

# Agenda Item 5

PLANNING APPLICATIONS COMMITTEE  
16<sup>th</sup> July 2020

**Item No:**

<b><u>UPRN</u></b>	<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
	(1) 20/P1412 & (2) 20/P1672	07/05/2020 & 14/05/2020
<b>Address/Site</b>	Abbey Wall Works, Station Road, Colliers Wood, SW19 2LP	
<b>Ward</b>	Abbey	
<b>Proposal:</b>	<p>(1) Demolition of existing buildings and redevelopment of site to provide a part three, part four, part five storey block of 54 flats and a commercial unit (204 sqm) at ground floor level (comprising flexible A1 (excluding supermarket), A2, A3, B1 and D1 uses) and associated landscaping, bin/cycle storage, parking, highway works and alterations to listed wall.</p> <p>(2) Listed Building Consent for demolition of existing buildings and redevelopment of site to provide a part three, part four, part five storey block of 54 flats and a commercial unit (204 sqm) at ground floor level (comprising flexible A1 (excluding supermarket), A2, A3, B1 and D1 uses) and an associated landscaping, bin/cycle storage, parking, highway works and alterations to listed wall.</p>	
<b>Drawing Nos</b>	<p>(1) 319_GA-00 Rev 2, 319_GA-01 Rev 3, 319_GA-02 Rev 3, 319_GA-03 Rev 1, 319_GA-04 Rev 1, 19_GA-RF Rev 1, 319_BP-01-, 319_cE01-, 319_cE02-, 319_cE03-, 319_Ex-BP-01-, 319_EX-GA-00-, 19_EX-GE-01-, 319_EX-RF-00-319_GE-01-, 319_GE-02-, 319_GE-03-, 319_GS-01-, 319_GS-02-, 319_GS-03-, 319_GS-04- and 319_S-01-</p> <p>(2) 319_GA-00 Rev 2, 319_GA-01 Rev 3, 319_GA-02 Rev 3, 319_GA-03 Rev 1, 319_GA-04 Rev 1, 19_GA-RF Rev 1, 319_BP-01-, 319_cE01-, 319_cE02-, 319_cE03-, 319_Ex-BP-01-, 319_EX-GA-00-, 19_EX-GE-01-, 319_EX-RF-00-319_GE-01-, 319_GE-02-,</p>	

319\_GE-03-, 319\_GS-01-, 319\_GS-02-, 319\_GS-03-,  
319\_GS-04- and 319\_S-01-

**Contact Officer:** Stuart Adams (0208 545 3147)

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**RECOMMENDATION**

**(1) GRANT Planning Permission subject S106 agreement and conditions.**

**(2) GRANT Listed Building Consent subject to conditions.**

**CHECKLIST INFORMATION.**

Heads of agreement: Affordable Housing, Permit Free, Car Club Membership, CPZ Consultation (18k), Highway Works (double yellow lines & increased width of footpath), Restoration of Listed Lampposts, Travel Plan, Air Quality Contribution (3k), Carbon shortfall (63k) and Highway Works (raised table – contribution 15k).

Is a screening opinion required: No

Is an Environmental Statement required: No

Has an Environmental Impact Assessment been submitted – No

Press notice – Yes

Site notice – Yes

Design Review Panel consulted – Yes (pre-application stage only)

Number of neighbours consulted – 210

External consultations – Historic England, MET Police, Environment Agency, Thames Water, Transport for London (TFL), Natural England, Greater London Archeology Advice Service and Canal & River Trust.

PTAL score – 3-4

Controlled Parking Zone (CPZ) – No (adjacent to CPZ SW)

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1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration in light of the number of objections received and the application has been called in by Cllr Stringer.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is located between Station Road and Merantun Way (A24 road) to the west of the River Wandle and the east of High Path. The site is an irregular/triangular shape with an area of approximately 0.2ha.
- 2.2 The existing uses are a mix of B2 (General Industrial) and Sui Generis. The buildings in association with these are low lying industrial type buildings. The existing uses are garages/car wash and service/repair. The existing buildings occupy a gross internal area (GIA) of 1,297sqm and is considered that there are currently 15 existing employees across the site.
- 2.3 The neighbouring houses to the north of the application site in Station Road are two storey terraced housing. Many properties have converted their front gardens into car parking spaces.

Wandle Valley Conservation Area.

- 2.4 The subject site is located within Sub Area 3 (Merton Priory) of the Merton (Wandle Valley) Conservation Area. Sub area 3 is an area extending between Merton High Street to the north and Windsor Avenue to the South, it embraces part of the site of Merton Priory, and includes the present Merton Abbey Mills Craft Market. It has been the site of various industries since the dissolution of the Priory in the 16<sup>th</sup> Century.

Grade II statutorily listed wall

- 2.5 There is a Grade II statutorily listed wall along the northern boundary of the site. The Grade II listed wall refers to the remains of a wall that was once part of the Merton Priory. The buildings fronting onto Station Road that are within the Conservation Area are set behind the section of wall that runs the length of the south side of the road. The wall is built of flint and random ashlar stone from the ruins of Merton Priory and incorporates corbelled brick courses beneath brick gabled copings. The east end of the wall has been re-built and terminates in a jamb to a re-built doorway which incorporates some 20th Century fragments. Sections of the wall have been re-built and repaired over time and the quality of repairs is varied.

### Grade II listed lamp posts

- 2.6 There are two Grade II listed lamp posts along Station Road (opposite No. 12 and 34 Station Road). These are two early historic cast-iron street lamps.

### Merton Abbey Mills

- 2.7 To the south east is the historic site Merton Abbey Mills. Merton Abbey Mills is a former textile factory near the site of the medieval Merton Priory, now the home of a variety of businesses, mostly retailers. The site contains two listed buildings; the Grade II listed Wheel House and the Grade II listed Colour House at Mistery Liberty's Print Works.

### Merton Priory Chapter House

- 2.8 The scheduled area of Merton Priory covers the site of the Church and domestic buildings of the former Augustinian Priory of St. Mary, which was founded in 1114 and demolished in 1538. The area was subsequently used for calico printing after demolition of the Priory, including the old Liberty Print Works.

### Highways

- 2.9 To the north, the site is bound by Station Road, from which it is accessed, while to the south, the site is bound by the A24 Merantun Way, which forms part of the Transport for London Road Network (TLRN). Established commercial properties border the site to the west, whilst an existing footway / cycleway link, which connects Station Road with Merantun Way, borders the site to the east, beyond which is the River Wandle. Station Road is essentially a 150m long cul-de-sac, forming a simple priority junction with High Path/Abbey Road to the west, terminating east of the River Wandle where it provides access to a children's play centre (42 Station Road).
- 2.10 The application site is not located within a Controlled Parking Zone (CPZ), but is to the south of CPZ SW with restrictions in place Mon - Sat 8:30 - 18:30. The site has a PTAL score of between 3 and 4 (good).

### Other

- 2.11 The site is located within Flood Zone 1, which is considered to be at low risk of flooding from pluvial sources, groundwater, artificial sources, and sewer surcharge.
- 2.12 The site is located within an Air Quality Management Area

- 2.13 The site is located within the Wandle Valley / Colliers Wood Archaeological Priority Zone (Tier 2).
- 2.14 The Archaeological Priority Zone (Merton Place) was built around 1700, between village of Merton and River Wandle – possibly on site of earlier, medieval, moated structure. House is noted as being owned by Admiral Nelson who converted moat into garden feature and called it ‘The Nile’
- 2.15 The application site is adjacent to the following ecological/open space designations:
- WVRP (Wandle Valley Regional Park) buffer 400m (Brangwyn Crescent),
  - Wandle Trail Nature Park and Lower River Wandle, Phipps Bridge and London Road Playing Fields Green Corridor,
  - WVRP (Merton Abbey Mills),
  - Open Space (Land Adjacent River Wandle),
  - Metropolitan Open Land (Wandle Valley).

#### Wider Regeneration

- 2.16 The site is located within an area that is currently experiencing wider regeneration, with the Harris Academy at 59-63 High Path (application reference 18/P1921) currently being constructed. This will deliver a sixth form entry secondary school for approximately 1,150 pupils, with limited on-site car parking reserved for minibus and disabled parking, due to open September 2020.
- 2.17 The site is also located adjacent to the High Path Regeneration Scheme, which was granted outline planning permission in April 2019 (application reference 17/P1721) for a comprehensive redevelopment that will demolish approximately 600 existing residential units and deliver approximately 1,570 residential units, along with community, public open space and employment floorspace.
- 2.18 Station Road itself has also experienced recent redevelopment, with 40 Station Road benefiting from planning approval in November 2016 (15/P1156) for the demolition of a retail warehouse and the construction of 9 residential units supported by 4 off-street parking spaces.

### **3. PROPOSAL**

- 3.1 Demolition of existing buildings and redevelopment of site to provide a part three, part four, part five storey block of 54 flats and a commercial unit (204 sqm) at ground floor level (comprising flexible A1 (excluding

supermarket), A2, A3, B1 and D1 uses) and associated landscaping, bin/cycle storage, parking, highway works and alterations to listed wall.

### Commercial

- 3.2 The applicant is seeking a flexible approach to the proposed commercial unit. The commercial unit, located at ground floor within the western section of the building would have a floor area of 204sqm. The proposed uses for the commercial unit are as follows:

Class A1 (Shops) - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

Note – the applicant has agreed to remove supermarket from the proposed Class A1 use. A planning condition can ensure that supermarket is exempt from the proposed Class A1 use.

Class A2 (Financial and professional services) - Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies.

Class A3 (Restaurants and cafés) - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes

Class B1 (B1 Business) – Uses which can be carried out in a residential area without detriment to its amenity. This class is formed of three parts:

- B1(a) Offices - Other than a use within Class A2 (see above)
- B1(b) Research and development of products or processes
- B1(c) Industrial processes

Class D1 (Non-residential institutions) - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non-residential education and training centres

### Entrances

- 3.3 The commercial entrance would be accessed directly from Station Road, via two pedestrian gates, one in the gap between the listed wall and one at the end of the wall towards Abbey Road.

### Residential

- 3.4 The residential accommodation would be provided within all parts of the proposed building. There would be 54 flats (2 studios, 12 x 1 bed, 32 x 2 bed and 8 x 3 bed). Each flat would have direct access to either a balcony or garden. In addition, communal amenity space is provide at ground floor level at the rear of the building via small garden and via two large roof top gardens at third floor level. Three on-site disabled parking spaces are proposed to serve the residential flats.

### Design

- 3.5 The design of the building would be spilt into three distinctive elements, divided by two, recessed three storey links. The proposed building would have an industrial design approach with some art and crafts detailing reflecting on the historic nature of the area. This includes metal balustrading, window arrangements vary between arched and squared reveals and William Morris inspired reflect pattern in copper metal panelling to the surrounds of the residential entrances will reflect the areas arts and crafts character.
- 3.6 The proposed pitched roofs reflect the nature of the existing roofs in the area whilst maintaining habitable internal space. The direction of the pitch is orientated along the north-south axis.

### Materials

- 3.7 The predominant material proposed is a yellow/buff brick which reflects the local context. A secondary material is copper panels, this will be used at roof level and within the three storey links.

### Entrances

- 3.8 The two 'link' blocks will act as the principal entrances to the main blocks. They are located broadly opposite the existing breaks within the listed boundary wall. The plan form consists of three cores, accessed via two individual entrances (A and B) across the length of the facade.
- 3.9 The entrances have also been planned so that they run through the building and future access can be provided directly from Merantun Way once proposed cycle ways and footpaths are adopted within the adjacent carriage way (should that go ahead).

### Landscaping

- 3.10 The proposed building line is set back from Merantun Way, to give space to the existing trees and provide areas behind the boundary wall. There is potential scope to provide a new tree adjacent to the proposed onsite disabled car parking spaces. This would be subject to further investigations by the applicant in regards to ground conditions and underground services. There would be two communal roof gardens at third floor level. Each space would include soft landscaping proposals and play space equipment.

#### Listed Wall

- 3.11 To mark the historic boundary line of the Abbey Wall the current openings along the Station Road elevation will be in filled with iron gates. This will provide a permeability between the pavement and amenity space but also security for the development. The posts for the gates will be isolated from the existing wall, to achieve a clear distinction between old and new. The gates will seek to provide visual openness to provide way finding to the building entrances.
- 3.12 Along Merantun Way, a 2m high boundary fence has been shown on the submitted details. However, following discussions with the Councils Design Officer, a planning condition will be required to secure a solid boundary wall and railing/gates. The gates in the communal areas would provide future access onto Merantun Way if the proposed footpath/cycle line is delivered.

#### Highways

##### *Car Parking*

- 3.13 The proposed scheme will be car-free, excluding three disabled bays which are located at the eastern part of the site.
- 3.14 The application includes creating a new parking bay with passing area on the southern side of Station Road. On the north side of Station Road, there will be new double yellow lines. The new car parking bays would be created by the introduction of two sets of 2m wide parallel parking bays totaling approximately 70m in length, which is sufficient to accommodate 12 vehicles. The bays are divided by a 21.2m long section of kerb subject to double yellow line with no waiting controls, which will act as a passing place for conflicting vehicle movements and a space from which refuse/service vehicles can access/serve the site.

##### *Cycle Parking*

- 3.15 The proposed scheme will provide 102 secure and sheltered residential cycle parking spaces. The majority of cycle parking is two-tier racks, but the cycle parking mix includes a proportion (10%) of Sheffield stands to support larger bikes. The proposals also include the provision of a single Sheffield stand (2 spaces) externally adjacent to Entrance B to meet the visitor cycle parking requirement of 1 space per 40 units.
- 3.16 In terms of the proposed commercial use, the flexible uses proposed makes it unreasonable to fix the exact cycle parking requirement at this stage. The previous application (19/P4266) established an agreement that whatever land use eventually occupied the space the equivalent cycle parking requirement would need to be provided and this agreement can continue to be applied to the current application.

#### Pedestrian

- 3.17 Pedestrian access to the building is directly from Station Road, either between the existing gaps in the listed wall or from new openings. The southern footpath on Station Road will be widened to provide a footpath pavement that is 1.8m in width.

#### Delivery and Service

- 3.18 Service and delivery vehicles will utilise the main access road i.e. Station Road, as existing. The original plans included a loading bay along the western section of Station Road, however, this has been removed from the scheme and replaced with double yellow lines following recommendations from the Councils Transport Planner.

#### Refuse Storage

- 3.19 Two refuse storage areas are provided adjacent to entrances A and B within the residential blocks. The storage areas are located at the ground floor level of each block close to the gaps in the existing boundary wall so that they can be serviced easily.

### **4. PLANNING HISTORY**

- 4.1 19/P4266 - Demolition of existing buildings and redevelopment of site to provide a part three, part five and part six storey block of 70 flats and a commercial unit (204 sqm) at ground floor level (comprising flexible A1 (excluding supermarket), A2, A3, B1, & D1 uses) and an associated landscaping, bin/cycle storage, parking, highway works and alterations to listed wall – Refused on 27/03/2020 for the following reasons:

1. The proposed building by reason of its bulk, height, massing

and scale would result in a dominant form of development that would be out of keeping with the surrounding area, which would be detrimental to the visual amenities of the area, contrary to Policy DM D2 (Design Considerations in all developments) of the Merton's Adopted Sites and Policies Plan (July 2014).

2. The proposed building by reason of its bulk, height, massing and scale would result in a harmful impact on daylight and sunlight to the neighbouring properties on Station Road to the north, which would be detrimental to the amenity of the occupiers of those properties. The proposed building, as a result of the proportion of single aspect units proposed, would provide a poor standard of accommodation for new occupiers. This would be contrary to Policy DM D2 (Design Considerations in all developments) of the Merton's Adopted Sites and Policies Plan (July 2014).
3. In the absence of a legal agreement securing on-site Affordable Housing and early and late stage viability reviews, the proposal would be contrary to policies DM H3 (support for affordable housing) of Merton's Adopted Sites and Policies Plan (July 2014), CS8 (Housing Choice) of Merton's Adopted Core Planning Strategy (July 2011), 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan (March 2016), Merton's Development Viability SPD 2018 and the Mayor of London Affordable Housing and Viability SPG 2017.
4. The proposed development would generate additional pressure on parking in the area, and in the absence of a legal agreement securing a 'car free' agreement and contribution towards a Controlled Parking Zone (CPZ) consultation, the proposal would be contrary to Policies DM T1 (support for sustainable transport and active travel), DM T3 (Car parking and servicing standards) of Merton's Adopted Sites and Policies Plan (July 2014) and CS20 of Merton's Adopted Core Planning Strategy (July 2011).
5. In the absence of a signed legal agreement, the applicant has failed to secure appropriate contributions towards monitoring air quality, a Travel Plan, securing a 3 year Car Club membership and the Carbon Off-set contribution, contrary to Policies CS15 and CS18 of the Core Strategy 2011 and Policy 5.2 of the London Plan 2016.
6. In the absence of a signed legal agreement, the proposed development would fail to adequately secure improvements to

the public highway (specifically Station Road shared surface, Merantun Way pedestrian and cycle way, widening of Station Road pavement and formalising on-street parking bays and double yellow lines) and listed lampposts, which would be contrary to policies of DM D1 (Urban design and the public realm), DM O1 (Open space) and DM T2 (Transport impacts of development) of Merton's Adopted Sites and Policies Plan (July 2014) and CS13 (Open space, nature conservation, leisure and culture) and CS14 (Design) of Merton's the Adopted Core Planning Strategy (July 2011).

Appeal lodged – Appeal pending.

- 4.2 19/P4268 - Listed building consent for demolition of existing buildings and redevelopment of site to provide a part three, part five and part six story block of 72 flats and A commercial unit (204 sqm) at ground floor level (comprising flexible A1 (excluding supermarket), A2, A3, B1, & D1 uses) and an associated landscaping, bin/cycle storage, parking, highway works and alterations to listed wall – Granted - 27/03/2020
- 4.3 17/P3992 - Application for listed building consent for the formation of a new opening in existing listed wall to facilitate improvements including new surfacing and widening to the roadway between station road and Merantun Way cycle paths – Granted - 29/05/2018.
- 4.2 15/P1909 - Application for advertisement consent for the display of non-illuminated business signs – Granted - 08/04/2016
- 4.3 05/P2007 - Repair to the listed 'priory wall' – Granted - 07/11/2005
- 4.4 88/P1613 - Formation and layout of a turning head in station road – Granted - 19/01/1989
- 4.5 88/P1610 - Erection of two timber huts and boundary wall enclosure – Granted - 19/01/1989
- 4.6 87/P1571 - Application for listed building consent for alterations to listed priory wall – Granted - 19/01/1989
- 4.7 M/M6865 - Erection of a covered way – Granted - 16/12/1954
- 4.8 M/M7183 - Extension to existing factory – Granted - 18/04/1956
- 4.9 M/M7381 - Erection of lavatory accommodation – Granted - 16/01/1957
- 4.10 M/M6735 - Extension to factory – Granted - 18/06/1954

4.11 M/M8455 - Addition to factory including demolition of store shed – Granted - 14/09/1960

4.12 M/M9205 - Extension to factory – Granted - 12/12/1962

Other relevant planning history

4.13 18/P1921 (59-63 High Path): Erection of a five storey building to provide a school, with sixth form facilities, associated parking, play area and landscaping, following demolition of existing community and commercial buildings on site – 17/01/2019;

4.14 17/P1721 (High Path Estate): Outline planning application (with all matters reserved, except in relation to parameter plans) for the comprehensive phased regeneration of high path estate comprising demolition of all existing buildings and structures; erection of new buildings ranging from 1 to 10 storeys max, providing up to 1570 residential units (C3 use class); provision of up to 9,900 sqm of commercial and community floorspace (inc replacement and new floorspace, comprising: up to 2,700 sqm of use class a1 and/or a2, and/or a3 and/or a4 floorspace, up to 4,100 sqm of use class b1 (office) floorspace, up to 1,250 sqm of flexible work units (use class b1), up to 1,250 sqm of use class d1 (community) floorspace; up to 600 sqm of use Class D2 (gym) floorspace); provision of new neighbourhood park and other communal amenity spaces, incl. children's play space; public realm, landscaping, lighting; cycle parking (incl visitor cycle parking) and car parking (inc within ground level podiums), associated highways and utilities works – Grant - 29/04/2019.

4.15 15/P1156 (40 Station Road): Demolition of existing retail warehouse and the construction of 9 residential units including 2 four bedroom houses fronting Station Road arranged over two floors and the roof space and a part two storey, part three store,y block of flats providing 2 one bedroom, 3 two bedroom and 2 three bedroom flats with 4 off street car parking spaces accessed from Station Road and associated amenity space – Permission granted subject to conditions 17/11/2016;

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 the consultation, 10 letters of objection (including Wandle Heritage and Merton Green Party) have been received relating to the full planning permission application (1). The letters of objection raise the following points:

## Design

- Still too high
- The design needs to be more in keeping with existing houses.
- 2 Storey buildings would be more in keeping
- Out of scale with Station Road
- Should be more like 40 Station Road
- Sorting equipment on balconies can detract from design of the building.
- Significant number of single aspect flats still exists. The single aspect flats that face north on to Station Road will receive no direct sunlight at any time of the year
- Single aspect flats on the ground floor will look out onto Meratun Way or the 2m high Abbey Wall thus restricting their light
- The potential amount and size of individual signage and lighting on the building to advertise the businesses is a concern.
- Design more suitable to high street
- Scale and density still remain unacceptable for residential area
- Pastiche appearance of fake industrial architectural detailing features and balconies and roof terraces
- Overdevelopment

## Neighbour Impact

- Overlooking
- Loss of light
- Loss of view
- Outlook onto Meratum Way for future occupiers
- excess noise,
- air pollution
- High pollution risks

## Highways

- Road unable to accommodate cycling and servicing
- Cars speed along Merantun Way, there is no footpath for residents to walk along
- Some of the proposed residents may have cars even with restrictions in place.
- South facing flats will be subject of intense heat in the summer
- Increased construction traffic
- It is unclear how strongly this car-free development will be enforced as I am of the understanding that it would be up to the residents to ask the council to make the road a controlled parking zone. Should

we decide not to do this, after all we have driveways, the stipulation that the proposed development must be car free simply could not be enforced as free parking would be available along the development side of the road.

- People buying 3 bed flats in the new development are more than likely going to own cars.
- The proposed widening of the pavement alongside the listed wall will make a narrow road even narrower
- Emergency vehicles as well as delivery lorries are already compromised on occasions, especially when selfish motorists park over dropped kerbs.

The additional inevitable parking and traffic caused by the nearby Harris Academy will impact also. The amount of car parking spaces available seems to have been over estimated. The recent survey assumes that the cars in the road mostly belong to Station Road residents. This is not true.

The CPZ in Abbey Road causes residents there to use Station Road as free parking without having to buy a permit. The Merton bus garage employees also use Station Road as a place to park for free.

- Permitted land use types will inevitably generate car parking in an area already congested at peak times due to the road width restrictions in Abbey Road.
- I cannot envisage how the site will be accessed by large machinery for demolition and piling for instance whilst keeping the wall intact.
- Will make the junction between High Path and Abbey Road more dangerous.
- Large numbers of visitors. Not enough space for vehicles to use the road

#### Other

- Same objections still stand
- The Grade II listed Abbey Wall will need protecting from service entrances as well as all construction work, once all archaeological surveys are complete
- Low number of affordable units
- Loss of trees
- Timing of application submission during lockdown

#### 5.1.2 Wandle Heritage Limited

Wandle Heritage Ltd. was founded two decades ago and is the charity responsible for managing and maintaining the Grade II listed Merton Abbey Mills Wheelhouse and its immediate surroundings within the Wandle Valley Conservation Area (Merton Priory Sub Area).

We wrote objecting to the previous application for this scheme (19/P4266), and are writing to re-iterate our objection to the new application for reasons we do not feel have changed:

#### Suitability of the development in the conservation area

The Conservation Area includes Merton Abbey Mills (the former Liberty silk printing works), the remains of Merton Priory (i.e. the Chapter House foundations, the Merton Abbey Mills Colour House, and the remaining stretches of the Priory precinct wall in Station Road, Windsor Avenue and the Pickle Ditch area), and in addition the present course of the Wandle (through the historic sites of both Liberty's and William Morris's works) as well as its original route via Bennett's Ditch and the Pickle Ditch.

As such the Area defines a complex of heritage attractions which has long been recognised as a key asset to the Borough. These features and their importance are comprehensively described in the Council's Post Consultation Character Appraisal dated February 2007.

The Character Appraisal is naturally concerned with the relationship of any new development with the Conservation Area and its potential negative impact, and it sets down clear criteria - somewhat after the event, indeed, for we have been here before. The development of the "2CV" land neighbouring Merton Abbey Mills in 2001-2003 produced a hotel, a fitness club, two fast-food outlets and a number of high-rise residential blocks, in a jarring variety of system-built designs, none of which blend with or reflect the sensitivity of their surroundings, and which fail as a group to achieve any consistency, in a site that could have been a gift to an imaginative architect as what is virtually a self-contained "island village".

Most of these buildings were just outside the defined Conservation Area, though they inevitably impacted upon it; but for the two proposed blocks that lay within it planning permission was refused, and they were subsequently redesigned in a much more sympathetic and harmonious manner by specialist conservation architects Fielden Clegg Bradley.

The Council's own Character Appraisal, written four years afterwards, pulls no punches in its criticism (p.26) - not least in its reappraisal of "the detrimental impact" of Merantun Way (p.27) - and we strongly urge that the lessons of the unfortunate 2CV development should not be ignored, especially as the proposed scheme falls specifically within the Conservation Area, with which we suggest its scale and design are wholly out of keeping.

#### The need for archaeological investigation

The Character Appraisal makes particular reference (p.11) to the site of the proposed development as an "APZ" (Archaeological Priority Zone). We would suggest that any scheme to redevelop this extremely sensitive area should be preceded as a matter of course by a proper archaeological investigation, rather than relying, as we understand this one does, on a mere archaeological desk survey - whose surely inaccurate description of the Priory wall fragments in Station Road as "C17th" incidentally casts some doubt on its value.

In any case the remains of the Priory are so few and so precious that in our view any opportunity for further archaeology shouldn't be let go by default - we can't know if there's anything left of their foundations, but the walls of what was the main approach road to the West front of the great Priory church were certainly still extant in the above map, which dates from between 1870 and 1910.

#### Treatment of the listed wall

While we welcome the acknowledgement in the proposals of the importance of the remaining fragments of the wall, and the stated intention to restore them, we have two observations:

- (i) the fragments should not be seamlessly blended into the overall boundary wall (which would simply mark a change of texture), but should stand noticeably out for what they are - i.e. historic remains which cry out for special recognition. A solution might, for example, be the use of railings either side of them rather than a solid wall; or else a treatment in which they stand well proud of any adjoining wall.
- (ii) The fragments as they exist at present are not dominated by the low-rise buildings behind them; in the proposed scheme we feel they will be thoroughly dwarfed and their significance overlooked.

#### Excessive size of the scheme

The above considerations aside, we note that the height of the proposed development has now been reduced, and some adjustments made to the number and size of the flats. However, these revisions do not in our view address the main issues of density of accommodation and dominance over the houses in Station Road and the surrounding streets, which we feel are quite unsuitable to a modest residential backwater. A particular concern is vehicular access - there is no scope for any additional approach roads or access from Merantun Way. Even in an explicitly car-free development as this is, one cannot simply wish away the

considerable daily increase in delivery traffic that over 70 new dwellings would generate - let alone access for plant and traffic during construction. In our view this is a very narrow and circumscribed plot for so big a development, even as presented in its revised form, and our view is unchanged that the proposal should be rejected.

### 5.1.3 Merton Green Party

Comment: Policy CS8 in the council's core planning strategy sets a borough-wide affordable housing target of 40% for developments of 10 or more units. The applicant's application form states that 3 of the 58 units will be affordable housing (5%). We ask the Council to require that its 40% target be met.

### 5.2 Councils Highways Officer

Highways comments are that any proposals for any changes to the public highway must be agreed with Highways and that all licences must be in place before any demolition or construction take place.

### 5.3 Councils Transport Planning Officer

#### Location and Existing Use

The site is currently used for vehicle repair services, including garages, workshops and MOT services, with B2 (general industrial) and Sui Generis land use classification.

Station Road is essentially a 150m long cul-de-sac, forming a simple priority junction with High Path/Abbey Road to the west, terminating east of the River Wandle where it provides access to a children's play centre (42 Station Road).

The majority of properties in this road already benefit from dropped kerbs and off street parking.

As Station Road is a cul-de-sac, with a lack of turning facilities, existing delivery and servicing vehicles, including refuse collection vehicles tend to reverse from junction of High Path/Abbey Road; some, however, do use the open section of a private property at the end of the cul-de-sac. Given the low numbers of properties at the present time, there have not been any reported issues. The Council does not and cannot support vehicles, particularly service vehicles, reversing for such a length of public highway. As a rule, there is an expectation that any new development accommodate their servicing off the public highway; however, in this instance, due to the fact that the property line is subject to a listed wall,

on-site servicing cannot be accommodated.

Prior to this application the Council and TfL had a proposal to introduce a shared surface and reinstate a small section of carriageway that is currently used as free parking to footway; given the potential increase in service vehicles due to the development, the Council proposes to retain this section of carriageway so as to provide a small turning area.

As a way of improving this section of the road it is proposed to introduce a shared surface that will provide a better facility for pedestrians and cyclists.

### Development Proposals

The development is 54 residential units, with 204sqm of flexible commercial use.

The proposed commercial floor space is accommodated at ground floor level within the western most part of the site. The applicant have confirmed the proposed A1 category would exclude super market type retail uses which will reduce commercial vehicle activity within the site.

### Car Parking

The site is within an area of PTAL 3, which is considered to be a moderate rating. A moderate PTAL rating suggests that it is possible to plan regular journeys such as daily work trips or trips to and from school using public transport. The site is within a walking distance of Collierswood and South Wimbledon tube stations; the area is also well served by buses.

The proposals include no allocated car parking other than three disabled parking bays. The disabled parking bays should adopt Electric Vehicle Charging Points (EVCP).

There is great potential for improving the quality of the street in Station Road with the removal of cars parked on the footway. This footway should be widened slightly and resurfaced. Given the cul de sac nature of the road, it is not thought necessary to have a segregated cycle facility as this is a quiet route where on-street cycling should be safe. The northern footway accommodates crossovers for most part and as part of a parking and access parking on the northern side would need to be banned. The parking would need to be managed by either a CPZ or marked free parking along the southern side of the carriageway. Provisions should be given for car clubs, electric vehicles charging points and servicing.

The neighbouring roads are subject to a CPZ but Station Road is not. The

Council will seek to secure funding via a S106 legal agreement to consult and implement a CPZ in Station Road. However, if CPZ were to be introduced no occupant within this development would be eligible to purchase or procure a parking permit.

The Council's policy is to discourage car ownership and promote sustainable modes of travel in high PTAL areas. Therefore all units must be permit free irrelevant of the number of bedrooms allocated per each unit or any parking capacity which appear to be assessed on current conditions. This requirement is consistent with all new developments in the borough. Additionally when considering a CPZ, it is for the Council to agree the extent of any Zone. In the event of the introduction of a CPZ, this development will be excluded from the zone.

Parking arrangements on the southern side as shown on the plan are indicative, i.e. for the purpose the consultation process, LBM will assess the on-street parking arrangements in more details and adopt a parking scheme as appropriate.

Double yellow lines are proposed on the southern side of Station Road to prevent parking on both sides of Station Road. It should be noted that the current situation in Station Road includes parking on both sides of the street which is problematic in terms of vehicles movement. Therefore regardless of the redevelopment of the application site, double yellow lines will be introduced along the northern section of Station Road for reasons of safety and access at all times.

#### *Car Club Membership*

The applicant to provide and secure free car club membership for all new residents for a period of three years.

#### *Cycle Parking*

The draft London Plan sets out the minimum residential cycle parking standards required, as follows:

The applicant is providing 102 cycle parking which is in line with the Draft London Plan cycle parking standards. Cycle parking provision is satisfactory.

#### *Servicing and delivery*

Servicing and delivery will take place on street as there is no allocated area within the site for servicing.

The site boundary includes an existing Grade II listed Abbey Wall which

runs along the site frontage, to the rear of the Station Road footway, a constraint that has influenced the adopted access strategies.

Based on comments within the observations paragraph, the proposed servicing is acceptable.

Refuse:

Given there is an already established collection route along this road, it is not considered that proposal would have a detrimental impact on the waste collection services in the area. Due to density of the development and the length of time that would be required for collection, the appropriate length of parking restrictions will be introduced to accommodate this need; it will also serve as a passing gap in ensuring that flow of traffic and access to properties on the norther side is not impeded.

Details of number of refuse storage bins, collection and recycling arrangements needed for the proposal should be submitted to the LPA approval.

Travel Plan

The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

Recommendation:

The proposed development will not have a detrimental severe impact on the surrounding highway network in terms of capacity or highway safety. No objections are raised subject to:

- The applicant enters into a Unilateral Undertaking which would restrict occupiers of the units from obtaining an on-street residential parking permit to park in any existing or future controlled parking zones to be secured by via S106 legal agreement.
- Disabled parking with EVCP maintained as shown on plan.
- Condition requiring cycle parking (secure & undercover).
- Condition requiring Refuse collection.
- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.
- A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the

Section 106 process.

- A sum of £18k for the consultation and implementation of a CPZ and / or the introduction of safe parking arrangements to be secured via Section 106.
- 15k contribution toward the implementation of a raised table at the location of an existing turning head on Station to be secured via Section 106.
- Provide free car club membership for all new residents for three years.
- To enter S278s for all necessary highway works. All costs including legal costs payable by the applicant.

Informative: Highways must be contacted regarding costings for carriageway widening/formation of footway and new crossings proposed. All works on the public highway are to be carried out by L B Merton and to Merton's specification. (Contact Martin Smith on 0208-5453136).

#### 5.4 Councils Urban Design Officer

I have looked at the revisions and the reduction in height will clearly have less of an impact on the houses to the north and will not undermine the design proportions of the development.

As I have mentioned before, the western end of the development has a more fragmented and untidy roof profile that does not match well with the overall design concept of the remainder of the development. Furthermore, due to the reduced height this will become more apparent when viewed from the surroundings. I would therefore feel that there is a stronger argument for a uniform height throughout.

Page 64 of the DAS identifies dual and single aspect units. This does not accord with the Mayor's Housing SPG definition of single and dual aspect units (Para 2.3.38) or its 2020 update (C5.2.1. and definitions). A single side window does not make a flat dual aspect as it does not achieve key benefits of dual aspect – through ventilation, light penetration and literally different views of a different side of the building. The applicant needs to be clear and accurate on this as many of the units will only have an aspect onto the busy Merantun Way. The design needs to justify that this is appropriate in design terms and will provide suitable quality accommodation.

#### 5.5 Councils Conservation Officer

Happy that they have reduced the height by a storey in comparison to the previous application. That is what I wanted them to do. It reduces the negative impact on the adjacent Abbey Mills and listed buildings. It also

reduces the impact on the Victorian Terraces on the north side of Station Road. The terraces will have more sunlight and not be so oppressed with the reduction of height. I also think the reduction of height improves the overall proportions of the development and is visually beneficial. No objection.

#### 5.6 Environment Agency

We have reviewed the document 'Phase I Geoenvironmental Desk Study' (PRA) by Wardell Armstrong (reference BM11813 001 V2.0 dated April 2020). The report has indicated the potential for ground contamination to be present and has recommended an intrusive investigation to assess this. We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below.

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A site investigation scheme, based on the PRA, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: For the protection of Controlled Waters. The site is located over a Secondary Aquifer & within SPZ2 and it is understood that the site may be affected by historic contamination.

Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. 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: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are 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: To protect the underlying groundwater from the risk of pollution. Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

#### 5.7 Councils Flood Officer

Further to review of Flood Risk Assessment and Drainage Strategy, reference 19175-FRA02, prepared by Markides Associates please use the following condition:

No development approved by this permission shall be commenced until the details of the final drainage scheme is submitted, based on hydraulic calculations for the 1 in 100 year +40% climate change rainfall event. The drainage layout and calculations must be submitted to and approved in writing by the LPA, prior to commencement of development.

Note: The FRA has indicated: “a total of 61m<sup>3</sup> attenuation storage will be provided to allow surface water runoff to be restricted to 14 l/s for all rainfall events up to and including the 1 in 100 year critical event (including a 40% allowance for climate change)”.

#### 5.8 Thames Water – No response, however the same conditions suggested by Thames Water under 19/P4266 are still considered relevant.

(19/P4266 comments) With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission.

“No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.”

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide ‘working near our assets’ to ensure your workings will be in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

“A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public

sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

#### Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 5.9 Transport For London (TFL) – No response, however comments relating to 19/P4266 below:

With respect to the proposed footway width on Station Road, it is accepted that the proposals would benefit pedestrians by removing the on-footway parking. A footway width of 1.8m is considered acceptable according to TfL's Streetscape Design Guidance, when 2m is not possible due to physical constraints. However by widening the footway to only 1.8m and providing formalised car parking on-street will create a carriageway width that is considered unsafe for cyclists (see diagram below). Whilst it is noted that the existing situation with informal car parking is not ideal for cyclists and that Station Road is currently promoted as a cycle route, the proposed highway design should ensure that it does not create new highway safety issues. As Highway Authority it is ultimately the decision of

the Council, however TfL would encourage the Council to prioritise road safety in line with the Mayor's Vision Zero objective.

It is confirmed that the shared footway/cycleway on Merantun Way demonstrated by the applicant was only for indicative purposes to show that this could be achieved with the proposed development. As TfL does not support this proposed design it should be clear that this does not form part of any planning permission. However, as noted in TfL's initial comments to provide the shared footway/cycleway to the appropriate standards will require part of the existing verge. To compensate a loss of green infrastructure, the development should seek to provide a net increase on the southern boundary.

The provision of electric vehicle charging infrastructure in line with the intend to publish London Plan should be secured by condition.

Following changes to the proposed residential development, the total of 126 cycle parking spaces is accepted. This will include 14 Sheffield stands and include visitor cycle parking. It is noted that cycle parking for the commercial use is not provided at this stage since the specific use is not confirmed. The intend to publish London Plan policy T5 states that "where the use class of a development is not fixed at the point of application, the highest potential applicable cycle parking standard should be applied". It is requested that cycle parking compliant with the minimum London Plan standards is secured by condition and included in the tenant lease agreement.

The proposed trip generation is accepted, based on the intention to extend the CPZ which is supported by TfL.

With respect to servicing and deliveries, TfL raised concern about vehicles reversing along Station Road. An option has been suggested utilising the turning head, which although not ideal as it would still require some reversing manoeuvres, would be more suitable than reversing for a longer distance along Station Road.

#### 5.10 Design and Review Panel (25 September 2019)

(Pre-application stage)

The Panel commended the applicant on the level of research undertaken of the local history and context and how this had been evolved into the proposed design. The Panel generally liked the design, felt it was skilful and felt it had a number of good features. The pitched roof form was also liked though this needed to have a clear relationship with the rest of the building.

The main issues the Panel raised were that it felt the site was overdeveloped and, for the number of units, did not have sufficient amenity space. This was in contrast to the general architecture and appearance, which the panel liked and thought accomplished.

These issues were apparent in a number of ways. The physical presence of the elevation was felt to be uncompromising, despite its accomplished appearance. This needed to be addressed by ensuring the three elements of the form were clearly distinguishable. This should be done by recessing significantly further the intermediate forms and lowering them.

The building was also felt to be too close to the listed wall to enable any meaningful landscaping to take place. The building should therefore be set back further from the wall. These two changes would create a lot more space around the building that could be used for amenity space. Recessing the arched entrances would also be of benefit.

The Panel were supportive of the high number of dual aspect units, but felt that some units were becoming quite deep. In conjunction with other suggested changes, the Panel were relaxed about removing one of the five cores to create more flexibility in the design. It was also suggested that the recessed intermediate forms should become solely cores and extend visually through the whole building – further reinforcing a sense of space. Once the amenity issues had been successfully addressed, the Panel had no objection in principle to some degree of upper floor cantilevering.

The general concerns about mass and imposing feel were also raised in the context of the effect on the houses to the north. Overall the building needed more breathing space and it was felt that it would not represent good quality family living given the number of families likely to live there. The proposals scores high on appearance, but poor on scale and how the development worked.

VERDICT: AMBER

- 5.11 Councils Tree and landscape Officer – No objection subject to conditions
- 5.12 Councils Green Spaces Team – No response
- 5.13 Natural England – No response (note no objection to 19/P4266)
- 5.14 Canal and River Trust – No response (note no objection to 19/P4266)
- 5.15 Councils Daylight/Sunlight Consultant

Thank you for inviting us to review the Daylight and Sunlight report prepared by Calford Seaden of April 2020 for the above development. This follows our original review report dated 3 February 2020 (enclosed) which considered an earlier version of Calford Seaden's report that accompanied the previous planning application (no. 19/P4266). We understand the development design has been amended since our previous review and part of the site has now been reduced in height by one storey.

Our interpretation of the results within Calford Seaden's report is undertaken with reference to the recommendations laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2<sup>nd</sup> Edition' by P J Littlefair 2011.

The results confirm that the proposed development does not fully comply with the standard BRE numerical guidelines. However, the BRE guide notes that the numerical guidelines should be interpreted flexibly since natural lighting is only one of many factors in site layout design.

In summary, whilst we do not agree with Calford Seaden's interpretation of the BRE guidance (and are of the opinion that some of the statements within the report could be considered misleading), we do agree that the levels of daylight/sunlight retained at existing neighbouring properties, after the proposed development, is acceptable. We note that the results confirm that the majority of the proposed rooms achieve compliance with the BRE recommendations. We are therefore also of the opinion that the level of compliance for the proposed dwellings themselves is acceptable.

5.16 Councils Climate Change Officer – No objection subject to conditions & S106 agreement.

5.17 Councils Air Quality Officer

I have reviewed the Air Quality Assessment (Ref: 3324r2 Date: 20th May 2020) prepared in support of planning application 20/P1412 and not much has changed in terms of air quality from the previous proposal (ref:19/P4268). Therefore I would recommend the following conditions and S106 Agreement if planning permission is granted:

1. Construction Environmental Management Plan / Dust Management Plan

1. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:

a) An Air quality management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring.

b) Construction environmental management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.

2. The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not raise local environment impacts and pollution.

### 2. Non-Road Mobile Machinery (NRMM)

All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the GLA 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any successor document, shall comply with the emissions requirements therein.

Reason: To ensure the development does not raise local environment impacts and pollution.

### 3. Ultra-Low NOX Boilers

1. Unless otherwise agreed in writing with the Local Planning Authority, no boiler or Combined Heat and Power (CHP) shall be installed within the development hereby approved, other than one that incorporates and has installed abatement technology to reduce emissions to below 0.04 gNO<sub>x</sub>/kWh.

2. All systems shall be maintained in accordance with the manufacturer's instructions.

Reason: To minimise the NO<sub>x</sub> emission.

Other Conditions to note but that are likely to be picked up by Transport colleagues; Construction Logistic Plan, Delivery and Servicing Plan, Cycle provision and Electric Charging provision – but if not I can send wording.

Request for Section 106 contribution to fund staffing

The Regulatory Service Partnership (RSP) currently have the responsibility to regulate the environmental impact of development in Merton including ensuring compliance with legal objects and the planning consent. It is a devolved service that has a number of responsibilities both proactive and reactive.

These responsibilities include, but are not limited to:

- Review and implementation of a number of important Site Management Plans including ensuring compliance and reporting.
- Dealing with complaints about, and requests for information about the site and its impact upon the surrounding areas.
- Monitoring and reporting activities during the development of the site
- Compliance monitoring of site equipment in line with the NRMM requirements.
- Site liaison, communication and partnership working.

Largescale demolition and construction sites, particularly where these have attracted a large number of objections can have a significant impact on staffing in the RSP. Therefore we seek additional resourcing to deal with the managing of any the environmental impact from the site that falls upon the local authority. This cost should fall to the developer and not the tax payer.

Based on the size of the site, we would recommend a contribution of £3K towards;

- The regulation of the site during the demolition and construction phases as defined above.
- Actions within the Air Quality Action Plan.

#### 5.18 MET Police Design Officer

I have had a meeting with the architects and developers agent on 24th September 2019 where we discussed the incorporation of Secured by Design within the design.

Having given due consideration to the details of the security and safety features from the information provided, the only comment is towards seeking a condition.

Crime Prevention and community safety are material considerations. If London Borough of Merton are to consider granting consent, I would seek that the following conditions details below be attached. This is to mitigate the impact and deliver a safer development in line with Merton Core Strategy, London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF)

Recommended two part condition wording:-

A. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

B. Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

#### 5.19 Historic England

For this application we have recommended a compliance condition, as the applicant has already submitted the written scheme of investigation for the archaeological evaluation trenching. The condition wording states that the work should take place in accordance with the methodology set out in the specific WSI prepared by Compass Archaeology, and it should be undertaken by that organization

The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the local plan: Wandle Valley/Colliers Wood. The site is inside the medieval precinct of the Augustinian priory of St Mary, Merton. A listed wall runs along the northern

boundary of the site, ending towards the western end of the site. This wall is thought to date to the 17<sup>th</sup> century, but could have earlier foundations. Historic map evidence provided in the Archaeological Desk-Based Assessment (Compass Archaeology, November 2019) shows that this wall formerly extended across the western part of the site and incorporated some arches or recesses, suggesting the presence of an earlier building within the site, or a gateway across Station Road at this point. If well preserved buried masonry remains exist relating to a medieval building here, then they would be of high significance and may merit preservation in situ, and potential interpretation and presentation to the public.

The proposed development comprises a comprehensive redevelopment of the site. No basements are proposed, however lift pits, attenuation tanks, and pile caps will all be deep enough to have an impact on any archaeological remains on the site. It is understood that the perimeter of the site will be piles, and preservation of archaeological remains in situ could be achieved by careful pile placement and appropriate load-bearing spanning structures.

I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation and foundation positions. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. A planning condition relating to submission of foundation design details is also recommended, and is set out below.

NPPF paragraphs 185 and 192 and Draft London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities.

I have reviewed the submitted archaeological written scheme of investigation: 'Archaeological Evaluation Plan Amended 11.06.2020, Compass Archaeology'. I am content that the submitted archaeological scheme of works is acceptable and I recommend that the work outlined in it be secured by a compliance condition on any consent, using the wording recommended below.

It will be important that the developer and their archaeologists liaise closely and follow the process set out in the submitted document, throughout the project. If significant archaeological remains are

encountered then demolition works may need to be rearranged to accommodate an investigation under Stage 2 of the condition, before demolition and remediation can progress.

I therefore recommend attaching the following condition:

Works shall take place in compliance with the Written Scheme of Investigation (WSI) titled 'STAGE 1 WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL EVALUATION – amended 11.06.2020", by Compass Archaeology.

No demolition or development shall take place other than in accordance with the agreed WSI, which is to be carried out by the nominated organisation (Compass Archaeology) as the competent person(s) or organisation to undertake the agreed works.

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. Where appropriate, details of a programme for delivering related positive public benefits
- C. 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.

I also recommend the following condition:

No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

#### 5.20 Environmental Health Officer (noise)

Further to your consultation in relation to the above planning application and having considered the information submitted I make the following

comments and observations regarding noise and nuisance. It is also noted that there does not seem to be any supporting information regarding any noise assessments which could influence a decision as to whether the development would be sensitive to the existing noise climate.

- 1) Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new plant/machinery from the commercial units across the site use shall not exceed LA90-5dB at the boundary with the closest residential property.
- 2) Due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The scheme is to include acoustic data for the glazing system and ventilation system. The internal noise levels shall meet those within BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and ProPG: Planning and Noise – Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 as a minimum. The approved scheme shall be implemented in accordance with the agreed details.
- 3) Depending on the use of the commercial units additional mitigation/restrictions may need to be applied particularly with regards to noise, hours of opening and odour.
- 4) Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary
- 5) 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.

## 5.21 Environmental Health Officer (contamination)

Recommend two-conditions regarding contaminated land:

- 1) A deskstudy, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment, and submitted to the approval of the LPA.

Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's sites and policies plan 2014.

- 2) The approached remediation shall be completed prior to development. And a verification report, demonstrating the then effectiveness of the remediation, subject to the approval of the LPA.

Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's sites and policies plan 2014.

## 6. **POLICY CONTEXT**

### 6.1 Merton Sites and Policies Plan – 2014 (SPP)

DM C1 Community facilities  
DM C2 Education for children and young people  
DM E1 Employment areas in Merton  
DM E3 Protection of scattered employment sites  
DM E4 Local employment opportunities  
DM H2 Housing mix  
DM H3 Support for affordable housing  
DM O2 Nature Conservation, trees, hedges and landscape features  
DM D1 Urban design and the public realm  
DM D2 Design considerations in all developments  
DM D4 Managing Heritage Assets  
DM EP2 Reducing and mitigating noise  
DM EP3 Allowable solutions  
DM EP4 Pollutants  
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure  
DM T1 Support for sustainable transport and active travel

DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DM T5 Access to the road network

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

CS1 Colliers Wood  
CS8 Housing Choice  
CS9 Housing Provision  
CS11 Infrastructure  
CS12 Economic Development  
CS13 Open Space, Nature Conservation, Leisure and Culture  
CS14 Design  
CS15 Climate Change  
CS16 Flood Risk Management  
CS17 Waste Management  
CS18 Active Transport  
CS19 Public Transport  
CS20 Parking, Servicing and Delivery

6.3 London Plan (2016)

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  
3.10 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  
4.1 Developing London's economy  
4.7 Retail and town centre development  
4.8 Supporting a successful and diverse retail sector and related facilities and services  
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  
5.11 Green roofs and development site environs  
5.13 Sustainable drainage  
5.15 Water use and supplies

- 5.17 waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- 7.21 Trees and woodland
- 8.2 Planning obligations
- 8.3 Community Infrastructure Levy

#### 6.4 **Other**

- National Planning Policy Framework 2019
- National Planning Practice Guidance 2014
- London Plan 2016 - Housing SPG 2016
- Draft London Plan 2019
- Draft Local Plan 2020
- Merton's Viability SPD 2018
- Homes for Londoners - Affordable Housing and Viability SPG 2017
- National Design Guide (2019)

### 7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations relate to the principle of development, design, visual impact and heritage assets, neighbour amenity, standard of residential accommodation, flooding and drainage, transport and parking, biodiversity, contamination, sustainability, archaeology, air quality, trees and affordable housing.

#### 7.2 **Amendments**

7.2.1 Following discussion with officers, the scheme has been amended as follows:

- Internal changes to 8 flats with the removal of 4 x 1 and 4 x studio flats and replacement with 4 x 2 bedroom flats.
- Increase in number of dual aspect units as a result of internal changes

- Reduction in number of units from 58 to 54.

### 7.3 **Comparison to previously refused application 19/P4266**

7.3.1 Members of the planning committee refused planning application 19/P4266 in March 2020 for the reasons set out in section 4.1 of this committee report. The applicant has made the following changes in order to overcome the concerns raised by the planning committee:

- The height of the proposal has been reduced by one full storey across the whole site.
- Increase in the number of dual aspect units from 35 out of 70 units (50%) to 41 out of 54 units (76%). A 27% increase in the total amount of dual aspect units in comparison to the previously refused scheme.
- Internal changes to the layout of flats.
- The number of dwellings has been reduced from 70 to 54.
- The unit mix of units has changed as follows:

#### Current Scheme

Housing Mix	Number	Percentage	Merton's policy
Studio	2		
1 bed	12	26%	33%
2 bed	32	59%	33%
3 bed	8	15%	33%

#### Previous Scheme

Housing Mix	Number	Percentage	Merton's policy
Studio	5		
1 bed	21	37.14%	33%
2 bed	35	50%	33%
3 bed	9	12.86%	33%

7.3.2 In response to refusal reasons 3, 4, 5 and 6 of planning application 19/P4266 these reasons were imposed due to the absence of a signed legal agreement at the time of decision securing on-site affordable housing, 'car free' agreement, monitoring air quality, travel plan, 3 year car club membership and improvements to the public highway. The applicant has confirmed agreement with all the heads of terms set out in the recommendation section of this committee report. Securement of the heads of terms would overcome refusal reasons 3, 4, 5 and 6 of 19/P4266. If members of the planning committee take a resolution to grant

permission subject to conditions and S106 agreement, the Council and the applicant will finalise and agree the heads of terms in a S106 Agreement.

7.3.3 In relation to the main reasons for refusal (1 and 2), members of the planning committee considered that the size and design of the building under planning application 19/P4266 would result in poor standard of residential accommodation and would be an overly dominant building on the surrounding area and neighbouring amenity.

#### 7.3.4 Applicant's response

##### Refusal reason 1:

The proposed building by reason of its bulk, height, massing and scale would result in a dominant form of development that would be out of keeping with the surrounding area, which would be detrimental to the visual amenities of the area, contrary to Policy DM D2 (Design Considerations in all developments) of the Merton's Adopted Sites and Policies Plan (July 2014).

In order to overcome the concerns raised by the member of the planning committee the applicant has made the following changes:

- The height of the proposal has been reduced by one full storey across the entire site.
- The overall floorspace is reduced by approximately 20%.

#### 7.3.5 Applicant's response

##### Refusal reason 2

The proposed building by reason of its bulk, height, massing and scale would result in a harmful impact on daylight and sunlight to the neighbouring properties on Station Road to the north, which would be detrimental to the amenity of the occupiers of those properties. The proposed building, as a result of the proportion of single aspect units proposed, would provide a poor standard of accommodation for new occupiers. This would be contrary to Policy DM D2 (Design Considerations in all developments) of the Merton's Adopted Sites and Policies Plan (July 2014).

In order to overcome the concerns raised by the member of the planning committee the applicant has made the following changes:

- The height of the proposal has been reduced by one full storey across the entire site, resulting in a reduction in total residential

flats from 70 to 54.

- The number of dual aspect units has been increase from 50% to 76%. A 27% increase
- The number of single aspect units have decreased from 35 out of 70 units (50%) to 13 out of 54 units (23%). A 27% reduction in the total number of single aspect units.

7.3.6 The above points will be discussed in more detail in the relevant sections of the committee report below.

#### 7.4 **Principle of development**

7.4.1 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.

7.4.2 NPPF - Paragraph 122 explains planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed, attractive and healthy places.

7.4.3 NPPF Paragraph 123 states that it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

#### Loss of employment land and provision of Commercial Uses

7.4.4 The existing industrial uses are considered as an existing scattered employment site as they are an employment generating use which is located outside of a designated town centre and designated employment area. In this instance, the proposal would result in the complete loss of the existing type of employment use on the site. It is however proposed to include an element of commercial within the redevelopment of the site. In considering the principle of the proposed development it is necessary to acknowledge Policy DM E3 (Protection of scattered employment sites) of the Council's Sites and Policies Plan which seeks to protect scattered employment sites (such as the application site). The loss of scattered employment sites is resisted by DM E3 (a) except where;

- i. The site is located in a predominantly residential area and it can be demonstrated that its operation has had a significant

- adverse effect on local residential amenity;
- ii. The size, configuration, access arrangements and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use; and,
- iii. It has been demonstrated to the council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing of the site at reasonable prices for a period of 30 months (2½ years).

Policy DM E3 (b) states that the council will seek measures to mitigate against the loss of employment land which may include;

- i. Providing employment, as part of a mixed use scheme on-site; or,
- ii. Providing alternative sites for employment use (for instance, 'land swaps').

7.4.5 The existing uses on the site offer a limited number of jobs given the type of uses currently taking place (car repair garages). In principle, the loss of the existing employment use on the site is considered to be acceptable as it will be replaced with another type of employment use which is likely to offer a similar number of jobs.

7.4.6 The proposed commercial use would occupy a small commercial unit. The application seeks to provide some flexibility in the type of commercial use, to help ensure that the unit does not become vacant. There is a wide variety of different uses proposed that could take up the unit (see section 3.2 of committee report). The potential uses (for example hairdressers, dry cleaners, estate agents, offices, health centre or restaurants etc) will provide not only jobs but could provide useful services. These could directly benefit of both the existing population as well as the emerging uplift in residents with new developments being delivered, such as the High Path Estate regeneration. Sequentially this is a site that provides an opportunity to serve existing/proposed residents.

7.4.7 As such, it is considered that the principle of the proposed mixed use development, including the loss of the existing uses, is generally suitable given the number of jobs created, site characteristics, neighbouring residential properties and the existing use impacts. The previous application was not refused by the Council on the loss of the existing uses on the site.

#### Residential

7.4.8 The National Planning Policy Framework 2019 and London Plan policies

3.3 & 3.5 promote sustainable development that encourages the construction of additional dwellings at locations with good public transport accessibility.

7.4.9 Policy 3.3 of the London Plan states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.

7.4.10 Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space.

7.4.11 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:

- All the main housing targets have been met for 2017/18.
- 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
- 2013-18 provision: 2,686 net units (813 homes above target)
- For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.

7.4.12 While a robust five years supply has been achieved in Merton, the housing need is increasing in London. The borough's Core Planning Strategy states that that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including development in 'sustainable brownfield locations' and "ensuring that it is used efficiently" (supporting text to Policy CS9). The application site is on brownfield land and is in a sustainable location adjacent to other existing residential properties.

7.4.13 Table 3.1 of the London Plan identifies that LBM has an annual housing target of 411 units, or 4,107 over the next ten years. However, this minimum target is set to increase significantly to 918 set out in the 'London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019', and which is expected to be adopted later this year. This significant increase will require a step change in housing delivery within the LBM.

7.4.14 The application seeks to create 54 residential units which will make a good contribution to meeting housing targets and would provide 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 policies.

## **7.5 Design, visual impact and heritage assets.**

- 7.5.1 The National Planning Policy Framework sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. It states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 7.5.2 The regional planning policy advice in relation to design is found in the London Plan (2016), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.5.3 Planning policy DM D2 (Design considerations in all development) of Merton's Site and Policies Plan 2014 seeks to achieve high quality design and protection of amenity within the Borough. Proposals are required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of the surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

### Demolition

- 7.5.4 The existing buildings on the site have little architectural merit. The existing buildings have been there for some time, however, these are industrial/warehouse in nature and do not make a positive aesthetic contribution to the visual amenities of the area. Therefore there is no objection to their demolition subject to a suitable development replacing them.

### Form

- 7.5.5 The proposed building would be a part three, part four, part five storey building. Due to the context of the site, the building has been spilt into three elements, divided by two, recessed link sections. These links, would have a flat roof design and appear as a subordinate design approach with the rest of the building, being three stories in height and set back from both the front and rear building lines. The overall form of the building

seeks to make best use of the site, whilst having suitable visual breaks and set-backs in the building.

### Aesthetics

- 7.5.6 The overall design approach and detailing is considered to be of a high standard. When compared to the previous application, there has been a change in the design of the upper floor windows from curved top to rectangle windows, however this change does not affect the overall design quality of the building. The predominate use of brickwork is welcomed by officers as this responds to the main building material in the area and would ensure a high quality lasting finish to the building. The building would also include references to the arts and crafts movement with its brickwork detailing, delicate metal balustrade designs and copper metal paneling patterns to the surrounds of the residential entrances. Materials and detailing on the main sections of the building are considered to give the building a traditional character and appearance. The linked sections would incorporate copper panels and a more modern design approach. This contrasting approach is supported as it adds visual interest to the design and helps break up the massing of the building. Requirements relating to the buildings detailing, including materials, window reveals and metal cladding can be secured via planning condition to ensure that these elements as shown on the submitted plans and CGI's are delivered to a high standard.

### Height

- 7.5.7 The height of the building has been reduced with the removal of a whole floor when compared to the previous refusal, resulting in a reduction in height of 2.7m. The removal of a floor is considered to make a significant change to the bulk and height of the building as it has been done across the whole building. It is noted that the building would still be of greater height than adjacent two storey housing, however the reduced height brings the building down to a much better relationship and to a more domestic scale. The design, siting and differing materials of the roof element of the building will help reduce the perceived height of the building when viewed from street level and when viewed from adjacent residential properties.
- 7.5.8 Consideration of matters of massing and height may reasonably be informed by the application of both London Plan and local planning policies and supplemented by the Council's Tall Building Background paper which helped shape core strategy design policy and its justification.
- 7.5.9 The London Plan defines tall and large buildings as those buildings that are 'substantially taller than their surroundings, cause a significant change

on the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor’.

7.5.10 Considering the London Plan definition, any building that has a significant impact on the existing scale and character of an area through height can be considered a tall building. In the context of Merton, where most of the borough is characterised by 2 storey suburban houses, any building of 4 storeys or higher could be considered a tall building in these locations.

7.5.11 The London Plan requires that ‘tall buildings should always be of the highest architectural quality, (especially prominent features such as roof tops) and should not have a negative impact on the amenity of surrounding uses’.

7.5.12 The LBM Tall Buildings paper indicates that “overall it is considered that suburban neighbourhoods in the borough are unsuitable locations for tall buildings, based on the distinct low scale and cohesive character of these areas, and their locations which are generally outside of centres in areas with low accessibility”.

7.5.13 The site is considered to be within a urban area, with the site fronting the busy Merantun Way, and being located in close proximity to existing large scale developments, including the High Path Estate and the new Harris Academy School. The building replaces the existing low-level industrial units and would be located opposite two storey Victorian housing. Therefore any redevelopment of the site, which seeks to maximise its redevelopment potential, as required by NPPF, would naturally result in a more intensive and a taller form of development.

7.5.14 In regards to context of the site, it is acknowledged that two storey housing to the north of the application site is more domestic in scale, however the surrounding area (including the sites within the Conservation Area), includes a number of higher dense developments within close proximity of the application site. For example:

- 40 Station Road - comprises a two story building with accommodation at roof level.
- 7 Abbey Road (Kemsscott House) - A four storey (10.8m high) block of flats is located opposite the application site to the north-west at the junction between, Station Road, High Path and Abbey Road.
- Merton Abbey Mills - ranges from large single storey commercial units, 2 storey historical core and up to seven storey residential buildings.
- 42 Station Road (Eddie Katz) – A large single storey unit industrial unit located at the eastern end of Station Road

- Sainsbury - A large double height superstore building located to the east of the application site.
- 59-63 High Path (Harris Academy) - A five storey school (21m high) to the west of the application site. Currently under construction and within the final stages of completion.
- High Path Estate - The area is also defined by the emerging regeneration of the High Path estate. The outline planning approval has permitted a range of buildings of high density ranging from 1 to 10 stories in height.

7.5.15 Paragraph 22.20 of the Core Planning strategy states:

“Merton's Tall Buildings Background Paper (2010) advises that tall buildings are generally not appropriate within the borough due to its predominately suburban low rise character, and will be resisted in all areas of the borough where they will be detrimental to this valued character. Tall buildings may be suitable in areas of the borough where all of the following factors are present:

- Regeneration or change is envisaged
- Good public transport accessibility
- Existing higher building precedent”

7.5.16 In response to these criteria, officers conclude that:

- The site is within an area where change is envisaged, particularly given the higher housing targets of the draft London Plan.
- Public transport in the vicinity of the site is moderate but would be improved by the proposed development, given the contributions to improved walking/cycling facilities.
- Higher buildings (similar or taller than that proposed) already exist in the area, see section 7.4.13 of committee report for details. It should also be noted that the higher element of the proposed design is located at the western end of the application site in order to address the corner.

7.5.17 The height of the proposed development, which has been significantly reduced compared to the previous refusal, is therefore considered to respond satisfactorily to the context of the street scene and wider context, whilst helping the site deliver the optimum amount of much needed housing.

#### Massing

7.5.18 As stated above, the design has been split the building into three distinctive elements, all of which are separated by two recessed, links.

This design approach is welcomed as the gaps and their recessed building lines will help reduce the overall massing of the building when viewed from neighbouring properties and within the street scene. The recessed design and change of materials of the roof levels are also considered to help deliver new housing whilst reducing the overall massing of the building. It should also be noted that the recessed fourth floor section at the western end of the building would not be clearly visible from street level or neighbouring houses in Station Road. This part of the building would read the same as the remaining building to east when viewed from street level and neighbouring residential properties.

7.5.19 As with the previous application, officers consider that the site can deliver a higher element at the western end of the site, as it sits on a wider section of highway and not directly opposite the frontages of adjacent housing. Further, the western section adds to the character of the development, providing a distinct bookend to the site.

7.5.20 Whilst it is noted that the massing is more substantial than the two storey houses on the opposite side of Station Road, the proposed massing would respond better with the two storey houses on Station Road when compared to the previous refusal and would not appear out of keeping with existing larger buildings in the area and emerging redevelopment of neighbouring sites. The reduction in height across the whole building is considered to have a significant effect on the appearance and massing of the building, making it more acceptable to the local area.

#### Landscaping

7.5.21 The proposal includes two soft landscaped roof-top amenity spaces at third floor level, which is considered to be an effective design feature that has been well designed into the scheme considering the constraints of the site (size and shape of plot). The amenity areas have been designed to provide communal outdoor spaces (in addition to private balconies and gardens) with soft landscaping and provision of playspace equipment (secured via condition). The landscaping proposals have also been designed (planting beds) to move persons away from the edge of the building to help restrict views towards the houses on the opposite side of Station Road.

7.5.22 There is scope to provide two Cherry Trees in the rear amenity spaces fronting Merantun Way (one in each area), potentially to the front of the building and a good quality tree (semi mature London Plain suggested) at the eastern end of the site, adjacent to the onsite disabled car parking spaces. The applicant has however stated that a tree adjacent to the car parking spaces had been considered but could be problematic given ground conditions (underground services). A planning condition requiring

full details of landscaping (including further investigation of new trees adjacent to the car parking space and in front of the building) can ensure that the site delivers high quality and successful landscaped areas.

#### Impact upon heritage assets

7.5.23 Merton's Site and Policies Plan policy DMD4 (Managing Heritage Assets) seeks to conserve and where appropriate enhance Merton's heritage assets and distinctive character. The policy states that proposals affecting a heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings and have regard to the following:

i. The conservation, or reinstatement if lost, of features that contribute to the asset or its setting. This may include original chimneys, windows and doors, boundary treatments and garden layouts, roof coverings or shop fronts. In listed buildings, internal features such as fireplaces, panelling, ceilings, doors and architraves as well as the proportion of individual rooms may also be of significance.

7.5.24 The NPPF 2019 Part 16 outlines the importance of preserving heritage assets and key tests for a planning application.

7.5.26 NPPF 2019 states that a Heritage asset is:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

7.5.27 Paragraph 193 of NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

7.5.28 Paragraph 195 of NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

7.5.28 Paragraph 195 of NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.5.29 Paragraph 200 of NPPF states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

7.5.30 Paragraph 201 of NPPF states that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

7.5.31 In this instance, the heritage assets are as follows:

- Wandle Valley Conservation Area
- Grade II Listed Wall
- Listed Lampposts
- Merton Priory
- Merton Abbey Mills

#### Wandle Valley Conservation Area

7.5.32 The application site is located in the Wandle Valley Conservation, forming part of its western boundary. The Councils Character Assessment states

that the origins and development of the Conservation Area are entwined with the River Wandle on which the designation of the area is based, and which has been a focus for settlement and industry from and before the Roman period. The Wandle Valley Conservation Area has been spilt into 6 sub areas, the application site is located in sub area 3 – Merton Priory).

Sub area 3 is identified as:

“An area extending between Merton Once the site of several watermills, High Street to the north and Windsor one dating to Domesday. The Avenue to the south it embraces part of National Trust land is an important the site of Merton Priory, and includes riverine wet land area and is now the present Merton Abbey Mills Craft nature reserve. Market. It has been the site of various industries since the Dissolution of the Merton Council will take this character Priory in the 16th century”.

7.5.33 As set out above, the proposed development is considered to be a high quality design that responds positively to the character and appearance of the street scene and surrounding area. Whilst it is noted that the building would be a larger form of the development, particularly when seen adjacent to two storey housing, it should be noted that the Conservation Area is identified as having rich industrial history which is reflected by larger non-domestic buildings.

7.5.34 The proposal use of brickwork, window designs and roof forms take inspiration from the industrial context in the Conservation Area and the building detailing (brick detailing, detailed balustrades and copper pattern panels) take inspiration from the arts and crafts movement in Merton Abbey Mills.

7.5.35 The Councils Conservation Officer is supportive of the reduced height of the building which she states would improve the overall proportions of the development and is visually beneficial in comparison to the previously refused scheme. She states that the height reduction reduces the negative impact on the adjacent Abbey Mills, listed buildings and Victorian Terrace on the north side of Station Road.

7.5.36 The proposed building would be visible from both the east and west, however officers note that the application site would be separated from these heritage assets by the evolution of the Conservation Area, including new development (including buildings of a similar or taller height) and the Merantun Way carriageway (plus roundabout). These elements define the area and provide a physical barrier between the application site and the adjacent heritage assets. Officers consider that the design will be high quality and the scale and massing of the development is more domestic

when compared to the previous scheme. It is therefore considered that the proposed development would be high quality design which respects the context of the area, would not appear out of keeping and therefore would preserve the adjacent heritage assets, including the Wandle Valley Conservation Area.

#### Listed Wall

- 7.5.37 It must be noted that the applicant has gained Listed Building Consent already under the previous planning application (LBM Ref 19/P4268). However, there is no full planning permission to sit alongside the listed building consent. Therefore, listed building consent is proposed again to sit alongside the current full planning application. There are no changes to the design of the wall and the only the changes to the design of the proposed building are the reduced height and upper floor windows. Therefore there is no material changes to the design of the development, context of the site or planning policy that would result in a different conclusion to the impact on the listed wall than that considered under LBM ref 19/P4268.
- 7.5.38 Historic England originally raised no objection to the proposed works to the listed wall and the setting of the proposed development. They state that despite the walls special architectural and historic interest, and extensive conservation work in the mid-2000s, the presentation of the wall is poor in part due to its immediate light industrial context. The re-development of the site and works to the wall are therefore supported.
- 7.5.39 In general terms the proposals will allow the wall to be more plainly visible as a heritage asset within the context of Station Road, enhancing its primary role in the definition of the Conservation Area and re-instating its position as a boundary marker for the conservation area. The current condition of the wall on the southern face is, in places very poor and these areas will be repaired and made good as part of the scheme. The proposals will see the removal of the current gate fixings and replacement gates fitted. No new openings will be made and the gate piers will be repaired like-for-like were damaged.
- 7.5.40 The rhythm of the current spacing's between the various sections of the wall will be kept and the legibility of the wall enhanced by the opening up landscape. The new gates will provide a uniformity and visual clarity that is currently lacking along the length of the wall.
- 7.5.41 The existing industrial buildings and signage attached to the wall would be demolished/removed from the wall. This is considered to be a major improvement itself. The proposal would widen the southern footpath, address the poor parking in the street and the building would be set away

from the wall to give it some breathing space. Overall, the proposal is considered to enhance the listed wall, which is supported by officers.

#### Listed Lampposts

7.5.42 The two listed lampposts located outside 12 and 34 Station Road would not be affected by the proposed development. In fact, the improvements to the listed wall, opening up of the southern footpath and formal arrangement of car parking on the southern side of the Station Road are considered to improve the setting of the listed lampposts.

#### Merton Priory

7.5.43 The importance of Merton Priory is acknowledged, however it must be noted that the ancient monument is predominately located underground. The application site is located to the west of the monument and some distance away from the main part of the monument. The design of the proposed building is considered to be acceptable and therefore there is no demonstrable harm caused to the ancient monument to justify refusal of planning permission. Historic England have recommended suitable conditions in order to ensure that any archaeology remains discovered are captured.

#### Abbey Mills

7.5.44 To the south east is the historic site Merton Abbey Mills. Merton Abbey Mills is a former textile factory near the site of the medieval Merton Priory, now the home of a variety of businesses, mostly retailers. The site contains two listed buildings; the grade II listed Wheel House and the Grade II listed Colour House at Misters Liberty's Print Works. A large public highway separates the application site from Merton Abbey Mills. A number of large trees also provide some screening between the two sites. Therefore the proposed development is partly screened and well distanced from Merton Abbey Mills. In any event, the design of the proposed development is considered to be high quality and in keeping with the existing and proposed context in the area. It is therefore considered that the proposal would preserve the character, appearance and setting of Merton Abbey Mills and the listed buildings on the site.

#### Heritage Assets Conclusion

7.5.45 As set out above, the design of the development is considered to be of high quality in terms of appearance and character and would be appropriate in terms of height and massing in this context. At street level, the proposed development is considered to improve the visual amenities of the street scene, with improvements to the setting/condition of the listed

wall, formalisation of car parking on the southern section of Station Road only and widening of the public pavement. The proposed building would respect the context of the site, wider area and as such would preserve the setting and character of all the surrounding heritage assets. Overall, the proposal has a significant reduction in height across the whole building in comparison to the previously refused application, and therefore reducing its wider visual impact. It should be noted that the previous application was not refused on its impact on heritage assets.

#### Design, visual impact and heritage assets Conclusion

7.5.46 The proposal would replace the existing buildings on the site which have no architectural merit and given the light industrial uses poorly interact with the street scene in terms of urban design. The overall design approach to the proposed building is considered to be high quality.

7.5.47 Officers acknowledge that the proposed building would be larger than the two storey housing opposite in Station Road, however, the revised bulk and massing is now considered to have a much better relationship with adjacent housing and is of a more domestic scale. In addition, the site is located within an area where there already exists a mix of larger buildings, both in and outside the Wandle Valley Conservation Area. The existing site is considered to be capable of delivering a higher dense development than currently exists. The proposal is considered to be high quality and one that responds to the existing development in the area and the evolving wider context. The development is considered to preserve the Wandle Valley Conservation Area and would also be inline with the objectives of the NPPF which seeks to deliver developments that make optimal use of the potential of each site. Overall, the proposal is considered to add to the character of the area in a positive form.

#### **7.6 Density**

7.6.1 Table 3.2 of the London Plan identifies appropriate density ranges based on a site's setting and PTAL rating.

7.6.2 The area has a public transport accessibility level (PTAL) of 3-4, where 1 is poor and 6 is excellent. It is considered that the site is located within an urban area for the purposes of Table 3.2 of the London Plan, given the nature of surrounding built form and the criteria set out in the supporting text to Table 3.2 (density matrix) of the London Plan.

7.6.2 The proposed development would have a density of 270 dwellings per hectare.

7.6.3 The proposed density is above the relevant density range (45- 185 units per hectare and 200-700 habitable rooms per hectare), as set out in Table 3.2 for the setting (Urban) and PTAL 3.

7.6.4 In terms of the emerging London Plan, Policy D6 (Draft London plan Policy) sets out that:

“Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context
2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
3. the capacity of surrounding infrastructure”

7.6.5 The emerging London Plan does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals.

7.6.6 Whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable; London Plan paragraph 3.28 states that it is not appropriate to apply the density range mechanically. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.

7.6.7 The London Plan states that development at densities outside table 3.2 will still be considered, however require particularly clear demonstration of exceptional circumstances. In this instance, it is considered that the proposed residential quality is of an high enough standard to justify the higher density proposed in this medium PTAL location. It should be noted that the density proposed (270 dwellings per hectare) is less than the density of the previous application (350).

## 7.7 **Housing mix**

7.7.1 Planning policy DM H2 (Housing Mix) of the Sites and policies Plan state that to create socially mixed communities, creating for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the Borough. In assessing development proposal the Council will take account of Merton’s Housing Strategy (2011-2015) borough level indicative proportions of 33% (one bed), 32% (two bed) and 35% (three

plus bed). The proposed development would have a housing mix as follows:

Housing Mix	Number	Percentage	Merton's policy
Studio	2		
1 bed	12	26%	33%
2 bed	32	59%	33%
3 bed	8	15%	33%

7.7.2 Whilst the proposal does not strictly meet the housing mix requirements, the Borough level is indicative having regard to the site circumstances, site location and economic provision such as financial viability. The proposal is considered to offer a good range of unit sizes, including 74% of family sized accommodation. The proposed mix is considered to be an improvement on the previously refused application which proposed a mix of:

Housing Mix	Number	Percentage	Merton's policy
Studio	5		
1 bed	21	37.14%	33%
2 bed	35	50%	33%
3 bed	9	12.86%	33%

## 7.8 **Neighbour Amenity**

7.8.1 London Plan policies 7.6 and 7.7, CS policy 14, and SPP policy DM D2 seek to ensure new developments do not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties. Planning policy DM D2 (Design considerations in all developments) states that amongst other planning considerations that proposals will be expected to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens.

### Sun and Daylight

7.8.2 In response to the Council's previous reasons for refusal, the applicant has reduced the height of the building by an entire floor. The reduction in the height of the building has both benefits in terms of outlook and sun and day light to neighbouring properties.

7.8.3 The Building Research Establishment (BRE) numerical guidelines should be considered in the context of the National Planning Policy Framework (NPPF), which stipulates that local planning authorities should take a

flexible approach to daylight and sunlight to ensure the efficient use of land. The NPPF states:

“Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”

- 7.8.4 It should be noted that the conclusions of the Councils independent sun and daylight consultant confirmed that the previous refused scheme would comply with BRE guidance. The applicant has since reduced the height of the building and thus would be an improvement in terms of sun and day light received to neighbouring properties.
- 7.8.5 The applicant has submitted an independent sun, daylight and overshadowing report produced by GIA. The report confirms that daylight, sunlight and overshadowing are compliant with BRE Guidelines. The report has again been independently assessed by Right of Lighting Consulting (as instructed by the Council). The independent assessor raised no objection to the previous application and has confirmed that the reduced sized building would comply with BRE Guidelines.

#### 2 – 38 Station Road

- 7.8.6 These neighbouring properties are located to the north of the application site. These neighbouring properties would be located opposite the 3 storey (plus roof) elements of the proposed building. The proposed building would be separated from the application site by Station Road carriageway (approximately 5.7m (min) wide). There would be a separation distance of approximately 22m (max) and 20m (min) between the frontage of these neighbouring properties and the frontage of the proposed building. These neighbouring properties also have good sized front gardens/driveways, of approximately 9m in depth.
- 7.8.7 The design of the building includes two, recessed three storey links and recessed top floors within the roof design. These are considered to be affective design tools which help reduce the overall massing of the building.
- 7.8.8 It is acknowledged that the proposed building would be taller and more dominant in the street scene, however it must be noted that the application site is separated from these neighbours by a public highway and the

proposal would face the front of the houses. Having larger buildings opposite existing domestic scaled housing is not an uncommon relationship in urban areas. In addition, these neighbouring houses have good sized front gardens and front driveways, which helps provide some physical separation from the highway and further beyond to the application site. As set out above, the Councils independent assessor has confirmed agreement with the conclusions of the applicant's sun and daylight report and officers do not consider the proposal would be overbearing or have a harmful impact on outlook, or result in a harmful effect on daylight and sunlight.

7.8.9 The development would include windows and balconies facing towards the houses in Station Road. Whilst a degree of overlooking would take place, the application site and these neighbours are separated by a public highway. This relationship in an urban area is common place and as such it would be difficult to argue that there would be loss of amenity to warrant refusal of planning permission.

7.8.10 It should also be noted the application will bring some urban design benefits to both the general public and these neighbouring properties with the removal of the existing commercial units (with no architectural merit, impact on street car parking and overspill working onto the highway), improved setting of the listed wall/lampposts, formalised car parking (south side of Station Road only) and increased width of the southern pavement along Station Road.

#### 1 Station Road (Brook Farm House)

7.8.11 The adjoining site directly to the west of the application site is currently in a commercial use. The proposed development would therefore have no undue impact upon this neighbouring building. However, it is anticipated that the adjoining site could come forward for redevelopment, particularly if the application site secures planning permission. The scheme has no side side facing windows in the roof of the western block and no side amenity spaces to safeguard the potential redevelopment of this neighbouring site.

#### 70 – 72 Abbey Road

7.8.12 These neighbouring properties are orientated at a right angle to the application site. Station Road itself provides a physical barrier between the application site and these neighbouring properties. The property does include some side facing windows, however these appears to be secondary openings or serving non-habitable rooms. In any event, the proposed development is considered to be located far enough away from this neighbouring property to ensure that there would be no undue loss of amenity in this urban area. Officers acknowledge that the rear outdoor

garden of 70 – 72 would have visual interaction with the proposal, however, in the urban context, officers do not consider this would be harmful.

57 High Path (Car Wash)

7.8.13 The neighbouring site located to the west of the application site is currently being used as a car wash. Like the relationship with 1 Station Road, the development has been amended to ensure that the proposal does not prejudice future redevelopment of this neighbouring site. The neighbouring site is within a commercial use and is well distanced away to ensure that there would be no undue loss of amenity.

**7.9 Standard of Residential Accommodation**

7.9.1 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.

7.9.2 Planning policy CS 14 (Design) of Merton’s Core planning Strategy seeks to encourage well designed housing in the Borough by ensuring that all residential development complies with the most appropriate minimum space standards. The most up-to-date standards are the housing standards, minor alterations to the London Plan (March 2016).

7.9.3 Proposed GIA standards:

<b>Flat No.</b>	<b>Level</b>	<b>Type</b>	<b>Proposed GIA (sqm)</b>	<b>Required GIA (sqm)</b>	<b>Compliant</b>
Flat 1	Ground	2B/4P	72	70	Yes
Flat 2	Ground	2B/4P	73	70	Yes
Flat 3	Ground	2B/4P	76	70	Yes
Flat 4	Ground	2B/4P	71	70	Yes
Flat 5	Ground	Studio	38	37	Yes
Flat 6	Ground	2B/4P	71	70	Yes
Flat 7	Ground	2B/3P	61	61	Yes
Flat 8	Ground	3B/5P	87	86	Yes
Flat 9	Ground	3B/5P	90	86	Yes
Flat 10	First Floor	2B/4P	71	70	Yes
Flat 11	First Floor	3B/5P	88	86	Yes
Flat 12	First Floor	1B/2P	53	50	Yes

Flat 13	First Floor	1B/2P	52	50	Yes
Flat 14	First Floor	2B/4P	96	70	Yes
Flat 15	First Floor	2B/4P	73	70	Yes
Flat 16	First Floor	2B/4P	76	70	Yes
Flat 17	First Floor	2B/3P	90	61	Yes
Flat 18	First Floor	2B/4P	73	70	Yes
Flat 19	First Floor	1B/2P	50	50	Yes
Flat 20	First Floor	1B/2P	52	50	Yes
Flat 21	First Floor	2B/4P	73	50	Yes
Flat 22	First Floor	2B/4P	70	70	Yes
Flat 23	First Floor	2B/3P	62	61	Yes
Flat 24	First Floor	1B/2P	51	50	Yes
Flat 25	First Floor	3B/5P	88	86	Yes
Flat 26	Second	2B/4P	71	70	Yes
Flat 27	Second	3B/5P	88	86	Yes
Flat 28	Second	1B/2P	53	50	Yes
Flat 29	Second	1B/2P	52	50	Yes
Flat 30	Second	2B/4P	96	70	Yes
Flat 31	Second	2B/4P	73	70	Yes
Flat 32	Second	2B/4P	76	70	Yes
Flat 33	Second	2B/3P	90	61	Yes
Flat 34	Second	2B/4P	73	70	Yes
Flat 35	Second	1B/2P	50	50	Yes
Flat 36	Second	1B/2P	52	50	Yes
Flat 37	Second	2B/4P	73	50	Yes
Flat 38	Second	2B/4P	70	70	Yes
Flat 39	Second	2B/3P	62	61	Yes
Flat 40	Second	1B/2P	51	50	Yes
Flat 41	Second	3B/5P	88	86	Yes
Flat 42	Third Floor	3B/4P	71	70	Yes
Flat 43	Third Floor	3B/5P	88	86	Yes
Flat 44	Third Floor	2B/4P	81	70	Yes
Flat 45	Third Floor	2B/4P	76	70	Yes
Flat 46	Third Floor	3B/4P	75	74	Yes
Flat 47	Third Floor	1B/2P	51	50	Yes
Flat 48	Third Floor	2B/4P	71	70	Yes
Flat 49	Third Floor	2B/4P	70	70	Yes
Flat 50	Third Floor	Studio	42	39	Yes
Flat 51	Third Floor	2B/3P	68	61	
Flat 52	Fourth	2B/3P	61	61	Yes
Flat 53	Fourth	2B/4P	70	70	Yes
Flat 54	Fourth	1B/2P	51	50	Yes

## Private Amenity Space

7.9.4 The London Plan 2016 (London Housing Design Guide) states that all dwellings should provide a minimum of 5 sq m private outdoor space for 1-2 bedroom dwellings and an extra 1 sq m for each additional occupant. The Policy also stipulates that the minimum depth and width for all balconies and other private external spaces should be 1.5m. All new flats would have direct access to appropriate private amenity space in addition to outdoor communal areas at ground and third floor levels. Some balconies would have an irregular shape due to the site constraints and shape of proposed building. However, overall it is considered that a good balance is struck between the provision of private outdoor space and size/shape of individual units.

### Proposed external (private) amenity space

(this does not include the communal amenity areas at third floor level):

<b>Flat No.</b>	<b>Level</b>	<b>Type</b>	<b>Proposed external amenity space (sqm)</b>	<b>Required external amenity space (sqm)</b>	<b>Compliant</b>
Flat 1	Ground	2B/4P	7	7	Yes
Flat 2	Ground	2B/4P	8	7	Yes
Flat 3	Ground	2B/4P	14	7	Yes
Flat 4	Ground	2B/4P	7	7	Yes
Flat 5	Ground	Studio	5	5	Yes
Flat 6	Ground	2B/4P	11	7	Yes
Flat 7	Ground	2B/3P	17	6	Yes
Flat 8	Ground	3B/5P	8	8	Yes
Flat 9	Ground	3B/5P	22	8	Yes
Flat 10	First Floor	2B/4P	7	7	Yes
Flat 11	First Floor	3B/5P	8	8	Yes
Flat 12	First Floor	1B/2P	5	5	Yes
Flat 13	First Floor	1B/2P	5	5	Yes
Flat 14	First Floor	2B/4P	10	7	Yes
Flat 15	First Floor	2B/4P	8	7	Yes
Flat 16	First Floor	2B/4P	7	7	Yes
Flat 17	First Floor	2B/4P	10	7	Yes
Flat 18	First Floor	3B/5P	8	8	Yes
Flat 19	First Floor	1B/2P	6	5	Yes
Flat 20	First Floor	1B/2P	6	5	Yes

Flat 21	First Floor	2B/4P	8	7	Yes
Flat 22	First Floor	2B/4P	7	7	Yes
Flat 23	First Floor	2B/3P	6	6	Yes
Flat 24	First Floor	1B/2P	6	5	Yes
Flat 25	First Floor	3B/5P	8	8	Yes
Flat 26	Second	2B/4P	7	7	Yes
Flat 27	Second	3B/5P	8	8	Yes
Flat 28	Second	1B/2P	5	5	Yes
Flat 29	Second	1B/2P	5	5	Yes
Flat 30	Second	2B/4P	10	7	Yes
Flat 31	Second	2B/4P	8	7	Yes
Flat 32	Second	2B/4P	7	7	Yes
Flat 33	Second	2B/4P	10	7	Yes
Flat 34	Second	3B/5P	8	8	Yes
Flat 35	Second	1B/2P	6	5	Yes
Flat 36	Second	1B/2P	6	5	Yes
Flat 37	Second	2B/4P	8	7	Yes
Flat 38	Second	2B/4P	7	7	Yes
Flat 39	Second	2B/3P	6	6	Yes
Flat 40	Second	1B/2P	6	5	Yes
Flat 41	Second	3B/5P	8	8	Yes
Flat 42	Third Floor	2B/4P	7	7	Yes
Flat 43	Third Floor	3B/5P	8	8	Yes
Flat 44	Third Floor	2B/4P	32	7	Yes
Flat 45	Third Floor	2B/4P	8	7	Yes
Flat 46	Third Floor	3B/4P	16	7	Yes
Flat 47	Third Floor	1B/2P	21	5	Yes
Flat 48	Third Floor	2B/4P	25	7	Yes
Flat 49	Third Floor	2B/4P	8	7	Yes
Flat 50	Third Floor	Studio	24	5	Yes
Flat 51	Third Floor	2B/3P	25	6	Yes
Flat 52	Fourth	2B/3P	16	6	Yes
Flat 53	Fourth	2B/4P	17	7	Yes
Flat 54	Fourth	1B/2P	27	5	Yes

7.9.5 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. Given the shape of the site, some of the

units have an unconventional layout, however each unit would meet minimum space standards.

### Single/Dual Aspect

- 7.9.6 When refusing planning application 19/P4266 members of the planning committee raised concerns with the proportion of single aspect units. The Mayor's Housing Supplementary Planning Guidance (SPG) - (March 2016) provides guidance for planning applications. It is to be applied with appropriate flexibility and is guidance only (not policy). As set out in paragraph 2.1.17 of the SPG, 'application of standards through the planning system provides some flexibility. Consideration should be given to these standards alongside achievement of other policies of the London Plan. In particular, regard should be had to overall viability and the need to ensure an appropriate level of housing supply in changing economic circumstances'.
- 7.6.7 The Mayor of London's Housing Supplementary Planning Guidance (March 2016) provides guidance on both single and dual aspect units. The Mayor of London's Housing Supplementary Planning Guidance (March 2016) states that single/dual aspect units are:

2.3.37 Dual aspect dwellings with opening windows on at least two sides have many inherent benefits. These include better daylight, a greater chance of direct sunlight for longer periods, natural cross ventilation and a greater capacity to address overheating, mitigating pollution, offering a choice of views, access to a quiet side of the building, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms. Where possible the provision of dual aspect dwellings should be maximised in a development proposal.

2.3.38 A dual aspect dwelling is defined as one with openable windows on two external walls, which may be either on opposite sides of a dwelling or on adjacent sides of a dwelling where the external walls of a dwelling wrap around the corner of a building (the provision of a bay window does not constitute dual aspect). One aspect may be towards an external access deck or courtyard, although the layout of the dwelling needs to be carefully considered in these cases to maintain privacy.

Standard 29 Developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided.

2.3.39 Single aspect dwellings are more difficult to ventilate naturally and more likely to overheat (see Standard 29 and Policy 5.9). This is an increasing concern in London due to anticipated temperature increases related to climate change, coupled with the urban heat island effect that is experienced in high density areas of the city. The design of single aspect flats will need to demonstrate that all habitable rooms and the kitchen are provided with adequate ventilation, privacy and daylight and the orientation enhances amenity, including views. North facing single aspect dwellings should be avoided wherever possible. However, in applying this, standard consideration should also be given to other planning and design objectives for a site, for example the aim to maximise active frontages and minimise inactive frontages.

2.3.40 Good single aspect one and two bedroom homes are possible where limited numbers of rooms are required, the frontage is generous, the plan is shallow, the orientation and or outlook is favourable, and care is taken to mitigate the potential for overheating without the need for mechanical cooling. Single aspect dwellings may also be appropriate when being used to wrap podium level car parks or large retail units with active frontages.

2.3.41 In single aspect dwellings with more than two bedrooms it is difficult to achieve adequate natural ventilation and daylight to all rooms in an efficient plan layout which avoids long internal corridors. Single aspect dwellings containing three or more bedrooms should therefore be avoided. The design of single aspect ground floor dwellings will require particular consideration to maintain privacy and adequate levels of daylight.

### Dual Aspect

- 7.9.8 In response to concerns raised by members of planning committee, the applicant has made internal changes to the layout and number of flats to address the previous reason for refusal. In addition, following comments raised by the Councils Design Officer, the applicant has worked with officers to increase the number of dual aspect units. Officers are content that the dual aspect units shown would meet the guidance set out above. The resulting amendments to the scheme has resulted in an increase in the number of dual aspect units from 35 units out of 70 (50%) under the refused application to 41 units out of 54 (76%). The current application therefore would result in an increase of 26% dual aspect units when compared to the refused scheme. A total of 76% dual aspect units is considered to be a good proportion of dual aspects given the long and narrow nature of the site.

### Single Aspect

7.9.9 In response to concerns raised by members the applicant has amended the scheme so that:

- The total number of single aspect units has been reduced by 27% compared to the refused scheme. Refused scheme (35 out of 70 units = 50%). Proposed scheme (13 out of 54 units = 23%).
- Of the 13 single aspect dwellings, none are 3 bed or larger (predominantly 1 bed or studio units and only 4 are 2-bed dwellings).
- Of these 13 dwellings, 9 are north facing. However these are smaller dwellings (1 bedroom or studio) and all benefit from a secondary view over, and access onto, a private balcony area.
- All 13 dwellings meet or exceed the minimum space standards for dwelling sizes.
- All are provided with private amenity space, in the form of balconies that meet or exceed the minimum space requirements.
- All dwellings benefit from access to generous and high quality communal amenity space.
- All dwellings will benefit from separation distances from the nearest neighbouring residential properties of at least 21m, thereby providing good standards of privacy and outlook for new occupiers.
- All dwellings, including single aspect dwellings, will benefit from passive ventilation standards which accord with Building Regulations requirements.

7.9.10 As set out above, The Mayor of London's Housing Supplementary Planning Guidance (March 2016) is only guidance. Each application must be treated on its own merits and constraints of the site. The applicant has set out the following explanation in response to the SPG, design evolution of the scheme and the single aspect units:

The supporting text for Standard 29 (paragraph 2.3.39) states whilst north facing single aspect flats should be avoided wherever possible, it also recognises that in applying this standard, consideration should also be given to other planning and design objectives for a site. This includes the overarching national and local policy objective of seeking to make optimum use of brownfield sites in sustainable locations such as this one.

Of the 13 dwellings, 9 are north facing. These dwellings are all one bed or studio properties. Every effort has been made to reduce the overall number of single aspect units in the scheme, and in particular the number of north facing properties. However, a certain number of single aspect units is inevitable and unavoidable on a

long thin linear site such as this. The fact that the site is orientated North / South means that inevitably some units will predominantly look North while others will look predominantly South.

To ensure that all dwellings provide a good standard of accommodation, we have ensured that all single aspect units have more than one aspect / outlook. The second aspect for these units is over a recessed corner of the building, or an internal balcony, and therefore does not constitute a dual aspect dwelling, but will provide amenity benefits in terms of lighting, ventilation and views. We have also ensured that window sizes are maximised to allow natural daylight and ventilation deep into all apartments (including those single aspect apartments) to ensure that the internal quality of the apartments is not compromised. There are no single aspect units of three or more bedrooms and all North facing single aspect units are one bed or studio units. Out of the 13 single aspect units only 4 are two bed units and face South, again, with views across a recess in the building or an internal balcony with large window / door openings maximising daylight and ventilation and covered balconies reducing overheating from mid day direct sunlight.

#### Children's Play Space

7.9.12 The strategic planning policy requirement to provide for children's play space is set out at Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities) of the London Plan 2016. This policy uses the Mayor's child yield calculator to determine what amount of play space is required.

7.9.13 The proposed development would create a potential child yield of 19.9 children and 199.4 sqm of the associated playspace. With the low yield of children expected, the only requirement is to cater for under 5s within the site. The proposed development would provide 262 sqm of on-site doorstep playable space for the under 5s. There would be 2 areas of doorstep playable space (each no smaller than 100 sqm) on separate podium decks, including:

- Amenity lawns with localised mounding and bespoke naturalistic play features for toddler play;
- Feature planting including multi-stem trees, hedgerows and feature shrubs to perimeter to add sensory value
- Decking and feature paving encouraging interactive play;
- Playful seating elements set within hard landscape

Facilities for ages 5 to 11 (off-site within 400m).

7.9.14 The nearest existing play facilities are at Abbey Recreation Play Area, which is located 600m to the west of the Site. The Approved High Path Scheme is located within 400m and will provide a central new neighbourhood park with play facilities.

Facilities for 12+ (off-site within 800m)

7.9.15 Wandle Park and Abbey Recreation Ground are located within 800m to the north east and west respectively. The Approved High Path Scheme is located within 400m and will provide a central new neighbourhood park with play facilities.

7.9.16 A planning condition requiring full details of playspace equipment can be secured to ensure that the development provides the appropriate onsite facilities.

Bin and Recycling Storage

7.9.17 The residential units would have access to three internal bin storage areas. Two large bin storage areas are located adjacent to entrance A and one smaller bin storage area adjacent to entrance B. The proposed amount of bin/recycling storage is considered to be acceptable. The proposal would include a 21.5m wide area on street for loading. The bins would be accessed through the gaps in the wall and out to the service lorry.

7.10 **Flooding and Drainage**

7.10.1 The NPPF and London Plan policies 5.12, 5.13, Merton's policy CS 16 and SPP policies DMF1, DM F2 and DMD2 all seek to ensure that adequate flood risk reduction measures, mitigation, and emergency planning are in place to ensure there is no increase in flood risk offsite or to the proposed development.

7.10.2 The application site is located within flood zone 1, which is considered to be at low risk of flooding from pluvial sources, groundwater, artificial sources, and sewer surcharge.

7.10.3 The applicant has provided an independent Flood Risk Assessment & Drainage Strategy by Markides Associates. The report stated that in the preparation of this FRA, all sources of flooding were considered which may affect the development proposals and the surrounding areas, in accordance with the requirements of the current flood risk legislation and policy of the NPPF.

- 7.10.4 The proposed development will incorporate a Sustainable Drainage Systems (SuDS) as part of the surface water management strategy to increase biodiversity, provide amenity for residents and users, control discharge volumes and manage water quality. The proposal will include a drainage strategy that will incorporate SuDS within the roof gardens and permeable paving in the parking areas
- 7.10.5 The surface water drainage strategy will seek to connect to the existing Thames Water sewer in Station Road. A total of 61m<sup>3</sup> attenuation storage will be provided to allow surface water runoff to be restricted to 14 l/s for all rainfall events up to and including the 1 in 100 year critical event. This will provide an 88% reduction compared to the pre-development scenario.
- 7.10.6 The Councils Flood Officer and the Environment Agency have both confirmed no objection to the proposal subject to conditions.

## 7.11 **Transport and Parking**

- 7.11.1 Policy 6.1 of the London Plan (2016) states that the Mayor will support developments, which generate high levels of trips at locations with high levels of public transport accessibility and which improves the capacity and accessibility of public transport, walking and cycling.
- 7.11.2 At a local level Policy CS.19 of the Core Planning Strategy states that the Council will ensure that all major development demonstrates the public transport impact through transport assessments. Travel plans will also be required to accompany all major developments. Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).
- 7.11.3 London Plan policies 6.3 and 6.12, CS policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management.

### Existing Situation

- 7.11.4 The site is currently used for vehicle repair services, including garages, workshops and MOT services, with Class B2 (general industrial) and Sui Generis land use classification. The existing buildings occupy a gross internal area (GIA) of 1,297sqm.
- 7.11.5 The site is served by 5 separate vehicle crossovers from Station Road, which provide access to the workshop areas. Each of the current tenants are however observed to be heavily reliant on the use of Station Road as

an extended parking area for vehicles prior to and after they have been serviced, as well as associated vehicle manoeuvring.

7.11.6 Furthermore, the adopted car parking practice along the site frontage is for vehicles to straddle the footway and carriageway, essentially making the adjacent footway inaccessible for pedestrians.

#### Cycle parking

7.11.7 The London Plan currently requires 1 space per studio and 1 bedroom unit and 2 spaces are required for all other dwellings. One short term space is required per 40 units.

7.11.8 The cycle parking provision now totals 102 secure and sheltered residential cycle parking spaces (a 28 space reduction compared to 130 cycle spaces in the previous scheme). The development proposals also include a single Sheffield stand at the front of the site, to meet the visitor cycle parking standard of 1 space per 40 units, therefore 2 spaces. The proposed level of cycle parking is in accordance with the London Plan.

7.11.9 The chosen commercial space would need to comply with the London Plan standard for each use. It should be noted that all of the proposed commercial uses would only require a small level of cycle parking for each different use class. In the event, the proposed commercial unit cannot meet London Plan cycle standards, then the London Plan requires that for all land uses in all locations a minimum of 2 short-stay and 2 long-stay spaces must be provided. Officers are confident that this can be provided in the space to the front of the commercial unit.

#### Car parking

7.11.10 The proposal seeks to provide 3 disabled car parking spaces onsite. The level of disabled car parking is in accordance with London Plan standards.

7.11.11 On street car parking is proposed with the introduction of two sets of 2m wide parallel parking bays totaling approximately 70m in length, which is sufficient to accommodate 12 vehicles. The final designation of the car parking spaces as shown on the drawings would be subject to the consultation process with neighbours on a potential CPZ.

7.11.12 Should the CPZ be introduced (following consultation with neighbours), then the permit free requirement for the proposed development would ensure that future occupiers would not be able to obtain a car parking permit to use in the CPZ. If Station Road is not changed to a CPZ, then the new on-street bays would have an unrestricted availability for all road

users (as per the existing situation). Regardless of the above outcome, the development would still be a permit free development (this would safeguard any future adoption of the Station Road as a CPZ).

7.11.13 As part of the planning application, the applicant has confirmed their agreement to consult existing neighbours on the possibility of including Station Road within a CPZ. The applicant has agreed to make a financial contribution to the consultation process. This can be secured within the S106 agreement.

7.11.14 Double yellow lines are proposed on the northern side of Station Road to prevent parking on both sides of Station Road. It should be noted that the current situation in Station Road includes parking on both sides of the street which is problematic in terms of vehicle movement. Therefore regardless of the redevelopment of the application site, double yellow lines will be introduced along the northern section of Station Road for reasons of safety and access at all times.

7.11.15 The proposal seeks to formalise parking in a formal manner with proposed parking bays on the south side of Station Road. This would create a more manageable car parking arrangement in the street and one that is inline with London Plan maximum parking standards. A 21.1m wide double yellow line area is to be provided on the south side of Station Road to allow for servicing vehicles so that they do not halt traffic movement.

#### Car Club Membership

7.11.16 There is an existing, operational car club bay located on Mill Road, which is around 300m north of the site. This space is operated by ZipCar and currently provides access to a large, 5-door car.

7.11.17 The applicant has agreed to fund three years car club membership for new residents of the proposed development. The promotion of free car club membership will help inform new residents of sustainable modes of travel which is welcomed. The three year free Car Club Membership can be secured within the S106 agreement.

#### Pedestrians

7.11.18 Station Road itself does benefit from footway provision on both sides of the carriageway; however, on the southern side of the carriageway the footway widths are narrow to the west of the site, with a minimum width of approximately 1.3m, confounded by an existing practice of footway parking, essentially making this footway redundant. The proposals seek to increase the width of the footpath to 1.8m which is welcomed. The combination of the increased footpath width, formal arrangement of car

parking, removal of industrial units and restoration of the listed wall are considered to improve pedestrian movement and experience within Station Road.

#### Construction Phase

7.11.19 The Council can limit impact on neighbours and the highway by agreeing details of the construction phase by planning condition (construction logistics plan).

#### Servicing

7.11.20 The proposed commercial unit can be serviced directly in front of the building, via the double yellow lines which would allow loading. In addition, the passing area between the proposed parking bays on the southern section of Station Road can also accommodate loading. The double yellow lines would allow loading for all users. The proposed servicing arrangements are therefore considered to be acceptable.

#### Refuse

7.11.21 The proposals includes the introduction of two sets of 2m wide parallel parking bays totalling approximately 70m in length, which is sufficient to accommodate 12 vehicles. The bays are divided by a 21.1m long section of kerb subject to double yellow line no waiting controls, which will act as a passing place for conflicting vehicle movements and a space from which refuse/service vehicles can access the site, supported by drop-kerb access to move bins from the footway to carriageway. It is noted that the collection of refuse from 70 flats would take some time, however this would not be a frequent event and the design of the parking bays would allow the refuse truck to not obstruct the public highway during collection.

#### Merantun Way

7.11.22 The development proposals do not preclude aspirations to introduce a potential shared use footway/cycleway facility along the Merantun Way (joint TFL and Merton Council aspiration project). The applicant has demonstrated that any such proposal could be accommodated without reliance on any land within the control of the applicant. The applicant has agreed to make a 15k contribution towards the implementation of this potential project. This would be secured in the S106 agreement. This will help encourage sustainable modes of transport (walking/cycling) for future occupiers of the development.

#### Trip movement

7.11.23 In terms of vehicle trips, compared to the existing land use, the site would attract a significant reduction, amounting to 225 fewer vehicle trips during the day and approximately 20 fewer trips during each of the peak hours. This is based on the residential development being car free.

#### Travel Plan

7.11.24 The planning application is supported by a Travel Plan, which sets out a range of measures and management strategies to support and encourage the use of the most sustainable forms of travel, walking and cycling, thereby facilitating low car ownership levels. The Travel Plan can be secured within the S106 agreement.

#### Turning

7.11.25 The applicant has stated that they have observed vehicles reversing along the length of Station Road due to a lack of a turning facility. In order to improve turning in the street, the Council has recently introduced double yellow lines in the small turning area at the eastern end of Station Road. Previously cars would be parked in this location so vehicles would not be able to use this space. The introduction of the double yellow lines would ensure that this space is kept clear. Whilst it would take some larger vehicles multiple turns to navigate this turning area, it is considered to be an improvement on the current practice (vehicles reversing along Station Road). Reversing along Station Road cannot be supported by the Council given concerns relating to highway safety. The turning facility would therefore help alleviate vehicle movement during the construction process as well as long term improvements for all road users (including servicing the application site).

7.11.26 The Council has agreed with the applicant that this turning area will be kept free, however once the development is complete, a shared surface will be introduced to retain a turning area and improve pedestrian and cycle movement. A financial contribution towards these works can be secured within the S106 agreement.

### 7.12 **Biodiversity**

7.12.1 The site is boarded by roads and residential/commercial land uses to the north, west and south. The Wandle Meadow Nature Park and the Lower River Wandle Sites of Importance for Nature Conservation (SINC) runs to the east of the site with an associated tree line that connects the site to Morden Hall Park and Deen City Farm SINC to the south of the site.

7.12.2 Planning Policy DMO2 (Nature Conservation, Trees, hedges and

landscape features) of Merton's Sites and Policies Plan seeks to protect and enhance biodiversity, particularly on sites of recognised nature conservation interest. To protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified

7.12.3 The applicant has provided an independent ecology report with the planning application by Tyler Grange Ltd. The report:

- Uses available background data and results of field surveys to describe and evaluate the ecological features present within the likely 'zone of influence' (ZoI)<sup>2</sup> of the proposed development;
- Describes the actual or potential ecological issues and opportunities that may arise as a result of the sites' future redevelopment;
- Where appropriate, makes recommendations for mitigation of adverse effects and ecological enhancement, to ensure conformity with policy and legislation; and
- Identifies further work required to inform a future planning application if relevant.

7.12.4 The report concludes that as the site is predominantly hardstanding and buildings associated with the industrial units, the majority of the habitats to be lost as a result of the proposed development (buildings, hardstanding, introduced shrub) are of negligible ecological importance and no specific mitigation is required. Some habitats of ecological importance within the context of the site only (scrub and trees) will likely be lost as a result of the proposals. It is considered that this can be mitigated through suitable replacement planting, namely within the proposed green roof planting.

7.12.5 Tyler Grange Ltd state that where possible, existing habitats of ecological importance will be retained and enhanced, and new habitat created on-site, in line with local and national planning policy. In addition, enhancements for specific species groups could be provided, including bird boxes to increase the number of nest sites across the site and native planting on the green roof to increase foraging opportunities for bats and birds. As such, a net-gain in biodiversity is considered likely to be easily achievable as part of the development.

7.12.6 Those valuable ecological resources that exist, or could exist, at the site, could be accommodated by the adoption of design principles. Where impacts may occur, these could be more than mitigated through better management of retained habitats (notably scattered trees and scrub) and habitat creation within the site (namely green roof planting). In conclusion, officers consider that there are positive opportunities to enhance

biodiversity on the site through soft landscaping and appropriate mitigation measures as recommended.

### 7.13 **Contamination**

7.13.1 Merton's Sites and Policies Plan Policy DM EP4 (Pollutants) aims to reduce pollutants and reduce concentrations to levels that will have minimal adverse effects on people and the natural and physical environment.

7.13.2 The applicant has provided an independent phase 1 Geo-environmental desk study by Wardell Armstrong LLP with the planning application. The purpose of the report is to identify and examine in broad terms readily available information relating to the:

- Past and current uses of the site and surrounding area;
- Environmental setting including geology, mining, hydrogeology and hydrology;
- Potential contamination sources, pathways and receptors as part of a preliminary conceptual model;
- Potential stability and contamination constraints and liabilities that may arise in connection with the present use or proposed use of the site; and
- The requirement or otherwise for future studies including potential intrusive site investigation prior to redevelopment.

7.13.3 The report concludes that based on available information the application site is considered to present an overall Moderate risk from historical land use and current site use.

7.13.4 Due to the industrial nature of the current and historical site use and surrounding area, along with site observations as chemical storage and staining, Wardell Armstrong LLP state that there is a potential for soil contamination which could impact the proposed development. Therefore, it is considered that appropriate investigation should be carried out at a detailed design stage in order to determine the presence of contaminants within the soils. This assessment can be conditioned within the planning process.

7.13.5 Wardell Armstrong LLP state that asbestos may be present within the buildings on site and within the made ground associated with current and previous buildings. If not already undertaken, Wardell Armstrong LLP state it would be prudent to carry out an asbestos survey of the buildings and to investigate the potential for asbestos containing materials (ACMs) within the soils.

7.13.6 The site is recorded to be in an area where there is a moderate risk of unexploded ordnance in reference to the London Bombing Density Zetica UXO risk map. However, due to the site history and ground conditions beneath the site, there is considered to be a reduced risk of unexploded ordnance being present. Wardell Armstrong LLP state it would however be prudent to obtain a Preliminary UXO Assessment for the site prior to intrusive investigations at the site or undertaking any sub-surface construction.

7.13.7 Following site investigation works, and subject to any remedial works being undertaken in accordance with any planning conditions, Wardell Armstrong LLP state that it is anticipated that the site would be suitable for the proposed development.

7.13.8 The Councils Environmental Health Officer confirms no objection subject to conditions.

#### 7.14 **Sustainability**

7.14.1 Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.

7.14.2 Planning Policy 5.2 of the London Plan (2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be Green: use renewable energy

7.14.3 The applicant has submitted an updated energy statement. The Councils Climate Change Officer has confirmed that the development should achieve a 35 % improvement in CO2 emissions on Part L 2013. This meets the minimum sustainability requirements of Merton's Core Planning Strategy CS15 (2011) and Policy 5.2 of the London Plan (2106). A planning condition requiring evidence of compliance with CO2 reductions and water consumption can be imposed on the planning approval.

7.14.4 As the proposal is for a major residential development a S.106 agreement for the carbon offset cash in lieu contribution, calculated to be £63,060.60, will need to be finalised prior to planning approval in line with Policy 5.2 of the London Plan. Based on the carbon shortfall and offset contributions set out in the updated energy statement. In this instance, the carbon off-set shortfall would be secured within the S106 agreement.

## 7.15 **Archaeology**

- 7.15.1 The site is located within the Wandle/Colliers Wood Archaeology priority zone. The Wandle/Colliers Wood archaeology priority zones has particular focus for riverside industry from medieval period onwards with several corn mills being located during medieval period. Supplanted in post-medieval period by textile processing and finishing industries.
- 7.15.2 The proposed development comprises a comprehensive redevelopment of the site. No basements are proposed, however lift pits, attenuation tanks, and pile caps will all be deep enough to have an impact on any archaeological remains on the site. It is understood that the perimeter of the site will be piles, and preservation of archaeological remains in situ could be achieved by careful pile placement and appropriate load-bearing spanning structures.
- 7.15.3 Historic England advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation and foundation positions. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. A planning condition relating to submission of foundation design details is also recommended by Historic England.
- 7.15.4 Historic England have confirmed that archeology matters can be suitability controlled via planning condition.

## 7.16 **Air Quality**

- 7.16.1 Planning Policy DM EP4 of Merton's Adopted Sites and Policies plan (2104) seeks to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on people, the natural and physical environment in Merton. The policy states that to minimise pollutants, development:

- a) Should be designed to mitigate against its impact on air, land, light, noise and water both during the construction process and lifetime of the completed development.
- b) Individually or cumulatively, should not result in an adverse impact against human or natural environment.

- 7.16.2 Planning policy 7.14 (Improving Air Quality) of the London Plan 2016 recognises the importance of tackling air pollution and improving air quality to London's development and the health and wellbeing of its people. The London Plan states that the Mayor will work with strategic partners to ensure that the spatial, climate change, transport and design policies of the London Plan support implementation of Air Quality and Transport strategies to achieve reductions in pollutant emissions and minimize public exposure to pollution.
- 7.16.3 In accordance with the aims of the National Air Quality Strategy, the Mayor's Air Quality Strategy seeks to minimise the emissions of key pollutants and to reduce concentration to levels at which no, or minimal, effects on human health are likely to occur.
- 7.16.4 To meet the aims of the National Air Quality Objectives, the Council has designated the entire borough of Merton as an Air Quality Management Area (AQMA). Therefore, development that may result in an adverse air quality including during construction, may require an Air Quality Impact Assessment in order for the Council to consider any possible pollution impact linked to development proposals.
- 7.16.5 The applicant has provided an air quality assessment with the application. The independent air quality assessment states that:

During the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. These were assessed in accordance with the Mayor of London's methodology. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout activities was predicted to be not significant.

The proposal has the potential to expose future occupants to elevated pollution levels. Dispersion modelling was therefore undertaken using ADMS-Roads in order to predict concentrations as a result of emissions from the local highway network. Results were subsequently verified using monitoring data collected by LBoM.

The results of the dispersion modelling assessment indicated that predicted concentrations of NO<sub>2</sub> and PM<sub>10</sub> were below the relevant AQOs at all locations across the development. Pollutant levels at the boundary were categorised as APEC - A in accordance with the London Councils Air Quality and Planning

Guidance. As such, the site is considered suitable for the proposed use from an air quality perspective.

Potential emissions from the development were reviewed in the context of the air quality neutral requirements of the London Plan. This indicated an acceptable level of building and transport emissions from the scheme.

Based on the assessment results, air quality factors are not considered a constraint to planning consent for the development.

7.16.6 The Council's Air Quality Officer has reviewed the proposal and raises no objection subject to conditions, as per the previously refused application.

## 7.17 **Trees**

7.17.1 There are no trees on the application site worthy of retention. There is a row of trees long the parcel of land between the application site and Merantun Way. Whilst the existing trees would be located close to the proposed building, it is not considered that these would result in undue loss of amenity for future residents of the development. The trees fall under the control of TFL and should works be required to the trees, the applicant would require permission from TFL's Green Infrastructure team prior to commencing any works. A planning informative is attached to make the applicant aware of this requirement.

7.17.2 As set out above, it is proposed to replace the timber boundary fence along Merantun Way with a brick wall and section of railings. Details of the boundary treatment can be controlled via planning condition. Following this change, the Council's Tree Officer has confirmed that the proposed wall appears to be in the same position as the wall of the existing building. This means that there are foundations already in place, and therefore constructing a new wall should be fairly straightforward. The excavation of the foundations and erection of the new wall should be included in the arboricultural method statement and tree protection plan. This would, as with the other work, require arboricultural monitoring/supervision.

## 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. Following discussions, the Councils independent viability assessor (Altair) has confirmed that the scheme is not viable, however the applicant has put forward 3 affordable rent units. This is 5.5% of the total number of units on the site. These homes would be best targeted at a small Registered Provider given the number of affordable homes.
- 8.1.3 Altair recommend that Merton Council seeks three Affordable Rent units being offered. Altair also recommends that Merton apply the viability review mechanisms at early and late stages of development, as outlined within the Draft London Plan and Mayor's Affordable Housing and Viability SPG based on Altair appraisal.
- 8.1.4 The provision of on-site affordable housing contribution has been based on the viability of the scheme. The Councils independent assessors have concurred with the applicant's level of affordable housing that can be provided. The level of affordable housing is therefore considered to be acceptable.

## 9. Local Financial Considerations

- 9.1 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 1<sup>st</sup> 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.

## 10. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 10.1 The proposal is for major residential development and an Environmental Impact Assessment is not required in this instance.
- 10.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission.

## 11. **CONCLUSION**

- 11.1 NPPF paragraph 118 (c) states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
- 11.2 The delivery of this site for housing would provide a good contribution towards Merton's housing need, including the provision of affordable housing. The proposed development will provide 54 new residential dwellings and a 204sqm commercial unit at ground floor level. 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.
- 11.3 The standard of residential accommodation is considered to offer good accommodation that would meet the needs of future occupiers. Each unit would have direct access to private amenity space as well as communal areas at third floor level which would exceed minimum standards. The proposed housing mix is considered to offer a good range of unit types. The level of affordable housing is agreed due to viability considerations.
- 11.4 The design of the development is considered to be of high quality in terms of appearance and character and would be appropriate in terms of height and massing in this context. At street level, the proposed development is considered to improve the visual amenities of the street scene, with improvements to the setting/condition of the listed wall, formalisation of car parking on the southern section of Station Road only, widening of the public pavement and the applicants agreement to financial contributions towards improved pedestrian and cycling projects in both Station Road and Merantun Way. The proposed density range is considered acceptable in this instance given the quality of the design. The proposed building would respect the context of the site, wider area and as such would preserve the surrounding heritage assets (including the Wandle Valley Conservation Area).
- 11.5 The letters of objection from neighbouring properties have been assessed, however it is considered that the proposed development would not result in undue loss of neighbouring amenity. It is acknowledged, that the proposed building would result in a noticeable uplift in development on the site, however this is an urban area where it is not unusual for larger buildings to face each other across a public carriageway. The level of separation between the site and neighbours is considered to be reasonable to protect neighbouring amenity. In addition, the neighbouring properties opposite in Station Road have good sized front gardens/driveways which will help create some breathing space between

developments. The Councils independent sun and daylight consultant has confirms that daylight, sunlight and overshadowing is acceptable.

- 11.6 There would be no undue impact upon flooding, transport, biodiversity, contamination, sustainability, archaeology, air quality or trees.
- 11.7 The proposal is therefore considered to have overcome the previous reasons for refusal under 19/P4266.
- 11.7 The proposal is considered to be in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreement.

### **RECOMMENDATION**

- (1) GRANT PLANNING PERMISSION (20/P1412)
- (2) GRANT LISTED BUILDING CONSENT (20/P1672)

- (1) Subject to the completion of a Section 106 Agreement covering the following heads of terms:-
1. Affordable housing (3 on-site affordable rent units) - viability review mechanisms at early and late stages of development
  2. Designation of the development as permit-free and that on-street parking permits would not be issued for future residents of the proposed development.
  3. Car Club Membership (3 year free membership)
  4. Financial contribution toward CPZ Consultation (£18,000)
  5. Highway Works (double yellow lines, parking bays & increased width of footpath). Section 278 Agreement
  6. Restoration of Listed Lampposts (details to be agreed with Conservation Officer)
  7. Carbon shortfall Contribution – (£63,060.60).
  8. Highway Works contributions (Station Road shared surface (15k) and Merantun Way pedestrian and cycle way)
  9. Air Quality Contribution (3k)

10. Travel Plan (A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years)

11. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B.1 Materials to be approved, including detailed plans at a scale of 1;20 of some of the typical details
4. B.4 Details of Surface Treatment
5. B.5 Details of Walls/Fences
6. C07 Refuse & Recycling (Implementation)
7. D09 No External Lighting
8. D11 Construction Times
9. E05 Restriction – Use of Premises (no supermarket)
10. F01 Landscaping/Planting (scheme)
11. F02 Landscaping (Implementation)
12. F05 Tree Protection
13. F08 Site Supervision (trees)
14. F09 Hardstandings
15. H03 Redundant Crossovers
16. H06 Cycle Parking (details to be submitted)
17. H07 Cycle Parking (Implementation)
18. Disabled Car Parking retention with EVCP
19. H10 Construction Vehicles, Washdown Facilities etc

20. H13 Construction Logistic Plan

21. H14 Garages doors/gates

22. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

22. Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

23. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A site investigation scheme, based on the PRA, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: For the protection of Controlled Waters. The site is located over a Secondary Aquifer & within SPZ2 and it is understood that the site may be affected by historic contamination.

24. Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. 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: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

25. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

26. Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are 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: To protect the underlying groundwater from the risk of pollution. Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

27. Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

28. No development approved by this permission shall be commenced until the details of the final drainage scheme is submitted, based on hydraulic calculations for the 1 in 100 year +40% climate change rainfall event. The drainage layout and calculations must be submitted to and approved in writing by the LPA, prior to commencement of development.

29. Construction Environmental Management Plan / Dust Management Plan

1. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:

a) An Air quality management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring.

b) Construction environmental management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.

2. The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not raise local environment impacts and pollution.

30. Non-Road Mobile Machinery (NRMM)

All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the GLA 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any successor document, shall comply with the emissions requirements therein.

Reason: To ensure the development does not raise local environment impacts and pollution.

31. Ultra-Low NOX Boilers

1. Unless otherwise agreed in writing with the Local Planning Authority, no boiler or Combined Heat and Power (CHP) shall be installed within the development hereby approved, other than one that incorporates and has installed abatement technology to reduce emissions to below 0.04 gNO<sub>x</sub>/kWh.

2. All systems shall be maintained in accordance with the manufacturer's instructions.

Reason: To minimise the NO<sub>x</sub> emission.

32. Works shall take place in compliance with the Written Scheme of Investigation (WSI) titled 'STAGE 1 WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL EVALUATION – amended 11.06.2020', by Compass Archaeology.

33. No demolition or development shall take place other than in accordance with the agreed WSI, which is to be carried out by the nominated organisation (Compass Archaeology) as the competent person(s) or organisation to undertake the agreed works.

34. 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. Where appropriate, details of a programme for delivering related positive public benefits
- C. 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.

- 35. No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 36. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new plant/machinery from the commercial units across the site use shall not exceed LA90-5dB at the boundary with the closest residential property.
- 37. Due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The scheme is to include acoustic data for the glazing system and ventilation system. The internal noise levels shall meet those within BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and ProPG; Planning and Noise – Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 as a minimum. The approved scheme shall be implemented in accordance with the agreed details.
- 38. Depending on the use of the commercial units additional mitigation/restrictions may need to be applied particularly with regards to noise, hours of opening and odour.

39. Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary
40. 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.
41. A deskstudy, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment, and submitted to the approval of the LPA. Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's sites and policies plan 2014.
42. The approached remediation shall be completed prior to development. And a verification report, demonstrating the then effectiveness of the remediation, subject to the approval of the LPA.  
  
Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's sites and policies plan 2014.
43. Service and Delivery Plan
44. Suds condition

45. Details of playspace
46. Details of biodiversity measures (including bird/bat boxes and planting on the green roofs).
47. Signage
48. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.”

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide ‘working near our assets’ to ensure your workings will be in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures.

49. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions in accordance with those outlined in the approved plans (Energy Statement dated 2<sup>nd</sup> July 2020), and wholesome water consumption rates of no greater than 105 litres per person per day.

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

#### INFORMATIVES:

1. An Arboricultural Report has been submitted with the application which suggests that some pruning is required for the trees located on the A24. The applicant must obtain agreement with TfL’s Green Infrastructure team prior to commencing any works to the trees.

## 2. INF9 Works on the Public Highway

## 3. INF12 Works Affecting the Public Highway

4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
5. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
6. Written schemes of investigation will need to be prepared and implemented by a suitably 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.
7. Asbestos survey
8. Preliminary UXO Assessment
9. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
  - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
  - A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
  - Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and

cooking, and site-wide electricity generation technologies) have been included in the calculation

10. Water efficiency evidence requirements for Post Construction Stage assessments must provide:
- Documentary evidence representing the dwellings 'As Built'; detailing:
  - the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
  - the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; **AND:**
  - Water Efficiency Calculator for New Dwellings; **OR**
  - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

(2) **Grant listed building consent subject to conditions.**

1. A5 Listed Building Consent
2. Drawing Numbers
3. Method statement for works (including protection measures during construction) to the wall and lampposts.

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