

**PLANNING APPLICATIONS COMMITTEE**  
**13 February 2014**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	13/P4133	20/12/2013
<b>Address/Site:</b>	<b>Land between 424 – 448 Kingston Road, Raynes Park, London, SW20 8DX</b>	
<b>Ward:</b>	Dundonald	
<b>Proposal:</b>	Construction of a terrace of 9, three bedroom houses with accommodation at ground floor, first floor and within the roof space, with 18 cycle spaces and 9 off street car parking spaces at the rear of the site with a new vehicular access provided on to Kingston Road adjacent to 448 Kingston Road.	
<b>Drawing No's:</b>	4480D 04A; 40A; 41; 42A; 43; 44A; Site Location Plan; Code for Sustainable Homes Pre-Assessment; Energy Statement; Transport Statement; Sustainability Statement and Planning Statement	
<b>Contact Officer:</b>	Tony Ryan [020 8545 3114]	

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

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**CHECKLIST INFORMATION.**

- S106: Education and Affordable Housing.
  - 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
  - Archaeological Priority Zone: No
  - Area at risk of flooding: No [Zone 1]
  - Controlled Parking Zone: No ;
  - Conservation Area: No
  - Trees: No Tree Preservation Orders or trees of particular amenity value.
  - Number of neighbours consulted: 115
  - Sites and Policies DPD: Proposal Site 41 in the emerging document. Allocated for residential use.
  - External consultations –Secured by Design Officer and the Environment Agency
  - PTAL: 4 [TFL Planning Information Database];
  - Density – 276 habitable rooms per hectare [site area of 0.13 hectares 36 habitable rooms].
  - Number of jobs created: N/A
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## **1. INTRODUCTION**

- 1.1 This application is brought before Committee for Members' consideration due to the level of interest shown in the application as a result of public consultation.

## **2. SITE AND SURROUNDINGS**

- 2.1 The site is a grassed plot of 0.13 hectares, on a bend in Kingston Road (A238) with the road junctions with Lower Downs Road and Burstow Road located opposite the site. The site has a curved frontage that follows the alignment of Kingston Road with the site enclosed by a low brick front boundary wall.

- 2.2 The main part of the site is vacant, apart from several advertisement hoardings that are set back from the Kingston Road site frontage in a line across the middle of the application site. A building company previously occupied a small area of land at the rear of the site that has vehicle access from Bronson Road. This land includes a yard and a single storey building constructed of brick and breezeblock. Single storey buildings adjacent to the site boundary in this location provide two garages for nearby residential occupiers. These garages are also accessed from Bronson Road.

- 2.3 To the west of the application site and extending to the junction with Bronson Road is a block of six buildings that generally have commercial uses at ground floor level with residential accommodation above. The two-storey building at 448 Kingston Road immediately adjoins the application site. The ground floor of this building, although retaining the front shop window is now used as residential accommodation, with the ground floor space linked to the original residential floorspace at first floor level. There is an area of unregistered land several metres wide located adjacent to 448 Kingston Road with the Land Registry currently considering competing claims on this land.

- 2.4 To the south of the site is a two storey commercial building. This building at 424 Kingston Road has a 21 metre long side elevation which is set back by a metre from the boundary of the application site. On the opposite side of Kingston Road, to the west of the junction with Lower Downs Road, is a terrace of two storey residential properties with the ground floor of the building at 505 Kingston Road used as offices by a window company.

- 2.5 The site has a Public Transport Accessibility Level rating of 4. The site is not located within a controlled parking zone. The application site is not in an archeological priority area and not within an area at risk from flooding [June 2012]. The land is designated as proposal site 41 in the emerging Sites and Policies DPD. The site is allocated for residential use.

### 3. **CURRENT PROPOSAL**

- 3.1 The current application involves the removal of the existing advertisement hoardings and the construction of a terrace of 9, three bedroom, three storey houses. A new vehicle crossover from Kingston Road adjacent to the eastern site boundary provides access to nine off street parking spaces at the rear of the site. The development would provide 18 cycle secure parking spaces.
- 3.2 The proposed dwellings are provided with a south facing roof terrace to the rear at third floor level covering between 18 and 24 square metres a private ground floor rear terrace covering 9 square metres and direct access to a communal garden covering 183 square metres. The table below sets out the number of bedrooms provided within the proposed nine houses, the gross internal areas, and the standards set out in the London Plan. The table also set out the external amenity space that is provided and the relevant standard set out in Unitary Development Plan policy HS1.

**Table 1: bedrooms, bed spaces, areas and amenity space.**

Unit	Bedrooms	Bed spaces	Floor area [Sq. M]	London Plan standard [Sq. M]	External amenity space [Sq. M]	UDP standard [Sq. M]
1	3	6	115	95	21 private and 183 shared space.	50
2	3	6	123	95	29 private and 183 shared space	50
3	3	6	130	95	31 private and 183 shared space	50
4	3	6	138	95	33 private and 183 shared space	50
5	3	6	138	95	33 private and 183 shared space	50
6	3	6	130	95	31 private and 183 shared space	50
7	3	6	123	95	29 private and 183 shared space	50
8	3	6	115	95	27 private and 183 shared space	50
9	3	6	115	95	27 private and 183 shared space	50

### 4. **PLANNING HISTORY.**

- 4.1 The information provided by the applicant and historical maps suggest that the land forming the application site has never previously been developed.

- 4.2 Advertisement consent was approved [MER409/76] in July 1976 for 6, 48 sheet, and two 32 sheet advertisement hoardings on the site.

## **5. CONSULTATION**

- 5.1 Prior to the submission of the current planning application the applicant carried out a public consultation event. This event took place between 4pm and 8pm on Monday 2 December 2013 at The Merton Park Baptist Church in Bushey Road.

- 5.2 With invitations sent to 247 nearby properties, 39 local residents and ward councillors attended the consultation event. The public consultation event generated 15 written responses. The views expressed in written responses and verbally at the consultation event have been reported by the applicant as follows:

- Concern about visibility for drivers in Kingston Road;
- On street car parking demand;
- Building should be stepped back to improve visibility;
- Access to the houses should only be from the car park;
- Refuse collection will damage highway safety;
- The development density is too high;
- The site should incorporate a roundabout;
- Traffic lights are required in this location;
- Noise from construction;
- Pressure on local schools
- Lack of open space locally
- There is support for housing on the application site and their design;
- There is support for the provision of off street parking.

- 5.3 The submitted planning application was publicised by means of a site notice, and individual consultation letters sent to 115 neighbouring properties. As a result of this consultation, responses have been received from nine neighbours [including the commercial tenant and owner of 424 Kingston Road] objecting to the proposal on the following grounds:

- The development will place strain on public services such as schools and doctors;
- It is suggested that flats would be more appropriate as this would not encourage more families into the area;
- The submitted information does not confirm that drivers can access and exit the car parking area in a forward gear;
- Housing should be provided on other nearby sites that are better suited;
- It is unclear whether the ring main under the site would be damaged.
- There is a current land ownership dispute and this should be resolved before a decision on the planning application.
- The development will lead to overflow parking on to nearby roads;
- The development will damage highway safety at this blind spot.

- This ‘...seems to be a massive overdevelopment... of this small site;
  - The proximity to the neighbouring office building will reduce daylight and sunlight;
  - It is suggested that the number of houses is reduced.
  - It is suggested that the separation gap next to 448 Kingston Road be moved to next to 424 Kingston Road.
- 5.4 Environment Agency There is no objection to the development subject to planning conditions relating to investigation and subsequent mitigation of potential site contamination and a restriction on infiltration of surface water drainage into the ground
- 5.5 LB Merton Transport Planning There is no objection to the development subject to planning conditions relating to the submission of details of the new vehicle access, visibility splays, further details of cycle parking, management of construction vehicles and an informative relating to the need for separate approval for any works affecting the public highway.
- 5.6 Design Review Panel. At the pre-application stage the Council’s Design Review Panel considered the proposed development on the 28 November 2013. The comments from the panel are provided below and are followed by a response from the applicant to the points that were made.
- 5.7 *“The panel were positively enthusiastic about the design approach taken for developing this site, it was felt that they layout and typology of the buildings worked well. It is a difficult site and the changes shown already by the applicant were significant improvements. The Panel made various comments on aspects of the proposal it felt were not fully resolved, but overall, the comments were positive – it was felt that an approach using houses on the site in a ‘fan’ like arrangement was imaginative and worked well.*
- 5.8 *This was particularly evident in the architectural approach to the frontages and the stepped effect of the elevations. This helped create an interesting building without the need for a specific focal point and dealt with the curved frontage well. It was considered that this façade needed a little more work. Notably the chimney style was traditional and jarred with the contemporary façade. Questions were raised about how the projecting party wall linked to the elevation details. Also, the position of the dormer windows needed to relate better to the other architectural elements of the façade. The rear elevation of the houses seemed plain in comparison and it was felt there was opportunity to give this far more visual appeal.*
- 5.9 *The part of the elevation containing the flat and undercroft was felt to work far less well and was not satisfactorily resolved. The façade failed to continue the rhythm of the houses and looked squat in*

*comparison, not creating a good transition to the adjacent houses. The ground floor space around this area was also felt to be poor – with low quality enclosure and the siting of bin stores giving a poor quality entrance to what is a very large flat. It seemed like the ‘poor end’ of the development.*

- 5.10 *This part of the design strongly linked to the layout of the rear and elements here that were not well resolved. It was felt that the gardens were too narrow to be realistically useful and that the gardens and parking spaces were competing for dominance of the same space, with neither being satisfactory. The parking was felt to be tight and the position of the cycle parking would be better placed to the rear of the site.*
- 5.11 *Two suggestions were made as to how this issue could be better resolved. Firstly was to remove the flat, have a narrower vehicular entrance and simply widen the width of the houses, thereby increasing the size of the gardens. Secondly, and perhaps more favoured by the Panel, was to have a combination of small private terraces leading onto a large communal garden. It may even be possible to combine these two approaches.*
- 5.12 *Some discussion was had regarding gaining access from Bronson Road. It was felt that this could probably be achieved without undue harm to neighbour amenity, but that possibly it would be better to utilise the space of the garages to the rear of the alley by accessing them from within the site, thereby relieving some of the pressure for space within the site.*
- 5.13 *It was also noted that the applicant had not yet developed a clear strategy for achieving renewables targets and the required Code level, although a number of possibilities were discussed. The Panel were clear that if the applicant successfully addressed the issues raised there should be no difficulty achieving a Green verdict. VERDICT: **AMBER***
- 5.14 In response to the comments from the Design Review Panel, the following amendments were made to the design of the proposed development
- The removal of the proposed flat above the undercroft access and replacing it with a ninth house;
  - Refining the rear elevation by extending the red brick party wall line through the rear elevation to define a more subtle rhythm and massing for the rear elevations, while adding canopies over the full width windows at ground floor level to create both shelter and interest;
  - Mixture of private and communal amenity space provided in the form of a roof terrace, private rear terraces and a communal garden;

- Further improvements have been made to parking, access and turning space;
- Height of the dormer windows have been increased by lowering the eil level to provide greater vertical orientation;
- Projecting party walls have been finished in a red brick to match the red brick of the bay windows;
- Inclusion of chimneys in a modern style to respond to local character whilst reflecting the contemporary appearance of the frontage bays.

## **6 POLICY CONTEXT**

### The London Plan [July 2011].

- 6.1 The relevant policies in the London Plan [July 2011] are 3.3 [Increasing housing supply]; 3.4 [Optimising housing potential]; 3.5 [Quality and design of housing developments]; 3.6 [Children and young people's play and informal recreation facilities]; 3.8 [Housing choice]; 3.9 [Mixed and balanced communities]; 3.11 [Affordable housing targets]; 5.1 [Climate change mitigation]; 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.10 [Urban greening]; 5.12 [Flood risk management]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.3 [Designing out crime]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes]; 7.21 [Trees and woodlands] and 8.2 [Planning obligations].

### Mayor of London Supplementary Planning Guidance

- 6.2 The following supplementary planning guidance is considered relevant to the proposals: The Housing Supplementary Planning Guidance (2012).

### Policies retained in Adopted Unitary Development Plan [October 2003]

- 6.3 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE13 [Archaeological Protection and Preservation]; BE15 [New buildings and extensions; daylight; sunlight; privacy; visual intrusion and noise]; BE16 [Urban design]; BE21 [Important local views, panoramas and prospects]; BE22 [Design of new development]; BE25 [Sustainable development]; C1 [Location and access of facilities]; C13 [Planning obligations for educational facilities]; F2 [Planning obligations]; HS1 [Housing layout and amenity]; L9 [Children's play facilities]; NE11 [Trees protection]; PE5 [Risk from flooding]; PE7 [Capacity of water systems]; PE9 [Waste minimisation and waste disposal]; PE11 [Recycling points]; PE12 [Energy generation and energy saving]; NE11 [Trees protection]; RN3 [Vehicular access]; and Schedule 6: [Parking standards].

- Merton Supplementary Planning Guidance
- 6.4 The key supplementary planning guidance relevant to the proposals includes New Residential Development [1999]; Design [2004] and Planning Obligations [2006].
- Policies within Merton LDF Core Planning Strategy [adopted July 2011]
- 6.5 The relevant policies within the Council's Adopted Core Strategy [July 2011] are CS.7 [Centres] CS.8 [Housing choice]; CS.9 [Housing provision]; CS.13 [Open space; nature conservation; leisure and culture]; CS.14 [Design]; CS.15 [Climate change]; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].
- National Planning Policy Framework [March 2012]
- 6.6 The National Planning Policy Framework [NPPF] was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.
- 6.7 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.
- 6.8 The NPPF states that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 6.9 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities should look for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.
- Emerging policies within the Draft Sites and Policies Plan.
- 6.10 Paragraph 216 of the National Planning Policy Framework advises that a decision maker may give weight to relevant policies in emerging



plans according to the stage of preparation of the emerging plan and the extent to which there are unresolved objections to relevant policies.

- 6.11 The land located between 424 and 448 Kingston Road [0.11 hectares] has no designation within the current adopted Unitary Development Plan, but is designated for residential use [site 41] within the emerging draft 'Sites and Policies Plan'. The London Borough of Merton draft 'Sites and Policies Plan' was submitted to the Secretary of State in September 2013.
- 6.12 As a result of public consultation on the emerging draft 'Sites and Policies Plan' objections were raised in relation to the designation of the proposal site for residential purposes. These objections included a suggestion that the land is used to facilitate highways improvements or that the land is used as a public park. A petition on the Council's website attracting 127 signatures also called for the land to be used to provide a new roundabout. Following consideration of these objections it was concluded that the site designation should remain for residential use. It was considered that there was insufficient harm to warrant highways improvements and even if highways improvements were required land would be required on the opposite side of Kingston Road to the application site.
- 6.13 Following the Council's approval, the Merton's Sites and Policies Plan was submitted to the Secretary of State on 2 October 2013. The current application site at 424-448 Kingston Road is a proposal site [site 41] within the Sites and Policies Plan, with the site allocated for residential use. The independent Planning Inspector appointed by the Secretary of State considered the Sites and Policies Plan at a public hearing held between 21 and 29 January 2014. The allocation of the application site for residential use was discussed by the independent Planning Inspector at the hearings. The Wimbledon Society and the Council were the only groups participating in this discussion.
- 6.14 The key points arising discussion at the public hearing were as follows:
- The Inspector did not question the use of the application site for residential purposes;
  - The Wimbledon Society expressed concerns that if a footpath was not maintained around the site boundary as part of any redevelopment that this would harm pedestrian safety. Whilst it was noted that the Kingston Road, Lower Downs Road and Burstow Road junction was not an accident 'blackspot' the society wanted reassurance that the junction would remain safe in the event of a development on the application site.
  - The Council advised in response that detailed traffic and pedestrian counts and a survey of traffic movements had been carried out in 2013 as part of the assessment of whether a roundabout would be necessary or appropriate on the application site (as requested by some local residents).

- The Council advised that with the evidence from the vehicle and pedestrian counts and the low accident data obtained from the Police, there was not a significant road safety problem in this location. It was concluded that whilst a roundabout would be unlikely to make the junction safer, especially for pedestrians should any measures be required at the junction, these would most likely take place at the north side of Kingston road (Burstow Road and Lower Downs Road junction) with the application site located on the south side.

6.15 The Inspector did not raise any further questions in relation to this site, or make any indication that the submitted Plan and allocation were not sound. On this basis it is considered that the submitted Plan and the allocation for residential use should be given significant weight in determining the current planning application

6.16 The other relevant policies within the Draft Sites and Policies Plan are as follows: DMD1 [Urban design and the public realm]; DMD2 [Design considerations and the public realm]; DME1 [Employment areas in Merton]; DMEP2 [Reducing and mitigating against noise]; DM T1 [Support for sustainable travel and active travel]; DM T2 [Transport impacts from development]; DM T3 [Car parking and servicing standards].

## **7. PLANNING CONSIDERATIONS**

7.1 The main planning considerations include assessing the principle residential accommodation, the design and appearance of the proposed buildings, the standard of the residential accommodation, the impact on residential amenity and the impact on car parking, traffic generation and highway safety.

### **Need for additional housing, residential density and housing mix.**

#### **Need for additional housing**

7.2 The National Planning Policy Framework [March 2012] requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years worth of housing with an additional buffer of 5% to provide choice and competition.

7.3 Policy CS. 9 within the Council's Adopted Core Strategy [July 2011] and policy 3.3 of the London Plan [July 2011] state that the Council will work with housing providers to provide a minimum of 4,800 additional homes [320 new dwellings annually] between 2011 and 2026. This minimum target that should be exceeded where possible includes a minimum of 500 to 600 homes in the Raynes Park sub area where the proposal site is located. The housing delivery trajectory set out in the latest Council's Annual Monitoring Report has identified future challenges in ensuring an adequate supply of housing is delivered in the borough to meet the minimum targets in the Core Strategy and the London Plan.

7.4 The Core Strategy states that the Council will encourage housing in 'sustainable brownfield locations'. The Core Strategy states that that it is expected that the delivery of new housing in the borough will be achieved in various ways including the development of 'windfall sites'. The current application site is a 'windfall site' and is on brownfield land in a sustainable location adjacent to other existing residential properties and benefiting from good access to public transport and other local facilities.

7.5 In conclusion the provision of additional residential accommodation on this site in a sustainable location is considered acceptable in principle subject to other considerations including matters of design, bulk, scale and layout, the standard of accommodation and the impact on amenity.

#### Residential density

7.6 The London Plan states that in areas such as the application site with a Public Transport Accessibility Level of 4 the residential density should be within a range of 200 to 350 habitable rooms per hectare. With the application site covering a site area of 0.13 hectares and provision of 36 habitable rooms the residential density of the development is 276 habitable rooms per hectare. The residential density is within the density range set out in the London Plan.

#### Housing mix

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

7.8 The application site is located in an area, where there is currently a mixture of housing types with flats above ground floor commercial units along Kingston Road to the west and family housing to the south and east. The proposed development comprises 9, three bedroom houses.

7.9 It is considered that the proposed accommodation will increase the variety of residential accommodation available locally. It is considered that the current proposal will contribute towards the creation of a socially mixed and sustainable neighbourhood in accordance with Core Strategy policy CS8.

#### Layout, scale and design

7.10 The London Plan policy 7.4 requires, amongst other matters, that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including the following: that buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm,

comprises details that complement, not necessarily replicate the local architectural character, do not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

- 7.11 Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings.
- 7.12 Retained UDP policies BE.16 and BE.22 require proposals for development to compliment the character and appearance of the wider setting. This is achieved by careful consideration of how the density, scale, design and materials of a development relate to the urban setting in which the development is placed.
- 7.13 The application site is located in a prominent location on a bend in Kingston Road and at the junction with Burstow Road and Lower Downs Road. It is noted that there is some variety in building design locally; however it is considered that proposal site has the strongest relationship with the adjacent two-storey parade at 448 to 458 Kingston Road.
- 7.14 The provision of a curved frontage to the development, responding to this corner location, is welcomed. The revised design of the front elevation is considered appropriate in this location and would provide a rhythm that reflects that of existing residential properties located to the south of the site. The development respects the two adjacent existing building lines in Kingston Road and provides defensible space in the form of front gardens in front of the proposed front ground floor windows.
- 7.15 As part of the submitted planning application the applicant has provided computer generated images. It is considered that these help to demonstrate that the proposed development would be of a height and scale that reflects nearby development.
- 7.16 The planning statement lists the proposed facing materials for the new building. The roof of the buildings will have a slate finish. The bay windows and party walls will be in red brick and the elevations in yellow stock brick. The proposed windows will have metal frames and the doors will be painted timber and metal. The proposed materials are considered in keeping with the surrounding area whilst also reflecting the contemporary design of this development.
- 7.17 In conclusion the design, scale, layout and appearance of the proposed development complements the local context and respects the local pattern of development in accordance with policy BE.16, policy BE.22 Unitary Development Plan, policy CS14 of the Core Strategy and policy

3.5 of the London Plan. It is considered that the applicant has satisfactorily addressed the points that were raised by the Council's Design Review Panel when this proposal was considered.

**Neighbour amenity.**

- 7.18 Policy HS.1 of the adopted Unitary Development Plan [October 2003] states that all proposals for residential development should safeguard the residential amenities of occupiers of nearby properties in terms of maintaining adequate daylight and sunlight and the protection of privacy. Policy BE15 of the Unitary Development Plan states that new buildings will be expected to maintain sunlight and daylight levels to adjoining buildings and gardens; ensure the privacy of neighbours; protect from visual intrusion and not result in harm to living conditions through noise or disturbance.

**Privacy, overlooking and noise.**

- 7.19 To minimise the impact of new development on the privacy of existing adjacent residential occupiers the Council's Supplementary Planning Guidance sets out minimum separation distances, recommending a minimum separation distance of 20 metres between directly opposing habitable room windows located on the upper floor levels of residential accommodation.
- 7.20 The application site is located between the two storey commercial building at 424 Kingston Road and the building at 448 Kingston Road. The building at 448 Kingston Road provides residential floor space at ground floor and first floor levels with the ground floor of this building converted from a retail use. This adjacent building has windows to the side elevation at ground floor level with one window directly overlooking the application site. There are also other windows at first floor level to the rear elevation. A distance of 10 metres would separate the side elevation of the new building from the existing closest window in the side elevation of the building at 448 Kingston Road.
- 7.21 The windows in the proposed new terrace are all provided within the front and rear elevations, with no windows located to the side building elevations that would look towards 448 Kingston Road. The proposed windows in the rear elevation of the terrace will be screened from residential properties in Kingston Road by adjacent buildings. The proposed development includes roof terraces at third floor level to the rear of the proposed buildings.
- 7.22 A distance of 49 metres will separate the windows in the rear elevation of properties in Bronson Road from the proposed rear elevation of the new dwellings. A distance of 30 metres will separate the proposed new windows from the closest rear garden boundary of adjacent properties in Bronson Road. It is considered that due to the separation distances the development is unlikely to give rise to overlooking or a loss of privacy.

7.23 The formation of the proposed new vehicle access to the rear car parking area will increase activity along the side boundary of 448 Kingston Road. With the level of activity associated with 9 houses and the proposed road separated from the boundary by landscaping and car parking spaces this activity is not considered great enough to refuse planning permission. In order to avoid the possibility of noise nuisance from the proposed roof terraces and any potential for overlooking or loss of privacy a planning condition is recommended seeking the screening of the roof terraces.

Loss of daylight, sunlight and visual intrusion.

7.24 With the height of the proposed development and the separation from adjacent residential buildings outlined earlier in this report it is considered that the proposed development will not give rise to visual intrusion or a loss of daylight and sunlight to adjacent residential occupiers.

7.25 To the south of the application site is the two storey commercial building at 424 Kingston Road. The 21 metres long side elevation of this building is set back by a metre and runs parallel with the application site boundary. The proposed new residential building will extend 10 metres along the site boundary with the building at 424 Kingston Road.

7.26 Whilst not present on the original approved planning application drawings for this building, there are four existing windows on the north building elevation of the building at 424 Kingston Road that overlook the application site. These windows consist of two windows on the ground floor and two on the first floor.

7.27 It is not considered that the proposed development will cause any significant harm to the amenities of the commercial occupiers of 424 Kingston Road. This conclusion was reached for the following reasons; the side elevation of the new building will be substantially shorter in length and to the north of the neighbouring existing building that has a large number of other windows in the south and east elevations that face away from the application site. There is boundary fencing next to the existing ground floor windows and substantial advertisement hoardings on the application site to the north and east that currently restrict daylight and sunlight. The ground floor windows also currently appear to be screened internally.

7.28 In conclusion it is considered that the new development would not have a harmful impact on daylight and sunlight, overlooking and privacy or be visually intrusive having assessed the potential impact on neighbour amenity impact, height, design and orientation of the new buildings and separation from property boundaries. The proposed development is considered to be in line with the requirements set out in the Council's Supplementary Planning Guidance.

**Standard of residential accommodation.**

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

Internal layout and room sizes

- 7.30 Policy 3.5 of the London Plan [July 2011] states that housing developments should be of the highest quality internally and externally. The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out in table 3.3 of the London Plan.

- 7.31 The tables provided in section 3 of this report sets out the gross internal areas for the proposed accommodation. The proposed houses provide accommodation over two floors with 3 bedrooms and 6 bed spaces. The standard in the London Plan for units of this size is 95 square metres and the proposed houses meet this standard. The internal layout of the accommodation is considered to make good and efficient use of the space that is available with an appropriate internal layout and good provision of natural light to all habitable rooms.

External amenity space

- 7.32 Retained Unitary Development Plan policy HS.1 requires that all proposals for residential development provide adequate private amenity space to meet the needs of future occupiers. The residential development would be expected to comply with the amenity space standards provided within policy HS.1 and the Council's Supplementary Planning Guidance – "New Residential Development" (1999). These standards state that private rear garden space for houses should be a minimum of 50 square metres and minimum private self-contained external amenity areas for flats of 10 square metres per habitable room.

- 7.33 The proposed amenity space at ground floor level is provided as private terrace directly at the rear of the proposed houses. This terrace provides access to a larger communal garden area shared between the nine houses. As a result of the shape of the site the original proposal included long narrow rear gardens. Following the comments from the Design Review Panel and to make the amenity more usable the amenity space provision was changed to the current layout.

- 7.34 The proposed nine dwellings are provided with total private external space covering between 21 and 33 square metres in the form of external space on a roof terrace and at ground floor level. Future occupiers will also have access to 183 square metres of communal

space. It is a matter of planning judgment as to the relative weight that should be attached to the failure to meet external amenity space standards set out in Unitary Development Plan policy HS.1. It is considered by officers that the proposed residential accommodation is of a good general standard and that this overall assessment should be given greater weight than meeting individual amenity space standards.

Lifetime Homes and wheelchair accessible standards.

7.35 Policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards and for 10% of new residential properties to be provided as disabled units.

7.36 As part of the planning application the applicant has confirmed that the development aims to meet Lifetime Home Standards. A planning condition is recommended to ensure prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria.

Traffic, transport, car parking, servicing and access.

7.37 The site is located on Kingston Road [A238] that forms part of the Strategic Road Network. The site has a public transport accessibility level [PTAL] of 3/4 [On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility]. This PTAL level indicates that the site has a fair level of access to public transport services, however it is highlighted that the site is within a reasonable walking distance of Raynes Park and Wimbledon Chase Rail Stations and is served by bus services that connect to both those stations and Wimbledon Town centre. A cycle lane is provided on both sides of the road outside the site, linking with a designated footpath and cycle lane running eastwards to the side of the property at 503 Kingston Road.

Transport and traffic

7.38 The proposed development includes nine residential units and nine car parking spaces. It is considered that with this relatively small number of units the development would generate a minimal amount of traffic over the course of a day and during peak traffic periods. The impact on Kingston Road in terms of traffic generation is therefore considered to be negligible.

Car parking

7.39 Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety. Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling walking and public transport use.



7.40 The current car parking standards are set out within the London Plan at table 6.2 and require a 'maximum' of between 1 and 1.5 spaces for properties with three bedrooms. The proposed development includes nine car parking spaces. This car parking provision is in line with the standards within the London Plan.

7.41 In order to reduce carbon dioxide emissions and promote sustainable transport choices the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan states that new car parking provision should include facilities to charge electric vehicles [a requirement of 20% of total spaces]. A planning condition is recommended to ensure that these car parking spaces are provided.

Servicing, access, refuse storage and collection.

7.42 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect safety and traffic management; and to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to, and from the public highway.

7.43 The application site is located on a bend in Kingston Road and the junction with Lower Downs and Burstow Road is located opposite. The proposed development includes the introduction of a new vehicular crossover from the application site on to Kingston Road, adjacent to 448 Kingston Road. The submitted planning application includes a road safety audit that seeks to demonstrate that entry and egress from the proposed new vehicle access road will not harm road safety. With a recommended planning condition to ensure that sightlines for drivers are maintained, the Council's transport planning officer has confirmed that this new vehicle access is acceptable in terms of road safety.

7.44 The applicant has stated that refuse and recycling storage will be provided adjacent to the access road to the car parking area. These storage arrangements are considered acceptable in principle and a planning condition is recommended to seek further details of this storage and to ensure that these facilities are provided and retained.

Cycling and pedestrian access

7.45 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities. Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic

management by requiring developers to demonstrate that their development will not adversely affect pedestrian and cycle movements.

- 7.46 In line with the London Plan as part of the planning application the applicant has confirmed that the application will provide two cycle parking space provided for each of the three bedroom units. A planning condition is recommended to seek further details of this storage and to ensure that these facilities are retained. The pedestrian access to the proposed houses from the Kingston Road frontage and the pedestrian routes within the site are considered acceptable.
- 7.47 Subject to attaching suitable conditions to any planning permission it is considered that the proposed development is acceptable in terms of the impact on traffic and car parking and has been designed with adequate access and servicing arrangements in line with Policy CS20 of the Core Strategy [July 2011].

#### **Trees and landscaping**

- 7.48 Policy CS.13 within the Adopted Core Strategy [2011] states that development should seek to integrate new or enhanced habitat or design and landscaping that encourages biodiversity. A planning condition is recommended to seek details of landscaping and for this landscaping to be provided prior to occupation of the proposed houses.

#### **Sustainable design and construction.**

- 7.49 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. All new development comprising the creation of new dwellings will be expected to achieve Code 4 Level for Sustainable Homes.
- 7.50 Planning conditions are recommended to seek the submission of a design stage assessment and post construction certification to show that that Code for Sustainable Homes Level 4 is achieved together with a minimum improvement in the dwelling emissions rate in accordance with current policy requirements.
- 7.51 The Environment Agency has advised that the application site is located over a Secondary Aquifer and the application form indicates that contamination is suspected on this land that previously included a builder's yard. As no information has been provided with the planning application with respect to site investigation and in line with the Environment Agency advice planning conditions are recommended in relation to investigations and mitigation of potential contamination and a restriction on infiltration by surface water drainage.

## **8. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **9. LOCAL FINANCIAL CONSIDERATIONS**

### **Mayor of London Community Infrastructure Lev**

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.
- 9.2 The provisional CIL charge that would be payable, for the proposed development, [the information form provided by the applicant states that there will be additional floor space of 1,127 square metres], under the Mayor of London Community Infrastructure Levy would be £39,445.00.

### **Planning Obligations**

- 9.3 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development;
  - fairly and reasonably related in scale and kind to the development.
- 9.4 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

### **Financial contribution towards education provision;**

- 9.5 Saved UDP policy C13 recognises that new housing developments will lead to additional pressure on local educational facilities, and seeks financial contributions to be used towards the extra demand placed on local schools as a result of the development.
- 9.6 The nearest primary school to the application site is Wimbledon Chase Primary School [0.3 miles away]. The expansion of Wimbledon Chase Primary School was completed in Spring 2011 and in this context it is considered that it is not appropriate to seek a contribution towards primary education provision as part of the development.
- 9.7 In relation to secondary school places, planning has commenced in order to meet the predicted demand in 2016/2017 across the whole borough that will arise from growth within the existing population. The

Council in its Business Plan for 2013-17 has identified a requirement for projects to meet this need with new classrooms required from 2017/2018. There are no funding commitments from the Department for Education to help meet this need and therefore there is a funding gap. In addition to the need from the existing population the new family sized dwellings within the proposed new development will exacerbate the need for secondary school places within the schools that would serve this development site. There are no formal catchment areas for secondary schools as travel distance is greater.

- 9.8 In order to meet the need from the existing population and new developments the Council is planning projects for which there is a shortfall of funding. Given this situation a financial contribution towards the provision of secondary school places is considered necessary as part of the proposed development and this accords with Regulation 122 of the Community Infrastructure Regulations 2010 and the NPPF. A planning obligation consisting of a financial contribution of £30,856.32 is sought towards secondary school education provision.

Financial contribution towards open space;

- 9.9 The nearest open space to the application site is Dundonald Recreation Ground [0.4 miles away]. There are planned improvements to this area of open space however these improvements already have funding and as a result it is not considered appropriate to seek an off site contribution towards open space as part of the current application.

Financial contribution towards provision of affordable housing;

- 9.10 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector.
- 9.11 Having regard to characteristics such as site size, site suitability, financial viability issues and other planning contributions Core Strategy policy CS 8 states that affordable housing provision on developments of ten or fewer residential units should include an off site financial contribution towards affordable housing equivalent to 20% of new units on the site. In terms of the current site this would equate to an off site financial contribution of £479,412.
- 9.12 The applicant submitted a financial viability assessment that concluded that for the proposed development to remain viable it was not capable of providing affordable housing at the level that is set out in Core Strategy policy CS 8. A third party assessor considered the applicant's submitted financial viability assessment concluding that an off site contribution could be provided while ensuring the scheme remained viable. It has been agreed with the applicant that there will be an off site financial contribution of £430,000 towards affordable housing to be provided as part of a viable development.

#### Monitoring and legal fees

- 9.13 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fees would be calculated on the basis of 5% of the monetary contribution [£23,042.82]. Legal fees for the preparation of the S106 agreement would need to be agreed at a later date.

### **10. CONCLUSION**

- 10.1 The proposed development represents an effective and sustainable use of this brownfield site providing additional residential units and incorporates a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. Accordingly, it is recommended that planning permission be granted subject to the planning conditions and planning obligations set out below.

#### **RECOMMENDATION**

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

1. Provision of a financial contribution towards secondary school education provision [£30,856.32].
2. Provision of a financial contribution towards off site affordable housing provision [£430,000].
3. The developer agreeing to meet the Council's costs of drafting the Section 106 Obligations [£ to be agreed].
4. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [£23,042.82].

#### **And the following conditions:**

1. Standard condition [Time period] The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. Reason for condition: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. Amended standard condition [Approved plans] The development hereby permitted shall be carried out in accordance with the following approved plans: 4480D 04A; 40A; 41; 42A; 43; 44A; Site Location Plan; Code for Sustainable Homes Pre-Assessment; Energy Statement; Transport Statement; Sustainability Statement and Planning Statement. Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Standard condition [Timing of construction work] No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays - Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

4. Amended standard condition [Construction phase impacts] No development shall commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate: parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; control of surface water run-off. No development shall be carried out except in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
5. Non standard condition [Car parking spaces] Prior to first occupation of the proposed new dwellings the car parking spaces shown on the approved drawing to serve the development shall be provided and shall include two spaces that include a facility to charge an electric vehicle and thereafter the spaces shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.
6. Amended standard condition Prior to first occupation of the proposed new dwellings, two metre by two metre pedestrian visibility splays shall be provided either side of the vehicular access to the site. Any objects within the visibility splays shall not exceed a height of 0.6 metres. Reason for condition: In the interests of the safety of pedestrians and vehicles and to comply with policy RN.3 of the Adopted Merton Unitary Development Plan 2003.
7. Non standard condition [Details of walls and fences] Prior to first occupation of the proposed new dwellings and notwithstanding what is shown on the submitted drawings walls and fences or other means of enclosure shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the walls and fences or other means of enclosure retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with policies BE.16 and BE.22 of the Adopted Merton Unitary Development Plan.
8. Standard condition [Code for Sustainable Homes Pre-Commencement - New build residential] No development shall commence until a copy of a letter from a person that is licensed with the Building Research Establishment (BRE) or other equivalent assessors as a Code for Sustainable Homes assessor that the development is registered with BRE or other equivalent assessors under Code For Sustainable

Homes and a Design Stage Assessment Report demonstrating that the development will achieve not less than Code for Sustainable Homes Level 4 has been submitted to and approved in writing by the Local Planning Authority together with a minimum 25% improvement in the dwelling emissions rate. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.

9. Amended standard condition [Code for Sustainable Homes Pre-Occupation- New build residential] Unless otherwise agreed in writing by the Local Planning Authority, prior to first occupation of the proposed new dwellings a Building Research Establishment or other equivalent assessors Final Code Certificate shall be submitted to, and acknowledged in writing by the Local Planning Authority providing confirmation that the development has achieved not less than a Code 4 level for Sustainable Homes together with confirmation that a minimum 25% improvement in the dwelling emissions rate has been achieved Reason for condition: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
10. Amended standard condition [Lifetime homes] Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy [July 2011].
11. Standard condition [New vehicle access] Prior to first occupation of the proposed new dwellings the new vehicle access to the site shall be in place in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with the access maintained permanently as such thereafter Reason for condition: In the interests of the safety of pedestrians and vehicles and to comply with policy RN.3 of the Adopted Merton Unitary Development Plan 2003.
12. Amended standard condition [Screening of external amenity areas] Prior to first occupation of the proposed new dwellings screening to the proposed external amenity areas above ground floor shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with the approved screening maintained permanently thereafter. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan

13. Non standard condition [Landscaping] Prior to first occupation of the proposed new dwellings or the first planting season following occupation new landscaping shall be in place that is accordance with a landscaping scheme that will have previously been submitted to and approved in writing by the Local Planning Authority, with the submitted plan including full details of the size, species, spacing, quantities and location of plants, together with any hard surfacing, 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 for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
14. Non standard condition [Cycle storage] Prior to first occupation of the proposed new dwellings cycle storage shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy [July 2011].
15. Non standard condition [Refuse and recycling facilities] Prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies BE.15 and PE.11 of the Adopted Merton Unitary Development Plan 2003.
16. Amended standard condition [sound insulation/attenuation measures] Prior to the first use of any or machinery sound insulation/attenuation measures shall be in place that have previously been submitted to and approved in writing by the Local Planning Authority that ensure that noise from new plant/machinery does not increase the background noise level by more than 2dBa L90 (5 min) with no increase in any one-third octave band between 50Hertz and 160Hertz when measured at the boundary of the nearest noise-sensitive property with the agreed measures permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority. Reason for condition To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
17. Amended standard condition [External Lighting] Any new external lighting shall be positioned and angled to prevent any light spillage or



glare beyond the site boundary. Reason for condition To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.3 of the Adopted Merton Unitary Development Plan 2003.

18. Non standard condition [Land contamination – site investigation] No development shall commence until a scheme to deal with the risks associated with contamination of the site has been submitted to and approved by the Local Planning Authority with agreed measures in place prior to first occupation of any residential unit. Reason for condition: In order to protect controlled waters as the site is located over a Secondary Aquifer and may be affected by historic contamination
  
19. Non standard condition [Land contamination – site investigation] The submitted scheme to deal with the risks associated with contamination of the site shall include 1) a preliminary risk assessment identifying all previous uses and potential contaminants, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination. 2) A site investigation scheme, based on 1 providing information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment including an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy PE.8 of the Adopted Merton Unitary Development Plan 2003 and to protect controlled waters as the site is located over a Secondary Aquifer and may be affected by historic contamination
  
20. Non standard condition [Land contamination – construction phase] If during development further contamination is encountered which has not previously been identified and considered the Council's Environmental Health Section shall be notified immediately and (unless otherwise agreed in writing with the Local Planning Authority) no further development shall take place until remediation proposals (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation) have been submitted to and approved by the Local Planning Authority and the approved remediation measures/treatments implemented in full. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy PE.8 of the Adopted Merton Unitary Development Plan 2003 and to protect controlled

waters as the site is located over a Secondary Aquifer and may be affected by historic contamination

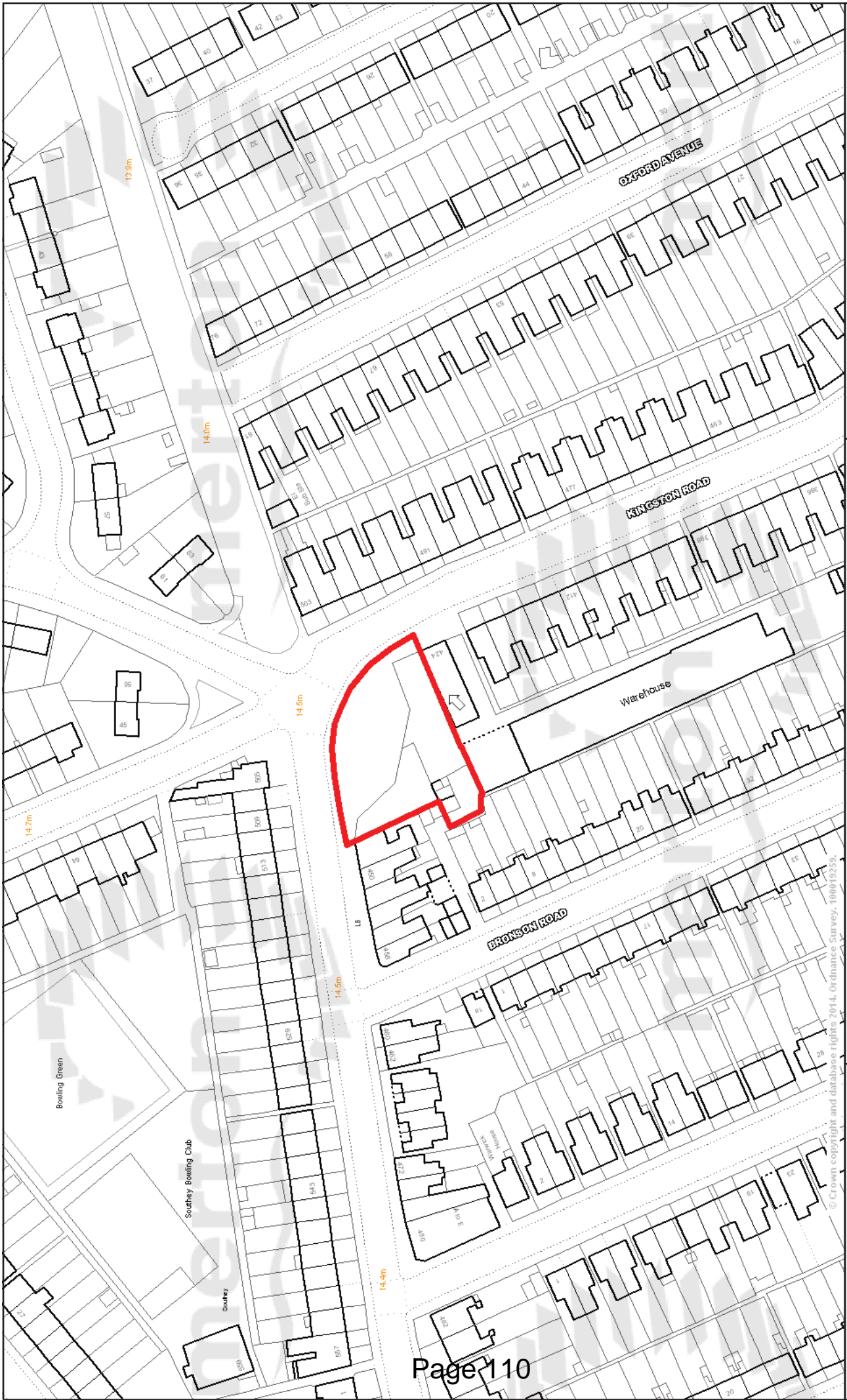
21. Non standard condition [Land contamination – validation] Prior to first occupation of the proposed new dwellings a verification report shall be submitted to and approved, in writing, by the local planning authority. demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy PE.8 of the Adopted Merton Unitary Development Plan 2003 and to protect controlled waters as the site is located over a Secondary Aquifer and may be affected by historic contamination.

22. Non standard condition [no infiltration of surface water drainage] No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with policy PE.8 of the Adopted Merton Unitary Development Plan 2003 and to protect controlled waters as the Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

**INFORMATIVES:**

- a) The applicant is advised that details of Lifetime Homes standards can be found at [www.lifetimehomes.org.uk](http://www.lifetimehomes.org.uk)
- b) The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application.
- c) The applicant is 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.
- d) The applicant is advised that the development hereby approved is liable to the Community Infrastructure Levy (CIL). The provisional

chargeable amount of CIL that would be payable (subject to any successful applications for relief, surcharges or late payment interest charges) is provisionally £39,445.00. To avoid substantial surcharges an Assumption of Liability Notice and a Commencement Notice must be submitted to the Local Planning Authority prior to commencement of the development hereby approved. A Liability Transfer Notice can be submitted prior to the day the final payment falls due should parties who will be liable to pay change. These notices can be found on the planning portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). For more information regarding CIL visit [www.merton.gov.uk/CIL](http://www.merton.gov.uk/CIL) or email [cilevy@merton.gov.uk](mailto:cilevy@merton.gov.uk).



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

Scale 1/1272

Date 28/1/2014

424-448 Kingston Road

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DEVELOPMENT CONTROL









Rear (West) Elevation with section through Unit 9



Rear (South East) Elevation

# PLANNING

Revision	1	15.03.13
Client	M. McCarthy	
Project	Redevelopment of: 426 Kingston Road London SW20	

PROPOSED  
Rear Elevations

Scale	1:100@A1	Date	DEC 13	Drawn	DD
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