

PLANNING APPLICATIONS COMMITTEE

22 MARCH 2018

APPLICATION NO.

DATE VALID

17/P3989

30/11/2017

Address/Site: Garages rear of 30-40 Barnes End
New Malden
KT3 6PB

Ward: West Barnes

Proposal: DEMOLITION OF 24 GARAGES AND CONSTRUCTION
2 x NEW 3 BEDROOM DWELLINGS WITH
ASSOCIATED PARKING AND LANDSCAPING.

Drawing No.'s: B-01 Rev.D dated 29/01/2018 and B-02 Rev.B dated
26/10/2017

And supporting documents: 'Bat Roost & Barn Owl
Potential Building Assessment Report' Dated 12 October
2017, 'Daylight & Sunlight Report' Dated 6 November
2017, 'Design And Access Statement' Dated 31 October
2017, 'Flood Risk Assessment' Dated November 2017,
'Phase I Desk Study' Dated 01 November 2017,
'Transport Statement' October 2017 And 'Planning
Statement' Dated November 2017.

Contact Officer: Cameron Brooks (020 8545 3297)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 55
- External consultations: 2
- Conservation area: No
- Listed building: No

- Tree protection orders: No
- Controlled Parking Zone: No
- Flood zone: Yes – zone 2 (in the area of proposed development)
- Archaeological priority zone: No

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site is a broadly triangular parcel of land (approximately 793sq.m) located to the rear of nos. 38 & 40 Barnes End and is bounded on all sides by the rear gardens of adjacent properties. Access is via a turning head at the end of Barnes End, a cul-de-sac which is separated from the adjacent road, Cobham Avenue by a 2.1m high brick wall.
- 2.2 The site is entirely surfaced with concrete with no soft landscaping. The existing garages form part of the boundaries of the site. Surrounding properties are generally large two-storey semi-detached dwellings with walls of red brick or render with some tile-hanging and predominately hipped tiled roofs. The site cannot be seen directly from any of the surrounding public roads.
- 2.3 The site has a PTAL (public transport accessibility level) of 2 which is considered to be poor (1 being very poor and 6 being excellent).

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of 24 garages and the construction of 2, 2 storey, 3 bed semi-detached dwellings with accommodation at roof level, access from Barnes End, and extensive landscaping to the remainder of the site. The proposed building would have a footprint of approximately 150sq.m. The semi-detached buildings will be mirror images of each other.
- 3.2 The site would retain vehicle access from Barnes End with 2 parking spaces being provided for each dwelling onsite. The footprint of the two buildings would be irregular in shape and would be set in from the site boundaries. Landscaping has been proposed within the private rear garden areas and the shared front garden area.
- 3.3 Plot 1 is located on the southern portion of the subject site. The proposed dwelling would be located approximately 1m from the shared southern boundary at its closest point, increasing to approximately 2.8m; it would be set back from the south-eastern boundary by approximately 10.89m at its closest point and it would be set in from the north-western boundary by approximately 10.9m.
- 3.4 Plot 2 is located to the north-east of Plot 1. The proposed dwelling would be located approximately 1.2m from the shared north-eastern boundary at its closest point, increasing to approximately 3.5m; it would be set back from the

south-eastern boundary by approximately 10.89m at its closest point and it would be set in from the north-western boundary by approximately 10.8m.

- 3.5 The main building envelope would be irregular in shape with a dual pitched roof. The ground floor is proposed to be faced in a high quality multi-stock facing brick and the first floor finished in a natural hidden fixing timber weatherboard. The main pitched roof is tiled in red smooth-faced clay tiles. Projecting from the north-eastern face of Plot 2 and the south-western face of Plot 1 will be a single storey element with a flat roof. The installation of a roof garden will be on the abovementioned flat roofs has been proposed. The roof will have a catslide to the rear (with 2 large and 4 small roof lights) enabling a reduction in the height of the main roof.
- 3.6 The proposed dwellings will be symmetrical and would have the following key dimensions:
- Main dwelling:
 - 11.6m deep/long;
 - 11.1m wide;
 - 3.0m high to the eaves on the south-eastern face;
 - 6.1m high to the eaves on the south-western and north-eastern faces;
 - 6.1m high to the eaves on the south-western and north-eastern faces;
 - 5.3m high to the eaves on the north-western face;
 - 9.36m maximum height.
 - Single storey projection:
 - 4.65m deep/long;
 - 2.58m wide;
 - 2.87m maximum height.
- 3.7 Following the initial submission of the drawings, safety and traffic concerns were raised by residents and the Metropolitan police regarding the proposed Barnes End and Cobham Avenue pedestrian/cycle connection. In light of the concerns raised, the applicant has removed the above mentioned connection.

4. PLANNING HISTORY

- 4.1 Relevant planning history is summarised as follows:
- 4.2 17/P2185: PRE APPLICATION ADVICE FOR THE PROPOSED CONSTRUCTION 3 X NEW DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING.
- 4.3 17/P3991: DEMOLITION OF 9 GARAGES AND CONSTRUCTION 1 X 2 BEDROOM DWELLING HOUSE WITH ASSOCIATED PARKING AND LANDSCAPING. – Pending.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site notice along with letters sent to 55 neighbouring properties. The outcome of the consultation process is summarised as follows:
- 5.2 35 letters of objection which are summarised as follows:

- Adverse flooding impacts;
- Reduced access to sunlight/daylight on adjacent properties;
- Adverse impacts on outlook, loss of existing views and loss of privacy of adjacent properties;
- Security, traffic and parking issues associated with the opening of the party wall between Barnes End and Cobham Avenue;
- The loss of the garage/storage space will have adverse traffic and parking issues on the local area;
- Trees or large shrubs will not be practical between buildings due to shrinkable clay soils;
- The proposal may damage the existing historic wall;
- The materials and modern design proposed is not consistent with the area and are inappropriate;
- Health and safety, noise and dust pollution effects due to construction of the development close to adjacent properties and gardens;
- The proposal will have a significant visual impact and the bulk and mass will dominant the area;
- The proposal will erode the existing character of the area;
- Increased vehicle and pedestrian movements will have an adverse impact on the existing character of the area and the noise associated will impact the amenity and privacy of adjacent properties;
- Emergency service vehicles and waste/refuse collection could be difficult given the narrow accessway;
- The narrow streets combined with on street parking will restrict access for construction vehicles and plant required for development;
- The proposal will devalue adjacent properties;
- The proposal will destroy the sense of community in the area;
- Part of the proposed access runs across privately owned land, the owner of which has not provided their consent;
- The proposed density is not suitable for the subject site;
- The subject site should be developed into a carpark for the local residents use;
- Residents will no longer be able to store their possessions in the garages;
- The proposed development may damage fences, gardens and structures of adjacent properties.

Internal:

- 5.3 Environmental Health Officer: No objection subject to conditions. Conditions are recommended relating to noise mitigation and the potential for contamination to be found on-site.
- 5.4 Flood Risk Engineer: No objection subject to conditions. The site is in flood zone 2 and within a Critical Drainage Area (CDA 001). The application is supported by a detailed Flood Risk Assessment (FRA), the FRA state the proposed finished floor level of the dwellings are to be sited below the flood level (1 in 100 year +35% climate change event) however, the a FRA proposes flood risk resistance and resilience measures to mitigate the risk.

In terms of surface water drainage, the proposed scheme will reduce runoff

rates to lowest practical levels at 2l/s and therefore requires 33m³ of attenuation to accommodate all events up to and including 1 in 100 year+ 40% climate change. This is proposed to be contained within the permeable paving sub-base. Green roofs are proposed to cover some part of the dwellings. Conditions are recommended relating to drainage scheme details and detailed design of green roofs.

- 5.5 Transport/Highways Officer: No objection subject to conditions. The proposed parking provisions are in line with London Plan standards. Proposed cycle storage is in line with London Plan standards. Conditions are recommended relating to a construction logistics plan, details of refuse and vehicle access.

External:

- 5.6 Environment Agency: No objection subject to a condition requiring the development to follow the measures detailed in the Flood Risk Assessment submitted with this application are implemented.
- 5.7 Metropolitan Police – Designing out Crime Officer: Objection to the proposed removal of the wall separating Barnes End and Cobham Avenue. Metropolitan Police have advised that they believe the proposed link would make the area more susceptible to crime and anti-social behaviour.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2012)

The following principles are of particular relevance to the current proposals:

- At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;
- The NPPF states that local authorities should act to boost significantly the supply of housing and use their evidence base to ensure that Local Plan documents meet the full, objectively assessed needs for market and affordable housing;
- Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks
- The NPPF states that local authorities should act to boost significantly the supply of housing and use their evidence base to ensure that Local Plan documents meet the full, objectively assessed needs for market and affordable housing;
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local place that the Country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

- Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems. Planning should not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- Good design is a key aspect of sustainable development and it should contribute positively to making places better for people.

Other NPPF sections of relevance:

4. Promoting sustainable transport
6. Delivering a wide choice of quality homes.
7. Requiring good design.
10. Meeting the challenge of climate change/flooding

6.2 London Plan (2016)

Relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An Inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 8.2 Planning obligations
- 8.3 CIL

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 14 Design

CS 15 Climate change
CS 17 Waste management
CS 18 Transport
CS 19 Public transport
CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

DM H2 Housing mix
DM D1 Urban Design
DM D2 Design considerations
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

6.5 Supplementary planning considerations

London Housing SPG – 2016

Merton Design SPG – 2004

Technical Housing Standards – Nationally described space standard 2015

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

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

- Principle of development.
- Design and impact upon the character and appearance of the area.
- Impact upon neighbouring amenity.
- Standard of accommodation.
- Transport, highway network and parking.
- Refuse storage and collection.
- Sustainable design and construction.
- Flooding and sustainable urban drainage.
- Contamination
- Developer contributions

Principle of development

- 7.2 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2012 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

- 7.3 The site is within a residential area and is considered to be an underutilised brownfield site which is considered to present opportunities for a more intensive residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.
- 7.4 Given the above, it is considered the proposal is acceptable in principle; subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and impact upon the character and appearance of the area

- 7.5 The NPPF, London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DM D2 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context, thus they must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.
- 7.6 Paragraph 1.3.60 of the London Plan Housing SPG 2016 states that while Policy 3.4 resonates with section 7 of the NPPF, it does not seek to *'impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or style'*. The proposed semi-detached dwelling will be located at the end of a cul-de-sac and down a shared driveway (approximately 20m). The backland nature of the site, along with the distance from the street and the screening provided by the surrounding dwellings will obstruct the vast majority of the proposed dwellings from the public when viewed from the street. While parts of the proposal may be visible when viewed from the gaps between the dwellings along Barnes End, it is considered that such vantage points will be limited and confined to the end of a cul-de-sac with minimal public movement and no through traffic. In light of the above, it is considered that a more contemporary approach to design and materials used can be afforded for the subject site. Therefore, while the materials proposed (the ground floor is proposed to be faced in a high quality multi-stock facing brick and the first floor finished in a natural hidden fixing timber weatherboard) will not be consistent with the surrounding dwellings, in this situation, the proposal is considered acceptable in terms of design and materials.
- 7.7 One of the clear design features of the proposed semi-detached dwelling is the catslide on the south-eastern face. The catslide to the rear (with 2 large and 4 small roof lights) has been introduced in order to allow a reduction in the height of the main roof and associated reduction in adverse impacts on adjacent properties. It is noted that this is not an uncommon feature in the area, with the several dwellings along Barnes End having a catslide on the street facing elevations.
- 7.8 The building is set in from all boundaries and it is considered to fit comfortably within the site. Considering the existing built environment, the proposed 2

storey building is considered to be well justified in terms of bulk and height and that it would sit comfortably within its context. In addition, the massing approach, which focuses the bulk toward the centre of the site and away from the shared boundaries, while reducing in bulk toward the rear, is considered to be appropriate. Given the above, the footprint and layout of the building is considered to be well thought out and appropriate for the site.

- 7.9 As viewed holistically, it is considered that the proposal would constitute a high quality scheme, responding appropriately to the surrounding context in terms of massing, heights, layout, architectural cues and materials.

Impact upon neighbouring amenity

- 7.10 London Plan policies 7.14 and 7.15 along with SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.

Light spill:

- 7.11 Light spill from the proposal is not expected to be significant given the scheme is entirely residential.

Privacy:

- 7.12 The primary outlook would be provided to the front (north-west) and rear (south-east) of the subject site.
- 7.13 With regards potential overlooking impacts on adjacent properties to the north-west (15, 11, 9, 7, 5, 3 and 1 Blakes Terrace) it is noted that the proposed dwellings will be located approximately 26m from the closest adjacent building which is considered to be more than enough separation distance to maintain appropriate levels of privacy.

With regards potential overlooking impacts on adjacent properties to the south-west and north-east (447, 449, 451, 453, 455 West Barnes Lane and 24, 26, 28, 30, 32, 34, 36, 38 and 40 Barnes End), the scheme proposes minimal glazing and a combination of obscure glazed and fixed shut windows at the first floor level on the south-western and north-eastern faces. It is noted that the irregular shape of the site, the orientation of the proposed dwellings and the orientation of the adjacent dwellings have allowed the applicant to provide the rear with directional outlook, to avoid directing overlooking the adjacent dwellings. While the proposal may increase the level of potential overlooking on adjacent rear gardens, it is noted that the only windows at first floor level will be associated with roof lights. It is acknowledged that due to the low ceiling height caused by the catslide, some of the roof lights will allow a certain level of overlooking when viewed from the bedrooms. However, given the separation distances from the shared boundaries and the existing level of overlooking from adjacent properties, the proposed increase in overlooking/loss of privacy is not considered to be of a level that is

inconsistent with an urban area or would be of a level that would warrant refusal.

Visual intrusion:

- 7.14 Given the proposed buildings would be 2 storey in height and would be replacing single storey garages, visual intrusion should be closely scrutinised.
- 7.15 With regard to 34 to 36 Barnes End and 38 to 40 Barnes End (dwellings to the north-east): it is noted that the primary outlook is directed toward the street front and the rear of the property. The rear outlook will generally face the proposed accessway and parking space of Plot 2; in addition, the two storey section of the building is setback from the adjacent building by approximately 12m.
- 7.16 With regard to 32 to 30 Barnes End and 28 to 26 Barnes End (dwellings to the east): it is noted that the primary outlook is directed toward the street front and the rear of the property. The rear outlook will be orientated towards the proposed rear garden of Plot 2; in addition, the two storey section of the building is setback from the adjacent building by approximately 9m.
- 7.17 With regard to 447, 449, 451, 453, 455 West Barnes Lane (dwellings to the south and south-west): it is noted that the primary outlook is directed toward the street front and the rear. The rear outlook will be orientated towards the proposed building, however it is noted that the two storey section of the building will be located approximately 24m away from the closest adjacent building in addition.
- 7.18 To further mitigate the impact of visual intrusion, the proposed building would utilise a dual pitched roof, that will reduce in height the closer it gets to the shared boundaries and trees would be planted along the southern, south-eastern, eastern and western boundaries in order to reduce the visual impact of the proposal.

Loss of daylight and sunlight:

- 7.19 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidelines; the methodology used is the vertical sky component (VSC) and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from surrounding dwellings have been assessed.
- 7.20 With regard to 34 to 36 Barnes End and 38 to 40 Barnes End (dwellings to the north-east) the report states the following:
- 7.21 Daylight to existing surrounding buildings
- These properties form semi-detached, two storey houses at the south corner of Barnes End. They are split in to ground and first floor flats which look on to the proposed development site.

- All of the windows and rooms will satisfy the BRE guidelines for VSC and daylight distribution. For the VSC, the windows either retain over 0.8 factor of former values or obtain VSC levels in excess of 27%. The rooms tested for daylight distribution have no reduction at all when compared against the existing condition.
- All of the rooms assessed will still receive good levels of daylight after the proposed development has been completed, with the majority of windows and rooms tested having no reduction in daylight at all.

7.22 Sunlight to existing surrounding buildings

- All the windows which face 90 degrees of due south adhere to the BRE guidelines, either meeting or exceeding the annual sunlight target of 25% APSH and winter sunlight provision of 5% APSH.
- The windows for the 34 to 40 Barnes End will still be well served by sunlight after the proposed development has been built.

7.23 As confirmed by the developer's submitted daylight and sunlight assessment, the properties tested demonstrate that all the windows and rooms fully satisfy the BRE guidelines for daylight and sunlight, showing no noticeable reduction in light. The neighbouring properties will also maintain good levels of daylight and sunlight after the proposed development is completed.

Standard of accommodation

7.24 Policies 3.5 and 3.8 of the London Plan 2015 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan (amended March 2016). Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

Plot No.	Unit Size/ Type	Required Area	Proposed Area	Compliant
1	3b4p	84	112.4	Yes
2	3b4p	84	112.4	Yes

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

7.25 As demonstrated by the table above, both dwellings exceed London Plan standards. All habitable rooms are serviced by windows which are considered to offer suitable natural light, ventilation and outlook to prospective occupants. In addition, both units are considered to be suitably private.

7.26 In accordance with the London Housing SPG, policy DMD2 of the SPP states that for all new houses, the council will seek a minimum garden area of 50sqm as a single usable regular shaped amenity space. Both dwellings will provide at least 56.5sq.m to the rear of the site which would be supplemented by at least 60sq.m of garden to the front and side. Given the proposal will

provide well in excess of the minimum private amenity space, it is considered that the level of amenity space proposed would be acceptable.

Transport, highway network, parking and sustainable travel

- 7.27 London Plan policies 6.3 and 6.12, CS policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management. London Plan policies 6.9, 6.10 6.13, CS policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points and to provide parking spaces on a restraint basis (maximum standards).
- 7.28 Transport for London along with the London Borough of Merton Transport Planner and Highways Officer have reviewed this application; their comments are integrated into the assessment below.
- 7.29 The site has a PTAL of 2 which is considered to be poor, thus onsite parking is considered necessary. The proposal would provide 2 parking spaces per dwelling which is considered to be adequate and in line with London Plan standards. The submitted Transport Statement advises that the development would not have a severe impact on the local highway network, including on-street parking. The findings of the Transport Statement are considered to be fair and reasonable; it is not considered that the proposal would have an undue impact upon the highway network in terms of parking, performance or safety.

Refuse storage

- 7.30 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the CS.
- 7.31 The proposed refuse storage provisions are in line with Merton requirements and the collection location is considered to be appropriate.

Sustainability

- 7.32 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.
- 7.33 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The submitted energy statement indicates that the proposed development could achieve a 42% improvement on Part L which far exceeds the minimum policy requirements. It is recommended to include a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Site contamination

- 7.34 London Plan Policy 5.21 and SPP policy DM EP4 state that developments should seek to minimise pollutants, reduce concentrations to levels that have minimal adverse effects on human or environment health and to ensure contamination is not spread.
- 7.35 Due to the potential for ground contamination on site, planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

Developer contributions

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

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, increasing residential density in line with planning policy. The proposal is considered to be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout, architectural cues and materials.
- 8.2 The proposal is not considered to unduly impact upon neighbouring amenity in terms of visual intrusion, loss of privacy or loss of daylight/sunlight. The proposal would offer a high standard of living for prospective occupants. The proposal would not unduly impact upon the highway network or surrounding parking provisions. The proposal would achieve suitable refuse provisions and cycle storage. It is considered that the proposal would achieve appropriate levels of sustainability.
- 8.3 The application is therefore recommended for approval on balance, subject to appropriate conditions.

RECOMMENDATION

Grant planning permission subject to the following conditions.

Conditions:

1. Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

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

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

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

4. Standard condition [Green roof Condition]: Before development commences, the detailed design, specification and planting scheme for a green roof 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.

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.

5. Standard condition [Timing of construction]: No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

6. Amended standard condition [Working method statement]: Prior to the commencement of development [including demolition] a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement.

Reason: It is necessary for the condition to be discharged prior to the commencement of development ensure vehicle and pedestrian safety and to protect the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan.

7. Standard condition [Refuse]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plan B-01 Rev.D have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2015, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

8. Non-standard condition [Sustainability]: No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions not less than a 19% improvement on Part L of the Building Regulations 2013 and internal water usage of not more than 105 litres per person per day.

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

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

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

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

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

11. Non-standard condition [Contamination investigation]: Prior to the commencement of development, An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of

any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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'.

12. Non-standard condition [Contamination remediation]: 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.

Reason: In order to protect any controlled waters and human health in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

13. Non-standard condition [Contamination 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.

Reason: In order to protect any controlled waters and human health in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

14. Non-standard condition [Contamination remediation]: 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.

Reason: In order to protect any controlled waters and human health in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

15. Non-standard condition [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

16. Non-standard condition [Construction Method Statement] No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- 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 during construction;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;

Reason: To protect the amenities of future occupiers and those in the local vicinity.

17. Standard condition [Landscaping]: Prior to the use or occupation of the development hereby approved, full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5 and 7.21 of the London Plan 2015, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

18. Amended Standard condition [Cycle storage]: The development hereby permitted shall not be used or occupied until details of secure cycle parking

facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

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

19. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) November 2017 / 5825 Issue 3 / Cole Easdon Consultants Ltd and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 15.25m above Ordnance Datum (AOD).

The 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 occupants.

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

- i. Provide information about the design storm period and intensity, attenuation (no less than 33.5m³) and control the rate of surface water discharged from the site to no more than 2l/s;
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan

policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

Informative

1. Demolition of buildings and tree felling should avoid the bird nesting and bat roosting seasons. Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use, or who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981. Buildings and trees should be inspected for bird nests and bat roosts prior to demolition or felling by an appropriately qualified person. If bats are found, Natural England should be contacted for advice.
2. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

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

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