bedroom family units are lower than the policy requirement, nevertheless 20% of the proposal would comprise of three bedroom units and it is considered that the proposed mix has been developed following careful consideration of the local characteristics of the site, market trends and demands, demographics and the desire to

optimise the development potential of this brownfield regeneration site. There are no two-bed units in the current estate so the addition of 319 two-bed homes represents a substantial increase in numbers and housing choice in the local area.

- 8.6.10 Overall, the proposed mix provides a range of unit types and sizes across the development and is considered wholly appropriate for the borough. The variety of units proposed would assist in creating a socially mixed and balanced community whilst meeting identified local needs, in accordance with the objectives of the London Plan Policies 3.8 and 3.9, Core Planning Strategy Policy CS8, Sites and Policies Plan DM H2.

8.7 Affordable Housing Review Mechanism

- 11.22 The Mayor's Affordable Housing and Viability SPG 2017 states that in order to maximise affordable housing delivery in the longer term and to acknowledge the potential for significant changes in values in the housing market the use of review mechanisms should be applied within s106 'Heads of Terms', which is also fully supported in the London Plan.

- 11.23 Review mechanisms allow increases in Section 106 contributions to reflect changes in the value of a development from the date of planning permission to specific stages of the development programme. Such approaches are intended to support effective and equitable implementation of planning policy while also providing flexibility to address viability concerns such as those arising from market uncertainty.

- 11.24 It is noted that the GLA's comments on the planning applications for each of the three Merton estates draws attention to the need to put in place financial viability review mechanisms in accordance with the draft London Plan and the Mayor's Affordable Housing and Viability SPG. The SPG contains a series of formulas which should provide a useful set of principles around which review mechanisms can be developed.

- 11.25 The January 2018 BBP review of the Financial Viability Assessments highlights the high sensitivity of financial performance to changes to variables which will inevitably arise due to a range of policy, market and economic factors over the duration of the regeneration programme. Whilst the January 2018 review concluded that there was no financial headroom to provide additional affordable housing and planning gain at this stage, this situation could change over the 10-15 year lifetime of the project and it is possible that future phases may be able to support additional contributions.

- 8.1** 11.26 For these reasons, the LPA will be putting in place an effective review mechanism. This will be robust and have longevity over the duration of the programme. There will be a need for an agreed 'financial model', agreed thresholds/trigger points and formulas for converting surpluses into additional planning gain. The timing of reviews would also be considered.

8.2 Standard of residential accommodation

- 8.2.1 London Plan policies 3.5, 3.6, 3.7, 3.8, CS policy CS 14, and SPP policies DMD1 and DM D2 seek to ensure that new residential

development is of a high standard of design both internally and externally and provides accommodation capable of adaptation for an ageing population and for those with disabilities, whilst offering a mix of unit size reflective of local need.

Density

- 8.2.2 The London Plan includes a density matrix (Table 3.2) as one part of a wider policy to optimise development on sites in different settings, with different levels of public transport and accommodating homes of different sizes. The density ranges within the table are sufficiently wide to accommodate the wide range of policy considerations which must be taken into account when optimising development at a particular location. Development at densities outside these ranges will still be considered however require particularly clear demonstration of exceptional circumstances. Exceptionally, higher or lower densities on individual developments may be acceptable where these can be clearly and robustly justified by local circumstances. However densities at High Path are not fixed and can only be quantified on the tenancy mix provided for the benefit of illustrating one of the ways in which the units may be proportioned. However, this detail of housing mix and unit sizes is subject to change through the course of the 10-15 year term of the redevelopment, as this is an outline application with all matters reserved.
- 8.2.3 3 letters of objection were received regarding density of the development and this is addressed here.
- 8.2.4 The density ranges recommended in Table 3.2 of the London Plan are not meant to be applied mechanistically and PTAL alone is not an appropriate measurement to inform residential density and the Draft London Plan 2017, removes the density calculation table entirely. In accordance with paragraph 1.3.41 of the Mayor's Housing SPG, in order to be acceptable, any development will need to be of the highest standards of design, and provide high quality residential accommodation that is well designed, and delivers an appropriate mix of units, with sufficient play and amenity space.
- 8.2.5 In response to objections received during the consultation phase of this application, it is considered that the proposed residential quality will be of a high enough standard to justify the higher density proposed and the high PTAL location further supports this.
- 8.2.6 Furthermore, the consultation draft London Plan 2017 Policy D6 *Optimising Housing Density* focusses on delivering developments at the optimum density by using a design-led approach to determine the capacity of the site. The density matrix has been removed from the consultation draft London Plan in favour of a design-led approach to optimising the potential of the site.

Unit sizes and Layout

- 8.2.7 As this is an outline planning application with all matters reserved, details of unit sizes and layouts are not being determined as part of this planning application. However, in the Design and Access Statement, indicative

layouts have been provided to show how each of the building typologies may work in practice, while the Design Code states that all units must comply with relevant minimum space standards as set out in Table 3.3 of the London Plan.

- 8.2.8 London Plan policy 7.1 considers that development should be designed so that the layout, tenure and mix of uses interface with the surrounding land. Policy 7.4 requires, amongst other matters, that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including the following: that buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm. Policy 7.7 of the London Plan states that tall and large buildings should be part of a plan-led approach to changing or developing an area. Applications should include an urban design analysis and address a number of criteria. Sites and Policies Plan policies DM D1 and DM D2: as well as LBM Core Strategy Policy CS14 are all policies designed to ensure that proposals are well designed and in keeping with the character of the local area. Policy EP H1 of the Draft Estates Local Plan sets out a number of criteria that should be addressed. Proposals will be expected to integrate well with the surrounding urban form in terms of layout, scale and massing, whilst making the best possible use of land.
- 8.2.11 Policy EP H8 states that taller buildings may be considered appropriate to facilitate intensified use of the site. Building heights must be based on a comprehensive townscape appraisal and visual assessment.

Residential Amenity

- 8.2.12 DM D2 states 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.
- 8.2.13 This is a high density residential scheme intended to financially enable the proposed regeneration at this and two other estates forming part of the whole programme. Typically, as a scheme of this density, normal separation distances between new dwellings cannot always be achieved. A degree of flexibility is required for large scale schemes such as this and which are located within constrained sites.
- 8.2.14 The design code submitted as part of this outline application sets the principles for the strategic design of the phased development. The Council's Urban Design Officer has highlighted a number of areas in the design code which could benefit from improvement, clarification. Therefore, a revised design code will be conditioned to be submitted for approval by the LPA prior to submission of reserved matters for any phases of the development.

Daylight, Sunlight and Overshadowing

- 8.2.15 In support of the application the applicants have conducted a detailed survey and submitted a report that considers the potential daylight, sunlight and overshadowing effects of the proposals on surrounding residential properties. The methodology used follows Building Research Establishment best practice guidance and examines a number of recognized factors including Vertical Sky Components and Average Daylight factors.
- 8.2.16 The BRE Guide contains two tests, which measure diffuse daylight to windows. The first test is the Vertical Sky Component [VSC] (expressed as a percentage of the sky visible from the centre of a window).
- 8.2.17 The second test is daylight distribution; the BRE guide states that where room layouts are known, the impact on the day lighting distribution can be found by plotting the 'no sky line' in each of the main rooms. As detailed designs are not for approval as part of this outline planning application, the daylight/sunlight study has been considered as an illustration of what conditions may arise a result of the approved parameter plans.
- 8.2.18 It should be noted that a sunlight assessment only needs to be undertaken in relation to windows of neighbouring properties, which face within 90 degrees of due south. Sunlight may be affected if after a development the centre of the window receives less than 25% of annual probable sunlight hours and less than 0.8 times its former sunlight hours or it has a reduction in sunlight received amongst the winter months to less 5% of annual probable sunlight hours and less than 0.8 times its former value.
- 8.2.19 The results of the VSC assessment show that a large number of units will experience negligible to minor impacts from the proposed development. The results of the NSL analysis identified that the rooms assessed will retain good levels of daylight after proposed development is in place. The No-Skyline analysis can be considered more detailed than VSC analysis as it takes into account the internal layouts as well as all the windows serving the rooms.
- 8.2.20 The results of the Probable Sunlight Hours test show that surrounding properties analysed will, in general, retain good levels of sunlight with proposed development in place both on an annual basis and that during the winter period. This ensures that opportunities for passive solar gain in winter are preserved.
- 8.2.21 The results of the Probable Sunlight Hours analysis for the Maximum Parameter option show that good levels of sunlight will be achieved by surrounding properties on an annual basis and that during the winter period.

The following table is taken from the applicant's daylight/sunlight assessment report and shows a summary of the results for the Vertical Sky Limit and No Sky Limit calculations for daylight/sunlight impacts on

surrounding properties.

Table 7.1. Summary of the results for daylight (VSC) calculation

VSC Parameter	negligible	minor	moderate	significant	Grand Total
Abbey Road	80	4	12	1	97
Merton High Street	88	8	147	1	244
Morden Road	20	4	64	5	93
Nelson Grove Road	11	15	11	32	69
High Path (Merton Abbey Primary School)	0	0	1	6	7
Rodney Place	52	0	0	0	52
High Path	6	0	0	0	6
Merton Road	1	0	0	0	1
Grand total	258	31	235	45	569

Table 7.2. Summary of the results for daylight (NSL) calculation

NSL Parameter	negligible	minor	moderate	significant	Grand Total
Abbey Road	68	1	9	0	78
Merton High Street	107	20	23	4	154
Morden Road	37	17	21	10	85
Nelson Grove Road	35	2	8	4	49
Merton Abbey Primary School	3	2	0	0	5
Rodney Place	32	2	0	0	34
High Path	3	0	0	0	3
Merton Road	1	0	0	0	1
GrandTotal	286	44	61	18	409

8.2.22 The results of the analysis (Vertical Sky Component and No-Sky Line) for the Maximum Parameters option (above) show that reasonable levels of daylight will generally be achieved across the properties tested.

Table 8.1 and 8.2 Summary of the results for sunlight (APSH and WPSH) calculation

APSH Parameter	negligible	moderate	significant	NA*	Grand Total
Abbey Road	93	1	0	3	97
Merton High Street	244	0	0	0	244
Morden Road	46	13	34	0	93
Nelson Grove Road	0	0	0	69	69
High Path (Merton Abbey Primary School)	0	0	0	7	7
Rodney Place	8	0	0	44	52
High Path	1	0	0	5	6
Merton Road	1	0	0	0	1
Grand total	393	14	34	128	569

WPSH Parameter	negligible	minor	moderate	significant	NA*	Grand Total
Abbey Road	92	1	0	1	3	97
Merton High Street	203	0	0	41	0	244
Morden Road	72	0	1	20	0	93
Nelson Grove Road	0	0	0	0	69	69
High Path (Merton Abbey Primary School)	0	0	0	0	7	7
Rodney Place	8	0	0	0	44	52
High Path	1	0	0	0	5	6
Merton Road	1	0	0	0	0	1
Grand total	377	1	1	62	128	569

*NA stands for Northern Aspect

8.2.23 The results of the analysis for the Maximum Parameters option (above) show overall sunlight access for the surrounding properties will remain good even with the proposed development in place.

8.2.24 The applicant submitted an addendum report which analysed the available daylight/sunlight to the proposed amenity spaces based on the

same methodology as for the assessment on the surrounding areas.

8.2.25 Ten proposed amenity or open spaces (OpSp) within High Path masterplan have been analysed in terms of the overshadowing criteria, and they represent the communal courtyards of each block and the public open space (OpSp 7) at the heart of the masterplan as shown in the table below:

Table 2 Overshadowing tabulated results for Maximum Parameters Height option

MPH	% area with more than 2 hrs. of sun	% area in shadow (< 2 hrs.)	Meets Discretionary BRE Criteria
OpSp_MPH_1	7%	93%	No
OpSp_MPH_2	17%	83%	No
OpSp_MPH_3	18%	82%	No
OpSp_MPH_4	3%	97%	No
OpSp_MPH_5	48%	52%	Marginal falls below
OpSp_MPH_6	70%	30%	Yes
OpSp_MPH_7	100%	0%	Yes
OpSp_MPH_8	15%	85%	No
OpSp_MPH_9	78%	22%	Yes
OpSp_MPH_10	42%	58%	Marginal falls below
ALL	61%	39%	YES

8.2.26 The Maximum Parameter Height option, illustrated that open spaces 6, 7 and 9 fully comply with BRE discretionary guidance and receive 2 hours of direct sunlight on more than 50% of the area. Open spaces 5 and 10 marginally fall below the BRE criteria; however, the northernmost portions of both open spaces receive at least 2 hours of the direct sunlight and therefore can be used most of the year around. In the summer when these spaces are most likely to be used, the spaces will receive direct sunlight for over 5 hours of the day. Open spaces 1, 2, 3, 4 and 8 will have the majority of their areas in shade on 21st March, but when these spaces are most likely to be used in the summer, they will all receive more than 2 hours of direct sunlight.

8.2.27 Overall the proposals meet the discretionary BRE criteria, with 74% of the proposed amenity space receiving at least 2 hours of direct sun in the Indicative masterplan and 61% receiving at least 2 hours of direct sun in the Maximum Parameters height option, on 21st March, which is acceptable.

8.2.28 A number of objections were received on the application relating to the impact on daylight sunlight and overshadowing. Based on the maximum parameters being determined as part of this application, acceptable levels of daylight/sunlight and good outlooks and levels of privacy between units are expected. However, the results shown here may be improved upon in the detail design of the application where scale, layout and access will be determined. Therefore, the Council will condition further details to be submitted at each of the development phases which will assess

daylight/sunlight and overshadowing in more detail.

8.3 Heritage & Design

Archaeology

- 8.3.1 The site lies within an Archaeological Priority Zone and as such the application was accompanied by a desk based Archaeological Assessment. Following assessment by Historic England, the Archaeological Assessment is recommended for approval subject to the completion of a field evaluation to determine appropriate mitigation. Officers therefore recommend that a suitably worded condition should secure a two-stage process of archaeological investigation.
- 8.3.2 High Path Estate is located in an Area of Intensification (No.44 London Plan 2016) and in an area with good access to public transport (PTAL 4-5). Policy CS14 of the Council's Core Strategy at paragraph 22.20 that tall buildings may be suitable in areas of the borough where three factors are present: regeneration or change is envisaged; good public transport accessibility; and, existing higher building precedent. Policy EP H8 of the Pre-Submission Estates Local Plan states that taller buildings may be considered appropriate to facilitate intensified use of the site. Such buildings must be located in appropriately and relate well to the surrounding context and public realm, particularly at street level.
- 8.3.3 London plan policy 7.7 (Location and design of tall and large buildings) states that the location of a tall or large building, its alignment, spacing, height, bulk, massing and design quality should identify with and emphasise a point of civic or visual significance over the whole area from which it will be visible. Ideally, tall buildings should form part of a cohesive building group that enhances the skyline and improves the legibility of the area, ensuring tall and large buildings are attractive city elements that contribute positively to the image and built environment of London. In terms of building heights, blocks A and B exceed 30m in height and therefore require an assessment against the criteria set out in Policy 7.7 of the London Plan.

Grade II Listed Building

- 8.3.4 In the north west of High Path is Wimbledon Station, a Grade II Listed Building. The proposed development will abut the boundary shared with the station. The Listing states:
- 8.3.5 This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.
- 8.3.6 Name:
LONDON REGIONAL TRANSPORT STATION,INCLUDING
ADJACENT SHOPS TO LEFT AND RIGHT SOUTH WIMBLEDON
LONDON REGIONAL TRANSPORT STATION

8.3.7 List entry Number: 1358037

8.3.8 Location:

LONDON REGIONAL TRANSPORT STATION,INCLUDING
ADJACENT SHOPS TO LEFT AND RIGHT, MORDEN ROAD SW19
SOUTH WIMBLEDON LONDON REGIONAL TRANSPORT
STATION, HIGH STREET SW19

The building may lie within the boundary of more than one authority.

County: Greater London Authority

District: Merton

District Type: London Borough

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 25-Jun-1987

Date of most recent amendment: Not applicable to this List entry

8.3.9 Asset Groupings:

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

8.3.10 List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details..

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details..

History

Legacy Record - This information may be included in the List Entry Details..

Details

LONDON BOROUGH OF MERTON MORDEN ROAD, SW19 TQ 25 70
(east side) South Wimbledon 9/106 LRT Station, including adjacent shops
to 25.6.87 left and right - II

LRT Station. 1926. Designed by Charles Holden. Portland stone. Roof not visible. Symmetrical composition on corner site. Vertical stripped classical manner. Tall ticket hall to corner with triple entrance below, flanked by lower single storeyed ranges of shops. Curved facade. 3 square headed entrances with stepped jambs and cantilevered canopy. Tall clerestory above, divided into 3 parts by pair of pilasters with globular capitals, the LT motif in the round. Vertical metal glazing bars with inset LT motif in

stained glass. One of stations on extension of 1926 to City and South London Underground Railway.

Listing NGR: TQ2582170023.

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: TQ 25821 70023.

- 8.3.11 There are a number of neighbours who have written into the Council to object to this application based on the impact of the new development on the existing Grade II Listed South Wimbledon Station. Furthermore, the points raised by LBM's Conservation Officer with regard to the impact of the development when observed from the various view points from outside the estate are noted. However, Historic England have informed the Council that they have no comment and that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 8.3.12 Policy EPH8 of the Estates Local Plan relates to building heights and says that
- “c) Morden Road: Land around the Tube station and Morden Road is part of the focus of activity and uses in the local area. The street is quite wide and taller buildings are beginning to be built long Morden Road. This is the most suitable location on the estate for the tallest buildings and cues must be taken from emerging buildings to guide what is appropriate. Along Morden Road a consistent height must be sought, which is complementary to creating a boulevard feel to the street.”*
- 8.3.13 Taking from the existing Townscape, across the road from the station is Spur House which is a 9 storey high building with it's top floor set back to appear less apparent and reduce the appearance of bulk.
- 8.3.14 Considering, the comments received from neighbours, the Council's Conservation and Design Officers, and Historic England. the Planning Officer approached the applicants and requested that a number of the building parameter heights proposed at 10 storeys are reduced to 9 storeys, particularly those closest to the station along Merton Road in line with the Estates Local Plan Policy EP8. Furthermore the solid mass which was created by the longitudinal form of architecture being proposed around the station needed a visual break, in order to appear less intrusive.
- 8.3.15 Of particular importance were also the lower properties on the north side of Merton High Street which are up to 3-storeys high. It was considered necessary to also reduce the proposed parameter heights facing Merton High Street closest to the Station, from 10-storeys to 7-storeys, to allow for a better transition between the existing townscape and the proposed taller buildings.

- 8.3.16 The other significant change has been to interrupt the continuous bulk illustrated by the applicants original plans. When perceived from Merton Road in the north, at the junction with The High Street, the buildings behind the station at 10-storeys high and a continuous span appeared intrusive to the existing townscape. The Developer was advised of this concern and revised their plans to create visual breaks in the elevation of the buildings in that very prominent and sensitive location close to the Listed Station.
- 8.3.17 There was also some concern with the overshadowing in the courtyard areas behind the 'Mews Street' and closest to St John's Church. As stated by the Council's Conservation Officer, the Church is locally listed. The developer has done well to create a vista to the church from the north, inner street. However, the buildings fronting High Path and the locally listed church in this vicinity were too tall. Therefore the Planning Officer suggested a reduction in height from 10-storeys to 5-storeys which was considered more appropriate, considering its setting.
- 8.3.18 The revised plans have been received by the council which show the reduction in heights and visual breaks in the elevations. Officers are therefore satisfied that the development is in line with Policy EPH8 and the other relevant policies of the development plan, and is therefore considered acceptable in this regard.
- 8.3.19 Conservation Area
- 8.3.20 Wandle Valley Conservation Area is to the south-east of High Path Estate development boundary, along Station Road, which connects to High Path and extends eastward. Four Streets of residential terraces, east of Abbey Road separate the conservation area from the development site which follows along the River Wandle. It is considered that as this conservation area is further away and there are urban elements separating it from High Path, the proposed development would cause no unreasonable harm to the character and appearance or setting of the conservation area, and is therefore acceptable with this regard.

8.4 Open Space Nature Conservation, Leisure and Culture

Open Space

- 8.4.1 The NPPF (paragraph 74) states, "existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
1. An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 3. The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."
- 8.4.2 The Mayor will support the creation of new open space in London to ensure satisfactory levels of local provision to address areas of

deficiency, according to London Plan Policy 7.18 'Protecting Open Space and addressing Deficiency'.

8.4.3 Draft Policy EP H5 (Open Space) states that development proposals must provide public open space to address the identified deficiency in access to Local Open Spaces in accordance with London Plan policy 7.18 and the Mayor's 'Play and Informal Recreation' supplementary planning guidance document (2012). Development proposals must be supported by an analysis of the current and future need for the provision of indoor and outdoor sports facilities, in accordance with Sport England's Planning for Sport Aims and Objectives.

8.4.4 The proposed development is within Wandle Valley Regional Park buffer. Policies (CS5) CS13 para 21.13 states:

In line with Chapter 15 'Wandle Valley Sub-Area - Policy 5' in creating a linked green infrastructure network, development within 400 m of the Wandle Valley Regional Park boundary will be required to consider its relationship to the park in terms of visual, physical and landscape links, to ensure that new development enhances the accessibility and attractiveness of the park. Our aspiration is to ensure the arrangement of buildings within new developments complement the existing green corridors and prevent disjointed pedestrian and cycle accessibility, removing physical barriers such as railings and built form that disrupt continuity and access into and around the park. As identified in Chapter 22 'Design - Policy 14' we will enhance the legibility and reinforce the green character of the borough.

8.4.5 Appendix 1 of the Estates Local Plan includes a plan for Areas Deficient in Access to Local Open Spaces and shows two areas at High Path, one in the north and east of Pincott Road and the second around Rodney Place.

Landscaping

8.4.6 The applicant proposes a 'Neighbourhood Park' extending north to south through the site from Merton High Street to High Path. This will provide approximately 7,500sq.m with children's play space incorporated into the park.

8.4.7 Each of the perimeter blocks will have communal courtyards. Balconies, terraces and gardens provide private amenity space for all units.

Children's playspace

8.4.8 Merton's Core Planning Strategy policy CS 13 and The London Plan policy 3.6 require housing proposals to provide play spaces for the expected child population and the Mayor of London's 'Play and Informal Recreation' SPG 2012 provides detailed guidance on this matter. The SPG suggests that new residential development yielding more than 10 children (as determined by the application of GLA child occupancy

estimates) should provide suitable play space as part of the development scheme.

- 8.4.9 Children's play space will be incorporated within the Neighbourhood Park and in the communal courtyards. A new landscaped public realm will also be provided throughout the masterplan areas, including along Merton High Street where the existing London Plane trees are to be retained.

Ecology, Biodiversity & Trees

- 8.4.10 Core Strategy Policy CS 13 seeks to protect and enhance the Borough's public and private open space. The plan states that the Council will protect and enhance biodiversity, trees and open space through supporting the objectives of the London Biodiversity Action Plans and will use Tree Preservation Orders to safeguard significant street trees.

- 8.4.11 Developments that have a significant adverse effect on the population or conservation status of protected or priority species and priority habitats will be refused.

- 8.4.12 Policy DM D2 of the Sites and Policies Plan aims to achieve high quality design and protection of amenity within the borough therefore, all development will be expected to meet the following criteria relating to open space and landscaping, ecology and biodiversity:

1. Ensure provision of appropriate energy efficient external lighting that provides safe and secure environments while not causing light pollution that adversely affects neighbouring occupiers or biodiversity;
2. Conserve and enhance the natural environment, particularly in relation to biodiversity and wildlife habitats and gardens;
3. Ensure trees and other landscape features are protected;
4. Ensure that landscaping forms an integral part of any new development where appropriate;

- 8.4.13 Development will need to integrate new or enhanced habitat or design and landscaping which encourages biodiversity. Furthermore, developments are expected to incorporate and maintain open space, play areas and landscape features, and the council will seek planning contributions in lieu of such features.

8.5 Transport and Highways

- 8.5.1 The nature of this application is that all matters are reserved except for parameter plans. This means that details regarding layout, access, scale, massing, and design are not being approved as part of this application. Nonetheless, the developer submitted a Transport and Movement Strategy as part of the supporting documents with the outline planning application.

- 8.5.2 The LBM's Highways and Transport Engineers have reviewed the information submitted and have stated that there is insufficient information provided. The movement strategy initially suggested by the applicant requires extensive highways works, and without necessary research

based evidence to determine that this is the best solution for movement into, out and across the site, LBM's Transport and Highway Officers requested a detailed Highway Impact Assessment to be submitted for approval at the reserved matters stage. This assessment will consider the three or more various movement options to serve the development and the developer will have to enter into a s106 agreement to agree to the costs involved in implementing any additional highway infrastructure improvements or changes which will be necessary.

8.5.3 Furthermore, TfL have stated that they will need the developer to enter into detailed discussions with them relating to the possible relocation of the bus stops at Merton High Street and Morden Road. Although these bus stops will remain in close proximity to their existing location, moving them can produce significant costs to re-plan the surrounding infrastructure, and as such a s106 has also been included to ensure the developer covers any associated costs.

8.6 A number of residents have raised concern about parking congestion in the area. The developers' transport strategy revealed there is a parking surplus at High Path and considering it is in a PTAL 6 area, their recommendation is to reduce the number of parking spaces in the new development. This is in line with the Estates Local Plan Policy EPH3, CS18-20 of the Core Strategy and London Plan Policy 6.13, which aim to encourage users towards more sustainable modes of transport.

8.7 Officers are satisfied that the transport and movement strategy can be considered in more detail in the reserved matters stage and that the s106 Heads of Terms agreed will ensure that the applicant meets his obligations on the project to deliver a project which will be policy compliant.

8.8 Refuse and Recycling

8.8.1 The Operational Waste Management Strategy has been prepared by Peter Brett Associate LLP (PBA) in support of the outline planning application. The strategy proposes the introduction of a new waste storage and collection process, the Underground Refuse Systems (URS), supported by the existing conventional system which currently operates in the Borough. URS is supported from an urban design / public realm perspective however, its operation may require a variation to the South London Waste Partnership's contract with the council's waste collection provider. As a contract variation would be outside the scope of the determination of this Outline Planning Application, the S106 heads of terms allow for both URS and conventional collection.

Underground Refuse System (URS)

8.8.2 A URS would be used for storage of recycling and residual waste. At the time of collection the bins stored underground would be emptied by a vehicle with a telescopic crane, which lifts the bins out of a concrete chamber beneath the ground. The concrete chamber will be fitted with a safety platform, which rises up as the bulk container is lifted out to reduce the risk of people falling into the chamber. The URS bins will be lifted above the vehicle for emptying, with hooks on the crane being used to operate a mechanism that opens the bottom of the container so that the

waste can drop out into the collection compartment of the vehicle. The entire process can be completed by a single operator and estimated collection time is significantly reduced, compared with conventional waste collection, it can take approximately 2 to 3 minutes.

- 8.8.3 The waste storage volumes have been calculated for each block of the proposed development. The waste storage volumes have then been used to determine the most appropriate size of URS bin required for each residential block which would either be 3000 L, 4000 L or 5000 L. This is based on the proposed maximum parameters in the accommodation schedule for the outline application, up to 1570 residential units.
- 8.8.4 The total waste volume output has been calculated based on an alternating waste collection service and therefore both recycling and residual waste capacities have been calculated for fortnightly requirements. Given the large storage facilities, collection is not required as frequently as current weekly collection.
- 8.8.5 In this instance the developer will be required to pay the cost associated with the operation of the URS system including, which would include the following and is to be secured by way of s106 and is listed in the Head of Terms accompanying this report.
- i. the implementation of the proposed URS system including necessary freight, equipment and labour as required;
 - ii. the variation of contract between the South London Waste Partnership and their appointed contractor;
 - iii. the ongoing maintenance and management of the equipment and infrastructure located on Eastfields Estate which is required to operate the URS system; and
 - iv. the ongoing maintenance and management of the equipment and freight required to operate the URS system for a minimum of 5 years post 100% occupation of all residential units across the development.
- 8.8.6 As the LB Merton's waste services contract currently does not include the servicing of URS bins, this would need to be included within any revised or new contract discussions when they take place with other members of the South London Waste Partnership (SWLP) which includes Croydon, Kingston and Sutton.

Conventional Waste

- 8.8.7 Conventional waste storage facilities would be provided for food waste, garden waste and bulky waste.

Food Waste

- 8.8.8 Waste storage volumes for compostable (food) waste have been agreed

with Merton Council who suggest that a 23L external caddy is provided per household or 240L per 30 multi-occupancy building (minimum of 8L per dwelling in a multi-occupancy building).

- 8.8.9 For multi-occupancy buildings, Merton Council's Guidance Note for Architects states that an outdoor metal housing should be provided for food waste storage. The secure housing would restrict vandalism, odour and the potential to attract vermin.

Garden Waste

- 8.8.10 Merton Council's Guidance Note for Architects (received September 2016) has been used to calculate the volume of waste storage required for garden waste of maisonettes and mews. Merton Council's Guidance Note for Architects (received September 2016) recommends that space for one 240L wheeled bin for garden waste should be incorporated into the design so if residents choose to take up this option, they can do so by joining the service for an annual fee.
- 8.8.11 For multi-occupancy buildings without private gardens, no separate garden waste collection has been assumed. Any garden waste generated with the communal areas will be removed by a private contractor as part of the maintenance plan for the building. The contractor will need to adhere to all legislation relevant to the transportation and processing of this waste.

Bulky Waste

- 8.8.12 10m bulky waste store per 50 dwellings has been allowed for within the general building layout.

Commercial Waste Servicing

- 8.8.13 Bin storage areas for commercial land uses will be located within each commercial unit. Commercial units will be serviced conventionally at street level by a private waste contractor. Bins will be collected from the front of the commercial unit where access is available.
- 8.8.14 These bins will be located in a store that is internal to the building and is of sufficient size to accommodate a mix of recycling and residual waste including food waste.

8.9 Secured By Design

- 8.9.1 London Plan policy 7.3 aims to ensure that measures to design out crime are integral to development proposals and are considered early in the design process, taking into account the principles contained in Government guidance on 'Safer Places' and other guidance such as Secured by Design' published by the Police. Development should reduce the opportunities for criminal and anti-social behaviour and contribute to a sense of security without being overbearing or intimidating. Places and buildings should incorporate well-designed security features as

appropriate to their location.

- 8.9.2 The proposals include indicative security measures and lighting schemes. The details of both the security measures and lighting will be secured by condition. The Met Police are broadly supportive of the proposals and an informative regarding secured by Design accreditation is recommended.
- 8.9.3 The applicant has confirmed that the proposed development has been designed to be 'Secured by Design' compliant. The Metropolitan Police Designing Out Crime Officer has been in discussions with the applicant both at pre-application stage and during the course of this application and has raised no objections to the proposed development.
- 8.9.4 However, a number of detailed comments have been made in respect of the principles and practices of Secured by Design. These are matters that could be incorporated into the design code and the Council and dealt with in detail in the reserved matter stage. Therefore in support of the Met Police request, a condition will be applied to the application to require secured by design accreditation prior to occupation of each phase of the development.

8.10 Response to neighbour consultation comments

- 8.10.1 A comment was received from Councillor Moulton in December, requesting an extension on the period of public consultation allowed and a public forum to be held in order to question the applicant and Council Officers on the application. Officers response is as follows:
- 8.10.2 The proposal has undergone extensive public consultation conducted by the developer, Clarion, prior to submission. As documented in their Statement of Community Involvement, submitted as part of the planning application, a public exhibition was held as far back as July 2013, and then more recently, in September/October 2017, a revised outline phasing event was held.
- 8.10.3 Furthermore, the final round of consultation on the Council's Main Modifications to the Estates Local Plan was concluded 7th November 2017, and the Inspector's report is expected on this in due course. [The Inspectors report was received 18th December 2017 and the Plan has since been formally adopted in February 2018.]
- 8.10.4 Local consultation on the outline planning application has already been extended beyond the statutory duration from 21 to 28 days, and we are aiming to take the application to Committee mid-February. Therefore to extend the consultation until the end of January as you suggest, would not be feasible.
- 8.10.5 We have no objections to your constituents arranging a public meeting with the developers, and we advise that you liaise directly with the developer to that regard.
- 8.10.6 As the Councillor rightly pointed out, the statutory period of time allotted for public consultation on any planning application is 21days, whereas, considering the scale and complexity of this application, the Council used its discretion and extended the official duration to 28days plus the additional 4days which is automatically added onto letters for postage.

Furthermore, representations which have been received after this time have been recorded as part of this application and all material planning considerations have been taken into account in the assessment on this application.

8.11

- Housing

Addressed in section 8.5 above

- Viability

Addressed in section 8.5 above

- Density

Addressed in section 8.7.2 above

- Transport/Highways

There were about 6 comments received regarding transport and Highways issues particularly with regard to there being too little existing and the development making this worse. There were 1 or 2 comments concerned with the likely increase in traffic congestion in the area. One person was concerned with safety along Abbey Road for pedestrians, and parked vehicles, due to rat running. One person raised the point that the development offered the opportunity to improve west to east cycle route along Merton High Street and suggested LBM and developers should consult with London Cycling Campaign about the network improvements and cycle parking provision.

1 resident objects to public funds being used to mend damage to the highway as a result of construction of the development.

- Environmental Health

6 comments received regarding noise, dust, vibration likely to cause disturbance during construction. One resident was also concerned with the pollution caused by construction vehicles. Two residents also concerned with pollution due to 'canyon affect' of tall buildings, air pollution from traffic congestion in the area does not disperse as quickly. Specifically one resident stated '37m high buildings proposed at junction with Morden Road and Merton High Street, will 'act as a barrier and hinder natural dispersal of exhaust fumes at this very busy junction.'

- Design

30 objections were received regarding the proposed heights of the buildings. Local residents and businesses on Merton High Street

were particularly concerned about the overbearing buildings of 7-10 storeys fronting existing buildings on Merton High Street which are 2-3 storeys. The buildings would dominate the skyline and change the character of the area. Residents are concerned that this development would set a precedent for tall buildings in the area. The tall buildings are out of keeping with the Edwardian/Victorian Streets which surrounding the Estate. An equal number of residents and occupiers were concerned particularly with regard to the Morden Road, Merton High Street corner with South Wimbledon Station, where the development design is thought to dominate the area and be overbearing with relation to the South Wimbledon Listed Station. There were

- Conservation & Heritage

About 5 of the objections received were concerned about the impact of the high buildings in close proximity to the listed building and Roman Stane Street and Merton Priory therefore Archaeological conditions required. Concern over 'massive', 'bulky' buildings affecting the heritage asset and its setting, S. Wimbledon Underground Station.

- Light

6 objections were received with concerns regarding the loss of light as a result of the development. One resident mentioned that the internal communal amenity space courtyards did not meet BRE standards for daylight sunlight and overshadowing, while another resident commented that the retention of the mature trees along Merton High Street provided a reasonable set back from the existing buildings on the north side which would help to minimise overshadowing.

- Public/ Residential Amenity

19 objections were received regarding the impact on the amenity of existing and future occupiers. About 3 people raised a point regarding the lack of children's play space in the new development, many people were concerned about the overshadowing of the existing buildings from the development. There were 2 objections regarding overlooking but were unspecific.

- Land uses

3 objections were received regarding the proposed land uses. One was interested in the ability to deliver the appropriate quality, scale and diversity of community amenities and commercial units/activity, another raised concern over the commercial and community uses exacerbating congestion, one was concerned over the loss of the existing community uses on the site namely; on Pincott Road and the Church Hall on High Path. Furthermore, it

was stated that “even with the additional residential units, one does not see a great demand for additional retail offerings.”

- Sustainability

1 person objected to the illustrative layout of the buildings on the basis that the open plan layout makes it more difficult to heat rooms.

- Drainage/ Flooding

1 objector raised concern over the existing poor drainage of surface water and/or maintenance of drainage particularly at Merantun Way and High Path and greater mitigation needs to be considered.

- Biodiversity/ Ecology

Concern over impact on birds and other animal lives at risk by loss of trees and changes in environment Arboriculture/ Landscaping. The resident particularly mentioned the following species: green and golden Privet, Elder and Hawthorn should be retained or improved along Morden Road and High Path.

- Economy

1 neighbour objected over the Impingement on the redevelopment on the Broadway.

- Procedural

Consultation process is flawed and the application is pre-mature as the Estates Local Plan had not been adopted at the time of the application submission neither had the Inspector's report on the local plan has been made public.

- Other

1 resident stated that responses previously submitted to the Estates Plan and the phase 1 full application on the Lamp Works site should be incorporated into the considerations of this planning application. "This application is contrary to law." The application submission precedes the Planning Inspector's report on the Main Modifications of the Local Plan being made public. Objects to the "demolition of buildings of substance", specifically Norfolk House and the Private Garages in Hillborough Close/DeBurgh House. The application should be considered in the light of 'planning guidelines' and 'consultation'.

Height of buildings will 'block the television signal'

Concern over disregard for existing private renting tenants.

The decision to redevelop the estate should have been a democratic process

Allowing existing residents to stay in the area and and to be able to move into comparable new housing as the scheme progresses should be an integral part of any application.

Budget should include compensation for non-estate residents for damage caused to properties from pile driving etc.

Compensation is sought for resident freeholders who will be CPO through the process of the development.

8.12 SECTION 106 LEGAL AGREEMENT

8.12.1 Planning obligations, enforced through Section 106 (S106) legal agreement (Town and Country Planning Act 1990 (as amended)), assist in mitigating the impact of potentially unacceptable development to make it acceptable in planning terms however they should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning obligations should also only be sought where they meet all of the following tests within the Community Infrastructure Levy regulations 2010:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

8.12.2 Where obligations are being sought, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. An approval subject to a S106 is not final until the S106 agreement has been completed and signed by all parties.

8.12.3 A section 278 (S278) agreement (Highways Act 1980 (as amended)) is a legally binding document between the Local Highway Authority and the developer to ensure that the work to be carried out on the highway is completed to the standards and satisfaction of the Local Highway Authority.

8.12.4 The document is prepared by the Local Highway Authority's solicitor and issued to the developer's solicitor in draft format. The details of the agreement are then agreed before the final document is completed and signed by both parties before the commencement of any work on site.

8.12.5 The agreement details what the requirements of both the Local Highway Authority and developer are to ensure that the proposed works are carried out in accordance with the approved drawings. It also details how the Local Highway Authority may act should the developer fail to complete the works.

8.12.6 Paragraph 203 of the National Planning Policy Framework states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions". Paragraph 206 of the National Planning Policy Framework states "Planning

conditions should only be imposed where they are:

1. Necessary;
 2. relevant to planning and;
 3. to the development to be permitted;
 4. enforceable;
 5. precise and;
 6. reasonable in all other respects
- 8.12.7 Should the application be approved, there are S106 (including S278) heads of terms recommended in addition to recommended planning conditions to ensure that the development is acceptable in planning terms, and does not result in an undue impact on local parking and highways conditions from construction through operation, an undue impact on the amenities of the occupiers of the adjoining and surrounding residential and commercial properties, delivers the maximum amount of on-site affordable housing the scheme will viably allow and contributes towards sustainable energy provision and biodiversity gains.
- 8.12.8 The recommended planning conditions and S106 heads of terms are laid out further below. The relevant S106 legal agreement between LBM and Clarion shall include the following heads of terms (as is normal practice, obligations as specified are still subject to further negotiations. The Committee will be provided with an updated position at the Committee meeting). Furthermore it should be noted that there must be connection between the Overarching agreement and this S106 agreement.
- 8.13 This outline permission is GRANTED subject to conditions and informatives and completion of a Section 106 Agreement with the following Heads of Terms:**

High Paths 106 Heads of Terms

The relevant S106 legal agreement between LBM and Clarion, shall include the following heads of terms (as is normal practice, obligations as specified are still subject to further negotiations. The Committee will be provided with an updated position at the Committee meeting).

Must be connection between the Overarching agreement and this S106 agreement

All sums payable by the developer pursuant to the s106 agreement will be index linked

1. **Affordable housing:** the developer to provide a minimum of
 - i. [357] social rented units, and
 - ii. [] affordable rented unitsall units to be available in-perpetuity to persons or households who meet LB Merton's affordable housing eligibility criteria with first priority for that

affordable housing to be given to existing tenants on the High Path Estate in line with Clarion's Residents Offer who will require rehousing on a "like for like" basis as a result of the High Path Estate redevelopment without prejudice to the existing contract between the Council and Circle Housing dated [].

2. **Affordable housing viability review mechanism:** the developer to undertake a viability review at specified timescales during the delivery of the development. This will identify whether the development generates any financial surplus, including through unspent section 106 contributions returned to the developer, that could be used to provide additional affordable housing to achieve policy compliance (details to be provided in full in the s106)
3. **The agreed financial viability model:** shall be consistently applied in the viability review for all phases of the development as agreed as part of the overarching s106.
4. **The baseline affordable housing specification and tenure mix schedule:** to be agreed, in line with the Statutory Development Plan.
5. **Highways works within London Borough of Merton:** the developer shall prior to first occupation of each "relevant work phase" either
 - i. complete the highway works as set out below at its own cost; or
 - ii. pay to the Council a specified reasonable contribution to be calculated by the Council

such off-site highway works which may include but not be limited to:

- i. New footways and carriageway
- ii. Revised access/crossover arrangements
- iii. Relocation/replacement of street lighting
- iv. Relocation of services, if and where necessary
- v. Drainage
- vi. Road markings and signs and related traffic management orders;
- vii. Any works required as a result of the Highways Impact Assessment;
- viii. Repair of damage caused to the highway as a result of any works related to the development
- ix. LB Merton on-street parking controls (waiting and loading):
 - a. the developer shall undertake an assessment for the waiting and loading requirements on and within the vicinity of the High Path Estate prior to []/at a specified trigger to be set out in the section 106 agreement ; and,
 - b. In the event that the assessment referred to in a. above demonstrates additional demand for waiting and loading restrictions as a result of the development, to pay to the Council prior to []/at a specified trigger to be set out in the section 106 agreement, such sums as are required to

address this demand which may include, but not be limited to, payments for the improvements to existing or implementation of new waiting and loading restrictions.

6. Bus Improvements

a. Bus Stops:

the developer shall

- i) undertake at its own cost and submit to the Council for its written approval a bus stop assessment for the bus stops nearest to High Path Estate, and in compliance with the GLA report dated 8 January 2018 at a specified trigger to be set out in the section 106 agreement; and,
- ii) in the event that the bus stop assessment demonstrates additional demand as a result of the development, to pay to the Council at a specified trigger to be set out in the section 106 agreement, such sums as are required to address this demand which may include, but not be limited to, payments for the relocation of bus stops and infrastructure improvements.

b. Bus Capacity Improvements

The developer to pay to the Council at a specified trigger to be set out in the section 106 agreement the sum of £75,000 (as Indexed) for bus capacity improvements for the bus route from North Cheam to Putney;

7. Pedestrian Crossing Improvements: the developer to

- a. undertake at its own cost and submit to the Council for its written approval a detailed investigation of the safety and accessibility of pedestrian and cycle routes within the vicinity of High Path Estate, in particular the pedestrian crossings between High Path Estate and Abbey Recreational Ground, at a specified trigger to be set out in the section 106 agreement;; and
- b. in the event that the investigation demonstrates that improvements are required to the pedestrian and cycle routes as referred to in (1) above to pay to the Council at a specified trigger to be set out in the section 106 agreement, such sums as are required to provide these improvements, which may include but not be limited to, signalling, lighting, carriageway and footway works, drainage and other matters..

8. Parking management plan: the developer to

- a. undertake and submit at its own cost an overarching parking management plan at a specified trigger to be set out in the section 106 agreement for written approval by the Council; and
- b. thereafter to submit at specified triggers to be set out in the section 106 agreement detailed parking management plans for written approval by the Council; and
- c. consult on and implement the approved overarching and detailed the parking management plans in accordance with each

phase.

9. Highway standards: the layout and completion of all public highways and internal estate roads must be designed and built to meet or exceed the Council's adoptable standards.

10. Transport:

a. **LB Merton on-street parking controls (CPZs):** the developer to

- i. pay to the Council at a specified trigger to be set out in the section 106 agreement the cost of undertaking a public consultation into the need for CPZs within the vicinity of High Path Estate and
- ii in the event that such consultation reveals a need for CPZs, pay to the Council at a specified trigger to be set out in the section 106 agreement, the cost required to carry out physical works on changes to identified to and/or implementation of new CPZ's to enable specific controls and the imposition of these controls.

b. **Exclusion of residents from existing CPZs:** No residents on the redeveloped High Path Estate, other than disabled blue badge holders, shall be entitled to apply for parking permits in existing CPZs . Permit free provisions are to be complied with for new units, including giving advance notice to occupants of permit free provisions prior to occupation of residential units; notifications of the permit free provisions are to be included within any sale or letting agreement of the residential units.

c. **Delivery and Services Plan:** the developer shall:

- i. undertake and submit at its own cost an overarching delivery and servicing plan at a specified trigger to be set out in the section 106 agreement for written approval by the Council; and
- ii. thereafter to submit at specified triggers to be set out in the section 106 agreement detailed delivery and servicing plans for written approval by the Council;

all plans to cover delivery and servicing for the residential and non-residential aspects of the development to include site waste management plans in respect of the storage and removal of refuse and recycling for all elements of the approved development and the access and egress for delivery and collection vehicles accessing the site for both residential and non-residential servicing; and

- iii. consult on and implement the overarching and detailed delivery and servicing plans in accordance with each phase.

d. Transport Impact Assessment

The developer shall:

- i. undertake and submit at its own cost an overarching transport impact assessment at a specified trigger to be set

out in the section 106 agreement for written approval by the Council; and

- ii. undertake at its own cost a transport impact assessment for each phase within such timescales to be specified in the section 106 agreement, such assessments to be submitted to the Council for its written approval; and
- iii. in the event that the assessments reveal a need for improvements to identified roads to either
 - 1. pay to the Council such reasonable sums required to undertake the relevant works required prior to []/at a specified trigger to be set out in the section 106 agreement, or
 - 2. to complete at its own costs any such highway works required as a result.

e. **Workplace / Residential Travel Plan:** the developer shall

- i. submit to the Council the Workplace/Residential Travel Plan prior to first occupation of the residential units/workplace units for the Council's written approval on a phase by phase basis;
- ii. provide, deliver, monitor and fund the Workplace/Residential Travel Plan on a phase by phase basis;
- iii. to implement and promote to the occupiers of the workplace/residential units, the terms of the Workplace/Residential Travel plan.

f. **Electric vehicle charging points:** the developer to

- i. replace any existing electric vehicle charging points in the same place or a new position on High Path Estate such location to be agreed with the Council; and
- ii. pay to the Council any contractual penalties associated with the costs of relinquishing any third party licence agreement or other penalties.

f. **Car club:**, the developer shall

- i. provide four suitably positioned parking bays on a phased basis on High Path Estate at its own cost (such location to be determined by the Council) at a specified trigger to be set out in the section 106 agreement; and
- ii. to offer to each new resident of the High Path Estate a minimum of 2 years car club membership to be provided at the cost of the developer

11. Works associated with utilities diversion: Any works to divert utilities onsite (including any utilities to the boundary of the High Path Estate), including Thames Water sewer/s, shall include associated works to LB Merton highway assets including highway drainage connections.

12. Underground Refuse System: the developer to pay the uplift in cost (when compared to the baseline costs of existing waste services paid by the Council) associated with the operation of the URS system including:

- i. the implementation of the proposed URS system including necessary freight, equipment and labour as required.
- ii. the variation of contract between the South London Waste Partnership and their appointed contractor;
- iii. the ongoing maintenance and management of the equipment and infrastructure located on High Path Estate which is required to operate the URS system

the developer will be required to agree and enter into with the Council a URS strategy. As part of this strategy the developer will be required to pay costs attributable to the increased costs of collecting waste from High Path Estate as a result of the URS [above the base collection costs as set out in xxxx NEED POLICY REFERENCE HERE]

13. Energy:

i. **Energy Strategy:** the developer to bear the mitigation and management costs of compliance with the energy demands of the development, in accordance with the outcomes from the developer's energy strategy, such strategy to be submitted in advance and approved in writing by the Council.

ii. **District Heating Network:** the developer to

i. submit to the Council for its written approval prior to Commencement of Development the DHN plan which includes proposals for the design, implementation, monitoring and management of the DHN which shall demonstrate that:

1. the network is designed and operates in accordance with the relevant best practice guidance, and to include the method of connecting the phased development to the DHN;
2. the DHN shall be connected to practical nodes in the area including the Merton Abbey Primary School unless otherwise agreed in writing by the LPA;
3. alternative methods in which the development's energy demands and emissions reductions will be met, if not by the proposed DHN, within 5 years of practical completion;

ii. implement the DHN plan as approved by the Council in writing at its own cost;

- iii. design the DHN in such a way so as to futureproof the network for connection to other developments, including the emerging High School at High Path, and decentralised energy networks, subject to feasibility and viability assessments, unless otherwise agreed in writing by the Council;
- iv. ensure connection of High Path Estate to the DHN from the DHN Operational Date

iii. **Zero Carbon Contribution:**

- 1. the developer to achieve a 35% reduction on Building Regulation 2013 target emission rates and
- 2. to undertake further on-site reductions beyond the minimum 35% required on-site;
- 3. in the event that further on-site reductions are not achievable to undertake carbon reduction projects within the borough (including opportunities to undertake improvements in the Applicants existing affordable housing stock); or
- 4. pay a financial contribution to the Council.

jjj.

14. Noise and air quality monitoring and mitigating: the developer to:

- 1. a financial contribution towards air quality mitigation measures to improve the air quality levels required during and for a specified period following completion of the construction of each phase of the proposed development and future air quality improvements within the borough; and
- 2. a financial contribution towards mitigation measures to reduce the noise levels as is required during and for a specified period following completion of the construction of each phase of the proposed development.

15. Re-provision of ball courts/recreational facility:

The developer shall in respect of the two ball courts or recreational facility to be provided by the developer as part of the development;

- a. submit to the Council for its written approval:
 - i. prior to [Commencement of Phase ()] a Ball Court/Recreational Facility Specification and
 - ii. prior to First Occupation of the Residential Units the Ball Court/Recreational Facility Management

and Maintenance Plan

- iii. prior to [Commencement of Phase ()] submit to the Council for its written approval a Temporary Ball Court/Recreational Facility Specification and the Temporary Ball Court/Recreational Facility Management and Maintenance Plan;
- b. The two existing ball courts to be lost as a result of the development shall be:
- i. replaced by either a ball court and/or recreational facility of equal or greater size prior to occupation of []% of the residential units with at least one ball court to be provided on site with the option of another being provided adjacent to the site
 - ii. prior to either ball court being closed a temporary ball court or recreational facility of equal or greater size should be provided prior to the ball court being closed in order to ensure at least 2 ball courts/recreational facilities are provided at all times during construction. At least one temporary ball court to be provided on site with the option of another being provided adjacent to the site

and made available to the public and kept publically accessible.

16. Re-provision of the existing community centre:

- a. The developer shall submit to the Council for its written approval
 - i. prior to commencement of development of the relevant phase of the Development] the community centre specification for the delivery of the new community centre
 - ii. prior to first occupation of the community centre, the management and maintenance plan for the operation and future management and maintenance of the community centre;
- b. The existing Community Centre at Pincott Road to be lost as a result of the development shall be
 - i. re-provided on-site, in accordance with the approved community centre specification, to an equal or greater floor area to that existing to the satisfaction of the LPA within a specified timescale as set out in the section 106 agreement;
 - ii. made available for the use of residents on High Path Estate; and
 - iii. managed and maintained at its own cost and in accordance with the approved management and maintenance plan referred to hereof;
- c. in the event the permanent Community Centre is not completed or ready for Occupation at the time the use of the

existing Community Centre comes to an end the developer shall provide a temporary community centre or pay to the Council a sum (to be specified) to make improvements to an existing community facility within the vicinity of the High Path Estate (within three months) of the current community centre being closed or otherwise rendered unusable as a result of the development;

17. Open Spaces: the developer shall: a. submit to the Council for its written approval

i. prior to [Commencement of Development of each phase] the Open Space specifications for the delivery of the Open Spaces and

ii) prior to first Occupation of any of the Residential Units the management and maintenance plan for the , operation and future management and maintenance of the Open Spaces such Open Spaces to include:

- i. public realm areas on the High Path Estate (which may include children's play spaces);
- ii. the Neighbourhood Park; and
- iii. the private courtyards (which may include children's play spaces)

all of which may include children's play spaces and the developer shall

b. provide the Open Spaces in accordance with the approved Open Space specifications at relevant work phases;

c. manage and maintain the Open Spaces at its own cost and in accordance with the approved management and maintenance plan;

d. make available to the public and keep publicly accessible the public realm areas and the Neighbourhood Park

18. Primary Care : the developer shall

i. retain for (a specified period of time as set out in the s106 agreement). a unit or space within the development of not less than [] sqm for the provision of a primary care facility to service the needs of the residents of the High Path Estate and the residents on this part of the borough;

ii. to work with the Council and the NHS (for a period of not less than 2 years from First Occupation) with regard to providing an on-site facility in the unit or space referred to at i. above or to make a contribution towards the improvement of facilities within the vicinity of High Path Estate, for the provision of primary care services to meet the demands of the proposed development unless and until the NHS confirm in writing that it has no need for a Primary Care facility on High Path Estate.

iii. any such contribution payable in line with ii. above may be in the form of the costs associated with securing suitable premises which will be easily

accessible and accommodate future residents on the High Path Estate, and/or a financial contribution towards improvements of existing services to provide for future residents on the High Path Estate.

iv. Should the NHS require a primary care facility on site to ensure this is completed in accordance with a specification (to be submitted to the Council in advance and agreed with the primary care provider) within a specified period of time as set out in the Section 106 agreement.

19. Delivery: provisions to secure the completion of the redevelopment of the High Path Estate, delivery of works in kind and the payment of contributions set out in the Section 106 Agreement.

20. Legal fees: the developer to meet the Council's reasonable costs associated with drafting the Section 106 Agreement

21. Monitoring fee: the developer to meet the Council's costs of monitoring the Section 106 Obligations.

8.14 Conclusion

8.14.1 The Development Plan supports the redevelopment of the site as part of the Merton's Estate Regeneration Project for the High Path Estate. The principle of development is therefore supported.

8.14.2 The development would represent a significant major regeneration for this part of South Wimbledon in particular and for the Borough as a whole. The report has highlighted a range of planning and housing benefits that would accrue from the development including financial and non-financial commitments as part of any s106 Agreement.

8.14.3 The proposal has been developed from masterplan stage to this current outline scheme over the past 4 years, which has resulted in substantial public consultations, including Design Panel Review and ongoing dialogue with Planning Officers.

8.14.4 The Council is satisfied that the Transport Impact Assessment, to be submitted for approval at the reserved matters stage and secured through legal agreement, will ensure the development knits seamlessly into the existing urban fabric, and that the most suitable transport and movement strategy is secured, without causing undue harm to the surrounding amenity. Furthermore, the Transport Impact Assessment will entail details to accommodate the existing primary and proposed high school on High Path.

8.14.5 The development parameters secured through the parameter plans being approved, would also result in an acceptable building envelope for each of the subsequent construction phases, planned over the long term strategic programme of the estates regeneration. It takes into account the surrounding buildings and townscape, as identified in the Officer's

assessment which has been examined within the main body of the report.

- 8.14.6 The proposal would also result in an improvement of public open space, with the introduction of the Neighbourhood Park. The Park contributes towards addressing the deficiency in access to Local Open Space, as identified at in the GIGL map, Appendix 1, of the Estates Local Plan for High Path. Local residents, workers, and visitors will be able to benefit from the recreational space, which will remain publicly accessible, secured by the Council through a legal agreement with the applicant. Notwithstanding the proposed communal courtyards which provide amenity space for residents, the Park will also provide a significant contribution towards the 4877sq.m of play/recreational space, calculated as the necessary minimum requirement for the expected child yield for the development, ages 0-18. This would be in line with Merton's Core Planning Strategy policy CS 13, The London Plan policy 3.6, and the Mayor of London's 'Play and Informal Recreation' SPG 2012.
- 8.14.7 Officers have engaged with and considered carefully the representations from those likely to be affected by the proposals and, in partnership with the applicants, have sought to identify ways of addressing or mitigating such impacts to an acceptable level through the imposition of planning conditions.
- 8.14.8 Following Reserved Matters applications, it is considered that the scheme would provide the opportunity to develop this key growth area and secure high quality urban design that achieves additional housing. The scheme would make a positive contribution to the economic, social and environmental well-being of the area.
- 8.14.9 In view of Development Plan policies, guidance set in the NPPF (2012) and an assessment of other material considerations, officers are satisfied that the proposed scheme has met in principle the requirements for a development of this size and scale in relation to the planning issues considered under the main assessment section of this report. The scheme presented will deliver a high quality and improved environment which will meet the needs of future occupiers and bring about a number of benefits for the local community.
- 8.14.10 In that context, it is considered that there are no material considerations that would warrant refusal of outline planning permission in this instance. The conditions that are recommended and the s106 obligations package that is set out would ensure that any adverse impacts of the scheme are mitigated against.

9. Recommendation

- 8.15** That the Planning Committee **GRANT** outline planning permission subject to conditions, referral to the Greater London Authority (under The Town and Country Planning (Mayor of London) Order 2008)) and the completion of a s106 Agreement to include the Heads of Terms as outlined in Section 26 of this committee report.

10. Planning obligations

CONDITIONS

COMMENCEMENT

1. **Commencement.** The development shall commence not later than three years from the date of this permission or two years from the final approval of the last Reserved Matters application, whichever is the later.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

APPROVAL OF RESERVED MATTERS

2. **Approval of the details shown below (the Reserved Matters)** of development for each phase of development shall be obtained in writing from the Local Planning Authority before any development in that phase is commenced:

- Access;
- Scale
- Layout;
- Appearance; and
- Landscaping.

3. **Reserved matters time limit** No Reserved Matters approval for the relevant phase of development shall be implemented more than 2 years from the date of the final approval of any Reserved Matters application for that phase, whichever is the later.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

4. **List of approved drawings** The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

[List of drawings and documents to follow]

REASON: Reason: For the avoidance of doubt and in the interests of proper planning.

PHASING

5. **Phasing strategy** Upon submission of the first Reserved Matters application, a Phasing Strategy setting out the delivery of the phases across the whole site shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Strategy shall confirm the order and timing of delivery of each of the

phases.

REASON: To ensure the scheme is delivered as proposed in accordance with Policies 3.5 and 7.3 of the London Plan (2016), Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policies EP E1, EP E2, EP E3, EP E4 and EP E8 of the Adopted Estates Local Plan 2018.

6. Delivery of non residential floorspace Prior to commencement of each of the relevant phases of development hereby permitted, a plan linking the delivery of the quantum of non-residential floor space to the completion of the residential units within that relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the appropriate minimum amount of non-residential floor space is provided as part of the development in order to maximise delivery of employment opportunities in line with Policy 2.17 of the London Plan (2016), Policy DM E3 of the SSP Local Plan, Policy CS12 of the Core Planning Strategy 2011 and Policy EP E4 of the Adopted Estates Local Plan 2018.

DEVELOPMENT TO BE CARRIED OUT IN ACCORDANCE WITH PERMISSION

7. Reserved Matters applications should accord with the submitted Development Parameters (Plans and Schedule) and Design Code, or such updated / replacement Development Parameters (Plans and Schedule) and / or Design Code approved in writing by the Local Planning Authority.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

PARTICULARS TO ACCOMPANY RESERVED MATTERS APPLICATIONS

8. Urban Design Strategy: Applications for approval of Reserved Matters for each relevant phase of development submitted pursuant to this permission relating to layout, scale, access, appearance and landscaping shall be accompanied by an Urban Design Report, which explains the approach to the design and how it takes into account the Design Code. This document should also include measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of that phase of development.

REASON: To ensure good design throughout the development in line with the principles set in the NPPF (2012), Policies 3.5 and 7.3 of the London Plan (2016), Policies DM D1, DM D2 & DM D4 of the SPP Local Plan 2014, Policies CS2 & CS14 of the Core Planning Strategy 2011 and Policies OEP.1, OPE.2 and EP E4 of the Adopted Estates Local Plan 2018.

9. Energy Strategy Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale and appearance shall be accompanied by an overarching Energy Strategy for all phases. For each subsequent relevant phase of development thereafter, an updated detailed

Energy Strategy shall be submitted to the Local Planning Authority for approval prior to commencement of that relevant phase. The Energy Strategies shall explain:

- How the proposed design realises opportunities to include design and technology energy efficiency measures;
- The reduction in carbon emissions achieved through these building design and technology energy efficiency measures compared with the emissions permitted under Building Regulations prevailing at the time the application(s) for approval of Reserved Matters are submitted;
- The specification for any green and / or brown roofs;
- How energy shall be supplied to the buildings highlighting:
- How the buildings relate to any side-wide strategy for district heating incorporating co- or tri-generation from distributed combined heat and power; and
- Any other measures to incorporate renewables.
- Preparation of a Site Waste Management Plan to comply with Best Practice Standards. Confirm what measures will be implemented in the construction. The approved measures shall be fully implemented in accordance with the approved details prior to the first occupation of any of the residential units hereby approved. A statement of verification from a suitably qualified expert shall be provided to the Local Planning Authority and agreed in writing to confirm compliance with the provided details prior to occupation of any of the residential units hereby permitted.

REASON: To ensure the development contributes to climate change mitigation by meeting the highest standards of sustainable design and construction achieving an adequate reduction in carbon dioxide emissions from on-site renewable generation, in accordance with the principles set out in the Energy Statement and in accordance with Policies 5.1, 5.2, 5.3, 5.5, 5.7, 5.8, 5.9 and 5.11 of the London Plan (2016), Policies DM EP1 of the SPP Local Plan 2014, Policies CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

8. Ecology and biodiversity strategy Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping of the public realm shall be accompanied by a detailed **Ecology and Biodiversity** Strategy for approval by the Local Planning Authority prior to commencement of that relevant phase. The Ecology and Biodiversity Strategy shall explain:

- The incorporation of bird boxes, bat roosts and other wildlife features on buildings;
- The creation of wildlife habitats within the public realm, integrated into the detailed SUDS designs; and
- The management and arrangements for these features.

REASON: To ensure the development contributes to improving the ecology and biodiversity of the area in accordance with Policy 7.19 of the London Plan (2016),

Policy DM O1 of the SPP Local Plan 2014, Policy CS13 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

9. Construction Environmental Management Plan Applications for approval of Reserved Matters submitted pursuant to this permission shall be accompanied by a detailed Construction Environmental Management Plan. This document shall explain:

- The proposed Best Practice Measures to be implemented during construction to suppress dust and minimise noise and vibration associated with demolition / building works;
- A full detailed Noise and Vibration Assessment;
- The measures proposed to reduce and remove risks to the water environment and reduce flood risk during construction;
- A full Construction Logistics Plan, which demonstrates how the impact of construction vehicles would be minimised; and
- Details of proposed hours of work for construction activity.

REASON: To ensure the development contributes to climate change mitigation by meeting the highest standards of sustainable design and construction achieving an adequate reduction in carbon dioxide emissions from on-site renewable generation, in accordance with the principles set out in the Energy Statement and in accordance with Policy 7.15 of the London Plan (2016), Policies DM EP2 & DM EP3 of the SPP Local Plan 2014, Policies CS15 & CS16 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

10. housing accommodation schedule Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale and appearance for each relevant phase of development including if built out as a single phase (other than demolition, enabling and groundworks, shall be accompanied by a Housing Accommodation Schedule. For each subsequent relevant phase of development thereafter, a detailed Housing Accommodation Schedule shall be submitted to and approved in writing prior to commencement of that relevant phase. These documents shall explain and include:

- The type and mix of units proposed;
- Whether the units are to be provided as affordable and what tenure;
- The gross internal floor areas of each dwelling; and
- A cumulative position statement on the provision of housing.

REASON: To ensure the development provides an appropriate mix and quality of housing as well as providing an appropriate amount and mix of affordable housing having regard to the relevant viability assessment in accordance with the NPPF (2012), Policies 3.3, 3.4, 3.7, 3.8, 3.9, 3.11 and 3.12 of the London Plan (2016), Policies DM H2, DM H3 of the SPP Local Plan 2014, Policy CS8 of the Core Planning Strategy 2011 and Policy EP E4 of the Adopted Estates Local Plan 2018.

12. Daylight and sunlight assessment Applications for approval of Reserved Matters for each relevant phase of development including if built out as a single

phase (other than demolition, enabling and groundworks submitted pursuant to this permission relating to layout and scale shall be accompanied by a detailed Daylight and Sunlight Assessment. This document shall explain:

- a) The impact of the proposed development on daylight and sunlight to neighbouring properties;
- b) The impact of the proposed development on daylight and sunlight to properties within the development itself; and

REASON: To ensure the development has an acceptable impact on neighbouring residents and future occupiers in terms of daylight and sunlight in line with the recommendations set out in the Daylight and Sunlight Report in accordance with Policy 7.7 of the London Plan (2016), Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policy EP E1 of the Adopted Estates Local Plan 2018.

13. Surface water drainage strategy Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and landscaping shall be accompanied by an overarching Surface Water Drainage Strategy for all phases. For each subsequent relevant phase of development thereafter, a detailed Surface Water Drainage Strategy shall be submitted to the Local Planning Authority for approval prior to commencement of that relevant phase. These documents shall explain:

- a) The proposed use of Sustainable Urban Drainage Systems (SUDS) to manage surface water run-off;
- b) Surface water attenuation, storage and disposal works, including relevant calculations; and
- c) Works for the disposal of sewage associated with the development.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk, in accordance with Policies 5.12 and 5.13 of the London Plan (2016), Policies DM F1, DM F2 of the SPP Local Plan 2014, Policy CS5 & CS16 of the Core Planning Strategy 2011 and Policy EP E1 of the Adopted Estates Local Plan 2018.

14. Accessibility strategy Applications for approval of Reserved Matters for each relevant phase of the development including if built out as a single phase (other than demolition, enabling and groundworks shall be submitted pursuant to this permission relating to layout and landscaping shall be accompanied by a detailed Accessibility Strategy for the relevant phase. This document shall explain:

- a) How the proposed public realm areas, within each relevant phase, would be accessible to all, including details of finished site levels, surface gradients and lighting;

b) How each building would be accessible to all, including details of level access and internal accommodation arrangements and access to car parking; and

c) That 10% of the overall residential dwellings hereby permitted would meet Building Regulation M 4(3).

REASON: To ensure the development is accessible and inclusive to all in accordance with Policy 7.2 of the London Plan (2016), Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policies EP E2, EP E3, EP E4 of the Adopted Estates Local Plan 2018.

15. Lighting Strategy Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, access, appearance and landscaping shall be accompanied by an overarching Lighting Strategy in line with the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Engineers for all phases. For each subsequent relevant phase of development thereafter, an updated detailed Lighting Strategy shall be submitted to and approved in writing prior to commencement of that relevant phase. These documents shall explain:

a) The lighting proposed for amenity spaces and external communal areas, including relevant justification; and

b) The proposed external building lighting.

REASON: To ensure the development is adequately lit in order to minimise the risk and fear of crime, whilst ensuring that the proposed lighting would not unduly impact on local character, amenity or biodiversity in accordance with Policies 7.3 and 7.19 of the London Plan (2016), Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011.

16. Refuse Strategy Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, access and landscaping shall be accompanied by an overarching Refuse Strategy for all phases including if built out as a single phase (other than demolition, enabling and groundworks). For each subsequent relevant phase of development thereafter, an updated detailed Refuse Strategy shall be submitted to and approved in writing prior to commencement of that relevant phase. These documents shall explain:

a) The storage and disposal arrangements for refuse and waste associated with the residential and commercial elements of the proposed development, including vehicular access thereto;

b) The storage and disposal arrangements for refuse and waste associated with proposed public realm areas, including vehicular access thereto;

c) The hours of proposed waste collection; and

d) A full waste management strategy with details of the location, size and the design of the residual waste and recycling container storage areas for each

residential unit

e) The operation and management of the Underground Refuse System (URS), including vehicular access thereto;

REASON: To ensure that adequate refuse storage and disposal facilities are provided, in the interests of local character and amenity in accordance with Policy 5.16 of the London Plan (2016), Policies DM D1, DM D2 of the SPP Local Plan 2014, Policy CS2 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

17. Noise and vibration mitigation strategy Applications for approval of Reserved Matters for each relevant phase of the development including if built out as a single phase (other than demolition, enabling and groundworks submitted pursuant to this permission relating to layout, scale and appearance shall be accompanied by a detailed Noise and Vibration Mitigation Strategy for the relevant phase. This document shall explain noise attenuation measures for the proposed uses, including noise barriers, specified glazing and ventilation and orientation / layout of buildings and amenity areas. Post completion Noise Assessments are to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of that relevant building.

REASON: To ensure the new buildings in the development have adequate provision against noise and vibration from existing sources and within the development in accordance with Policy DM EP2 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

18. Sound insulation Applications for approval of Reserved Matters for each relevant phase of the development including if built out as a single phase (other than demolition, enabling and groundworks submitted pursuant to this permission relating to layout, scale and appearance shall be accompanied by a detailed Scheme of Sound Insulation for the relevant phase. This document is designed to prevent the transmission of excessive airborne noise between the proposed residential uses proposed immediately above commercial uses and shall be submitted to and approved in writing by the Local Planning Authority. The airborne sound insulation performance shall achieve as a minimum a 10dB increase in the minimum requirements of Approved Document E of the Building Regulations. The sound insulation shall be installed and maintained only in accordance with the details so approved.

REASON: To protect the living conditions and amenity of future / new residents of the proposed development from noise attributed to the associated commercial units below in accordance with Policy DM EP2 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

19. Arboricultural Impact Assessment Applications for approval of Reserved Matters submitted pursuant to this permission shall be accompanied by an overarching Arboricultural Impact Assessment for all phases. For each subsequent relevant phase of development thereafter, an updated detailed Arboriculture Impact Assessment shall be submitted to and approved in writing prior to commencement of that relevant phase. These documents shall explain how trees are to be retained, together with measures for their protection during the course of the development. If any trees are to be removed, lopped or topped, a full justification must be provided within the Arboriculture Report. This document shall also explain the total number of trees to be removed, together with details of proposed replacement tree planting, to ensure an overall increase in the number of trees across the site.

REASON: To safeguard the character and appearance of the area and to enhance the appearance of the development, in accordance with Policy 7.5 of the London Plan (2016), Policy DM O2 of the SPP Local Plan 2014, Policy CS13 of the Core Planning Strategy 2011 and Policy EP E7 of the Adopted Estates Local Plan 2018.

20. Transport Strategy Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and access shall be accompanied by a detailed Transport Strategy for the relevant phase. This document shall explain:

- a) A detailed Parking Management Strategy for that part of the development (including Car Club provision);
- b) Details of cycle parking provision for each of the proposed uses;
- c) Details of electric car charging points with 20% active and 20% passive provision;
- d) Details of pickup and drop off facilities for the school (in applications relating to the primary school only);
- e) Details of motorcycle and scooter parking;
- f) Details of pedestrian and cycle routes throughout that part of the scheme;
- g) Details of pedestrian and vehicle signage and way-finding within the development;
- h) Details of enforcement procedures for parking offences on un-adopted roads;
- i) A summary of how the approach relates to the original Transport Assessment; and
- j) A summary of how the proposed Strategy relates to the Travel Plan to be submitted under the s106 Agreement.

REASON: To ensure that adequate levels of parking are proposed, that

sustainable means of transport are encouraged and to ensure that no unacceptable increase in traffic movements result, in line with the recommendations of the Transport Assessment and in accordance with Policies 6.3, 6.9 and 6.13 of the London Plan, Policies DM T1, DM T2 & DM D3 of the SPP Local Plan 2014, Policy CS18, CS19 & CS20 of the Core Planning Strategy 2011 and Policies EP E2 & EP E3 of the Adopted Estates Local Plan 2018.

21. **Levels plans** Applications for approval of Reserved Matters for each relevant phase of the development submitted pursuant to this permission shall be accompanied by a detailed **Levels Plan** for the relevant phase. This document shall explain details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and land contamination, in accordance with Policy 5.21 of the London Plan (2016), Policies DM D1 & DM D2 of the SPP Local Plan 2014, Policy CS2 & CS14 of the Core Planning Strategy 2011 and Policy EP E1 of the Adopted Estates Local Plan 2018.

LAND CONTAMINATION AND REMEDIATION

22. a) **A land contamination 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 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. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

b) Site Investigation for Contaminated Land

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.

c) Remediation

Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. 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.

d) Reporting of 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 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.

e) Verification

Where required, the contamination shall be fully treated and completed wholly in accordance with the approved measures in the remediation strategy. A verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority before the development is occupied or brought into use in accordance with the approved Phasing Strategy.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance with Policy 5.21 of the London Plan (2016), Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

23. Demolition and construction method statement No development shall take place until a detailed Demolition and Construction Method Statement has been submitted for each of the phases of the development, 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
- 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.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance with Policy 5.21 of the London Plan (2016), Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

ENERGY AND SUSTAINABILITY

24. Carbon reduction statement Prior to commencement of any superstructure works for any phase of the development, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2013 Building Regulations, shall be submitted to and approved in writing by the Local Planning Authority. The report shall reference the measures set out in the Energy Statement accompanying the planning application, but shall explain what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained.

REASON: In the interests of the sustainability and energy efficiency of the development and to meet the requirements of Policy 5.2 of the London Plan (2016), Policies DM EP1 & DM EP3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

25. **Non-residential floorspace carbon reduction** The non-residential floor space hereby permitted shall be constructed to achieve not less than **BREEAM 'Very Good'** (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The non residential floorspace shall not be occupied until formal post-construction stage certification has been issued confirming that not less than 'Very Good' has been achieved and this certification has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of sustainability, energy efficiency and to provide a high quality development in accordance with Policy 5.2 of the London Plan (2016), Policies DM EP1 & DM EP3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

26. **Water conservation** Prior to the commencement of the relevant phase of the development, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day for residential dwellings only shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained.

REASON: To minimise the water use of the development, in accordance with Policy

5.15 of the London Plan (2016), Policy DM D2 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

27. Energy Centre Prior to commencement of the relevant phase of the development in which the energy centre is to be situated, details and verification to demonstrate that the energy centre flue will be at least 3m above any openable window or ventilation air inlets within the new residential development within a distance of 5 times the stack height shall be submitted to and approved in writing by the Local Planning Authority. The flue shall be implemented in accordance with the agreed details prior to the first occupation or first use of buildings of any phase of development and thereafter retained and managed accordingly.

REASON: To ensure the development is sustainable and to comply with Policies DM EP1 & DM EP3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

28. Overheating strategy Prior to commencement of the relevant phase of the development hereby permitted, details for the provision of an Overheating Strategy for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development is sustainable and to comply with Policy 5.3 of the London Plan (2016), Policies DM EP1 & DM EP3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

OPEN SPACE

29. Open Space Strategy Prior to the commencement of the relevant phase of the development hereby permitted, a detailed for the provision of open space within that phase shall be submitted to and approved in writing by the Local Planning Authority. The proposed open space, where it would not form part of the permanent areas of public realm, shall be accompanied by full details of the proposed approach to the landscaping, including planting plans, a schedule of plants, including plant sizes and proposed numbers, as well as details of hard landscape materials, boundary treatments and street furniture. The development shall be carried out in accordance with the Open Space Strategy prior to first occupation of any part of that relevant phase of the development and thereafter retained and maintained.

REASON: To ensure adequate provision of open space within the development, in accordance with Policy 7.5 of the London Plan (2016), Policies DM O1, DM D1 & DM D2 of the SPP Local Plan 2014, Policies CS2, CS5, CS13 & CS14 of the Core Planning Strategy 2011 and Policy EP E5 of the Adopted Estates Local Plan 2018.

30. Public Realm management plan Prior to first occupation of any phase of the development hereby permitted, a **Public Realm Management Plan** shall be submitted to and approved in writing by the Local Planning Authority for that phase of development. This document shall include:

a.) Details of the contractual arrangement between the developer and the management company;

b.) Details of a scheme for waste management in the public realm;

c.) Details of proposals for landscape management in the public realm including long term objectives, responsibilities and maintenance schedules for all public realm areas; and

d.) A Maintenance and Management Plan for the non-adopted drains and SUDs systems. The Public Realm Management Plan shall be implemented as approved.

REASON: To ensure that the public realm within the development is maintained to an adequate standard, to safeguard the character and appearance of the area and to enhance the appearance of the development, in accordance with Policy 7.5 of the London Plan (2016), Policies DM O1, DM D1 & DM D2 of the SPP Local Plan 2014, Policies CS2, CS5, CS13 & CS14 of the Core Planning Strategy 2011 and Policy EP E5 of the Adopted Estates Local Plan 2018.

31. Landscaping and planting scheme No development shall take place within each phase until full details of a landscaping and planting scheme relevant to each phase has been submitted to and approved in writing by the LPA. The details shall include on a plan, full details of the size, species, quantities and location of the proposed plants. The approved works shall be carried out in the first available planting season following 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 the same approved specification, unless the LPA gives written consent to any variation.

REASON: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policy 7.5 of the London Plan (2016), Policies DM O1, DM D1 & DM D2 of the SPP Local Plan 2014, Policies CS2, CS5, CS13 & CS14 of the Core Planning Strategy 2011 and Policy EP E5 of the Adopted Estates Local Plan 2018.

AMENITY AND NOISE

32. Noise mitigation Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery associated with each separate commercial unit shall not exceed LA90-10dB at the boundary with the closest residential or noise sensitive property.

REASON: To ensure the future occupiers of the residential units in the development would not experience undue noise and disturbance from deliveries in accordance with Policy 7.15 of the London Plan (2016), Policies DM D2 & DM EP2 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011 and Policies EP E1 & EP E6 of the Adopted Estates Local Plan 2018.

33. **Deliveries** Deliveries to each of the non-residential units associated with the development shall not be undertaken outside of the hours of 07.30 hours until 21:00 hours Monday to Saturday, and 08:30 to 20:00 hours on Sunday and Public Holidays.

REASON: To ensure the future occupiers of the residential units in the development would not experience undue noise and disturbance from deliveries in accordance with Policy 7.15 of the London Plan (2016), Policies DM D2 & DM EP2 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011 and Policies EP E1 & EP E6 of the Adopted Estates Local Plan 2018.

34. **Acoustics** Due to the potential impact of the proposed commercial units on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The scheme is to include acoustic data for the glazing system and ventilation system. The internal noise levels shall meet those within BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings as a minimum. The approved scheme shall be implemented in accordance with the agreed details.

REASON: To protect the living conditions of future residents on and around the application site in accordance with Policy 7.15 of the London Plan (2016), Policies DM D2, DM EP2, DM E1 & DM E3 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011 and Policies EP E1 & EP E6 of the Adopted Estates Local Plan 2018.

35. **Odour** Details of the measures to control odour from all mechanical systems serving an individual food premises shall be submitted and approved in writing to the local planning authority and implemented. The measures are subject to approval by the local authority. The system shall be designed so neighbouring premises are not affected by odour.

REASON: To protect the amenities of adjoining properties and the surrounding area, in order to comply with Policies DM D2, DM EP2, DM EP4, DM E1 & DM E3 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011 and Policies EP E1 & EP E6 of the Adopted Estates Local Plan 2018.

FLOOD RISK AND DRAINAGE

36. Non-Standard Condition:
The development permitted by this planning permission shall be carried

out in accordance with the Flood Risk Assessment (FRA) by Peter Brett Associates (ref: 32120/2010 Revision DWG 2019-PLdated February 2018). The flood risk and drainage mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future users, and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DM F1 and DMF2 and the London Plan policies 5.12, 5.13.

Non-Standard Condition:

Prior to commencement of the development hereby permitted by this planning permission, details shall be submitted to the approval of the local planning to demonstrate that finished floor levels for all residential units shall be assessed in detail and details regarding flood risk mitigation shall be submitted and approved by the Local Planning Authority. The mitigation strategy for each block shall follow this hierarchy and demonstrate that floor levels will be (i) raised above the corresponding surface water flood depth for the given block location (ii) set no lower 250mm above existing ground levels (iii) or include flood risk resistance or resilience measures up to the corresponding surface water flood depth. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's policies CS16, DM F1 and the London Plan policy 5.12.

Non-Standard Condition:

The development hereby permitted shall not be occupied until such time as a Flood Warning and Evacuation plan and procedure is implemented and agreed in writing to the satisfaction of the Local Planning Authority. The Flood Warning and Evacuation Plan shall be implemented in accordance with the submitted document included within Appendix D of the FRA Addendum by Peter Brett Associates ref: 32120/2010 Revision DWG 2019-PLdated February 2018) and the procedures contained within the plan shall be reviewed annually for the lifetime of the development. Consultation of the plan shall take place with the Local Planning Authority and Emergency Services.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's CS16 and policy DM F1 and the London Plan policy 5.12.

Non-Standard Condition:

No development approved by this permission shall be commenced until a detailed scheme for the provision of an overarching surface and foul water drainage strategy for the whole site, and each phase, has been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The final detailed drainage scheme shall be designed at reserved matters stage in accordance with the outline details submitted in the AECOM Drainage/SuDS Strategy (ref: 32120/2010 Revision DWG 2019-PLdated February 2018) dated Jan 2018.

The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to sewer at the agreed restricted rate in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (the provision of attenuation volume is to be no less than 3643m³) and control the rate of surface water discharged from the entire site at a maximum rate of 101.2 l/s for a 1:100 year return period plus 40% climate change. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

Green and Blue roof Condition:

Prior to the commencement of development, the detailed design, specification and planting scheme for the green and brown roofs shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved, retained and maintained in perpetuity thereafter. The Green and Brown Roofs shall be designed in accordance with the drainage and attenuation measures set out in the Flood Risk Assessment produced by Peter Brett Associates (ref: 32120/2010 Revision DWG 2019-PLdated February 2018).

Reason: To reduce the risk of surface and foul water flooding to the

proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

37. Ecology and demolition No demolition of buildings or removal of trees or shrubs shall take place in any phase of development hereby permitted until up to date bat and breeding bird surveys are submitted to and approved in writing by the Local Planning Authority for that phase of development. If evidence of bat or breeding birds are found prior to demolition, specific mitigation measures should be included in any submission for the written approval of the Local Planning Authority. Development shall proceed in accordance with any approved mitigation measures.

REASON: To safeguard the ecology and biodiversity of the area, in accordance with Policy 7.19 of the London Plan (2016), Policies DM EP2 & DM EP3 of the SPP Local Plan 2014, Policies CS15 & CS16 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

PERMITTED DEVELOPMENT RESTRICTED

38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development which would otherwise fall within Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out to the proposed houses without the prior written permission of the Local Planning Authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling and to safeguard the amenity of neighbouring residents in accordance with Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policies EP E1 & EP E8 of the Adopted Estates Local Plan 2018.

39. Secured by Design Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority and the Metropolitan Police SW Designing Out Crime Office, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

REASON: In the interest of creating safer, sustainable communities, in compliance with Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the

Core Planning Strategy 2011 and Policies EP E1, EP E2, EP E3, EP E4 & EP E8 of the Adopted Estates Local Plan 2018.

40. Archaeology No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. B) No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under Part A). C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON: In the interests of archaeological protection in accordance with Policies DM D2 & DM D4 of the SPP Local Plan 2014, Policies CS2 & CS14 of the Core Planning Strategy 2011 and Policies EP E1 & EP E8 of the Adopted Estates Local Plan 2018.

41. Air quality assessment Prior to commencement of development, a detailed Air Quality Assessment Report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The development shall be at least '*Air Quality Neutral*' and an air quality neutral assessment for both buildings and transport shall be included in the report to demonstrate this.

REASON: To ensure that the amenities of occupiers and neighbouring amenities are protected from the poor air quality in the vicinity in accordance with Policy 7.14 of the London Plan (2016) and Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

42. Air pollution mitigation measures scheme Prior to commencement of development, a scheme for air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter

REASON: To ensure that the amenities of occupiers and neighbouring amenities are protected from the poor air quality in the vicinity in accordance with Policy 7.14 of the London Plan (2016) and Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

43. Control of dust and emissions during construction and demolition 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: To protect local air quality in accordance with Policy 7.14 of the London Plan (2016) and Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

44. **Non-Road Mobile Machinery (NRMM)** An inventory of all NRMM must be kept on-site during the course of the demolitions, site preparation and construction phases. All machinery should be regularly serviced and service logs kept onsite for inspection. Records should be kept on-site, which details proof of emission limits for all equipment. This documentation should be made available to Local Authority officers as required until completion of development.

REASON: To protect local air quality in accordance with Policy 7.14 of the London Plan (2016) and Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

45. **Air Quality Demolition Management Plan** (Prior to any works commencing on site, an Air Quality Demolition Management Plan (AQDMP) shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.

REASON: To protect local air quality in accordance with Policy 7.14 of the London Plan (2016) and Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

46. **Combined Heat and Power** Prior to occupation or use of the development the following details of the installed boiler/CHP shall be submitted to and approved in writing by the Local Planning Authority: NOx mission rates in g/kWh for comparison against the ultra-low NOx emission limits in the Borough's Air Quality Supplementary Planning Guidance Details of the servicing and maintenance of the boiler and any pollution control system.

REASON: To protect the future occupiers and neighbouring residents in accordance with Policy 7.14 of the London Plan (2016) and Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning

Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

47. Prior to any works commencing on site a scheme for protecting future users from external air pollution (Where applicable) shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of such a scheme shall be completed before any part of the development is first occupied or used and measures put in place to ensure it is maintained for the life of the development

REASON: To protect the future occupiers and neighbouring residents in accordance with Policy 7.14 of the London Plan (2016) and Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

49. **Combined Heat and Power stack** The proposed CHP plan must have a discharge stack, which is at least 3m above any openable windows or ventilation air inlets within a distance of 5Um. Details to demonstrate compliance with this condition must be submitted to the Local Planning Authority for approval prior to commencement of the relevant phase of the development.

REASON: To protect the future occupiers and neighbouring residents from exposure to pollutant emissions from the energy centre in accordance with Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP E6 of the Adopted Estates Local Plan 2018.

Informatives

1. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre-planning application advice service.

2. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 0800 and 1800 hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.

3. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London.

SE2 9AQ. Telephone: 020 3577 9200.

4. The application is subject to both the Mayoral and the Merton Council Community Infrastructure Levy unless an application for an exemption is made and approved.

5. If the intention is to complete tree work between the 1st March & the 31st July (inclusive) a due diligence check for nesting birds must be completed before work starts in order to comply with the Wildlife & Countryside Act 1981. Arborists should record such checks in their site specific Risk assessment. If active nests are found work should not take place until the young have fledged.

6. A due diligence check for bats and likely habitats (see attached link) must be completed before work starts in order to comply with the Wildlife & Countryside Act 1981. Arborists should carry out and record such checks in line with BS8596: 2015 surveying for bats in trees and woodland in their site specific risk assessment. If bats or potential roosting features are found work must not start until an appropriately licenced bat handler has been engaged.

7. The developer should consult with Thames Water with regard to whether any offsite reinforcement of the foul water drainage network is required. Copies of the correspondence should be provided for the Council records.

8. Surface Water Drainage: It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development We recommend that developers should: Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297401/scho0804bibr-e-e.pdf

Refer to the Environment Agency Guiding Principles for Land Contamination for the Type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

Refer to our website at www.environment-agency.gov.uk for more information. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination. E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
 - BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
 - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and End 5 installation of groundwater monitoring points;
 - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)
 - Use MCERTS accredited methods for testing contaminated soils at the site. A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out.
 - In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.
 - GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs.
 - Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50m. Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL11. The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.)
8. If approved it is the developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.

9. In the event that asbestos containing materials (ACMs) are discovered, details of the contractors with their plan of work detailing the method of removal of ACMs in compliance with current legislation shall be submitted to the HSE.

10. Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

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