

PLANNING APPLICATIONS COMMITTEE

21 March 2019

APPLICATION NO.

18/P3780

DATE VALID

10/10/2018

Address/Site

52 – 54 Wandle Bank, Colliers Wood, , SW19 1DW

Ward

Abbey

Proposal:

Application to vary condition 2 (approved plans) attached to LBM planning permission 15/P4741 (34 x residential units and 459 sqm of office space). The changes relate to reconfiguring the layout of Block A to create 11 new units (taking total to 45), alterations to fenestration/terrace and additional cycle parking spaces across the development.

Drawing Nos

1720/PL/210, WDB-DS-01-GF-DR-A-P011 Rev P4, 1720/PL2/GF/201 H, 202 I, 203 I, 1720/PL2/3F/204 K, 1720/PL2/4F/205 H, 206A, 1720/PL/210, WDB-DS-01-ZZ-DR-A-P212 Rev P7, WDB-DS-01-ZZ-DR-A-P301 Rev P0, 1720/PL2/S-AA/810 B, 1720/PL2/S 1&2/811, 1720 PL2-901-1 D, 1720 PL2-902 B, 903 and 904.

Contact Officer:

Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Variation of condition, subject to conditions and deed of variation to the S106 agreement.

CHECKLIST INFORMATION.

Heads of agreement: - Affordable housing, car club, permit free, land transfer, Wandle Trail contribution & permissive path (Heads of terms are secured in any variation of condition application by the original S106 legal agreement)

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 – No

Number of neighbours consulted – 155

1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Application Committee for consideration in light of the number of objections received against the application and officer recommendation of grant variation of condition subject to conditions and deed of variation to the S106 agreement. The application has also been called in by Councilor Neep.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site has an approximate area of 0.31ha and is currently occupied by a group of industrial units that have been subdivided to offer small light industrial and storage lets comprising 1, 812 sqm in total.
- 2.2 To the north, the site is bounded by residential properties and to the south by a bus depot. The site is bounded to the west by East Road and on the opposite side of the road is All Saints Church of England Primary School as well as the flank wall and side garden boundary of 89 All Saints Road. On the eastern boundary, the site abuts the rear gardens of terraced houses in Wandle Bank. The existing commercial buildings are generally two storey in height on the road frontages with a pitched roof single storey commercial height building abutting the rear of properties in Wandle Bank.
- 2.3 The site has 2 existing vehicular and pedestrian access points – one from Wandle Bank to the east and the other by East Road to the west, which are both used for servicing and delivery. The Wandle River and Wandle Park run parallel on the opposite side of Wandle Bank. A pedestrian footbridge across the River Wandle is almost directly opposite the application site's Wandle Bank entrance. East Road is a no through road, with its south section providing access only to the site, to the Primary School and to the bus depot.
- 2.3 The surrounding buildings vary between two to four storeys in height. The terraced houses to the south in Wandle Bank and in East Road and All Saints Road are predominantly 2 storeys high. The height of the buildings increases to the north in Wandle Bank, South Road and Bygrove Road) to the south with a number of newer 4-storey flatted developments.
- 2.4 Wandle Bank connects the site to Merton High Street which has access to the main public transport network and other amenities including retail, educational and cultural facilities and local cafes and restaurants. The site has a PTAL between 3 and 4. The site also benefits from its proximity to

the River Wandle and Wandle Park, designated a local Site of Importance for Nature Conservation.

- 2.5 The Wandle Valley corridor is identified in LDF - Core Planning Strategy: July 2011 as a strategic corridor for regeneration. Colliers Wood has been identified within the Further Alterations to the London Plan (FALP) 2015 as a strategic Area of Intensification, listed as 'Site 44 South Wimbledon/ Colliers Wood'. The site is not a designated Employment Site or Industrial Site within Merton's Local Plan. The site is not within a designated Conservation Area and does not include any statutory or locally listed buildings. The north-east part of the site falls within Flood Zone 2.

3. **CURRENT PROPOSAL**

- 3.1.1 The proposal is an application to vary condition 2 (approved plans) attached to LBM planning permission 15/P4741 (34 x residential units and 459 sqm of office space). The changes relate to reconfiguring the layout of Block A to create 11 new units (taking total to 45), alterations to fenestration/terrace and additional cycle parking spaces across the development.
- 3.1.2 The proposal seeks to reconfigure the internal layout of Block A to provide an additional 11 flats;
- The previous level identified as the terrace level (within existing roof void) is now identified as the fourth floor and much of the former terrace area is proposed to be enclosed as internal space for units;
 - Internal reconfiguration of other floors;
 - Each of the new units would comply with the London Plan space standards;
 - Private external amenity space in the forms of terraces and balconies would also be provided for each of the units;
 - Minor associated fenestration/terrace amendments to Block A in association with the above; and
 - Additional cycle parking spaces across the development.

Design

- 3.1.3 The proposed amendments do not seek to substantially alter the approved design of the 2017 scheme. The materials to be used will be the same, and there will be no major changes to the shape and form of the buildings. Key features, such as the strong roof shape and character on the main building (Block A) are retained, and there will be no diminution or dilution of the strong form of the buildings approved previously.

3.3.4 No changes are proposed to the elevations of Block A from the ground to the third floor. At the fourth floor, the solid brickwork will be replaced with glazed balconies to emphasise the roof's 'floating' character. It is proposed to use obscured glazing to the front of these balconies, in order to maintain the prevention of view provided by the previous brickwork. Furthermore, planter boxes containing evergreen hedging interspersed with flowering shrubs will be used to prevent overlooking further. An inner steel railing will prevent close approach to the edge of the terrace, setting occupants further back from the edge of the building when compared to the approved plan.

Cycle Spaces

3.3.5 The approved development provides 73 cycle spaces. This is in excess of the adopted London Plan requirements which require 70 cycle spaces. On the basis of the additional 11 units, and in the context of the draft London Plan, an additional 20 cycle spaces would be required as per the emerging strategic guidance. Therefore, a total of 90 cycle spaces would be required by policy, with this number being provided across the development. This incorporates the requirements of residential and commercial long-stay and short-stay cycle parking spaces.

Unit Type	Unit Quantity	Adopted London Plan requirements	Emerging London Plan Requirements	Proposed cycle parking
1 bedroom	13	13 spaces (1 space per studio/1 bed)	20 spaces (1.5 spaces per 1 bed)	
2+ bedrooms	32	64 spaces (2 spaces per 2+beds)	64 spaces (2 spaces per 2+ beds)	
Commercial Floorspace	452sqm	3 spaces (1 space per 200sqm)	3 spaces (1 space per 200sqm)	
N/A – Residents Visitor Parking	N/A	2 spaces (1 space per 40 units)	3 spaces (2 space per 5-40 units, thereafter 1 space per 40 units)	
Total	45	82	90	90

Housing Mix

Housing Mix	Number	Percentage	Merton's policy
1 bed	13	28.8%	33%
2 bed	13	28.8%	33%
3 bed	18	40%	33%
4 bed	1	2.2%	

Amended Plans

- 3.3.5 The internal layout of the flats was amended so that each unit complied within minimum London Plan GIA standards. The amendments included reducing one double bedroom in units A302, A304, A305, A306, A307, A308, A311 and A312 to single bedroom (single bedroom between 7.5sqm and 11.5sqm). The change to a single bedroom reduces the number of persons the flat has been designed for (now in accordance with the London Plan).
- 3.3.6 As the amended were internal alterations only, it was not necessary to re-consult neighbours as the proposed changes have no material impact upon neighbours.

Additional Parking Survey

- 3.3.7 Following a request from the Councils Transport Officer, the applicant undertook an additional (up-to-date) parking survey (dated 6th February 2019). The updated parking survey took data collected on Thursday 31st January 2019, at 00:30 and between 08:00-19:00 on roads within 400m of the application site. As the report simply provides technical data, it was not necessary to re-consult neighbours.

4. PLANNING HISTORY

- 4.1 18/P3780 – Application to discharge conditions 3 (materials), 5 (boundary treatments), 6 (refuse), 10 (screening) & 23 (cycle) attached to LBM planning application 15/P4741 relating to the demolition of existing industrial buildings (Class B2 & B8) and erection of a part 2, part 3, part 4 storey buildings and associated works (parking & landscaping etc) to provide 34 x residential units and 459 sqm of office space (Class B1a).
- 4.2 15/P4741 - demolition of existing industrial buildings (Class B2 & B8) and erection of a part 2, part 3, part 4 storey buildings and associated works (parking & landscaping etc) to provide 34 x residential units and 459 sqm of office space (Class B1a) – Grant - 24/08/2017

- 4.2 00/P0698 - Redevelopment of site involving demolition of the existing buildings and the erection of 14 x 3 bedroom houses and 8 x 1 bedroom houses in 2-storey buildings fronting east road and Wandle bank and to the rear of 41-51 Wandle Bank (outline application) – refused on 21/07/2000 for the following reasons:

The proposed development would be contrary to Council policy resulting in the loss of existing employment uses on this site, thereby undermining the future of existing/prospective business uses contrary to policies W.9 of the Adopted Unitary Development Plan (April 1996) and E.9 of the Deposit Draft Unitary Development Plan (September 1999).

&

The proposal would represent a cramped over development of the site which would result in a loss of amenity to neighbouring dwellings in Wandle Bank by virtue of visual intrusion and overshadowing, and a poor standard of residential accommodation for future occupiers due to poor outlook, environment and a lack of privacy, contrary to policies EB.17 and EB.18 of the Adopted Unitary Development Plan (April 1996) and HS.1, BE.22 and BE.28 of the Deposit Draft Unitary Development Plan (September 1999).

- 4.3 MER622/77 - retrospective permission for use for dismantling motor vehicles and the storage / sale of motor vehicle parts – Refused - 03/01/1978
- 4.3 MER230/77 - Re-building of factory workshop due to fire damage – Grant - 24/08/1977
- 4.4 MER293/68 - Erection of extension to factory for storage purposes – Grant - 02/05/1968
- 4.5 WIM7512 - Retention of single storey building for a limited period – Grant - 11/06/1964
- 4.6 WIM6016 - Erection of 2 storey building at rear of factory – Grant - 30/11/1961
- 4.7 WIM4959 - Erection of single storey factory for use as bolting house – Grant - 06/05/1960
- 4.8 WIM4903 - Construction of 5,000 gallon water tank over existing tank room on north side of factory building – Grant - 07/04/1960.
- 4.9 WIM4524 - 2 Storey extension – Refused- 03/09/1959

- 4.10 WIM4013 - Erection of single storey building in place of nissen hut – Grant - 04/12/1958
- 4.11 WIM3791 - Erection of 2 storey office and store block replacing single storey office building – Grant - 05/06/1958
- 4.12 WIM3452 - Additional storey to office block – Grant - 09/10/1957
- 4.13 WIM2169 - Erection of lorry shelter – Grant - 12/01/1955

5. **CONSULTATION**

- 5.1 The application has been advertised by major site notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.1.1 In response to consultation, 1 letter of comment and 5 letters of objection received.

Objections

- 5.1.2 The letters of objection raise the following points:

Highways

- While this may not be making this development any larger it will mean even more people in what is a fairly small space
- Parking is a big problem in this area and contrary to the developers stating the amount of parking available is in the hundreds and there is plenty of empty parking places, this is not the case in the evenings or at the weekends. It can only assume they picked to take their figures at the quietest part of a week day.
- Evening and weekend parking is not restricted.
- Even if residents are not able to have parking permits it will not help the people living here.
- Has the Council taken into consideration the more realistic amount of cars required by new tenants taking ownership/tenancy once the development has been built, not to mention any increase in car parking spaces required if friends or family come to visit.
- Suggestion that development includes underground parking spaces
- Note that they intend to provide extra cycle spaces but what if the home-owners are too elderly to cycle?

Neighbour Amenity

- Loss of light
- Need to know whether the large block of flats is actually higher than it was in the first application? If higher, it will cut off yet more of our light.

- Has the same consideration of sight lines for the east facing balconies been considered like the west facing balconies? Would like assurance that all the balconies facing the east (Wandle Bank) of the development will be designed with the same if not better restrictions proposed as per the west facing (East Road) balconies.
- Concern with the terraces on the 1st floor of the properties that back into Wandle Bank. In none of the documents does it show if there are full height privacy screens on the terraces. Other privacy screens are described but these have been omitted.
- Overlooking

Design

- The development is much too dense with the extra homes
- The change of roof terraces to units represents an additional storey to Block A in a building which already dwarfs the surrounding residential dwellings.

Flooding

- Merton Council and the Environment Agency seem to think there is no risk of flooding but we fear that adding 11 extra homes to the development will make the site even more high risk than it is now.

Other

- Development built right up to the south boarder of the site. Concern that if a fire occurs in the middle of the development, there would be no safe exit to the south of the development. Only access would be via the North exit of the development. Suggestion that the development along the south side be reduced to allow for a significant space for human emergency exit (min of 3 meters from the south boarder)
- Are some of these extra units taking the space previously allocated as office space?
- Strain on local amenities
- The building at the back of Wandle Bank and right on the boundary with the bus garages, the proposed new scheme appears altered and larger but there is no mention of this in the application.
- For the original planning permission the Council accepted £200,00 in lieu of affordable housing, representing four units. Will the developer be required to make a payment for the additional offset quota of affordable housing and will it be at a more realistic market level?
- Why does Merton Council feel the need to give into the developers by granting permission to include these extra units. I understood Merton had fulfilled its housing quotas, so it must be because it wants the extra Council tax. It's absurd to cram so many people into such a small site.

Comment

5.2.3 The letter of comment raises the following questions:

- Request for elevation 3 & 4
- Confirmation of Block A
- Any increase in massing?
- Does the proposal affect daylight in any way?

5.3 Council Transport Planning Officer

Car Parking

5.3.1 Parking levels are proposed to retain the 2 on-site spaces and 10 on-street car parking spaces.

5.3.2 Four parking spaces, two of which include electric charging point would be located within the mews. These spaces would be allocated to both the proposed residential units and commercial units (two each). 10 car parking spaces would be provided on East Road. Some of the car parking spaces on East Road sit outside the land ownership of the applicant (on public highway), therefore in order to facilitate the proposed car parking arrangement, a land swap between private and public land is required. The 10 car parking spaces would then be split between private and public use. Three unallocated bays will be for public use and 7 allocated to the proposed new residential units.

5.3.3 The proposed land swap would enable 7 of the proposed parking bays to be designated to the proposed family dwellings. The process would form part of the Section 106 agreement and would require the affected public highway to be stopped up before the land transfer could take place. A separate traffic order would be required to designate the new disabled parking bays. Materials and construction of the parking bay needs to be conditioned so that a clear distinction between private and public parking can be made. It is also noted a new footpath (private) is provided behind the parking where at present none exists.

Car Club

5.3.4 To further encourage sustainable modes of transport and help establish travel patterns for future occupiers, the development would also be subject to a free, three-year car club membership. This can be controlled via a S106 agreement.

Traffic Generation

5.3.5 It is expected to be a reduction in vehicle trips as any new journeys will be off-set from the existing site traffic, in particular the number of larger

goods/commercial vehicles should be reduced. The traffic conditions for the school opposite should remain similar to the present situation.

- 5.3.6 The car ownership census data within London Borough Merton is taken around 0.581 vehicles, per flat, throughout the London Borough of Merton. Consequently, the approved development proposals could generate a total demand of 18 cars, with the additional 11 units demanding a further six.
- 5.3.7 Using TEMPRO (TEMPRO is the industry standard tool for estimating traffic growth, which is required when assessing the traffic impact of a development on the local highway network) to estimate future car ownership levels, in 2020 it is projected that each dwelling would own approximately 0.632 cars. This equates to a demand of 19 cars for the approved scheme and a potential requirement for seven additional spaces if 11 further residential units are implemented.
- 5.3.8 Therefore, an estimated total of 26 vehicles could be added to the local parking demand, which is considered to be a nominal figure.
As set out above, this potential demand is set in the context of a provision of 2 on site spaces and the formalisation of 10 on-street spaces.
- 5.3.9 The consultant's methodology of traffic generation is acceptable.

Parking Surveys

- 5.3.10 Parking surveys for the original application were carried out in November 2015. The applicant has undertaken an updated parking surveys (6th February 2019) with the addition of a daytime survey (half hourly beats) to consider the implications of the scheme on the local roads during the day (and particularly with regard to the school activity).
- 5.3.11 The results from this survey revealed that in both the daytime and night-time, a significant number of parking spaces around the application site remained available. In summary, overnight, up to 116 parking spaces were available within the survey area. During the day, it was identified that 77 spaces were available during peak hours of the day. Outside of this peak parking demand, there were up to a further 20 spare parking spaces available.
- 5.3.12 The survey results are considered satisfactory and suggest that the increase residential by 11 units is unlikely to have a significant impact on the surrounding highway network.

Permit Free

- 5.3.13 The site is located partially within the CW1 Controlled Parking Zone, (CPZ) which prohibits parking Monday to Saturday, 08:30-18:30.

5.3.14 Permit-holder car parking bays are located along Wandle Bank which can also be utilised as Pay & Display parking, providing a maximum stay of 10 hours. East Road is located outside the CW1 CPZ, although, due to the position of driveways along the road, the majority of on-street kerbside parking spaces cannot be utilised as they would block vehicular access to the properties.

5.3.15 As the site scores a PTAL rate of 4 (good accessibility) it is appropriate that the development is designated as permit free (this needs to be included in the title deeds). Close scrutiny of the existing CPZ boundaries shows that the existing development was not included in either zone S3 and CW1. Therefore, future residents/businesses would still not qualify for parking permits. However, making the development permit free would remove any doubt and thereby help to mitigate parking pressure in East Road, which remains outside the adjoining CPZ's.

Disabled Parking

5.3.16 The approved scheme includes 10% of units (i.e. 3.4 units rounded to 4 units) to be wheelchair accessible. The proposed scheme would retain these 4 wheelchair accessible units in the same location and unit types as previously granted and add one more additional unit. On the basis of 45 dwellings, 10% of units would equate to 5 units.

Cycle Parking

5.3.17 The proposal provides 84 long stay and 3 short stay cycle parking for residential and 3 spaces for B1(a) use. The increase number of cycle spaces satisfies the draft London Plan standards.

Construction Management Plan

5.3.18 Construction management needs to outline specific steps to liaise with school to avoid heavy plant/deliveries visiting the site or manoeuvring close by during school start and finish times.

5.3.19 The existing access/loading space onto Wandle Bank needs to be removed and a new footway provided to link the existing footways (up to the existing tree)

Recommendation

5.3.20 Raise no objection for the addition of 11 new units, taking a total to 45. Previous conditions apply.

5.5 Environment Agency

5.5.1 No objection as the changes only relate to the 4th floor.

5.6 Council Climate Officer - No objection subject to conditions.

5.7 Council Environmental Health – No objection subject to conditions

5.8 Historic England – No objection subject to conditions.

6. **POLICY CONTEXT**

6.1 Merton Core Planning Strategy (July 2011)

CS8 – Housing Choice

CS9 – Housing Provision

CS12 – Economic Development

CS14 - Design

CS15 – Climate Change

CS18 – Active Transport

CS19 – Public Transport

CS20 - Parking, Servicing and Delivery

6.2 Adopted Merton Sites and Policies Plan (July 2014)

DM H2 Housing Mix

DM H3 Support for affordable housing

DM E1 Employment areas in Merton

DM E3 Protection of scattered employment sites

DM E4 Local employment opportunities

DM O2 Nature conservation, trees, hedges and landscape features

DM D2 Design Considerations in All Developments

DM EP2 Reducing and Mitigating Noise

DM T1 Support for sustainable transport and active travel

DM T2 Transport impacts of development

DM T3 Car parking and servicing standards

DMR2 Development of town centre type uses outside town centres

6.3 London Plan (2016)

3.1 (Ensuring Equal Life Changes for All)

3.2 Improving Health and addressing health inequalities)

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; recreational facilities)

3.7 (Large residential developments)

3.8 (Housing Choice),

3.9 (Mixed and balanced communities)

3.10 (Definition of affordable housing)

3.11 (Affordable housing targets)

3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)

3.13 (Affordable housing thresholds)

3.15 (Co-ordination of housing development and investment)

- 3.16 (Protection and enhancement of social infrastructure)
- 4.1 (Developing London's economy)
- 4.12 (Improving opportunities for all)
- 5.1 (Climate Change Mitigation),
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable Design and Construction)
- 5.5 (Decentralised Energy Networks)
- 5.6 (Decentralised Energy in development proposals)
- 5.7 (Renewable energy)
- 5.8 (Innovative energy technologies)
- 5.9 (Overheating and cooling)
- 5.10 (Urban greening)
- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.21 (Contaminated land)
- 6.3 (Assessing effects of development on transport capacity)
- 6.5 (Funding crossrail and other strategically important transport infrastructure)
- 6.7 (Better streets and surface transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.11 (Smoothing traffic flow and tackling congestion)
- 6.12 (Road network capacity)
- 6.13 (Parking)
- 7.1 (Lifetime neighbourhoods)
- 7.2 (An Inclusive Environment)
- 7.3 (Designing Out Crime)
- 7.4 (Local Character)
- 7.5 (Public Realm)
- 7.6 (Architecture)

- 7.14 (Improving Air Quality)
- 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes)
- 8.1 (Implementation)
- 8.2 (Planning obligations)
- 8.3 (Community infrastructure Levy)
- 8.4 (Monitoring and review)

- 6.4 Other
 - National Planning Policy Framework 2018
 - National Planning Practice Guidance 2014
 - Planning and Compulsory Purchase Act – 2004
 - London Plan 2016 - Housing SPG 2016

- Draft London Plan 2017
- Draft Local Plan 2020
- Merton's Viability SPD 2018
- Homes for Londoners - Affordable Housing and Viability SPG 2017

7. **PLANNING CONSIDERATIONS**

7.1.1 The principle of redeveloping the application site has already been established under planning approval 15/P4741. The proposed changes relate to the introduction of 11 new residential units within Block A as a result of internal and external alterations, including replacing the amenity space at third floor level with new residential units. The planning committee report will only consider those aspects of the scheme that are affected by the proposed changes. For the sake of clarification, the following subject matters and S106 agreements set out in the 15/P4741 committee report will remain unaffected:

- Archaeology
- Land Swap
- Permissive Path
- Wandle Trail

7.1.2 The principle planning considerations in this instance therefore relate to design, impact on neighbour amenity, standard of residential accommodation, highways and parking, climate change, standard of residential accommodation and affordable housing.

7.2 **Section 73 applications**

7.2.1 The principle of development was established by the granting of planning permission 15/P4741. Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

7.2.3 The National Planning Practice Guidance 2014 provides guidance on Section 73 applications, which outlines that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

7.2.4 In considering the current application the Council needs to have regard to any material changes in planning circumstances since the granting of that original permission. These include (i) site circumstances, (ii) application, (iii) changes in planning policy and (iv) further planning history.

(i) Site Circumstances

7.2.5 Officers note that there has been no change in site circumstances other than the former uses ceasing operation.

(ii) Application

7.2.6 The differences between the current proposal and the original application are shown in section 3 of the committee report.

(iii) Changes in Planning Policy

7.2.7 The local level planning policies considered under the original planning application remain unaltered. The London Plan 2015 and National Planning Policy Framework (NPPF) 2012 have since been replaced by The London Plan 2016 (2017 London Plan at draft stage) and the 2018 National Planning Policy Framework. There are no fundamental changes to the London Plan or NPPF which would result in a material change in the assessment of the planning application. The principles of the development are considered to remain as approved and in full compliance with the adopted Sites and Policies Plan (2104), Core Planning Strategy (2011), London Plan (2016) & draft London Plan (2017) and NPPF (2018).

(iv) Further Planning History

7.2.8 Following the original 2017 permission, there has been an application to discharge conditions 3 (materials), 5 (boundary treatments), 6 (refuse), 10 (screening) & 23 (cycle) on the original planning permission.

7.2.9 Members are advised that it would be inappropriate and unreasonable to revisit the principle of the entire development. There have been no material changes to the context of the site or planning policy from the date of the original planning approval.

7.2.10 As set out above, there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. In this instance, officers consider that given the large scale of the original planning permission which included 34 new homes and that the current proposal seeks to utilise the already granted Block A, the proposed changes under the Section 73 application are not considered to be substantially different from the one which has been approved. Therefore, the proposed changes can be considered under the Section 73 application procedure.

7.3 Principle of Development

7.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in

accordance with the development plan, unless material considerations indicate otherwise

- 7.3.2 The principle of development has already been established under planning approval 15P4741. One of the key planning considerations under the original application was that the redevelopment of the site was in accordance with both employment and residential policies set out in Merton's Adopted Sites and Policies Plan.

Commercial

- 7.3.3 The proposed Section 73 application still retains 459sqm of new office space (Class B1a). Therefore, there is no change to the employment on the site.

Residential

- 7.3.4 The original planning application permitted 34 new residential units on the brownfield site. The requirement for additional homes is a key priority of the London Plan which seeks to significantly increase the ten year minimum housing target across London from 322,100 to 423,887 (in the period from 2015 to 2025), and this equates to an associated increase in the annual monitoring target across London to 42,389. The minimum ten year target for Merton has also increased by more than 30% to 4,107, with a minimum annual monitoring target of 411 homes per year. Paragraph 58 of the 2018 NPPF emphasised the Governments objective to significantly boost the supply of homes.
- 7.3.5 The Section 73 application seeks to introduce an additional 11 units taking the overall number of residential units from 34 to 45. The net increase of 11 residential units will make a modest contribution to meeting housing targets and provides a mix of unit sizes that will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policy.

Conclusion

- 7.3.6 The proposed Section 73 application still retains 459sqm of new office space (Class B1a) and provides an additional 11 residential units (taking total to 45). The principle of development is therefore still considered to be in accordance with adopted policy.

7.4 Design

- 7.4.1 Planning policy DM D2 (Design considerations in all development) of Merton's Site and Polices Plan 2014 requires all development to relate positively and appropriately to the siting, rhythm, scale, density,

proportions, heights, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

- 7.4.2 The additional residential units would be incorporated into Block A by internal alterations and the infilling of the roof area formerly approved as private amenity space for the flats below. From a design perspective, the proposed changes are considered to have a minimal effect on the overall quality of the scheme. The distinctive floating roof of the original approval is still retained as part of the changes. The roof overhang and large amounts of glazing retain the floating roof appearance.
- 7.4.3 The revised National Planning Policy Framework (NPPF) (2018) sets out at Paragraph 130 that decision-making bodies should ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the approved scheme.
- 7.4.4 Given that the amended scheme seeks to retain the original design intent, the proposals are considered to be in accordance with Paragraph 130 and are still considered to relate positively and appropriately to the siting, rhythm, scale, density, proportions, heights, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. The revised design and amendments are considered to be visually suitable and comply with policy CS14 and DMD2.

7.5 **Neighbour Amenity**

- 7.5.1 The proposed new units would be created by internal and external alterations and conversion of former garden roof space into new units. The proposed development, with the exception of an alteration to the siting of flat A301 at third floor level, would sit within the envelope of the approved building. Even with the alteration of the layout to flat A301 at third floor level, the proposed development would have no greater overall mass when compared to the original scheme.

Sun and Daylight

- 7.5.2 As the proposed new units would be incorporated into the envelope of the approved building and there would be no greater massing, there would be no material changes to sun and day light beyond those already agreed under planning approval 15/P4741.

Overlooking

- 7.5.3 The angled fins on the front of building block A and the screening elsewhere on the site would still be retained as part of the amended

scheme. Planning conditions would ensure that these design features are retained.

- 7.5.4 The proposed new units within the former roof space would include front and rear facing windows and balconies/terraces. The proposed new units are well distanced away from adjoining residential properties. External balconies would be fitted with fixed plants to restrict downward views towards gardens. Majority of windows at this level are set back from elevations below by 1.5m. Thereby reducing the impact of overlooking. A planning condition requiring details of screening to the terrace areas would also ensure that there would be no undue loss of privacy or overlooking.

Outlook

- 7.5.4 As the proposed new units would be incorporated into the envelope of the approved building, there would be no changes to outlook from neighbouring properties beyond those already considered to be acceptable under planning approval 15/P4741.

7.6 **Standard of Residential Accommodation**

- 7.6.1 London Plan policies 3.5, 3.6, 3.7 & 3.8, CS policy CS 14, and SPP policies DM D1 and DM D2 seek to ensure that new residential development is of a high standard of design both internally and externally and provides accommodation capable of adaptation for an ageing population and for those with disabilities, whilst offering a mix of unit size reflective of local need.

- 7.6.2 In terms of the quality of the accommodation proposed, it is considered that the proposed flats would provide a satisfactory standard of accommodation for future occupiers. The proposed flats would exceed/meet minimum London Plan Gross Internal Area, room size and amenity space standards. Each habitable room would receive suitable light levels and adequate outlook. A number of flats would be split level, which provides good quality flexible accommodation.

7.7 **Playspace**

- 7.7.1 The proposed scheme would meet London Plan minimum requirements for on-site private amenity space provision and a small communal amenity space is proposed. The small communal space would remain the same as previously approved. As the site is approximately 150m (actual walking distance) from an existing play space and 20m from a large public park, the proposals are acceptable with regards to play space provision.

7.8 **Housing Mix**

- 7.8.1 Planning policy DM D2 (Housing Mix) seeks to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. London Plan Policy 3.8, seeks to promote housing choice and seek a balance mix of unit sizes in new developments, with particular focus on affordable family homes. Family sized accommodation is taken in the London Plan and LBM policy to include any units of two bedrooms or more.
- 7.8.2 The borough level indicative proportions concerning housing mix (as set out below) will be applied having regard to relevant factors including individual site circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions.

Table in Planning policy DM D2 (Housing Mix) of Merton's Sites and policies plan 2014

Number of Bedrooms	Percentage of units
One	33%
Two	32%
Three +	35%

Proposal – 13 x 1 bedroom, 13 x 2 bedroom, 18 x 3 bedroom and 1 x 4 bedroom units.

Number of Bedrooms	Percentage of units
One	29%
Two	29%
Three +	42%

- 7.8.3 The proposed housing mix of the site, would not strictly meet the Council percentage ratio set out in Policy DM H2 (Housing Mix), however these are only indicative targets. The proposed housing mix is considered to still offer a good range of housing choice with a good proportion of each unit type, including (71%) of the total offering family type accommodation (2 bedroom or more) which is welcomed.

7.9 **Highways**

Context

- 7.9.1 The applicant site is located within an area of good public transport accessibility (PTAL score of 4). Within the vicinity of the site there are 5

bus services, Colliers Wood under ground station is 550m from the site; Haydon's Road train station is 1.3km from the site (16 mins walk) and the site is 600m from the cycle superhighway 7 which provides passage to Central London.

- 7.9.2 The applicant site is not located within a Controlled Park Zone (CPZ), however the application site is located close to CPZ's S3 (North/South/West of East Road - Monday to Saturday between 8.30am and 6.30pm) and CW1 (Wandle Bank - Monday to Saturday between 8.30am and 6.30pm).
- 7.9.3 There are no servicing restrictions adjacent to the site along Wandle Bank and East Road. Existing servicing arrangements are via kerbside along East Road and Wandle Bank. There is however no stopping allowed from 07.30 – 9.00 and 15.00 – 17.00 Monday to Friday at the entrance to the Church of England All Saints Primary School opposite the site.
- 7.9.4 The application site currently has an informal arrangement of car parking on site and on East Road. Cars and vans did park on the access road on the southern end of the site and the access way between the existing industrial. Additional car parking for the units and general public is provided for on East Road in an informal arrangement next to the wooden fence along East Road.
- 7.9.5 The proposal for 45 residential units and 459 sqm of office space is considered to a modest sized development within an urban setting. The proposal would provide a total of 14 car parking space with a new vehicle access serving the site from East Road and a new pedestrian access through the site from East Road to Wandle Bank.
- 7.9.6 Of the 14 car parking spaces, 9 spaces would continue to be allocated directly to the new residential units. These spaces would be managed by a parking management plan which would be subject of a planning condition and approval from the Council. Of the 9 allocated car parking spaces for the new residential units, 2 spaces with electric charging points would be located within the site and 7 spaces along the southern end of East Road.
- 7.9.7 The proposed commercial units would continue to have 2 allocated car parking spaces within the site close to the units. A new double yellow line opposite the pedestrian access on Wandle Bank is proposed to improve potential servicing of the commercial units from Wandle Bank (40-45m carry distance). The 3 car parking spaces on the northern end of East Road would be unallocated car parking spaces with peak parking restrictions between 8.30-10am & 4.00pm – 6.30pm. This would prevent commuter parking during peak hours and would allow for visitor parking and servicing requirements for both residential and commercial units.

Residential Parking

7.9.10 Neighbours have raised concerns with the level of car parking and impact upon surrounding streets. The applicant has provided an updated parking survey (January 2019). The updated parking survey indicates that the proposed development would generate 26 car parking spaces. The parking survey states that within 400m of the site, when surveyed, there is up to 116 available parking spaces available overnight and 77 spaces available during daytime peak hours (14:00pm), plus a further 20 spaces available off peak. The potential generation of 26 cars created by the proposed development would therefore be able to be satisfactorily accommodated in surrounding streets. The Councils Transport Planning Officer has raised no objection to the proposed application and updated parking survey, subject to conditions and S106 agreement.

7.9.11 Given the parking restrictions and the site having good accessibility to public transport, it is expected that the majority of travel would be by public transport. The London Plan states that there can be up to 1.5 car parking spaces per unit. The proposal would provide 9 car parking spaces for residential use which would be in line with the London Plan 2016 parking standards. The London Plan also notes that all developments in areas of good public transport accessibility (in all parts of London) should aim for significantly less than 1 space per unit. The level of car parking is therefore in line with the objectives the London Plan.

7.9.12 The Council does acknowledge the concerns from neighbours in terms of car parking, however the proposals would meet London Plan policy requirements, is a modest scale development and application site has a PTAL score of 4 which indicates good levels of public transport within close proximity of the site. In order to ensure limited impact upon surrounding area, place no additional pressure on the operation of surrounding CPZ's and to promote sustainable modes of transport, the development is considered suitable as a permit free development whereby preventing car parking permits being issued for the residential and commercial units.

Car Club

7.9.13 To further encourage sustainable modes of transport and help establish travel patterns for future occupiers, the development would also be subject to a free, three year car club membership. This can be controlled via a deed of variation to the S106 agreement.

Commercial Parking/Serviceing

7.9.14 As stated above the application site is located within an area of good

public transport accessibility and given the amount of parking available, travel by staff and visitors is likely to be made from public transport thereby promoting sustainable modes of travel and limiting impact upon surrounding highway network.

7.9.15 The three commercial units would be allocated 2 car parking space within the site close to the units. The 3 unallocated parking bays on East Road would provide additional parking for visitors and servicing arrangements. The applicant states that servicing would continue on East Road and Wandle Bank. Plans provide improved parking and servicing arrangements with allocated car parking and new double yellow lines opposite the pedestrian access on Wandle Bank. The proposed car parking and servicing arrangement are considered suitable for the proposed employment units, which remains as per the original scheme.

7.10 Flooding

7.10.1 The proposed changes relate to internal changes to the envelope of the approved building, therefore there would be no change to flooding on the site. The Environmental Agency and the Councils Flood Officer have confirmed that there is no objection subject to conditions.

8 **Affordable Housing**

8.1.1 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision, the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.

8.1.2 The amount of affordable housing this site can accommodate has been subject of a viability assessment. The original scheme proposed an off-site contribution of £200, 000. The current scheme has been subject to a new viability appraisal, taking into account the additional 11 units proposed. Following extensive discussions, the Councils independent viability assessor stated that a policy compliant 40% affordable scheme is not viable. It has been agreed with the applicant and the Councils viability assessor that 4 affordable housing units can be delivered onsite. This would include three social rent units (unit B101, B102 and B004) and one shared ownership unit (unit B001). This equates to the delivery of 8.9% affordable housing units on the site (36% of the additional 11 units created by the Section 73 application). The provision of onsite affordable housing is considered to be acceptable in this instance and meets the objectives of planning policy CS 8 (Housing Choice). The provision of on-site affordable

units is considered positive in comparison to the off-site contribution secured previously.

- 8.1.3 In light of the scale of the development and the possible lengthy timescales involved in implementing and constructing the development, the affordable housing contribution would be subject of review mechanisms (early and late stage reviews) in accordance with the accordance with the London Plan and Mayors Affordable Housing and Viability SPG and Councils Viability SPD.

9. **Sustainability**

- 9.1 London Plan Policy 5.2 requires new development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green; use renewable energy

- 9.2 The applicant's energy consultant has confirmed that the new units have been designed to meet the original planning conditions relating to achieving minimum 35% reduction over the part L and internal water usage rates of no greater than 105l/p/day. Further, the Councils Climate Change Officer has confirmed that the current proposal is acceptable, subject to the applicant meeting the requirements of the original conditions.

10. **Local Financial Considerations**

- 10.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1st April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

11. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 11.1.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.

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

12. **CONCLUSION**

12.1.1 The proposed development will provide 11 new residential units to an existing scheme of 34 units and retain the 459 sqm office floor space. The principle of development is considered to be acceptable with a mixed use development retaining a source of employment and providing much needed new homes. The design of the development is considered to be of high quality in terms of appearance and accommodation being proposed. The proposed buildings would respect the context of the site and would have no undue impact upon neighbouring amenity, flooding or highway considerations. The proposal is considered to accord with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and deed of variation to the S106 agreement.

13. **RECOMMENDATION**

13.1 GRANT variation of Conditions, subject to conditions and deed of variation to the S106 agreement

13.1 Variation of S106 legal agreement

1. 4 Affordable housing units delivered onsite (3 social rent and 1 shared ownership) – including review mechanism.
2. Permit Free Development (residential and business)
3. Wandle Trail contribution (10k)
4. Land Transfer
5. Car Club
6. Permissive path
7. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

13.2 And the following conditions:

1. A.1 Commencement of Development
2. A7 Approved Plans
3. B1 Materials to be approved
4. B4 Details of Surface Treatment
5. B5 Details of boundary treatment
6. C06 Details of refuse & recycling
7. C07 Refuse implementation
8. C08 Use of Flat Roofs (other than those approved)
9. C09 Balcony Screening
10. No development shall take place until a scheme of details of screening (including obscured glazed screens) of the balconies and terraces has been submitted 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 unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.

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

11. D11 Construction Times
12. The premises shall only be used for Class B1 a (offices) and for no other purpose, (including any other purpose within Class B1 of the Schedule to the Town and Country Planning (Use Classes Order) 1997), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The Local Planning Authority would wish to retain control over any further change of use of these premises in the interests of safeguarding the amenities of the area and to ensure compliance with the following Development Plan policies for Merton: policy

CS12 of Merton's Core Planning Strategy 2011 and policies DM E1 & DM E3 of Merton's Sites and Policies Plan 2014.

13. No development [including demolition] pursuant to this consent shall commence until an Arboricultural Method Statement and Tree Protection Plan, drafted in accordance with the recommendations and guidance set out in BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the approved details have been installed. The details and measures as approved shall be retained and maintained, until the completion of all site operations.

Reason: To protect and safeguard the existing neighbouring trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

14. Site supervision: The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to supervise, monitor and report to the LPA not less than monthly the status of all tree works and tree protection measures throughout the course of the construction period. At the conclusion of the construction period the arboricultural expert shall submit to the LPA a satisfactory completion statement to demonstrate compliance with the approved protection measures.

Reason: To protect and safeguard the existing neighbouring trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

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

Reason: To enhance the appearance of the development in the

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

16. All hard and soft landscape works shall be carried out in accordance with the approved details. 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.

17. The foundation to be used in connection with Block C001 shall be constructed using pile and beam foundation.

Reason - To protect and safeguard the existing neighbouring Sycamore tree in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014

18. Prior to occupation of the development hereby permitted details of Electric Vehicle Charging Points (minimum of 20% active, plus 20% passive) in line with the London Plan shall be submitted to and approved by the Local Planning Authority and implemented prior to the first use of the development and permanently retained thereafter.

Reason: To ensure the provision of an appropriate level of car parking and minimise the effect of the development on local air

quality in line with policy CS20 of the Merton Core Planning Strategy and policies 6.13 and 7.14 of the London Plan.

19. No development shall commence until details of the proposed vehicular access to serve the development have been submitted in writing for approval to the Local Planning Authority. No works that are subject of this condition shall be carried out until those details have been approved, and the development shall not be occupied until those details have been approved and completed in full.

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.

20. The development hereby approved shall not be occupied until the proposed vehicle access 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.

21. The commercial parking spaces shown on the approved plans shall be provided before the commencement of the buildings or use hereby permitted and shall be retained for commercial parking purposes for occupiers and users of the development and for no other purpose.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

22. 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.

23. No development shall commence 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.

24. The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development 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.

25. Development shall not commence 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 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

26. 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 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

27. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated: 30 November 2015, REF: 3083 Issue 4 and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 12.75 m above Ordnance Datum (AOD).
2. The development will not increase flood risk to areas adjacent to the site, the wider area or downstream of the site for the lifetime of the development.

The above mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

28. Prior to the installation of the biomass boiler, an air quality assessment shall be undertaken and submitted to the Council for approval which should include dispersion modelling for the CHP boiler, and the CHP boiler shall only be installed if the Local Planning Authority considers the results of the assessment and any recommended measures to be acceptable. The boiler shall be installed in full accordance with any such measures.

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 Polices Plan 2014.

29. Due to the potential impact of the surrounding locality on the residential use a noise survey undertaken by a competent person is to be undertaken having regard to all relevant planning guidance, codes of practice and British Standards for the investigation of noise. The survey shall include recommendations and appropriate remedial measures and actions to minimise the impact of the surrounding locality on the development. A scheme for sound insulation and noise control measures shall be submitted for the Council's approval and implemented to the satisfaction of the Council, prior to the occupation of the residential properties.

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 Polices Plan 2014.

30. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new plant/machinery, including the CHP boiler from the proposed development use shall not exceed LA90-10dB at the boundary with the closest 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: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014

31. 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 EP4 of Merton's Sites and Polices Plan 2014.

32. 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: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

33. Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: 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 Polices Plan 2014.

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

Reason: 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 Polices Plan 2014

35. Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: 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 Polices Plan 2014.

36. 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 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: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

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

The Statement shall provide for:

- hours of operation
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where Appropriate
- wheel washing facilities
- measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To safeguard the amenities of the area 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 Polices Plan 2014.

38. No part of the development hereby approved shall be occupied until evidence has been submitted to and approved in writing by the Local Planning Authority, confirming that the development has achieved not less than a CO2 emissions reductions outlined in Policy 5.2 of the London Plan (35% reduction over the Part L 2013), and internal water usage rates of no greater than 105l/p/day (equivalent to Code for Sustainable Homes Level 4).

Evidence requirements are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide (2010). Evidence to demonstrate a Co2 emissions reduction compared to 2010 Part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.

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

39. No development 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 demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic) and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating in accordance with London Plan policies 5.5 and 5.6.

40. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until evidence has been submitted to the council that the developer has uploaded the appropriate information pertaining to the sites Combined Heat and Power (CHP) system has been uploaded onto the London Heat Map (<http://www.londonheatmap.org.uk/>)

Reason - To ensure that the development contributes to the London Plan targets for decentralised energy production and district heating planning. Development Plan policies for Merton: policy 5.2,5.5 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.

41. The development hereby permitted shall not be occupied until such time as a Flood Warning and Evacuation plan and procedure is implemented and agreed in writing to the satisfaction of the Local Planning Authority. The Flood Warning and Evacuation Plan shall be implemented in accordance with the Flood Risk Assessment and the procedures contained within the plan shall be reviewed annually for the lifetime of the development. Consultation of the plan shall take place with the Local Planning Authority and Emergency Services.

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

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

Reason: In order to provide the opportunity to record the history of the site and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D4 of Merton's Sites and Policies Plan 2014.

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

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to

undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to provide the opportunity to record the history of the site and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D4 of Merton's Sites and Policies Plan 2014.

44. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

45. The development hereby permitted by this planning permission shall ensure that finished floor levels for all residential units shall be set no lower than +300mm above the 1 in 100 year plus climate change flood level (in metres above Ordnance Datum) and include flood resilient materials for the ground floor construction. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

46. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented 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 final

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

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the rate of surface water discharged from the site. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime;
- iv. A CCTV of the existing sewer and drainage network to establish its condition and any remedial works;
- v. Include a sequencing of works and construction method statement for any sewer diversions and new connections
- vi. All sewer diversions and any new connections are undertaken to the satisfaction of Thames Water.

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.

47. Development shall not commence 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: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for

Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

48. The internal ceiling height of the commercial units hereby permitted shall be constructed no lower than 2.7m.

Reason - To ensure satisfactory conditions for the success of the units for commercial purposes and to comply with the following Development Plan policies for Merton: policy CS12 of Merton's Core Planning Strategy 2011 and policies DM E1 and DM E3 of Merton's Sites and Policies Plan 2014.

49. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

50. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer, rooflight or door other than those expressly authorised by this permission shall be constructed in the upper levels without planning permission first obtained from the Local Planning Authority.

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

51. No development [other than demolition] pursuant to this consent shall commence until details of the proposed green roofs (including: species, planting density, substrate, a section drawing at scale 1:20 demonstrating the adequate depth availability for a viable green

roof; and a maintenance plan) are submitted to an approved in writing by the Local Planning Authority. The measures 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 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

Planning Informatives

1. The written schemes of investigation as required by conditions 42 and 43 will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Further information on archaeology and planning in Greater London including Archaeological Priority Areas is available on the Historic England website. Please also see consultation response from Historic England (19th October 2016) under LBM Ref 15/P4741 on the Councils Website for the level of detail required to satisfy conditions 42 and 43.

2. The applicant is advised to check the requirements of the Party Wall Act 1996 relating to work on an existing wall shared with another property, building on the boundary with a neighbouring property, or excavating near a neighbouring building. Further information is available at the following link:
<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>
3. It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification

4. You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

 5. Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.
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[Click here](#) for full plans and documents related to this application.

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