

Agenda Item 7

PLANNING APPLICATIONS COMMITTEE

12 December 2013

Item No:

UPRN

APPLICATION NO.

DATE VALID

13/P2577

13/08/2013

Address: Garages to the rear of 44 to 49 Firstway, Raynes Park, SW20 0JD.

Ward: West Barnes

Proposal: Demolition of the existing 36 garages and erection of a terrace of 7 four bedroom houses with accommodation over two floors and the roof space with 8 car parking spaces using the existing vehicular access between 43 and 44 Firstway.

Drawing No's: 1208-01A; 1208-04B; 1208-06A; 1208-10A; 1208-11A; 1208-12A 1208-13A; 1208-14A; 1208-15A; 1208-16A; 1208-20A; 1208-21; 1208-22A; 1208-23A; 1208-24; 1208-25; 1208-26A; 1208-27; 1208-28; 1208-29; 1208-30; 1208-31; 1208-32A; 1208-33; 1208-34A; 1208-35A; 1208-36; 1208-37; Design and Access Statement; Arboricultural Assessment and Method Statement; Planning Statement, Energy Report, Code for Sustainable Homes Pre-Assessment Report.

Contact Officer: Tony Ryan [020 8545 3114]

RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions and a S106 legal agreement.

CHECKLIST INFORMATION.

- S106: Affordable Housing; Education; Cost to Council of all work in drafting S106 and monitoring the obligations; Legal costs.
 - Is an Environmental Statement required: No
 - Has an Environmental Impact Assessment been submitted: No
 - Press notice: No
 - Site notice: Yes
 - Design Review Panel consulted: No
 - Number of neighbours consulted: 28 [1-11 and 41-51 Firstway]
 - External consultations: Environment Agency and Thames Water.
 - Public Transport Accessibility Level [PTAL]: Zone 4 TFL Information Database [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility]
 - Density: 291 habitable rooms per hectare [site area of 0.12 hectares and provision of 35 habitable rooms]
 - Number of jobs created: NA.
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1. INTRODUCTION

- 1.1 This application is brought before the Planning Application's Committee to seek member's authority to enter into a S106 legal agreement and as the current application has been the subject of objections and comprises amended proposals following refusal of planning permission for the original proposal contrary to officer recommendation in May 2013, and which is the subject of an appeal.

2. SITE AND SURROUNDINGS

- 2.1 The application site (0.12 hectares) is currently occupied by 35 single storey brick built garages that are arranged around a central courtyard. The garages are constructed with concrete bases with the central internal courtyard also surfaced in concrete.
- 2.2 The vehicle access to the garages is provided by a private concrete surfaced service road that is included as part of the application site and located between the end of terrace properties at 43 and 44 Firstway. The vehicle access has some variation in width. The vehicle access is widest at the rear corner of the building at 43 Firstway [7.8 metres] and narrowest at the northeast corner of the garden of this property [5.6 metres]. Separate rights of way exist along the vehicle access road to an additional private garage in the rear garden of 44 Firstway and to pedestrian gates providing access to the rear garden of 43 Firstway.
- 2.3 Immediately to the east of the application site is a single storey brick building providing an electrical sub station and a builder's yard with vehicle access provided to the side of 51 Firstway. Semi detached two storey residential properties in Grand Drive and buildings in Approach Road are located further to the east. The buildings at 57 to 69 Approach Road are within the secondary shopping frontage of Raynes Park Local Centre; these buildings have commercial uses at ground floor level with two storeys of residential use above. The residential roads to the north of Approach Road known as 'the Apostles' are within a Controlled Parking Zone.
- 2.4 The Rainbow Industrial Estate access road, the three-storey building known as Station House and Raynes Park Railway Station are located to the north east of the application site with a railway embankment located to the northwest. To the west and south are the rear gardens of existing residential properties in Firstway.
- 2.5 The area to the south of the application site is predominantly residential in character with a mixture of terraced; semi detached and detached residential properties. These residential properties are mostly two storeys in height with several nearby properties including the adjacent property at 43 Firstway extending into the roof space with an additional storey of accommodation. The area to the north of the site is of mixed character with a general increase in building heights to three storeys and an increase in development density within the town centre and around Raynes Park Railway Station.

2.6 The site is not located within a Conservation Area, not located in an Archaeological Priority Zone, not in a Controlled Parking Zone and not in an area at risk from flooding. The application site has a PTAL rating of 4 [where 1a represents the least accessible areas and 6b the most accessible]. Nearby land to the north and west of the application site [Rainbow Industrial Estate and access road] is the subject of a development brief adopted in August 2013 and a green corridor [railway embankment].

3. CURRENT PROPOSAL

3.1 The proposal involves the demolition of the existing single storey buildings that provide 36 garages and the redevelopment of the site to provide a terrace of 7 four bedroom houses. The current application is a resubmitted application following the decision by the Council's Planning Applications Committee to refuse planning permission for the application under reference 13/P0333 in May 2013.

3.2 The changes made by the applicant in response to the concerns raised by the Planning Applications Committee are as follows:

- The proposed terrace of 7 houses has been redesigned to allow a two metre wide footpath along the front of the houses;
- Permanent 'American' shutters have been introduced to the front elevation to reduce the potential for overlooking and loss of privacy;
- The proposed dormer windows have been reduced in size;
- A pedestrian path has been provided along the access from Firstway;
- A timber boarded fence has been provided to separate the access path from the Rainbow Industrial Estate access road;
- Details of new weld mesh fencing has been provided that will both maintain a sense of visual openness for future residents and provide security for Network Rail;
- Details of external lighting have been provided for pedestrian pathways within the development.

3.3 The proposed development will retain the existing access road to the 36 garages located between the properties at 43 and 44 Firstway and will maintain the existing rights of way. The original proposal included a pedestrian access from the site on to the Rainbow Industrial Estate access road. As agreement could not be reached with the adjacent landowner there is no pedestrian access from the site on to the Rainbow Industrial Estate access road.

3.4 The proposed layout of the site includes a parking and servicing area at the western end of the site that provides 8 off street car parking spaces including one disabled space. The use of the parking spaces will be controlled by telescopic bollards. The proposed terrace of houses will have south facing rear gardens of 45 or 46 square metres. The front elevation of the houses will be separated from the rear northern

boundary of the site by a pedestrian footpath and front gardens measuring 5 square metres.

- 3.5 The houses are two storey in height with additional accommodation provided within the roof space. The submitted plans show adaptable internal space at ground floor level, with the removal of an internal partition allowing for an open plan arrangement if preferred by future occupants. The first floor provides two bedrooms with en suite bathrooms and two further bedrooms within the roof space with a shared bathroom.
- 3.6 The houses will be constructed of brick with hardwood windows and a standing seam Zinc roof with dormer windows to the front and rear elevations. The concrete access road is shown on the submitted drawings as being replaced with permeable paving with the parking bays marked with brick kerbs and filled with hoggin gravel. Landscaping at the front of the parking areas provide overrun areas and separate the parking bays from other parts of the site.
- 3.7 The houses have been designed with individual integral ventilated refuse, recycling and meter cupboards to the front elevation with the submitted drawings showing a refuse collection point on the widest part of the access road. A separate shed in the rear gardens will provide cycle storage. The following table provides the internal floor space amenity space areas for the 7 new terraced houses

Table 1: Floor areas and amenity space.

	Floor area [Sq. M]	London Plan standard [Sq. M]	Amenity space [Sq. M]	SPG standard [Sq. M]
House 1	122	113 [four bed six person]	50 [rear 45 & front 5]	50
House 2	122	113 [four bed six person]	50 [rear 45 & front 5]	50
House 3	122	113 [four bed six person]	50 [rear 45 & front 5]	50
House 4	122	113 [four bed six person]	50 [rear 45 & front 5]	50
House 5	122	113 [four bed six person]	50 [rear 45 & front 5]	50
House 6	122	113 [four bed six person]	50 [rear 45 & front 5]	50
House 7	122	113 [four bed six person]	51 [rear 46 & front 5]	50

- 3.8 As part of the application the applicant has submitted the following documents:
- Design and Access Statement The statement concludes that the proposal will make best use of a redundant and neglected

brownfield site, providing much needed family homes in an ideal location with a distinctive contemporary design that meets current legislation

- Planning Statement The statement concludes that the proposal will provide high quality residential accommodation without any adverse impacts on surrounding residential properties or the highway network.
- Tree Assessment and Protection Report Whilst there are no trees on the application site itself the proposed construction will be undertaken in the vicinity of trees on adjacent land with some of these trees overhanging the application site. The main trees were found to be self seeded Sycamores and Oak on the railway embankment with a small group of Leyland Cypress in the rear garden of 43 Firstway. It is concluded that the proposed development is unlikely to impact upon the root systems of these trees, however following the pruning of overhanging branches tree protection measures should be used to prevent damage during construction work.
- Code for Sustainable Homes – Pre-Assessment Report The pre-assessment report concludes that based on the current design development the proposed development would achieve Code for Sustainable Homes Level 4.

4. **PLANNING HISTORY.**

- 4.1 On the 23 May 2013 the Planning Applications Committee resolved to refuse planning permission [reference 13/p0333] for the demolition of the existing 36 garages on the application site and the erection of a terrace of 7 four bedroom houses with accommodation over two floors and the roof space with 8 car parking spaces using the existing vehicular access between 43 and 44 Firstway. The reasons for the refusal of planning permission which were as follows:

“The proposals by reason of their design, size, siting and layout, and location in relation to Raynes Park station would result in a cramped and unsatisfactory development that would: (a) fail to create routes that are attractive, or demonstrate that they are safe and accessible to all members of the community; (b) fail to cater for the ease of movement between buildings, services and amenity spaces so that places connect with each other and are easy to move through; (c) fail to adequately protect privacy of future occupiers, and to protect residents from visual intrusion; contrary to policies HS.1 (ii), BE.15, BE 16 (iii) & (iv) of the Merton Unitary Development Plan (2003); policy CS.8 of the Merton LDF Core Planning Strategy (2011) and London Plan Policy 3.5 (quality and design of housing developments)”.

- 4.2 The applicant has submitted an appeal to the Secretary of State against the above Council’s refusal of planning permission [reference 13/P0333] and a decision on this appeal is currently awaited following an appeal site visit on 5th November.

- 4.3 The following entries on the planning register relate to planning history for adjacent plots of land that are considered relevant to the current application.

43 Firstway

- 4.4 The end of terrace property at 43 Firstway is located immediately to the south west of the road providing access to the application site from Firstway.

- 4.5 In August 2005, a Certificate of Lawfulness was approved under delegated powers [ref: 05/P1522] for a proposed hip to gable end roof extension at 43 Firstway and a rear dormer window extension.

- 4.6 In November 2005, planning permission was granted under delegated powers [ref: 05/P2047] for the conversion of the single-family property at 43 Firstway into two flats with a single storey rear extension. As part of this planning permission a new bedroom window was inserted into the side elevation of this property at ground floor level.

44 Firstway

- 4.7 The end of terrace property at 44 Firstway is located immediately to the north east of the road providing access to the application site from Firstway.

- 4.8 In December 2010 planning permission was granted under delegated powers [ref: 10/P3011] for the construction of a rear ground floor extension to the property at 44 Firstway

Station House

- 4.9 Station House is located to the north east of the application site immediately adjacent to Raynes Park Station and the railway line.

- 4.10 On the 14 February 2013 the Planning Applications Committee resolved to approve planning permission [reference 12/P0434] for the conversion of existing three-storey office building called Station House in Approach Road to provide 6, self-contained flats [3 studio flats and 3 one bedroom flats]. Discussions are currently on going with the applicant in relation to the s106 agreement that will be attached to this development.

5. CONSULTATION

- 5.1 The planning application was publicised by means of a site notice displayed in the vicinity of the application site, together with individual letters to 28 nearby addresses.

- 5.2 In response to this public consultation 3 letters have been received objecting to the planning application on the following grounds:

Transport, Access and Traffic

- The access road to the site is inadequate due to its narrow width;

- The development provides inadequate off street parking that will lead to extra on street parking pressure;

Impact on Amenity

- The development would give rise to an unbearable increase in vehicle traffic, noise, smoke and pollution that would adversely affect residents' quiet enjoyment of their homes;
- There are security issues if the new access path to Raynes Park Station is provided;
- The development would adversely impact on the quality of life of neighbours.
- The development will lead to an increase in the local population

Standard of Accommodation

- The proposed houses would be of a poor standard due to the proximity to the railway line and noise from the train station;

Other comments

- The development would adversely affect local property values;
- Any pedestrian access from this site;
- There is Japanese Knotweed on this site and there is no indication of how this is to be removed;
- The fire brigade access is often blocked with parked cars;

Raynes Park and West Barnes Residents Association

5.3 The association object to the planning application and recommend refusal of planning permission on the following grounds:

- The development provides to many houses which would result in a cramped, unsuitable environment for families contrary to policies CS. 8 and CS. 9.
- The development "...would fail to provide attractive, safe and easy to access spaces for the potential residents" contrary to policy BE.16
- The proposals would fail to protect the privacy and protect residents from noise, vibration, dust and disturbance and visual intrusion from the railway contrary to policy BE.15 and HS.1;
- The development would be contrary to policy 3.5 of the London Plan as it would fail to provide residential development in a suitable location being too close to the railway;
- The proposal would fail to provide housing in a safe, comfortable and attractive place to live and therefore would fail to achieve sustainable development contrary to the National Planning Policy Framework.

Environment Agency

5.4 The development has been assessed as having a low environmental risk and the Environment Agency have no further comments to make.

Thames Water

- 5.5 There are no objections to the development and there are no indications that the development will have any impact on public sewers.

London Fire Brigade

- 5.6 The proposal provides access for fire appliances in accordance with the relevant design guidelines and there will be adequate water supplies for fire fighting purposes.

LB Merton Transport Planning

- 5.7 Transport Planning have no objection to the proposal on the basis that planning conditions are attached to any approval of planning permission to ensure that the off street parking spaces are retained. The site has a good access to public transport and whilst the site is not in Controlled Parking Zone, the majority of existing properties in Firstway have vehicular crossovers and as a result there is very little opportunity to park on street. The proposal provides off street parking of one space per unit with plus one visitor including 2 disabled bays this is adequate. The loss of garages would not be deemed as sufficient to object to this application. The application uses an existing access and has provided information to demonstrate that cars can access the site and exit in forward gear.

LB Merton Environmental Health

- 5.8 Environmental Health department have no objection to the proposal on the basis that planning conditions are attached to any approval of planning permission relating to external lighting; an existing noise survey; restriction on construction times electro-magnetic radiation emissions from the sub station and investigations into potential land contamination.

LB Merton Climate Change Team

- 5.9 With the submission of the design stage report, the Climate Change team is satisfied that the development can achieve Code Level 4 in line with the minimum requirements of Core Strategy Policy CS15. The intention to meet the highest standard for domestic water consumption in line with Code 5/6 is welcomed.

6. POLICY CONTEXT

National Planning Policy Framework [March 2012]

- 6.1 The National Planning Policy Framework was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is put forward as a key part of central government reforms ‘...to make the planning system less complex and more accessible, and to promote sustainable growth’.
- 6.2 The document reiterates the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also

states that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development.

- 6.3 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.
- 6.4 The National Planning Policy Framework [NPPF] urges local authorities to significantly boost the supply of housing. Local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed need for market and affordable housing in the housing market area, as far as is consistent with other policies set out in the NPPF. This process should include identifying key sites that are critical to the delivery of the housing strategy over the plan period.
- 6.5 The National Planning Policy Framework states that local authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.
- 6.6 The National Planning Policy Framework states that local authorities should normally approve planning applications for change to residential use from commercial buildings where there is an identified need for additional housing in that area, unless there are not strong economic reasons why such development would be inappropriate.

The London Plan [2011].

- 6.7 The relevant policies in the London Plan [July 2011] are 3.3 [Increasing housing supply]; 3.4 [Optimising housing potential]; 3.5 [Quality and design of housing developments]; 3.6 [Children and young people's play and informal recreation facilities]; 3.8 [Housing choice]; 3.9 [Mixed and balanced communities]; 3.11 [Affordable housing targets]; 5.1 [Climate change mitigation]; 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.10 [Urban greening]; 5.12 [Flood risk management]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 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

noise and enhancing soundscapes]; 7.21 [Trees and woodlands] and 8.2 [Planning obligations].

Mayor of London Supplementary Planning Guidance

- 6.8 The supplementary planning guidance relevant to the proposal is that on housing [November 2012],

Merton Unitary Development Plan [2003]

- 6.8 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE.15 [New buildings and extensions; daylight; sunlight; privacy; visual intrusion and noise]; BE.16 [Urban design]; BE.22 [Design of new development]; BE25 [Sustainable development]; C.1 [Location and access of facilities]; C.13 [Planning obligations for educational facilities]; E2 [Access for disabled people]; F.2 [Planning obligations]; HS.1 [Housing layout and amenity]; L.9 [Children's play facilities]; NE.8 [Green corridors] NE11 [Trees protection]; PE 2 [Pollution and amenity]; PE.5 [Risk from flooding]; PE.7 [Capacity of water systems]; PE.9 [Waste minimisation and waste disposal]; PE.11 [Recycling points]; PE.12 [Energy generation and energy saving]; RN.3 [Vehicular access].

Merton Supplementary Planning Guidance

- 6.9 The key supplementary planning guidance relevant to the proposals includes New Residential Development [1999], Design [2004] and Planning Obligations [2006]. In August 2013 the Council adopted the planning brief for the adjacent Rainbow Industrial Estate.

Merton LDF Core Planning Strategy [2011]

- 6.10 The relevant policies within the Council's Adopted Core Strategy [July 2011] are CS.8 [Housing choice]; CS.9 [Housing provision]; CS.13 [Open space; nature conservation; leisure and culture]; CS.14 [Design]; CS.15 [Climate change]; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the need for additional housing; the design, massing and siting of the proposed buildings; the impact of the development on neighbour amenity; the impact of the development on trees and the adjacent neighbour amenity the standard of the proposed residential accommodation, potential issues relating to transport, parking and cycling; and matters relating to potential flooding and sustainability.

- 7.2 The current application is a resubmitted proposal following the decision of the Planning Application Committee in May 2013 to refuse planning permission for the earlier application. The reason for the refusal of planning permission related to the standard of the proposed residential accommodation and impact on neighbour amenity. The specific concerns that were raised are addressed in the relevant section of this report.

Need for additional housing and housing mix.

Need for additional housing

- 7.3 The National Planning Policy Framework [March 2012] requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.4 Policy CS. 9 within the Council's Adopted Core Strategy [July 2011] and policy 3.3 of the London Plan [July 2011] state that the Council will work with housing providers to provide a minimum of 4,800 additional homes [320 new dwellings annually] between 2011 and 2026. This minimum target that should be exceeded where possible includes a minimum of 500 to 600 additional new homes in the Raynes Park sub area where the proposal site is located. The housing delivery trajectory set out in the latest Council's Annual Monitoring Report has identified future challenges in ensuring an adequate supply of housing is delivered in the borough to meet the minimum targets in the Core Strategy and the London Plan.
- 7.5 The Core Strategy states that the Council will encourage housing in 'sustainable brownfield locations'. The Core Strategy states that that it is expected that the delivery of new housing in the borough will be achieved in various ways including the development of 'windfall sites'. The current application site is a 'windfall site' and is on brownfield land in a sustainable location adjacent to other existing residential properties and benefiting from good access to public transport and other local facilities.
- 7.6 In conclusion the provision of residential development on this site is considered acceptable in principle subject to other considerations including matters of design, bulk, scale and layout, the standard of accommodation and the impact on amenity. The proposed development in this sustainable location will also assist in addressing the need for new residential accommodation in the borough that is identified in the London Plan and the Core Strategy.
- 7.7 There is no planning policy that safeguards the retention of the existing lock up garages and as a result the current proposal that has the positive benefit of providing additional housing would not be at the expense of another land uses that the Council seeks to safeguard.

Housing type

- 7.8 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units.

- 7.9 The majority of recent new housing developments in the local area including Raynes Park Local Centre have provided new accommodation in the form of flats [Waitrose site at 21 Coombe Lane, site at 213 Worple Road and Station House]. It is considered that the current proposal that will provide 7 new terraced houses will contribute to the mix of new housing types and sizes in the local area and help create a socially mixed and sustainable neighbourhood.

Layout, scale, design, massing and density

- 7.10 Retained adopted Unitary Development Plan policies BE.16 and BE.22 require proposals for development to compliment the character and appearance of the wider setting. This is achieved by careful consideration of how the scale, design and materials of a development relate to the urban setting in which the development is placed.
- 7.11 Policy CS8 within the Council's Adopted Core Strategy [July 2011] states that the Council will require redevelopment proposals to be well designed. Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. Policy CS14 advises that this should be achieved in various ways including by promoting high quality design and providing functional spaces and buildings. Policy 3.5 of the London Plan states that housing design should enhance the quality of local places taking into account physical context, local character and density.
- 7.12 In terms of local character and massing, the general pattern of local development consists of larger semi detached residential properties located along Grand Drive running north to south, with back to back terraces of 6, 7 and 8 residential properties with matching features located to the west of Grand Drive running east to west on both sides of Bushey Road and in Firstway. These properties are generally two storey in height with some extended into the roof space. Station house located to the northeast of the site is three storeys in height and there is three-storey development in Approach Road and Kingston Road with flats above ground floor commercial uses.
- 7.13 The current application involves the construction of a new terrace of 7 residential properties located between the existing terrace of 8 properties at 44 to 51 Firstway and the railway line. It is considered that this proposal makes efficient and sustainable use of this site and is in keeping with the general pattern of local development with the back gardens of the new dwellings adjoining the back gardens of the nearby properties in Firstway. The proposal reflects the bulk and scale of nearby development with proposed buildings of two storeys in height with pitched roofs and dormer windows providing light to living space within the roof.

- 7.14 The interwar properties in Firstway built by George Blay are of a typical design for this period with pitched roofs, front bay windows, and covered porches, with facing materials of brick and render. These adjacent properties that are located outside a conservation area have been altered in various ways including replacement windows, roof extensions and other alterations. The proposed new terrace of houses is located to the rear of the existing houses in Firstway and will also face in the opposite direction towards buildings of a different design. In this context it is not considered appropriate or necessary for the design of the new houses to be a pastiche of buildings in Firstway.
- 7.15 The proposed new houses will be constructed of brick with hardwood windows and a standing seam zinc roof with dormer windows to the front and rear elevations. Further details of the proposed roof including images have been included at the end of this report. The design and appearance of the new houses is considered acceptable and would complement the character and appearance of the surrounding area.
- 7.16 In the event that redevelopment of Rainbow Industrial Estate takes place, the nature and use of the access road adjacent to the current application site will change and the prominence and visibility of the northwest and northeast site boundaries will increase. The orientation of the residential accommodation to face towards the Rainbow Industrial Estate access road is considered the most appropriate layout. This layout properly addresses the site context to the rear of properties in Firstway; it provides an improved standard of residential accommodation and with maximum separation distance from adjacent existing properties it reduces any potential impact on residential amenity.
- 7.17 In conclusion the design, scale, layout and appearance of the proposed development complements the local context and respects the local pattern of development in accordance with policy BE.16, policy BE.22 Unitary Development Plan, policy CS14 of the Core Strategy and policy 3.5 of the London Plan.

Residential density

- 7.18 Policy 3.5 of the London Plan states that housing design should enhance the quality of local places taking into account physical context, local character and density. Policy 3.4 of the London Plan states that after taking account of local context and character, design principles and public transport capacity development should optimise housing output within the relevant density range. The relevant density range for the application within a short distance of Raynes Park Local Centre is between 200 and 700 habitable rooms per hectare.
- 7.19 The proposed development providing 35 habitable rooms on this site of 0.12 hectares has a residential density of 291 habitable rooms per hectare. The site has a Public Transport Accessibility Level [PTAL] of 4

[On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility].

- 7.20 In conclusion, the proposed development is considered appropriate in terms of local context and character, design principles and public transport capacity and is within the density range specified in the London Plan of 200 and 700 habitable rooms per hectare in accordance with policies 3.4 and 3.5 of the London Plan.

Neighbour amenity.

- 7.21 Retained policies HS.1 and BE15 of the adopted Unitary Development Plan [October 2003] state that all proposals for residential development should safeguard the residential amenities of occupiers of nearby properties including in terms of maintaining adequate daylight and sunlight to adjoining buildings and gardens, the protection of privacy; protection from visual intrusion and ensuring that development does not result in harm to living conditions through noise or disturbance.

Privacy and visual intrusion

- 7.22 To minimise the impact of new development on the privacy of existing dwellings the Council's Supplementary Planning Guidance on 'New Residential Development' sets out minimum separation distances between habitable room windows. This guidance states that there should be a minimum separation distance of 20 metres provided between directly opposing first floor residential windows.
- 7.23 The closest existing residential properties to the proposed new housing are the end of terrace properties at 43 and 44 Firstway. The proposed new housing is located directly to the rear of the property at 44 Firstway. A distance of 23 metres will separate the existing first floor windows at 44 Firstway from the windows in the rear elevation of the proposed new houses.
- 7.24 A distance of 20 metres will separate the windows of the ground floor rear extension at 44 Firstway from the ground floor windows within the new building. The separation distance between this nearest existing residential window and the new development meets minimum standards, with additional screening provided by the new boundary wall or fence and an existing single storey garage in the rear garden of 44 Firstway.
- 7.25 The proposed new housing is not located behind the existing building at 43 Firstway and there are no windows proposed as part of this development that would face the existing building at 43 Firstway. The building at 43 Firstway has a ground floor rear extension, a rear roof extension and has been converted into two flats. The ground floor flat has patio doors within the rear elevation and an obscured glass window to the side elevation.

- 7.26 It is considered that due to the angle of the buildings only limited views of the new building would be possible from the existing rear ground floor patio doors. The window to the side elevation of 43 Firstway faces the existing vehicle access road and the side elevation of 44 Firstway where there is also an existing obscured glass window at ground floor level. Any views of the new development from the side elevation of 43 Firstway would be restricted by the existing 2 metre side boundary wall of 44 Firstway and by the fact that the window is currently fitted with obscured glass.
- 7.27 In consultation responses objections have been made to the loss of the 'open aspect' at the rear of the properties in Firstway. Whilst the loss of a view is not a valid planning consideration in this instance the new housing will replace existing garages and will be seen from the houses in Firstway in front of the existing railway embankment.

Daylight and sunlight

- 7.28 In order to avoid loss of daylight and sunlight where new housing is orientated to face directly towards an existing residential area, Supplementary Planning Guidance uses a simple rule that a spacing of 10 metres for two storey buildings is required by Supplementary Planning Guidance between the new rear elevation and the site boundary.
- 7.29 A distance of 8.8 metres separates the proposed new building from the rear boundary of the closest existing property in Firstway. As this separation distance is below the minimum distance provided in Supplementary Planning Guidance the applicant has conducted an additional more detailed daylight and sunlight assessment following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'.
- 7.30 The proposal was found to pass this more detailed assessment. In meeting this more detailed test it is considered that the new development is acceptable in terms of the potential impact on daylight and sunlight. It is also highlighted that the closest residential property to the proposed development has a 14.3 metre rear garden that includes an existing single storey garage, with sheds also located in the rear gardens of adjacent properties.

Noise and nuisance

- 7.31 The vehicle and pedestrian access road to the existing 36 garages on the application site is provided from Firstway between the residential properties at 43 and 44 Firstway. This road is owned by the applicant. In addition to the 36 garages there is right of way along the access road to a garage in the rear garden of 44 Firstway and pedestrian access to the rear garden of 43 Firstway.

- 7.32 The residential properties at 43 and 44 Firstway both have windows at ground floor level in the side elevation facing the access road. These windows, currently both fitted with obscure glazing, are a bedroom window at 43 Firstway and a dining room window at 44 Firstway. The access road is 7.3 metres wide adjacent to the window in the side elevation of 43 Firstway and 7.4 metres wide adjacent to the window to 44 Firstway.
- 7.33 The ground floor windows to the side elevations of 43 and 44 Firstway overlook the access road to 36 garages. These garages currently benefit from unrestricted 24 hour access past these windows with the potential to generate significant vehicle and pedestrian activity. Further potential activity will be generated by the right of way along the access road. The land outside these windows on the access road is also used for car parking. This situation would result in an existing noise and disturbance to these windows caused by general activity along the access road.
- 7.34 The current application involves the demolition of the existing 36 garages and the construction of a new development with 8 car parking spaces. The current application will therefore remove 28 car parking spaces from the application site and the potential vehicle movements linked to these spaces. The proximity of Raynes Park Railway Station and shopping facilities available within Raynes Park Local Centre offer good alternatives to future occupants to the use of a private car and as a result the proposed parking spaces like the existing garages may not be in daily use.
- 7.35 The submitted plans show the provision of a refuse day collection point on the existing access road. The collection point has been located on part of the access road with sufficient width to maintain vehicle access. The collection point has been located adjacent to the rear extension of 44 Firstway to avoid the side elevation windows at 43 and 44 Firstway. Whilst there is likely to be some noise generated around bin collection day, this would be similar to noise levels generated by existing residential properties on bin collection day.
- 7.36 In order to minimise the disruption caused by construction works planning conditions are recommended restricting the timing of construction works and for the submission of details of control measures including dust from the demolition process. If the existing garages contain asbestos it will be the developer's responsibility to ensure that this material is removed in accordance with the relevant legislation that is enforced by the Health and Safety Executive. A planning condition is also recommended seeking details of new boundary treatment following the removal of the garages.
- 7.37 In order to minimise any impact from new external lighting within the new development a planning condition is recommended seeking the submission of details for approval.

7.38 It has been suggested in consultation responses that the site may be contaminated due to the 'industrial use' of some of the garages. The applicant has stated that the garages are in storage use and there is no evidence to suggest that the site is contaminated. Whilst it is unlikely that the site is contaminated in order to protect the amenity of future residents it is considered prudent to attach conditions to planning permission that will ensure that proper investigation is carried out and the land remediated where this is necessary.

Standard of residential accommodation.

7.39 Policy HS.1 and BE.15 of the adopted Unitary Development Plan [2003] states that all proposals for residential development should safeguard the residential amenities of future occupiers in terms of providing adequate internal space, a safe layout and access for all users; and provision of adequate amenity space to serve the needs of occupants. Policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed.

7.40 In resolving to refuse planning permission for the earlier planning application the Planning Applications Committee expressed the following concerns regarding the amenity for future residents as part of the third reason for refusal: **"The proposals by reason of their design, size, siting and layout, and location in relation to Raynes Park station would result in a cramped and unsatisfactory development that would (c) fail to adequately protect privacy of future occupiers, and to protect residents from visual intrusion..."**

7.41 To minimise the impact of new development on the privacy of existing dwellings the Council's Supplementary Planning Guidance on 'New Residential Development' sets out minimum separation distances between habitable room windows. This guidance states that there should be a minimum separation distance of 20 metres provided between directly opposing first floor residential windows.

7.42 In response to the concerns expressed by the Planning Applications Committee the applicant has confirmed that a distance of 20 metres will separate the edge of the nearest platform at Raynes Park Railway Station from the windows within the first floor elevation of the proposed new buildings down the existing railway embankment. The proposed windows within the loft space are set back behind those at first floor level. It is also highlighted that the railway embankment includes various mature trees that will provide screening between the new houses and the railway station.

7.43 In addition to the separation distance from the station platform and the existing screening the revised proposal includes permanent 'American' or 'Plantation' shutters to the windows at first floor and roof space

levels facing the railway station. The applicant has set out that these shutters fitted to the inside of the windows at first floor level and within the loft space will provide flexibility for future residents as they can be partially or fully opened and let daylight in to the new floorspace whilst restricting views from Raynes Park Station. A planning condition is recommended to ensure that these shutters are provided to the windows at first floor level and within the loft space facing towards the railway on the north west building elevation.

- 7.44 At the Planning Applications Committee members expressed concerns about the privacy of the ground floor accommodation within the proposed houses. The main front elevation of the proposed houses and the kitchen/dinning room window is set back 1.2 metres from the pedestrian access path. The five square metres of amenity space to the front of the building is under a glass canopy and provides 'defensible' space in front of the new window.

Internal layout and room sizes

- 7.45 The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out in table 3.3 of the London Plan. The standards are expressed in terms of gross internal area and supersede the individual room size standards provided within the Council's Supplementary Planning Guidance – "New Residential Development" [1999].

- 7.46 The proposed accommodation provides internal residential floor space in accordance with the London plan and in excess of minimum floor space standards. The London Plan standard for a 4 bedroom 6 person dwelling is 113 square metres and the development will exceed this minimum requirement providing dwellings with a floor space of 124 square metres. The layout of the accommodation makes good use of the space available with an appropriate internal layout, the provision of main and en-suite bathrooms and good provision of natural light to habitable rooms.

- 7.47 The ground floor of the proposed accommodation has been designed to provide flexibility for future occupiers in terms of providing a choice between an open plan layout and provision of individual rooms. This layout will allow independent use of areas with different functions [kitchen, dining, living area] with direct access to new individual rooms provided from a hallway.

External amenity space

- 7.48 Retained Unitary Development Plan policy HS.1 requires that all proposals for residential development provide adequate private amenity space to meet the needs of future occupiers. The residential development would be expected to comply with the amenity space standards provided within the Council's Supplementary Planning Guidance on New Residential Development. These standards state

that new houses should have a minimum private external amenity area of 50 square metres.

- 7.49 The submitted application includes a total of 52 square metres of external space for each new house with 5 square metres located to the front of the buildings and 47 square metres to the rear. Overall the garden provision exceeds adopted standards and while the back gardens on their own would be slightly below the overall standard sought for family housing (3 square metres), this is not considered grounds to refuse planning permission.

Lifetime Homes

- 7.50 Policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards. The submitted Design and Access Statement advises that the proposed development has been designed to reflect Lifetime Home Standards and a planning condition is recommended to ensure that the development is constructed to these standards.

Noise and nuisance

- 7.51 Policy PE.2 of the Unitary Development Plan states that noise sensitive developments will not be permitted near to existing sources of significant noise. Where acceptable environmental information has been received the acceptable operation of developments will be secured by the imposition of planning conditions.
- 7.52 A railway line running along the top of an embankment is currently located to the rear of existing residential properties in Firstway. Whilst the rear gardens of adjacent residential properties directly abut the railway embankment, the application site currently occupied by 36 garages separates the railway line from the rear of existing residential properties at 44 to 51 Firstway. At the closest point a distance of 11 metres up a railway embankment with a 20° incline and that includes several trees will separate the proposed new housing from the railway.
- 7.53 After assessment of the submitted proposal including the proximity of existing residential buildings to the railway, it is considered that the proposed residential accommodation can provide a good standard of accommodation that is acceptable in this location. Environmental Health officers have assessed the proposal and recommended that planning permission can be approved subject to a planning condition that requires the submission and approval of a noise attenuation scheme.
- 7.54 It is highlighted that there are existing residential properties in Firstway that are a similar distance from the railway line to the dwellings currently proposed. Station House, located to the north east of the application site, is located closer to Raynes Park Station and the railway line than the application site. In February 2013 the Planning Applications Committee resolved to approve planning permission

[reference 12/P0434] for the conversion of this existing three-storey office building into residential accommodation with 6, self-contained flats.

Proximity to electrical sub station.

- 7.55 Whilst not located within the application site, an electrical sub station is located adjacent to the north east boundary of the application site. The sub station will be located adjacent to the side elevation of the proposed end of terrace house.
- 7.56 As part of the submitted planning application the applicant has stated “*Whilst there is no undisputed scientific evidence that the electromagnetic radiation from sub stations is harmful to humans, it can be disruptive to electronic equipment, Shielding can be provided by a Faraday cage*”. The applicant has also submitted a drawing [1208-32] showing electromagnetic screening in the form of a steel mesh embedded within the side elevation wall of the closest building to the sub station.
- 7.57 After consultation with the Environmental Health team a planning condition is recommended seeking a survey to assess potential electromagnetic fields from the sub station and if the conclusions of the survey consider it necessary proposed mitigation measures.
- 7.58 In conclusion the proposed development including in terms of its general layout, design and size will provide a good standard of residential accommodation in line with relevant policy requirements and guidance. The development is considered in line with policy CS 20 of the adopted Core Strategy; UDP policies HS.1 of the Unitary Development Plan, Supplementary Planning Guidance – “New Residential Development” [1999] and the London Plan.

Pedestrian access

- 7.59 In resolving to refuse planning permission for the earlier planning application the Planning Applications Committee expressed the following concerns regarding the environment for pedestrians as part of the first reason for refusal: “***The proposals by reason of their design, size, siting and layout, and location in relation to Raynes Park station would (a) result in a cramped and unsatisfactory development that would fail to create routes that are attractive, or demonstrate that they are safe and accessible to all members of the community....***”
- 7.60 Design guidance on the layout of streets and roads and how street design can help create better places is provided in the document called ‘Manual for Streets’. This advice is published by the Department for Transport. There has also been research commissioned by Transport for London into pedestrian comfort levels on streets and footpaths. These two documents confirm where there are low pedestrian flows a footpath width of 2 metres is acceptable. Inclusive Mobility (2002)

advises that ideally the width of the footway should be 2 metres which would then allow two people in wheelchairs to pass each other comfortably.

- 7.61 In response to the concerns of the Planning Applications Committee the proposed development has been revised to include a wider two metre wide pedestrian access path along the front of the proposed residential terrace. It is considered that the pedestrian flow associated with the 7 proposed houses along this footpath would be below that expected on a normal public footpath and in this respect a two metre wide footpath is considered acceptable. The width of the footpath is considered sufficient to allow access to the proposed development and would be suitable for all members of the community.
- 7.62 In order to improve the attractiveness of the pedestrian access route to the proposed accommodation and to ensure that it is safe and accessible the applicant has provided details of low level lighting on freestanding 0.6 metre posts along the pedestrian pathway. A planning condition is recommended seeking the provision and retention of this lighting.
- 7.63 In response to the concerns of the Planning Applications Committee and to improve the attractiveness of the pedestrian route the applicant has provided details of the new weld mesh fencing that will be provided at the side of the new path. It is considered that the new weld mesh fencing will both maintain a sense of visual openness for future residents and provide the necessary security for Network Rail.
- 7.64 In resolving to refuse planning permission for the earlier planning application the Planning Applications Committee expressed the following concerns regarding access arrangements as part of the second reason for refusal: **“The proposals by reason of their design, size, siting and layout, and location in relation to Raynes Park station would result in a cramped and unsatisfactory development that would (b) fail to cater for the ease of movement between buildings, services and amenity spaces so that places connect with each other and are easy to move through...”**
- 7.65 In response to the concerns of the Planning Applications Committee the revised plans show a pedestrian path provided along the vehicular access from Firstway. A planning condition is recommended to ensure that the surface demarcation of this path is provided prior to occupation of the new residential accommodation and maintained permanently
- 7.66 The access road to the Rainbow Industrial Estate is located immediately to the north of the application site. The Council adopted the Supplementary Planning Document: providing the planning brief for the adjacent Rainbow Industrial Estate in August 2013. The preferred land uses on this adjacent site include both residential and employment uses.

- 7.67 In order to encourage sustainable transport choices and improve connectivity the applicant has been encouraged by officers to provide a new direct pedestrian and cycle route from the application site on to the Rainbow Industrial Estate access road which would then allow access to Raynes Park Railway Station beyond. It is highlighted that the provision of this new pedestrian and cycle access would entail crossing land that is not part of the application site and which is owned by a separate landowner.
- 7.68 The adjacent landowner has confirmed in writing that they are unable to support the provision of this access at this time and as a result it was removed from the proposed development. If these circumstances change the applicant has provided a timber-boarded fence at the end of the pedestrian footpath that could be removed or replaced with a gate to provide a new access.
- 7.69 In order to maintain the current pattern of development the proposed development has been designed to ensure that the private rear gardens of the proposed houses are adjacent to existing private rear gardens. In response to concerns expressed about the relationship of the new terrace to Firstway, the applicant has provided an artist's impression of how the development would appear when viewed from Firstway.
- 7.70 The Planning Applications Committee considered that the development was contrary to policy 3.5 of the London Plan in that it failed to take account of the physical context and local character in terms of the location of the buildings behind the properties in Firstway and failed to provide a sense of arrival.
- 7.71 In conclusion the proposal is considered in line with policies HS.1, BE.15 and BE.16 of the Merton Unitary Development Plan (2003); policy CS.8 of the Merton LDF Core Planning Strategy (2011) and London Plan Policy 3.5 (quality and design of housing developments).

Car parking, servicing, access cycling and walking.

- 7.72 The site is located in a residential cul-de sac within a short distance of Raynes Park Local Centre and has the benefit of the shops and other facilities that are easily accessible on foot. The site also benefits from good access to public transport with Raynes Park Railway Station nearby and a Public Transport Accessibility Level of 4 [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility].

Loss of the existing garages.

- 7.73 The proposal site currently provides 36 individual garages that would be demolished as part of the development; one of these garages is currently vacant. The applicant has stated that the garages are currently used for storage purposes with only 4 tenants living within 100 metres of the site and 27 tenants living over a kilometre away. It is

considered that the loss of the garages is therefore unlikely to lead to any additional on street parking or impact on vehicle movements and road safety.

Car parking.

- 7.74 Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.
- 7.75 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling, walking and public transport use. The current maximum car parking standards are set out within the London Plan at table 6.2 and require between 1.5 and 2 car parking spaces for properties with four bedrooms.
- 7.76 The application site is located outside a Controlled Parking Zone; however the roads to the west of Grand Drive are within a Controlled Parking Zone. As the majority of existing properties in Firstway have vehicular crossovers there is very limited on street parking available in Firstway. Firstway and Grand drive also have single yellow line parking restrictions that operate between 8am and 6.30 pm Monday to Saturday.
- 7.77 The submitted layout plan shows the provision of eight off street car parking spaces at the south west end of the site using the existing vehicular access from Firstway. This parking includes one off street space for each dwelling and a visitor space; the visitor space and one of the allocated spaces are suitable for those with a disability. To prevent unauthorised use the parking will be controlled with telescopic bollards. This level of off street car parking is line with the maximum parking standards provided within the London Plan and reflects the sustainable location of this site where occupants are able to meet daily needs without the use of a car.

Servicing and access

- 7.78 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to and from the public highway.
- 7.79 The existing access from Firstway provides access to 36 garages and is considered acceptable for the proposed 7 houses in terms of the junction with Firstway and its width. A detailed layout drawing of the proposed parking area [1208-22A] has been submitted with the planning application. This plan demonstrates that there is adequate

space provided on the site for vehicles to manoeuvre and to avoid the need for vehicles to reverse on to the public highway.

- 7.80 The proposed houses each have integral refuse storage areas with an area shown on the submitted plans for the refuse bins to be located on collection day. The collection location is considered acceptable as it located on the widest part of the access road; it will allow bins to be collected by the refuse vehicle and will maintain vehicle access to the site on refuse collection day. These collection day locations for bins will avoid creating an obstruction for pedestrians, vehicles or to vehicle sightlines.
- 7.81 In order to allow emergency vehicle access the London Fire Brigade require an access road width of at least 3.7 metres between kerbs and 3.1 metres between gate posts; a fire vehicle is able to reverse up to a distance of 20 metres before a turning circle is required [London Fire Emergency Planning Authority Fire Safety Guidance Note GN29]. The access road to the application site is widest at the rear corner of the building at 43 Firstway [7.8 metres] and narrowest at the northeast corner of the garden of this property [5.6 metres].
- 7.82 Consultation responses have said that cars parked on the access road would block fire brigade access to the application site. Whilst parked cars can block access in many circumstances on the public highway; the cars are parked on the widest point of the access road and this would still allow fire brigade access to the development site. An emergency fire vehicle parked on the Rainbow Estate access road or a vehicle that has reversed from Firstway by a distance of 20 metres to the widest part of the access road could be used in the event of a fire.
- 7.83 In order to reduce carbon dioxide emissions and promote sustainable transport use, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan seek an on site facility for charging electric vehicles. The parking area layout plan [1208-22] submitted with the planning application shows the provision of a facility to charge electric vehicles and a planning condition is recommended to ensure that this facility is provided.
- 7.84 In conclusion it is considered that the proposed development has been designed with adequate access and servicing arrangements that will also allow access by the fire brigade in an emergency.

Cycling and walking.

- 7.85 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and encouraging design that provides, attractive, safe, covered cycle storage. The proposed development shows parking for cycle within the rear gardens of the proposed houses

Biodiversity and trees

- 7.86 Policy CS.13 within the Adopted Core Strategy [2011] states that development should seek to integrate new or enhanced habitat or design and landscaping that encourages biodiversity. LDF policy CS13 along with Unitary Development Plan policy NE.8 state that development adjacent to green corridors will be expected to enhance the nature conservation value of the land and must not adversely affect the amenity, quality or utility of the open space.

Biodiversity

- 7.87 The application site is located adjacent to a railway embankment that is designated as a green corridor in the Unitary Development Plan. As part of the current application the existing garages will be demolished and replaced with 7 houses. The current proposal will reduce the existing areas of hard standing on the site and will introduce measures to encourage biodiversity in the form of bat and bird boxes.

Trees

- 7.88 Unitary Development Plan policy NE.11 states that development will not be permitted if it would damage or destroy trees which have significant amenity value as perceived from the public realm area unless either removal is necessary in the interest of good arboricultural practice, or the reason for the development outweighs the amenity value of the trees.

- 7.89 Whilst there are no trees within the application site there are a number of trees close to the boundaries of the proposal site. As part of the planning application the applicant has carried out a survey of these trees and tree assessment and protection report.

- 7.90 The main trees were found to be self seeded Sycamores and Oak on the railway embankment with a small group of Leyland Cypress in the rear garden of 43 Firstway. It was found that the proposed development is unlikely to impact upon the root systems of these trees. However, following the pruning of overhanging branches, tree protection measures should be used to prevent damage during construction work. It is recommended that a planning condition is used to ensure that the recommended tree protection measures are implemented.

Sustainable design and construction.

- 7.91 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. All new development comprising the creation of new dwellings will be expected to achieve Code 4 Level for Sustainable Homes.

- 7.92 As part of the current planning application the applicant has submitted a Code for Sustainable Homes – Pre-Assessment Report. The pre-assessment report concludes that based on the current design development the proposed development would achieve Code for Sustainable Homes Level 4.

Flooding issues.

- 7.93 The issue of local flooding has been raised by adjacent residents in consultation responses. The current application site is occupied almost entirely either by the existing 36 garages or other areas of hard standing including turning areas and the main part of the access road. The current proposal will greatly increase the permeability of the site with the introduction of rear gardens and the use of permeable surface materials for access and parking areas. The application site is not located in an area at risk from ground water flooding and the development has been assessed by the Environment Agency and found to have a low environmental risk.
- 7.94 In terms of assessing any potential capacity issues with existing drainage or sewage systems in the vicinity of the application site Thames Water were consulted on the current planning application. Thames Water has not raised any objection to his proposal.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The application site is less than 0.5 hectares in area and therefore falls outside the scope of Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for an Environmental Impact Assessment as part of this planning application.

9. CONCLUSION

- 9.1 The proposed development represents an effective and sustainable use of this brownfield site and incorporates a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. Notwithstanding the earlier officer recommendation to approve, amendments to the scheme have sought to address members' concerns. Accordingly, it is recommended that planning permission be granted subject to the planning conditions and planning obligations set out below.

10. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Lev

- 10.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.

- 10.2 The CIL charge that would be payable, for the proposed development, providing 896 square metres, under the Mayor of London Community Infrastructure Levy would be £31,360

Planning Obligations

- 10.3 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.

- 10.4 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

Financial contribution towards provision of affordable housing:

- 10.5 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector.

- 10.6 Having regard to characteristics such as financial viability issues and other planning contributions Core Strategy policy CS 8 states that for developments providing under ten residential units affordable housing provision should be equivalent to 20% of the new units with this provision achieved through an off site financial contribution.

- 10.7 As part of the planning application the applicant has submitted a viability assessment that concludes that a full contribution (£274,626) towards affordable housing would make the proposed development unviable. This viability assessment has been the subject of an independent test by a viability assessor. Following this assessment it has been agreed between officers and the applicant that a contribution towards affordable housing provision of £87,222 would be acceptable in order to provide a viable development that can progress.

Financial contribution towards education provision;

- 10.8 Saved UDP policy C13 recognises that new housing developments will lead to additional pressure on local educational facilities, and seeks financial contributions to be used towards the extra demand placed on local schools as a result of the development. The proposed development will provide 7 four bedroom residential units, in line with policy C13 and to meet the additional pressure that would be placed on local schools a financial contribution of £73,498 is recommended towards education provision.

- The developer agreeing to meet the Council's costs of preparing and monitoring the Section 106 Obligations;
- 10.9 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fees would be £8,036 calculated on the basis of 5% of the monetary contribution. Legal fees would need to be agreed at a later date.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a Section 106 Agreement and planning conditions.

1. Financial contribution towards affordable housing provision (£87,222).
2. Financial contribution towards education provision (£73,498).
3. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [to be agreed].
4. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [£8,036].

And the following conditions:

1. Standard condition [Time period] 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 for condition: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2. Amended standard condition [Approved plans] The development hereby permitted shall be carried out in accordance with the following approved plans: 1208-01A; 1208-04B; 1208-06A; 1208-10A; 1208-11A; 1208-12A 1208-13A; 1208-14A; 1208-15A; 1208-16A; 1208-20A; 1208-21; 1208-22A; 1208-23A; 1208-24; 1208-25; 1208-26A; 1208-27; 1208-28; 1208-29; 1208-30; 1208-31; 1208-32A; 1208-33; 1208-34A; 1208-35A; 1208-36; 1208-37; Design and Access Statement; Arboricultural Assessment and Method Statement; Planning Statement, Energy Report, Code for Sustainable Homes Pre-Assessment Report.] Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Standard condition [Timing of construction work] No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays - Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
4. Non standard condition [Demolition dust and noise] No development [including demolition] shall commence until a method statement outlining the method of demolition, and measures to prevent nuisance from dust and noise to the surrounding occupiers has been submitted

to and approved in writing to the Local Planning Authority for approval. Once approved, the scheme shall be implemented and retained thereafter. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

5. Amended standard condition [Construction phase impacts] No development shall commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate: 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 carried out except in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
6. Non standard condition [Pedestrian routes] Notwithstanding the submitted plans a demarcated pedestrian route along the access road shall be in place prior to first occupation of the proposed accommodation that is in accordance with details that have previously been submitted to and approved in writing by the local planning authority with this approved pedestrian route maintained permanently thereafter.. Reason for condition: To ensure a satisfactory and safe development in accordance with policies BE.16 and BE.22 of the Adopted Merton Unitary Development Plan.
7. Non standard condition [External lighting - pedestrian routes] External lighting to the proposed pedestrian routes within the application site shall be in place prior to first occupation of the dwellings hereby approved in accordance with details of the lighting locations that have previously been submitted to and approved in writing by the local planning authority with this approved lighting maintained permanently thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with policies BE.16 and BE.22 of the Adopted Merton Unitary Development Plan.
8. Standard condition [External lighting - buildings] Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
9. Non Standard condition [Shutters] The shutters detailed on approved drawing 1208-37 shall be provided to the windows at first floor and within the building loft space to the north west elevation facing the railway prior to first occupation of the accommodation hereby

approved. Reason for condition: To ensure a satisfactory and safe development in accordance with policies HS.1 and BE.15 of the Adopted Merton Unitary Development Plan.

10. Non Standard condition [Noise assessment] Prior to the commencement of the development a noise report shall be submitted to and approved in writing by the Local Planning Authority, to include (i) the existing noise environment and potential sources of noise likely to impact on the development including the railway line and Raynes Park railway station (ii) the likely noise impact of the development on the existing noise environment. (iii) Attenuation and noise management methods to mitigate against the likely impact of the existing noise environment on the development and the noise impact of the proposed development on the existing noise environment. The approved methods detailed in section (iii) shall be implemented in strict accordance with the approved details prior to the first occupation of the development and retained permanently thereafter. Reason for condition: To safeguard the occupiers of the proposed properties and ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan.
11. Non Standard condition [Electromagnetic Radiation] Prior to the occupation of the development the applicant shall have provided written evidence to the local planning authority that electro-magnetic radiation emissions from the adjacent sub station do not exceed ICNIRP (international commission on non-ionizing radiation protection) guidance levels of 100 microteslas and 5 kilovolts per metre. Reason for condition: To safeguard the residential amenity for the future occupiers of the proposed residential units.
12. Non standard condition [Land contamination – site investigation] No development shall commence until a detailed site investigation has been completed to survey and assess the extent of potential ground contamination on the site and from the surrounding environment (including any controlled waters), considering historic land use data and the proposed end use with the site investigation report (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation), submitted to and approved by the Local Planning Authority and the residential units hereby approved shall not be occupied until the approved remediation measures/treatments have been implemented in full. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy PE.8 of the Adopted Merton Unitary Development Plan 2003.
13. Standard condition [Land contamination – construction phase] If during construction works further contamination is encountered which has not previously been identified and considered the Council's Environmental Health Section shall be notified immediately and no further

development shall take place until remediation proposals (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation) have been submitted to and approved by the Local Planning Authority and the approved remediation measures/treatments implemented in full. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy PE.8 of the Adopted Merton Unitary Development Plan 2003.

14. Standard condition [Land contamination – validation] No residential unit hereby approved shall be occupied until a validation report has been submitted to and approved in writing by the Local Planning Authority to demonstrate that remediation works have been carried out in accordance with the agreed remediation strategy. The validation report shall provide a full record of all remediation activities carried out on the site including post remedial sampling and analysis, waste management documentation and evidence that the agreed site remediation criteria have been met (including waste materials removed from the site; an audit trail demonstrating that all imported or reused soil material conforms to current soil quality requirements as approved by the Council) and any post remediation sampling that has been carried out. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy PE.8 of the Adopted Merton Unitary Development Plan 2003.
15. Standard condition [Code for Sustainable Homes Pre-Commencement - New build residential] No development shall commence until a copy of a letter from a person that is licensed with the Building Research Establishment (BRE) or other equivalent assessors as a Code for Sustainable Homes assessor that the development is registered with BRE or other equivalent assessors under Code For Sustainable Homes and a Design Stage Assessment Report demonstrating that the development will achieve not less than Code for Sustainable Homes Level 4 has been submitted to and approved in writing by the Local Planning Authority. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
16. Standard condition [Code for Sustainable Homes Pre-Occupation- New build residential] Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be occupied until a Building Research Establishment or other equivalent assessors Final Code Certificate confirming that it has achieved not less than a Code 4 level for Sustainable Homes has been submitted to, and acknowledged in writing by the Local Planning Authority. Reason for condition: To ensure that the development achieves a high standard of sustainability and makes efficient use of

resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.

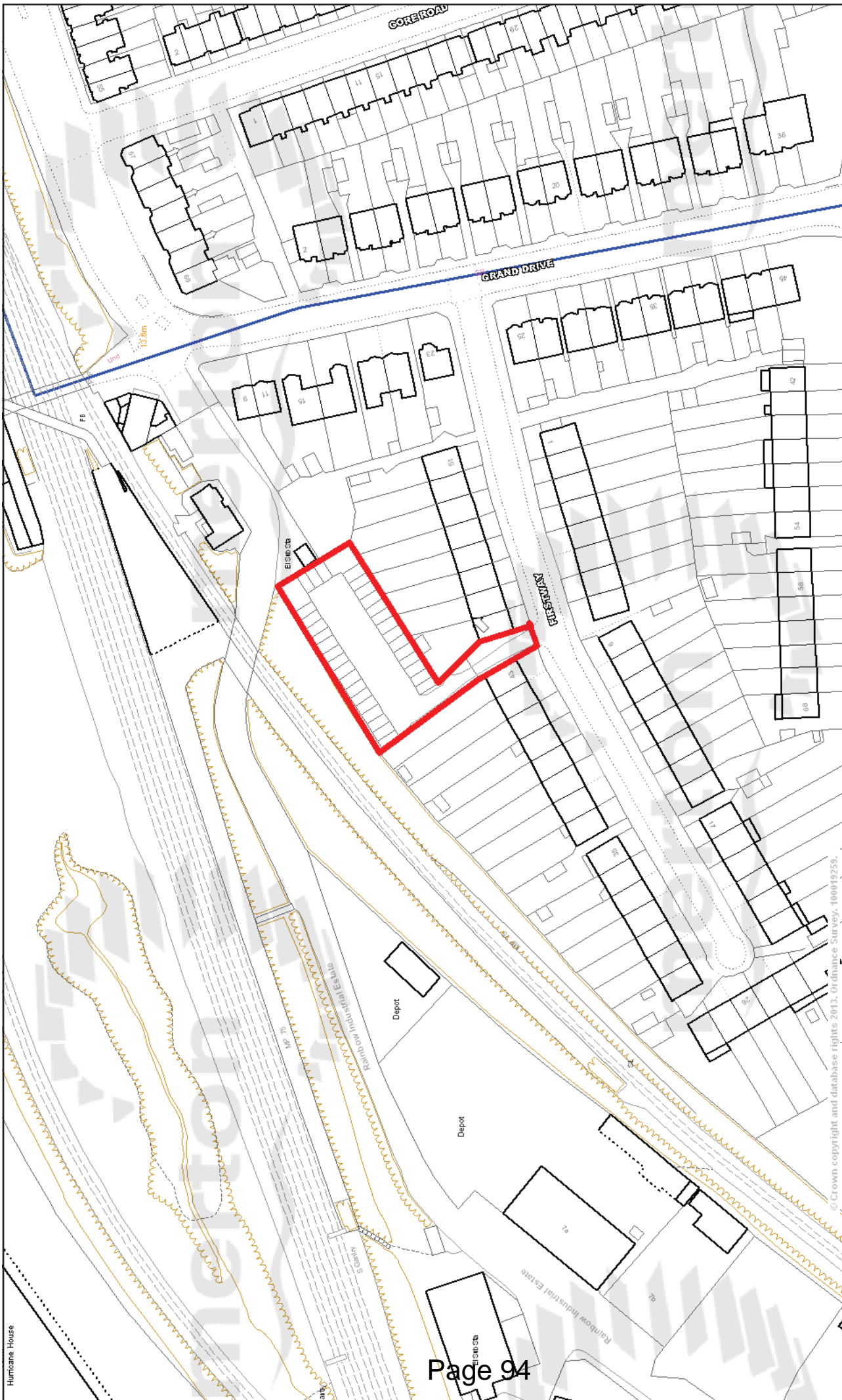
17. Standard condition [Lifetime homes] The new dwelling units shall meet Lifetime Homes Standards, and shall not be occupied until the applicant has provided written evidence to confirm this has been achieved based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy [July 2011].
18. Amended standard condition [Details of walls and fences] Prior to occupation of the development hereby permitted details of all boundary walls or fence shall be submitted to and approved in writing by the Local Planning Authority. The residential units shall not be occupied until the walls and fences have been erected in accordance with the approved details. The walls and fencing shall be permanently retained thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with policies BE.16 and BE.22 of the Adopted Merton Unitary Development Plan.
19. Non standard condition [Car parking spaces] Prior to occupation of the development hereby permitted the car parking spaces shown on the approved drawing including the on site facility for charging electric vehicles shown on layout plan [1208-22] to serve the development shall be provided and thereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.
20. Non standard condition [Refuse and recycling facilities] Prior to occupation of the development hereby permitted the residential refuse and recycling facilities shown on the submitted plans shall be provided and retained permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies BE.15 and PE.11 of the Adopted Merton Unitary Development Plan 2003.
21. Amended standard condition (Parking management strategy) The development hereby permitted shall not be occupied until a Parking Management Strategy has been submitted in writing for approval to the Local Planning Authority. No works that is subject of this condition shall be carried out until this strategy has been approved, and the development shall not be occupied until this strategy has been approved and the measures as approved have been implemented. Those measures shall be maintained for the duration of the use unless the prior written approval of the Local Planning Authority is obtained to

any variation. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.

22. C.1 Permitted development restrictions. Amended standard condition. To restrict rear extensions and outbuildings.

INFORMATIVES:

- a) INF2 Lifetime Homes
- b) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.
- c) The development hereby approved is liable to the Community Infrastructure Levy (CIL). The provisional chargeable amount of CIL that would be payable (subject to any successful applications for relief, surcharges or late payment interest charges) is £31,360. To avoid substantial surcharges an Assumption of Liability Notice and a Commencement Notice must be submitted to the Local Planning Authority prior to commencement of the development hereby approved. A Liability Transfer Notice can be submitted prior to the day the final payment falls due should parties who will be liable to pay change. These notices can be found on the planning portal at www.planningportal.gov.uk. For more information regarding CIL visit www.merton.gov.uk/CIL or email cilevy@merton.gov.uk.
- d) The applicant is advised to contact the Council's Highways team prior to undertaking any works within the Public Highway
- e) The applicant is advised that the demolition of the building on the application site should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If bats are found, Natural England should be contacted for advice (tel: 020 7831 6922).



London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX

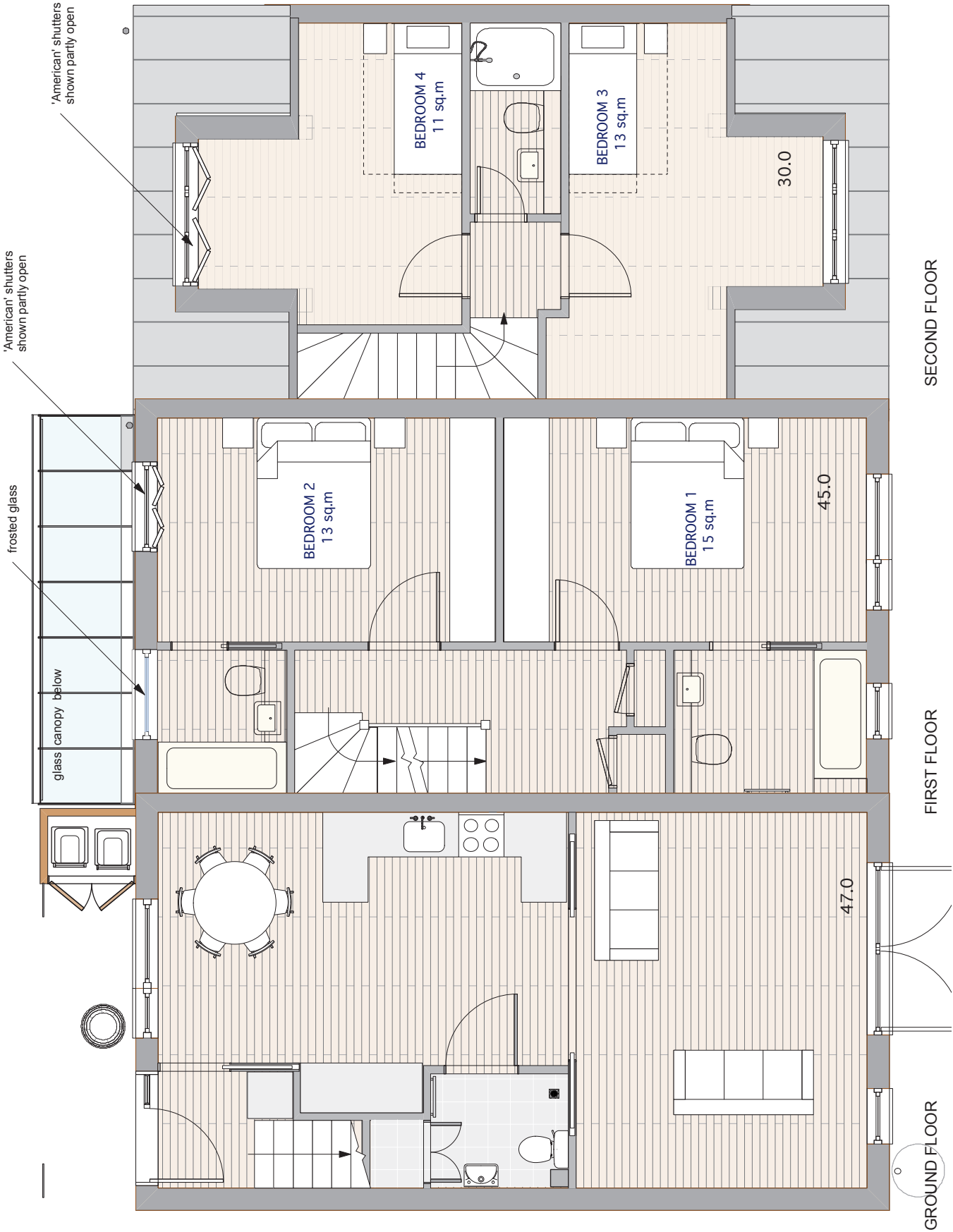
Scale 1/1250

Date 26/11/2013

RO 44-49 Firstway

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DEVELOPMENT CONTROL



NIA 122 sq.m



SECOND FLOOR

FIRST FLOOR

GROUND FLOOR

version 14

scale 1:50

TYPICAL HOUSE PLANS

AE111035 - Firstway, London, SW20 0JD

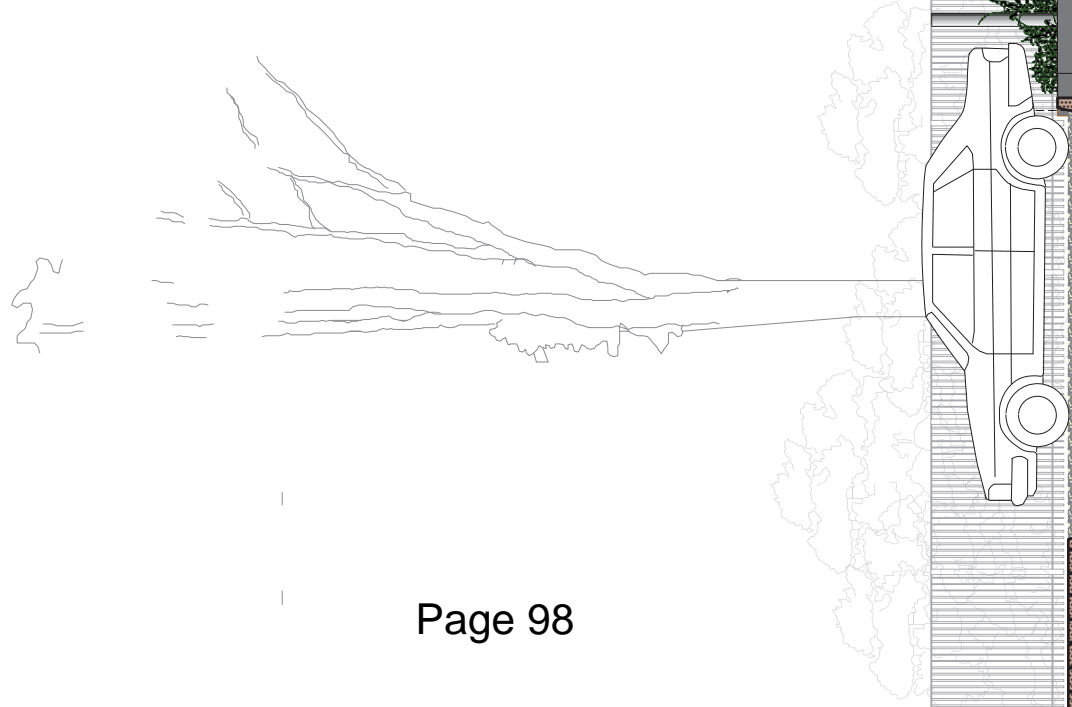
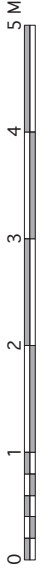
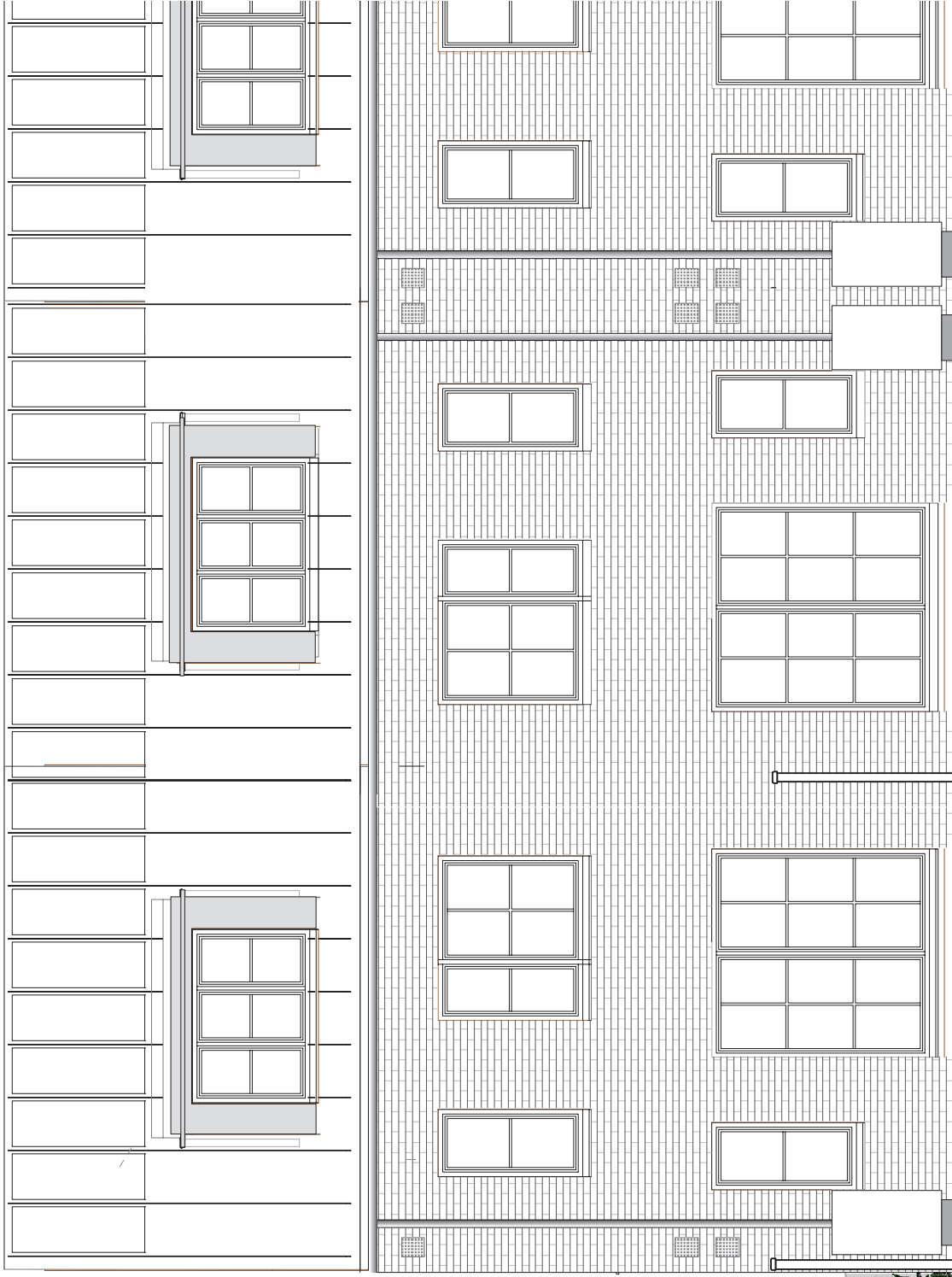
CHASSAY studio

drwg no. 1208-06

rev. A



11





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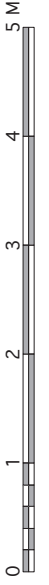
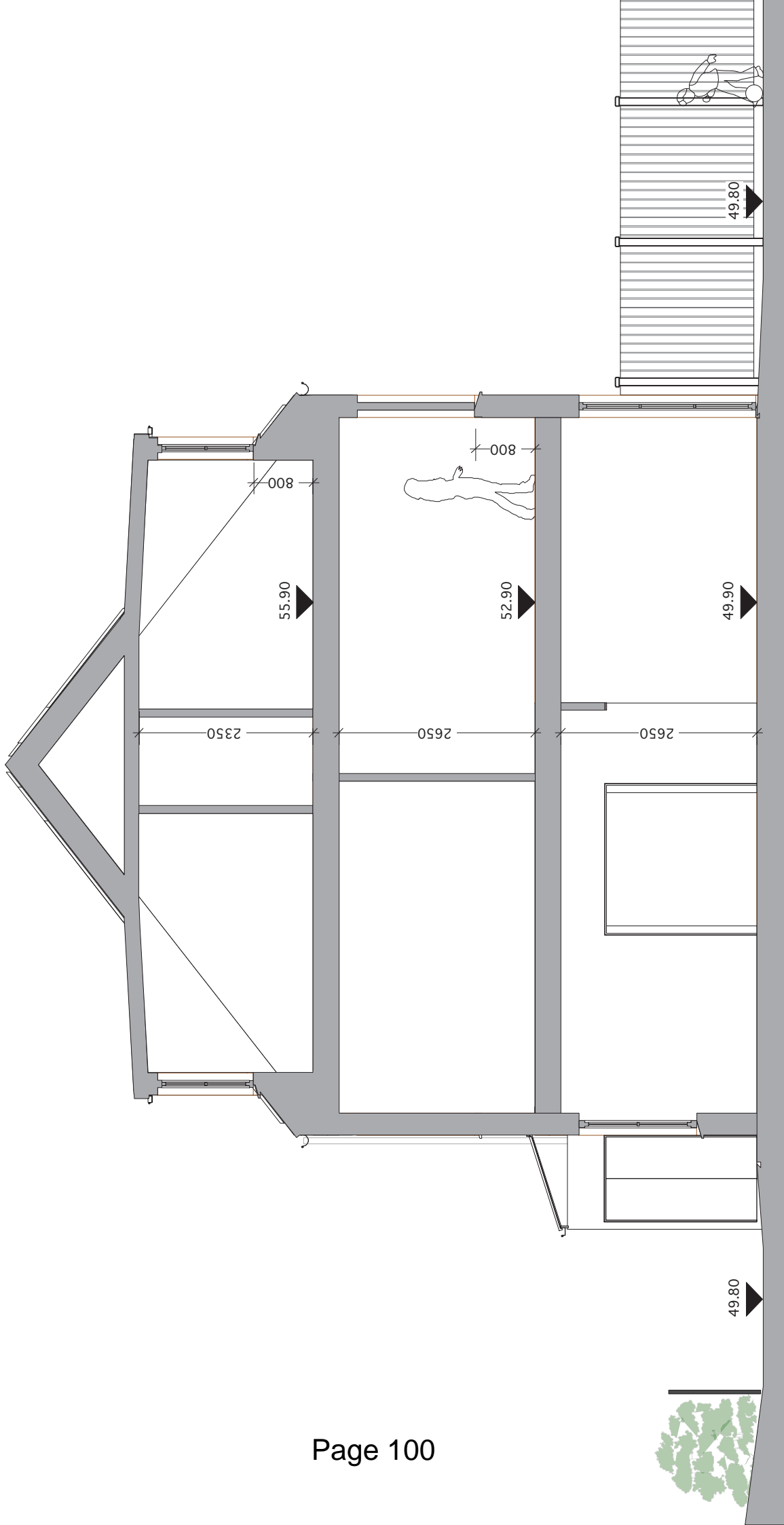
AE111035 - Firstway, London, SW20 0JD

NORTH-SOUTH SECTION THROUGH SITE SCALE 1:200

version 14

drwg no. 1208-20

rev. A



drwg no. 1208-14 rev. A

version 14

scale 1:50

SECTION B-B

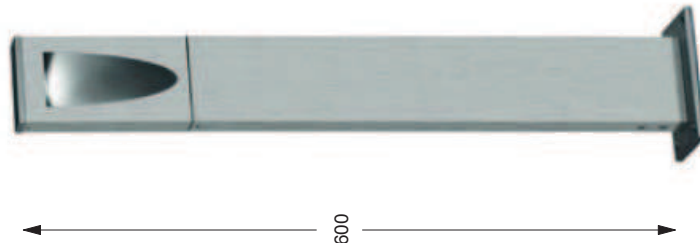
AE111035 - Firstway, London, SW20 0JD

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CHASSAY
studio

Aurora LED Post Light is a highly efficient solution to outdoor pathway lighting.

- Dimensions: 80mm x 25mm x 600mm
- Power: 3W
- Lamp: 3 x High Power LED
- Lamp Colour: 4000K White
- IP: 54 Rated
- Downward light projection
- Minimal light pollution
- Integral LED Driver
- Anodised corrosion resistant finish



AURORA LED LIGHTING POST



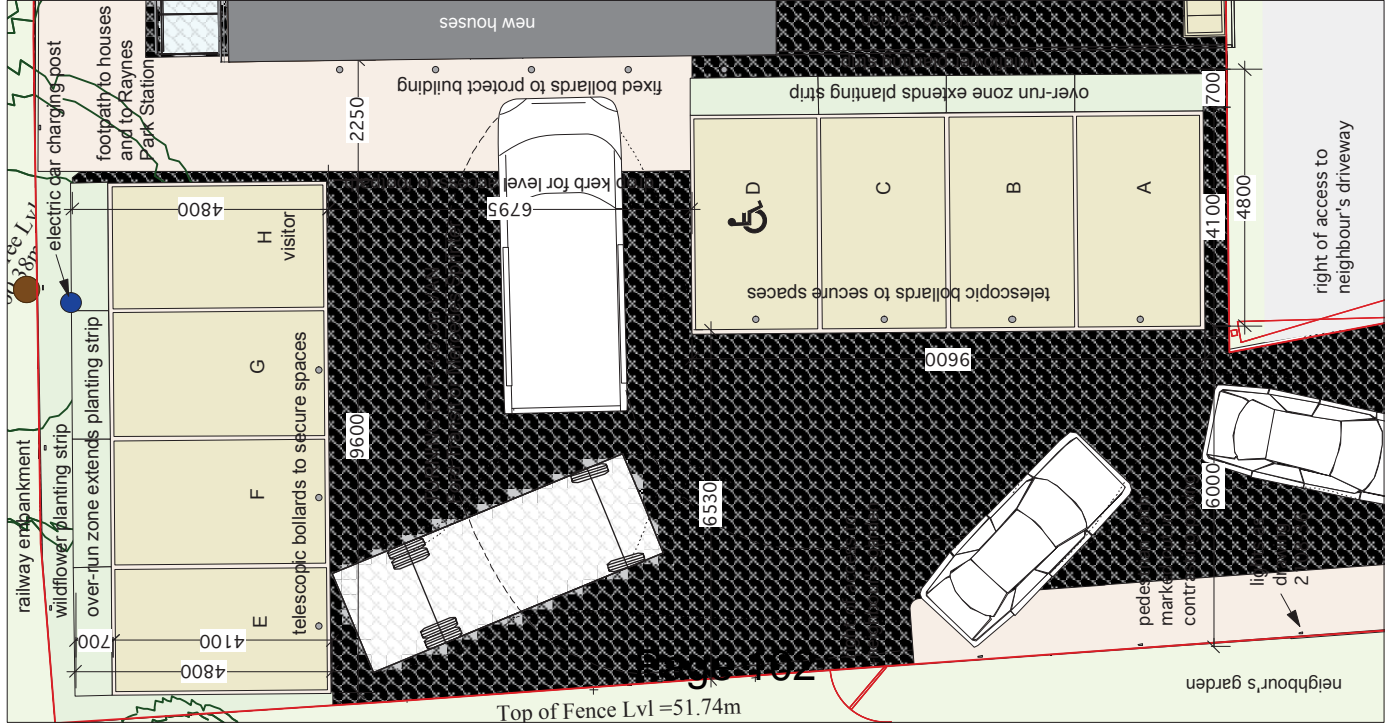
BETAFENCE NYLOFOR WELDED MESH FENCING



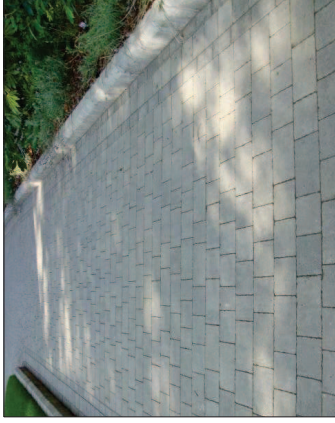
CLOSE BOARDED FENCE TO RAINBOW ESTATE

Fence to the railway embankment must comply with Network Rail requirements. Betafence Nylofor welded mesh fence system (left) is approved and provides security to the railway whilst having a very neat appearance, and an open pattern which gives a feeling of openness to the large, gently sloping embankment.

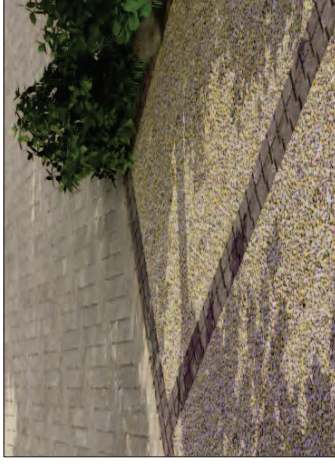
A robust, timber boarded fence will be provided between the private pathway and the road to the Rainbow Estate. If future developments permit access across this road, as Merton Planning intend, then this can be converted to be a secure exit towards Raynes Park station. Above is shown panel fencing by Jacksons Fencing.



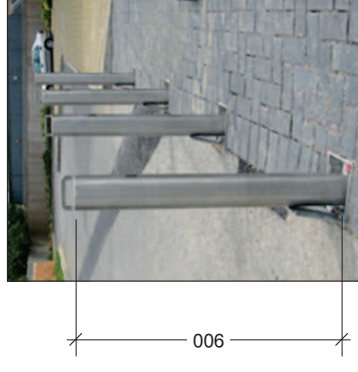
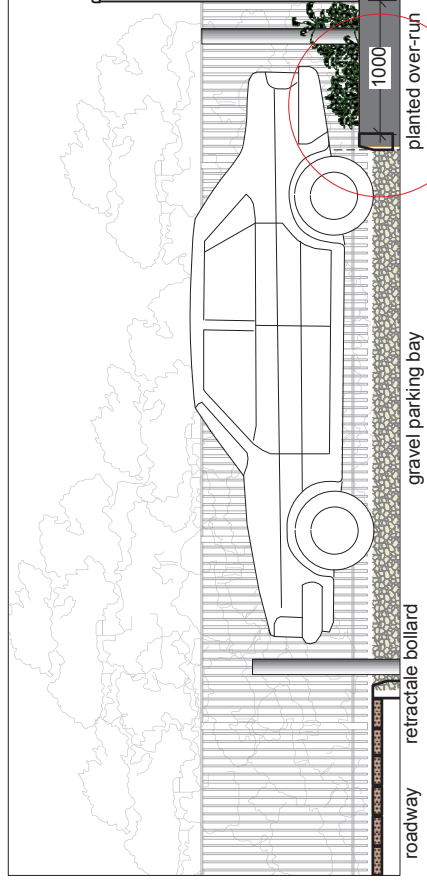
2. VANDELPROOF EV CHARGING BOLLARD with lockable door closed during charging - EV Streetserv by Rolec www.rolecserv.com



6. ROADWAY paved with Marshall Tegula Pennant Grey: rumbled finish permeable paving



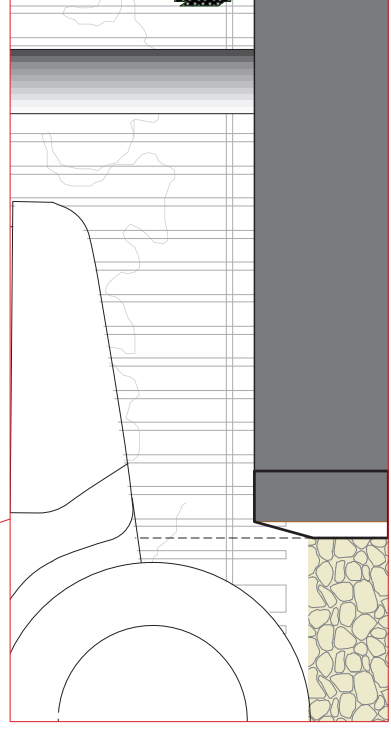
7. PARKING SPACES marked out with brick kerbs and filled with hoggin gravel



8. Bollards to be 140mm dia. stainless steel, fully retractable into ground with gas strut lift assist - Retratable GL by Autopa. Fixed bollards to match.



4. TYPICAL PLANTED OVER-RUN



Path serves the 7 new houses only, visible neighbours fosters a sense of community. Permanent 'American' blinds inside allow residents to control privacy

Path widened to 2m - as big as a pavement on a public highway, pedestrians can walk further from the property boundary.

Natural surveillance from living-room windows is an important aspect of security.

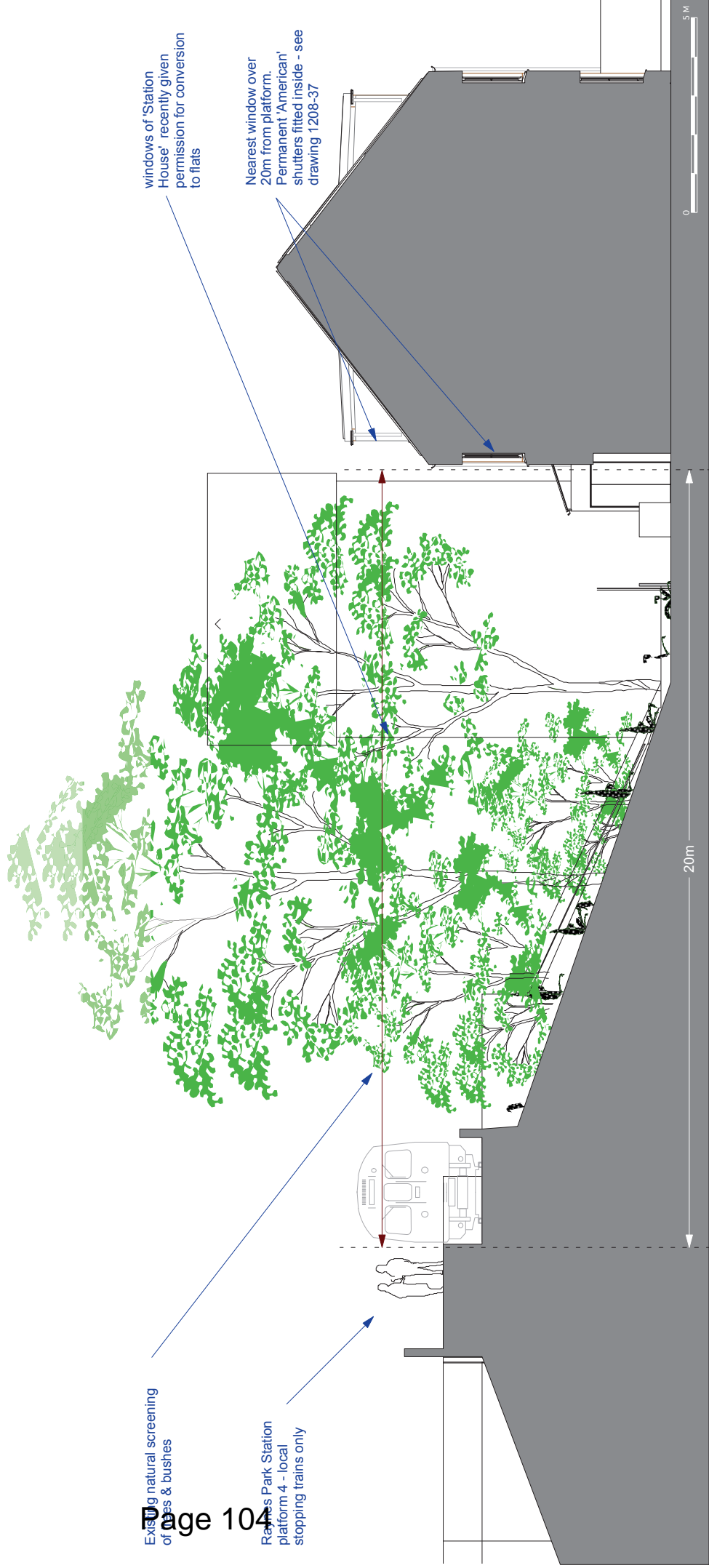
Private front area is clearly defined by paving pergola and projecting store cupboards & glass roof, which provides a buffer space of 1.2m





Left: Composite photograph taken from Raynes Park Station platform, showing natural screening of trees & bushes.

Below: Detailed section through railway platform on embankment and proposed new homes below.



Existing natural screening of trees & bushes

Raynes Park Station platform 4 - local stopping trains only

windows of 'Station House' recently given permission for conversion to flats

Nearest window over 20m from platform. Permanent 'American' shutters fitted inside - see drawing 1208-37

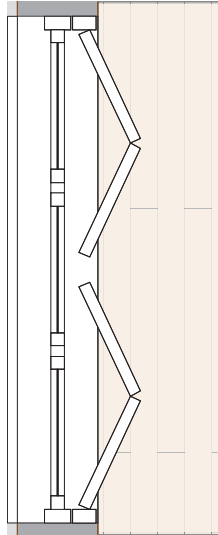




NOTE : close boarded fence omitted to show building behind

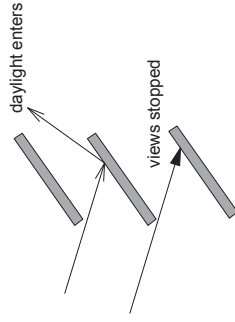


'American' shutter to be fitted inside all windows facing railway & access path.
Shutters are robust hardwood fixtures designed to last the lifetime of the house. Each shutter has adjustable hardwood louvres and each part is hinged for opening.



PLAN SHOWING WINDOW WITH SHUTTERS PARTLY OPEN

Shutters split at eye level, so the upper part can be opened while the lower kept closed



Louvres are specially effective in preventing overlooking from a higher level

Louvre blades of shutters are adjustable to allow light levels to be adjusted, and to vary the degree of privacy.



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