

PLANNING APPLICATIONS COMMITTEE

21st March 2019

APPLICATION NO.

18/P4447

DATE VALID

29/11/2018

Address/Site:

27 - 39 Hartfield Road, Wimbledon, SW19 3SG

Ward

Dundonald

Proposal:

Demolition of existing buildings and structures, and redevelopment for a new 8 - storey building (plus additional plant at roof level) comprising of a hotel (use class C1) and three commercial units (a flexible use within classes A1, A2, A3 and / or A4); substation; alterations to existing access and creation of new access on Graham Road; hard and soft landscaping, ground works and associated infrastructure.

Drawing Nos:

100, 101, 102(Rev1), 103(Rev1), 200, 300(Rev1), 301(Rev1), 302(Rev1), 303(Rev1), 304(Rev1), 305(Rev1), 306(Rev1), 307(Rev1), 308(Rev1), 400(Rev1), 401(Rev1), 402(Rev1), 403(Rev1), 404(Rev1), 500(Rev1), 600(Rev1), 601(Rev1)

Contact Officer:

David Gardener (0208 545 3115)

RECOMMENDATION

GRANT Planning Permission Subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: Permit free, S278 for Highway improvements
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: Yes
- Number of neighbours consulted: 561
- External consultations: None

1. INTRODUCTION

- 1.1 The application has been brought before the Planning Applications Committee due to the number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises Nos. 27 – 39, a terrace of two-storey Victorian buildings (No.27 is single storey) which are located on the southwest side of Hartfield Road between the junctions of Beulah Road and Graham Road. The terrace features a mixture of commercial uses at ground floor level (No.27 – A5, No.29 – A2, Nos. 31, 33 & 35 – A3, No.37 – A1 & No.39 – D1). It is not clear what uses operate at first floor level although planning records suggest that No. 33 may feature a self-contained flat.
- 2.2 The buildings along Hartfield Road comprise an eclectic mix of styles and of varying height. The tallest buildings are Wimbledon Bridge House, which is a seven storey office building and Pinnacle House, an office building which has recently been extended to eight storeys. These buildings are located at the northern end of Hartfield Road. Immediately to the southeast of the site on the opposite side of Graham Road is a five storey office building which is attached to a three to five storey semi-detached residential building. On the opposite side of Hartfield Road is the P3 site redevelopment of the town centre which comprises a mixture of commercial uses. To the rear of the site is Graham Road which features mainly two-storey residential terraces whilst Beulah Road features mainly commercial uses such as car repair garages. A timber merchants is also located opposite the site on Beulah Road.
- 2.3 The application site is not located in a conservation area but is located in an identified secondary shopping frontage. The application site also has excellent public transport links (PTAL rating of 6b) being sited in very close proximity to both Wimbledon tube, railway and tram station and the town centre bus station. The site is also located in a controlled parking zone (Zone W4).

3. CURRENT PROPOSAL

- 3.1 The applicant seeks planning permission for the demolition of the existing terrace and erect a new 8 – storey building (plus additional plant at roof level) comprising of a hotel (use class C1) and three commercial units (a flexible use within classes A1, A2, A3 and / or A4); substation; alterations to existing access and creation of new access on Graham Road; hard and soft landscaping, ground works and associated infrastructure.
- 3.2 A total of 6,721sqm of Gross Internal floorspace (GLA) is proposed. The hotel would comprise 177 rooms and would be located on floors 1 to 7 with two commercial units located at ground and first floor levels and one unit located at ground floor only. The building will have a maximum height of 28.4m to the top of the plant enclosure, which is located on the roof. The roof of the top floor would be 25.9m above ground level (AGL).
- 3.3 The building would have a U-shaped footprint at 2nd floor level and above, stepping down at its rear from 8 to 4 storeys on its Graham Road frontage and from 8 to 7 storeys on its Beulah Road frontage.

- 3.4 The application has been amended since it was first submitted with a slightly concave curve introduced to the front elevation, amendments made to the fenestration including angled recesses, and a saw-tooth shaped frontage introduced on the top floor. A variety of external materials would also be used. These include buff light cream and buff cream brick to the buildings elevations with coloured bricks on its corners and angled window recesses. A reflective metallic finish would be applied to the top floor. A green roof is proposed on part of the roof at the rear.
- 3.5 Further amendments have been made to the buildings servicing arrangement since the application was first submitted with a new access created on Graham Road. The application as originally submitted proposed that service vehicles would solely use an access located on Beulah Road. It is now proposed that service vehicles enter the site from Beulah Road and exit from the new proposed access on Graham Road. This would involve the loss of one on-street car parking bay on Graham Road. The proposal does not provide any car parking spaces but does include the provision of 13 long stay cycle parking spaces at the rear of the building and a further 13 short stay spaces to the side of the hotel. Public realm improvements are also proposed with new paving proposed on Hartfield Road on front of the building.

4. PLANNING HISTORY

- 4.1 There have been a number of applications over the years at these properties with the following planning history most relevant:
- 4.2 No.27
93/P1135 - Change of use from financial and professional services office (A2) to wine bar (A3) including alterations to existing front elevation and installation of ventilation duct. Granted - 11/11/1993
- 4.3 No.29
MER1439/73 - Change of use of shop with accommodation to offices. Granted - 21/02/1974
- 4.4 No.31
91/P0945 - Change of use of ground floor from betting office to restaurant installation of new shop front and ventilation ducting at rear and erection of single storey rear extension and attached external staircase. Granted - 03/04/1992
- 4.5 No.33
MER793/76 - Change of use to take-away kebab house. Granted - 16/01/1977
- 4.6 No.35
MER932/81 - Change of use from retail shop premises to snack bar. Granted - 04/12/1981
- 4.7 No.37

MER932/81 - Change of use from retail shop premises to snack bar. Granted - 04/12/1981

01/P0232 - Change of use of ground floor from a taxi office to a retail use (Class A1) or a financial and professional office use (Class A2). Granted - 23/03/2001

4.8 No.37A

No relevant planning history

4.9 No.39

11/P1388 - Replacement of fully glazed, sliding door shopfront of existing car showroom and installation of a panelled shopfront design for proposed doctor's surgery. Granted - 13/07/2011

11/P1144 - Application for change of use from car showroom (Sui Generis) to doctor's surgery (Class D1). Granted - 21/06/2011

4.1.0 No.39A

No relevant planning history

4.1.1 In November 2016, a pre-application request was made for the demolition of the existing terrace (Nos. 27 – 39) and the erection of a part seven part ten storey building to create a 205 bedroom hotel with ground floor commercial floor space (LBM Ref: 16/P4673). Further pre-application discussion took place in May 2018 regarding a building comprising up to 8 storeys.

5. POLICY CONTEXT

5.1 Adopted Sites and Policies Plan and Policies Maps (July 2014):

DM C1 (Community facilities), DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM R4 (Food and drink/leisure and entertainment uses), DM E1 (Employment areas in Merton), DM E4 (Local employment opportunities), DM EP2 (Reducing and Mitigating Noise), DM EP4 (Pollutants), DM R4 (Protection of shopping facilities within the designated shopping facilities), DM R5 (Food and drink/leisure and entertainment uses), DM R6 (Culture, arts and tourism development), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards)

5.2 Adopted Core Strategy (July 2011):

CS.6 (Wimbledon Town Centre), CS.7 (Centres), CS.12 (Economic development), CS.14 (Design), CS.15 (Climate Change), CS.18 (Active Transport), CS.19 (Public Transport), CS.20 (Parking, Servicing and Delivery)

5.3 London Plan (2016):

4.5 (London's Visitor Infrastructure), 4.6 (Support for and enhancement of arts, culture, sport and entertainment), 5.2 (Minimising carbon dioxide emissions), 5.6 (Decentralised energy in development proposals), 5.3 (Sustainable Design and Construction), 5.9 (Overheating and cooling), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.13 (Parking), 7.2 (An inclusive environment), 7.4 (Local character), 7.6 (Architecture), 7.7 (Location and design of tall and large buildings), 7.8 (Heritage Assets and Archaeology)

- 5.4 National Planning Policy Framework 2018
- 5.5 Merton's Tall Buildings Background Paper 2010
- 5.6 Merton's Draft Local Plan (2020)

6. CONSULTATION

6.1 The application was originally publicised by means of a site notice and individual letters to occupiers of neighbouring properties. In response, 76 letters of objection were received including an objection from the Wimbledon East Hillside Residents' Association (WEHRA) and the Wimbledon Society. One letter of support was received from the Merton Chamber of Commerce. The letters of objection are on the following grounds:

- Excessive height, bulk and massing, increase in density, overdevelopment of site, canyon effect created on Hartfield Road
- Out of keeping/character with local area, unacceptable design, poor quality materials, poor positioning of signage, lack of greening
- Lack of car parking, impact on traffic and pedestrian flow including narrowing of front pavement, congestion in surrounding road network, highway safety
- Unacceptable impact on daylight/sunlight levels, overshadowing, overlooking, noise, air pollution, visually intrusive and overbearing, light pollution
- Loss of two mature trees on the site
- Impact of substation, which also abuts a residential building
- Lack of demand for a hotel, loss of small independent businesses
- Impact of construction work including cumulative impact of building work on surrounding developments
- Increase in activity in area
- Loss of existing heritage buildings
- Servicing arrangement solely from Beulah Road is not acceptable
- Not in keeping with emerging Wimbledon Masterplan
- Would create further bad precedent

6.2 The letter of support supported the proposal because it would support economic growth within the borough i.e. daytime and night time economy, and would also create 150 new jobs.

6.3 Following receipt of amended plans a further re-consultation was carried out. In response, a further 62 objections and a petition with 159 signatures was received. Two letters of comment were also received. In addition to the reasons of objection outlined above further concerns were raised concerning the following:

- Impact of additional traffic on Graham Road due to new access now being proposed on Graham Road, impact on parking along Graham Road
- Unacceptable impact on pedestrian/child safety due to new access from Graham Road

- No dedicated waiting areas for taxi pick up/drop offs
- Introduction of kerbs to create access on Graham Road is not pedestrian friendly
- Antisocial behavior and noise from potential A4 use
- Increased wind speeds due to height of building
- Public order/Potential for crime
- Loss of on-street parking bay on Graham Road

6.4 Design and Review Panel (Pre-application Stage – May 2018)

- 6.4.1 The Panel were generally pleased with the overall design of the building. They felt that its height and massing were appropriate and that it managed an appropriate step-down transition between the buildings either side. The improvements to the public realm and general architectural approach with good use of brick were also welcomed.
- 6.4.2 The Panel did note however, that the rear of the building was effectively a frontage to all the residents to the south and its appearance needed to be equally well considered as the other elevations. The rear seemed slightly forgotten and the Graham Road frontage would benefit from more consistency in form and materials.
- 6.4.3 The Panel felt that the hotel entrance was not prominent, with a narrow entrance and felt that it could have a more inviting aspect. As the operator was not identified, there needed to be flexibility to ensure a high quality entrance was provided. The provision of the double height colonnade was welcomed by the Panel and it helped to address the potential canyon effect of taller buildings on Hartfield Road.
- 6.4.4 It was noted that the energy strategy needed further development and this should include designing for openable windows. There were also key corner rooms that would afford excellent views to the south if there were extra windows. The Panel felt strongly that more needed to be made of this opportunity for environmental, aesthetic and commercial reasons. This also related to the feeling that the corners were not yet sufficiently animated.
- 6.4.5 The Panel also questioned the appropriateness of using stucco and/or render as a material, although acknowledging there was also brick in the palette. Brick, stone and terracotta were recommended as the most relevant materials to use. Whilst the Panel generally liked the architectural approach to the appearance of the building, they felt that the horizontal was a little too dominant and the base of the building not sufficiently 'grounded'. This could easily be addressed by using more substantial pillars to the colonnade.
- 6.4.6 Whilst there was a gap for the service access on Beulah Road, the building directly abutted the adjacent property on Graham Road. The Panel felt that it would be a more respectful and comfortable transition if there was also a gap between this property and the substation. The proposed building line also did not relate well to this property.

- 6.4.7 The Panel noted the lack of plant on the roof and that allowance was yet to be made for it at various places within the building. However, they were concerned that this needed to be flexible and reflect the actual plant requirements, which had not been fully established yet. It was urged that the design should not preclude the use of sustainable technologies through the lack of designed plant space. They also felt that the substation on Graham Road needed better integration within the building to ensure it did not stand out as an unattractive and extensive dead louvred door frontage.
- 6.4.8 There was some discussion about the public realm and whether outdoor café seating would work next to a busy road, however it was noted that there were existing uses on the site that operated successfully this way. On Beulah Road the Panel noted the small service entrance and that it required reversing into from the street, but queried how drop-off and set-down arrangements would be provided for. It was felt more work was required to ensure successful practical operation regarding these aspects and interface with the surrounding streets.
- 6.4.9 Overall the Panel liked the building and thought it was well considered and required only minor changes, as set out above, to make it a good building.

VERDICT: **GREEN**

6.5 Future Merton - Urban Design

- 6.5.1 Considers the amended plans to be acceptable.

6.6 Future Merton - Transport Planning

- 6.6.1 No objection subject to conditions and applicant entering S278 Agreement for relocation of on-street parking bay and widening of access on Graham Road.

6.7 Future Merton - Flood Risk Officer

- 6.7.1 The proposed development achieves the minimum standards required by the London Plan, i.e. 50% betterment in runoff rates post development compared to the existing scenario. The preferred standard is to achieve greenfield rates, while the scheme does not achieve this at present there is scope on this site taking into account the constraints, to provide a better standard than currently submitted which is the 'do minimum' requirement.
- 6.7.2 The proposed sites drainage will be limited to no more than 17.2l/s and this will require 25.6m³ of surface water attenuation. The scheme proposes SuDS via a shallow greenroof system (10-15cm depth) and permeable surfacing for the rear service yard area. 14.1m³ of attenuation tanks will be provided beneath the permeable surfacing.
- 6.7.3 A non-return valve will be used to prevent backflow from the surface water sewer. Future maintenance of the drainage system will be with the site owner in perpetuity.

6.7.4 If minded to approve, conditions requiring further details on surface and foul water drainage and specification for the permeable paving and green roofs.

6.8 Future Merton – Climate Change Officer

6.8.1 No objections subject to appropriate conditions relating to energy and water efficiency and connection to an existing or future district heating network.

6.9 Environmental Health

6.9.1 No objections subject to appropriate conditions.

6.10 Thames Water

6.10.1 No objections regarding impact on water and sewerage network infrastructure capacity.

6.11 Metropolitan Police – Secured by Design

6.11.1 Have raised concerns regarding potential for crime and antisocial behavior activity.

7. PLANNING CONSIDERATIONS

7.1 Principle of Development

7.1.1 There is strong policy support for a hotel use in this location given it is in Wimbledon Town Centre, has excellent public transport links (PTAL 6b), and has good public transport services to central London due to its close proximity to Wimbledon train station. The Adopted Sites and Policies Plan and Policies Maps (July 2014) policy DM R6 supports all proposals for culture and tourism development which are likely to generate a large number of visits in either Merton's Town Centres or other areas of the borough which have a PTAL rating of 4 or above. This policy states that Merton's retail study highlights that the borough needs a range of tourist accommodation and facilities to cater for the leisure tourism and business visitors and to make Merton's tourism and culture sector more viable and sustainable all year round. Research has emphasised that there is a need for high quality hotels with catering facilities with good public transport services to central London. Policy 4.5 (London's visitor infrastructure) of the London Plan (March 2016) also states that the Mayor will seek to achieve 40,000 net additional hotel bedrooms by 2036.

7.1.2 With regards to Merton's Core Planning Strategy, policy CS.6 encourages development that attracts visitors to the area all year round including high quality hotels and promotes a balanced evening economy through a mix of uses. It is considered that the proposed development would broadly comply with this policy given it would be predominantly a hotel but would also provide three additional commercial units (Use Class A1, A2, A3 and/or A4) at ground floor and mezzanine/first floor levels. Policies CS.7 also encourages developments that attract visitors to the area all year round including high

quality hotels whilst policy CS.12 supports development of a diverse local economic base by encouraging the increased provision of the overall number and range of jobs in Merton. It should be noted that the proposal would enhance the job offer at the application site with a total of approx. 150 full time positions being created. Given the application site is also located in a secondary shopping frontage it is considered that the potential mix of uses whether it be solely A1, A2, A3 or A4 or a mixture of these uses is also acceptable.

- 7.1.4 The site fronts onto Hartfield Road and is located in a designated secondary shopping frontage which means it is important that any new building will contribute to the existing street scene by incorporating ground floor uses which have an active frontage. The omission of an active frontage would visibly shorten the commercial strip and thus curtail the environs perceived to be town centre core. In this instance the building would incorporate a double height frontage which includes three commercial units at ground and mezzanine levels with the hotel entrance located at the front of the building. This is considered acceptable as it would provide an active frontage with the double height frontage engaging public activity at street level.
- 7.1.5 A Class D1 use is located at No.39. This is a medical clinic and as such policy DM C1 (community facilities) is relevant in this instance. Policy DM C1 states that any redevelopment proposals resulting in a net loss of existing community facilities will need to demonstrate that:
- i) The loss would not create, or add to, a shortfall in provision for the specific community uses; and
 - ii) That there is no viable demand for any other community uses on the site

It is considered that the proposed loss of the Use Class D1 use is acceptable in this instance with the applicant submitting a planning statement which states that a total of six doctors/medical facilities are located within a 450m radius of the site. Although no marketing evidence has been submitted illustrating that there is no viable demand for any other community use it is considered that this would not warrant a refusal of the application in this instance with the benefits of the proposed development considered to significantly outweigh the loss of this use.

7.2 Design, Impact on Streetscene and Wider Context

- 7.2.1 The proposed building would have a maximum height of 28.4m to the top of the plant room which would be recessed from the buildings edges. The maximum height of the building not including plant would be 25.9m. The building would have a U-shaped footprint above first floor level with the building extending back and stepping down along its Beulah Road and Graham Road frontages. The building would step down from 8 to 4 floors on Graham Road and 8 to 7 floors on Beulah Road.
- 7.2.2 The London Plan states that tall buildings are those buildings that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of applications

to the Mayor. Policy 7.7 states that tall buildings should generally be limited to sites in town centres that have good access to public transport.

- 7.2.3 Given the proposed building would have a maximum height of 28.4m it would not require referral to the Mayor of London as its proposed height would fall below the 30m height limit for buildings located outside the City of London. Nevertheless, it is considered that the proposed building can be classed as a tall building given it would significantly alter the skyline due to the building replacing a low-rise row of two-storey terrace buildings.
- 7.2.4 In terms of local planning policy, Policy CS.14 of the Core Planning strategy promotes high quality sustainable design that improves Merton's overall design standard. Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be expected to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings. More specific guidance is outlined in the Tall Buildings Background Paper (2010) which forms part of Merton's Local Development Framework, as an evidence base in support of the Design Policy outlined in the Core Strategy. This states that in Wimbledon Town Centre, tall buildings should contribute to creating a consistent scale of development based on a range of similar but not uniform building heights. These should be determined by reference to surrounding building heights and townscape characteristics.
- 7.2.5 Wimbledon is the borough's largest town centre, identified as a major centre in the London Plan. The centre has the highest level of public transport accessibility in the borough and this makes the centre a sustainable location for a tall building. Key clusters of tall buildings are located within Wimbledon Town centre with one such cluster being located immediately to the north/northwest of the site on Hartfield Road i.e. Wimbledon Bridge House (No.1 Hartfield Road) and Pinnacle House (No. 17 – 25 Hartfield Road). The immediate surrounding area to the application site also comprises two-storey residential properties to the south and west along Graham Road and Hartfield Road, and commercial properties of approx. three to five storeys in height to the northeast of the application site on the opposite side of Hartfield Road and Graham Road.
- 7.2.6 There is a clear hierarchy of building heights in the town centre and it is considered that there should be a transition in building heights with the scale of tall buildings progressively decreasing as you move down the town centre hierarchy i.e. the further away from the cluster of tall buildings along Hartfield Road, while responding to the local context. Pinnacle House, which is 34m in height including plant is located to the northwest of the application site on the opposite side of Beulah Road (this building forms part of a tall building cluster) whilst No. 41 – 47 Hartfield Road, which is 19.8m in height is located to the southeast of the site on the opposite side of Graham Road. There are also two-storey Victorian residential terrace properties to the rear of the site and it is essential that the transition from the proposed building to this residential area is also dealt with sensitively.

- 7.2.7 It is considered that the proposed building height is acceptable. The building would have a maximum height of 28.4m which means there would be a material stepping down in building heights along this part of Hartfield Road between No. 17 – 25 Hartfield Road (Pinnacle House) and No. 41 – 47 Hartfield Road. It is also considered that the transition between the building and two-storey terrace buildings located to the rear of the site has been dealt with sensitively with the building stepping down to four storeys on its Graham Road frontage. The use of light coloured aluminium on its top floor would also help visually reduce the bulk and massing of the building.
- 7.2.8 The Design and Review Panel reviewed an eight storey scheme, which was submitted during pre-application discussions with Council officers in May 2018. It should be noted that the current scheme, following amendments which have been made during the application process, is very similar to the proposal reviewed by the Design and Review Panel which received a green verdict albeit with some amendments designed to address concerns raised by the panel. The panel were generally pleased with the overall design of the building. They felt that its height and massing were appropriate and that it managed an appropriate step-down transition between the buildings either side. The improvements to the public realm and general architectural approach with good use of brick were also welcomed. The provision of the double height colonnade was also welcomed by the Panel and it helped to address the potential canyon effect of taller buildings on Hartfield Road.
- 7.2.9 The Design and Review Panel did have some concerns with the design. This included concerns regarding the rear of the building which seemed slightly forgotten whilst the Graham Road frontage would benefit from more consistency in form and materials. The panel noted that whilst there was a gap for the service access on Beulah Road, the building directly abutted the adjacent property on Graham Road. The Panel felt that it would be a more respectful and comfortable transition if there was also a gap between this property and the substation. The proposed building line also did not relate well to this property. The Panel also felt that the hotel entrance was not prominent, with a narrow entrance and felt that it could have a more inviting aspect and also questioned the appropriateness of using stucco and/or render as a material, although acknowledging there was also brick in the palette. Brick, stone and terracotta were recommended as the most relevant materials to use. Whilst the Panel generally liked the architectural approach to the appearance of the building, they felt that the horizontal was a little too dominant and the base of the building not sufficiently 'grounded'. This could easily be addressed by using more substantial pillars to the colonnade.
- 7.2.10 It is considered that the current proposal has addressed a number of the concerns raised by the Design and Review Panel during the pre-application process. The rear and Graham Road frontage of the building now comprises a richer palette of materials with the use of both buff light cream and buff cream brick on the buildings elevations rather than a single brick colour whilst window recesses now feature coloured brick compared to coloured timber panels. No render or stucco is proposed whilst the pillars have been increased in width so that the building appears more grounded. Overall, it is considered that the

proposal is a high quality design with the use of angled recesses on its front elevation to give the building more depth and break up the monotony of repetitive hotel windows and a sawtooth-like top floor on its Hartfield Road frontage to give the roof a more dynamic feel. The use of a metallic reflective treatment to the upper floor, which would blend in with the sky during daytime hours will help break up the massing of the building. The ground and mezzanine floors would have an active frontage with a glazed frontage and covered outdoor seating connecting the outside with the inside increasing the vitality of the street whilst public realm improvements are also proposed with new paving proposed outside the building on Hartfield Road.

7.2.11 The building would also better integrate well with the adjoining properties along this part of Graham Road with the buildings frontage now sitting flush with the front elevation of these properties whilst there is now a gap between No.1 Graham Road and the building. The proposal would also include a number of public realm improvements including new pedestrian paving. The proposal is accordingly considered to comply with relevant planning policies relating to design and as such is acceptable in terms of visual amenity.

7.4 Residential Amenity

7.4.1 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.

7.4.2 The immediate surrounding area comprises a mixture of commercial and residential buildings. Residential properties are located to the rear of the site with two-storey Victorian terraces mainly located along Graham Road and Hartfield Crescent. Beulah Road comprises mainly commercial buildings with any residential buildings located at its southern end. Currently the site comprises a row of terrace buildings of no more than two-storeys in height. The applicant has submitted a daylight and sunlight report which assesses the impact of the proposed development on its surroundings with regards to daylight and sunlight availability to habitable rooms. The Vertical Sky Component (VSC) is a measure of the skylight reaching a point from an overcast sky. In this instance daylight/sunlight impact to Nos. 1, 3, 7, 9, 13, 17, 19, 23 and 25 Graham Road, 4 & 6 Hartfield Crescent, and Lygon Court was assessed as these properties are the most likely to be impacted. The results of the daylight/sunlight assessment showed that all these properties apart from No.6 Hartfield Road and Lygon Court complied with BRE guidelines for daylight and sunlight. It should however be noted that only one window within Lygon Court marginally failed regarding daylight/sunlight whilst only one window at 6 Hartfield Road failed regarding sunlight. The failure relating to No.6 Hartfield Crescent is however considered acceptable in this instance as this window is unlikely to be to the main living room.

- 7.4.6 It is considered that the proposed building would not have an unacceptable impact on privacy with the windows in hotel rooms facing southwest located a minimum of 28m from the rear garden of No.3 Graham Road, the closest property with a rear garden. It should be noted that No.1 does not have a rear garden with a car park located at the rear instead. A condition requiring corridor windows at level 4 and above to be obscure glazed and fixed shut will be attached to prevent any overlooking from this element of the building.
- 7.4.7 The application site is located in Wimbledon Town Centre and sits adjacent to the recently extended No. 12 – 25 Hartfield Road. It is accepted that the proposed building would be significantly more prominent when viewed from Graham Road, Beulah Road and Hartfield Crescent. This in itself would not warrant a refusal of the application given the sites town centre location and excellent transport accessibility where more intensive development is encouraged. Nevertheless, it is considered that the building would not be visually overbearing in this instance where there would be a material stepping down of building heights between No. 17 – 25 Hartfield Road (Pinnacle House) and No. 41 – 47 Hartfield Road. The building would also step down towards its rear and through the use of reflective metallic materials on its top floor and plant area would further reduce its visual impact. Overall, it is considered that the proposal complies with relevant planning policies relating to neighbour amenity.

7.5 Parking and Traffic

- 7.5.1 It is important to note that paragraph 109 of the NPPF 2018 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 6.1 of the London Plan (2016) supports development which generates high levels of trips at locations with high levels of public transport accessibility and improves the capacity and accessibility of public transport, walking and cycling. Policy 6.13 states that in locations with high public transport accessibility, car free developments should be promoted and that for hotels, on-site provision should be limited to operational needs, parking for disabled people and that required for taxis, coaches and deliveries/servicing. At a local level Policy CS.20 requires developments to incorporate safe access to and from the public highway as well as on-site parking and manoeuvring for emergency vehicles, refuse storage and collections, and for service and delivery vehicles.
- 7.5.2 The applicant has submitted a Transport Statement and Travel Plan with the application demonstrating that the transport impacts associated with the proposals can be accommodated within the surrounding transport network. No.27 - 39 Hartfield Road is well connected and has excellent public transport links (PTAL rating of 6b). The site is served by rail services from Wimbledon station and a number of bus services run along Hartfield Road. The proposal does not include any car parking, including disabled car parking, for employees or customers; however this is considered acceptable given the sites highly accessible location in this instance. A controlled parking zone also operates across the surrounding road network with Graham Road featuring shared Use (Permit Holder / 'Pay at Machine') parking bays that operate Monday to

Saturday 08:30-23:00 and Sunday 14:00-18:00 with a maximum duration of stay of 2 hours for 'Pay at Machine' visitors. Given these restrictions it is considered that car parking demand would be primarily accommodated in nearby public car parks. The applicant would also be required to enter into a S106 agreement requiring that the site is permit free restricting any employees or staff from applying for a business parking permit.

- 7.5.3 Hotels of the type proposed are unlikely to attract guests arriving in large parties by coach. As such very few coaches are expected to be generated by the proposed use of the site. With regards to coach parking facilities, any coach operator visiting the site will have to make appropriate arrangements for coach parking. The dropping-off of coach passengers is permitted under current waiting and loading regulations on Hartfield Road adjacent to the site except from 07:00-10:00 and 16:00-19:00 Monday to Saturday. Any coach activity would be bound to abide by these regulations. It is considered that although Taxi drop offs will not be accommodated on site, this would not cause significant concern in this instance given this can be accommodated in the surrounding road network.
- 7.5.4 The application was amended following responses to the public consultation and on the advice of Council Transport Officers. It was previously proposed to have a single service access from Beulah Road which would have required large service vehicles to reverse into the access and then exit in forward gear. Due to concerns regarding vehicles potentially blocking Beulah Road whilst carrying out these manoeuvres in addition to them having to then travel along Beulah Road before making a sharp right turn and travelling up Hartfield Crescent, the plans have been amended with a new exit point for Service Vehicles created on Graham Road. This means service vehicles will simply access the site from Beulah Road before exiting on Graham Road. The applicant has provided swept path analysis which shows that an 11m rigid truck can safely access and exit the site although this would result in the loss of one on-street car parking bay on Graham Road. The existing crossover would also be widened to accommodate the proposed service vehicles. A financial contribution will be required as part of a Section 278 Agreement to re-provide the lost parking space to a suitable location as directed by the Highway Authority and to extend the existing crossover. Concerns have been raised following re-consultation that service vehicles would then drive along Graham Road. It would not be possible to ban service vehicles from doing this however it is unlikely that larger vehicles would take this route as it would be easier and quicker to turn left towards the junction with Hartfield Road. It should also be noted that the kerb to the Graham Road access has been designed to encourage left turns, whilst a condition will also be attached requiring the submission of a delivery and service plan where service vehicles would be encouraged to turn left when exiting the site. It should also be noted that it is estimated that only approx. 3 – 4 vehicles a day would service the site so it is considered that any traffic impact from service vehicles would be very limited given the sites urban location. The proposal has incorporated an overhang on its Graham Road frontage which would limit the maximum height of service vehicles that could enter the service yard.

7.5.5 It is considered that the 13 long stay and short stay cycle spaces (number confirmed in submitted Addendum to Transport Assessment and Delivery and Servicing Management Plan) is acceptable and would comply with London Plan and local planning policies. Overall, it is considered that the proposed scheme would comply with all relevant planning policies at National, regional and local level and would not have an unacceptable impact on the surrounding road network.

7.6 Sustainability and Energy

7.6.1 The BREEAM design stage assessment provided by the applicant indicate that the Hotel and Retail Units should achieve an overall score of 63.9% and 57.7% respectively, which surpasses the minimum requirements to achieve BREEAM 'Very Good' (55%) in accordance with Policy CS.15 of Merton's Core Planning Strategy 2011 and the London Plan 2016.

7.6.2 The submitted Sustainable Energy Statement indicates that the proposed development should achieve a 35.1% reduction in CO2 emissions on Part L of the Building Regulations 2013. This meets the 35% improvement over Part L required for major developments under Policy 5.2 of the London Plan (2016). The development will achieve a 15.1% improvement in CO2 emissions through energy efficiency measures with the remainder secured through the proposed use of a CHP system and a 20kW array of solar photovoltaic cells. The Council's Climate Change officer has raised no objection to the application.

7.7 Flood Risk

7.7.1 The proposed development achieves the minimum standards required by the London Plan, i.e. 50% betterment in runoff rates post development compared to the existing scenario. The preferred standard is to achieve greenfield rates, while the scheme does not achieve this at present there is scope on this site taking into account the constraints, to provide a better standard than currently submitted which is the 'do minimum' requirement. The proposed sites drainage will be limited to no more than 17.2l/s and this will require 25.6m³ of surface water attenuation. The scheme proposes SuDS via a shallow greenroof system (10-15cm depth) and permeable surfacing for the rear service yard area. 14.1m³ of attenuation tanks will be provided beneath the permeable surfacing. A non-return valve will be used to prevent backflow from the surface water sewer. Future maintenance of the drainage system will be with the site owner in perpetuity. Conditions requiring further details on surface and foul water drainage and specification for the permeable paving and green roofs will be attached to any planning permission, as recommended by the Council's Flood Risk officer.

8. ENVIRONMENTAL IMPACT ASSESSMENT

8.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

9. LOCAL FINANCIAL CONSIDERATIONS

- 9.1 The proposal would result in a net gain in gross floor space and as such will be liable to pay a Community Infrastructure Levy (CIL). The funds will be spent on the Crossrail project, with the remainder spent on strategic infrastructure and neighbourhood projects.

10. CONCLUSION

- 10.1 No. 27 - 39 Hartfield Road is located in Wimbledon Town centre and has excellent transport links (PTAL rating of 6b), which means it is a highly suitable location for a Hotel/mixed use development. It is considered that the proposed building will respect its context in terms of its height, scale and massing and would be a high quality design, which responds well to its context. It is also considered that the proposal would not have an unacceptable impact on the amenity of occupiers of surrounding residential properties or the surrounding transport network given its sustainable location.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a S106 agreement covering the following heads of terms:

- 1) Permit free
- 2) S278 agreement to be entered into for public realm improvements on Hartfield Road and financial contribution to re-provide lost on-street car parking space
- 3) Paying the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

And subject to the following conditions:

- 1) 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 the avoidance of doubt and in the interests of proper planning

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 100, 101, 102(Rev1), 103(Rev1), 200, 300(Rev1), 301(Rev1), 302(Rev1), 303(Rev1), 304(Rev1), 305(Rev1), 306(Rev1), 307(Rev1), 308(Rev1), 400(Rev1), 401(Rev1), 402(Rev1), 403(Rev1), 404(Rev1), 500(Rev1), 600(Rev1), 601(Rev1)

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

- 3) No development shall take place beyond damp course proof level until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors

(notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 4) No external windows and doors shall be installed until detailed drawings at 1:20 scale of all external windows and doors, including materials, set back within the opening, finishes and method of opening have been submitted to and approved by the local planning authority. Only the approved details shall be used in the development hereby permitted.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 5) No development shall take place beyond damp proof course level until details of the surfacing of all those parts of the site not covered by buildings, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 6) Before the development hereby permitted is first occupied, the southwest facing corridor windows at level 4 and above shall be glazed and obscure glazed and fixed shut and shall be permanently maintained as such thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS.11 of the Core Planning Strategy 2011, and policies DM D2 and DM D3 of Merton's Sites and Policies Plan 2014

- 7) Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS.11 of the Core Planning Strategy 2011, and policies DM D2 and DM D3 of Merton's Sites and Policies Plan 2014

- 8) Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP 4 of Merton's Sites and Policies Plan 2014

- 9) No development shall take place beyond damp proof course level until details of all boundary walls or fences are to be submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reason: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 10) The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 11) No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

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

- 12) No development above damp proof course level shall take place until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

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

- 13) The development hereby approved shall not be occupied until the proposed vehicle access on Graham Road has been sited and laid out in accordance with the approved plans.

Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

- 14) The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

- 15) No occupation of the development shall be permitted until a Travel Plan is submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:

- (i) Targets for sustainable travel arrangements;
- (ii) Effective measures for the on-going monitoring of the Plan;
- (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
- (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only on accordance with the approved Travel Plan.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2016,

policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

- 16) No occupation of the development shall be permitted until a Delivery and Servicing Plan (the Plan) has been submitted in writing for approval to the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented in accordance with the approved plan. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

- 17) Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

- 18) No development shall take place beyond damp proof course level until a detailed scheme for the provision of surface and foul water drainage has been submitted in accordance with details that have been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the restricted rate of no more than 17.2l/s in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

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

- 19) No development shall take place beyond damp proof course level until the detailed design and specification for the permeable paving and green roofs shall be submitted to and approved in writing by the Local Planning Authority.

The design shall be carried out as approved, retained and maintained in perpetuity thereafter.

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

- 20) Within six months of the use or occupation of the development hereby permitted, evidence confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good', and evidence demonstrating that the development has achieved not less than a 35% improvement in CO2 emissions reduction compared to Part L 2013 regulations in accordance with those outlined in the approved plans (the applicant's Sustainable Energy Statement dated 08th November 2018, the BREEAM Pre-Assessment for New Hotel dated 16th November 2018, and the BREEAM Pre-Assessment for the Retail Units dated 16th November 2018), has been submitted to and acknowledged in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy 5.2 of the London Plan 2016 and policy CS15 of Merton's Core Planning Strategy 2011.

- 21) No development aside from demolition shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority on evidence demonstrating that the development has been designed to enable connection of the site to an existing or future district heating network, in accordance with the Technical Standards of the London Heat Network Manual (2014).

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy 5.2 of the London Plan 2016 and policy CS15 of Merton's Core Planning Strategy 2011.

- 22) No part of the development hereby approved shall be used or occupied until evidence has been submitted to and acknowledged in writing by the Local Planning Authority confirming that the non-residential development has maximised the opportunities to increase water efficiency in the development in accordance with measures outlined in the approved plans (the applicant's Water Efficiency Addendum – D1, dated 28/02/2019) such as considering more efficient non-standard fittings that meet the "Best Practice" level of the AECB water standards.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy 5.2 of the London Plan 2016 and policy CS15 of Merton's Core Planning Strategy 2011.

- 23) Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial use shall not exceed LA90-10dB at the boundary with any residential property.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014

- 24) No cooking odour shall be detectable at any residential property outside the development. Details shall be submitted and approved by the LPA prior to use.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM EP4 of Merton's Sites and Policies Plan 2014

- 26) Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted and approved in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with the approved details prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM EP4 of Merton's Sites and Policies Plan 2014

27) Following the completion of any measures identified in the remediation scheme approved under condition No.25, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the Local Planning Authority.

28) Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM EP4 of Merton's Sites and Policies Plan 2014

29) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM EP4 of Merton's Sites and Policies Plan 2014

30) The pollution emission levels from the combined heat and power plant shall not exceed those stipulated in the air quality report produced by GEM Air Quality Ltd report AQ1095 dated November 2018.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM EP4 of Merton's Sites and Policies Plan 2014

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following

Development Plan policies for Merton: policy DM EP4 of Merton's Sites and Policies Plan 2014

- 32) All deliveries, loading, unloading or other servicing activities shall take place between the hours of 0700 and 2300 Monday to Sunday and on public holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM D2 of Merton's Sites and Policies Plan 2014

- 33) The three ground floor/first floor units (excluding the hotel use) shall not be open to customers except between the hours of 0700 and 0000 Monday to Sunday and on public holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM D2 of Merton's Sites and Policies Plan 2014

- 34) No development, other than any demolition works, shall be carried out until details of the proposed green/brown roofs (including: species, planting density, substrate, a section drawing at scale 1:20 demonstrating the adequate depth availability for a viable green/brown; and a maintenance plan) are submitted to an approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details and be permanently retained as such.

Reason: In order to conserve and enhance biodiversity and wildlife habitats in accordance with the provisions of policy CS.13 of Merton's Core Planning Strategy 2011.

- 35) No development beyond damp proof course level shall take place until full details of a landscaping and planting scheme, which shall include details of trees to be planted on Graham Road, has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

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

36) All landscape works shall be carried out in accordance with the details approved under condition 35. The works shall be carried out in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is the sooner, and any trees which die within a period of 5 years from the completion of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of same approved specification, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied.

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

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