

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

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	19/P4050	11/12/2019
<b>Site Address/Ward:</b>	Development Site North of 11 to 17 Madeira Road Mitcham	
<b>Ward:</b>	Cricket Green	
<b>Proposal:</b>	ERECTION OF A THREE STOREY DEVELOPMENT COMPRISING 11 SELF-CONTAINED UNITS (7X 1B AND 4X 2B), AND ERECTION OF 7 X THREE STOREY TOWNHOUSES (4B); WITH ASSOCIATED CYCLE PARKING, REFUSE STORES, 4 X PARKING BAYS (2 DISABLED BAYS) AND LANDSCAPING.	
<b>Drawing No.'s:</b>	MRT-WWP-CP-XX-DR-A-00001 (Site Location Plan); MRT- WWP-CP-XX-DR-A-00002 (Existing Site Plan); MRT-WWP- CP-ZZ-DR-A-02500 (Existing Context Elevations); MRT-WWP- CP-XX-DR-A-10000 (Proposed Site Plan); MRT-WWP-CP-00- DR-A-11000 Rev 1.0 (Ground Floor Plan - As Proposed)_Amended 21.05.20; MRT-WWP-CP-01-DR-A- 11001 Rev 1.0 (First Floor Plan - As Proposed)_Amended 21.05.20; MRT-WWP-CP-02-DR-A-11002 Rev 1.0 (Second Floor Plan - As Proposed)_Amended 21.05.20; MRT-WWP-CP- R1-DR-A-11003 Rev 1.0 (Roof Plan - As Proposed)_Amended 21.05.20; MRT-WWP-CP-00-DR-A-12001 (Townhouse Layouts - Ground Floor); MRT-WWP-CP-01-DR-A-12003 (Townhouse Layouts - First Floor); MRT-WWP-CP-02-DR-A-12005 (Townhouse Layouts - Second Floor); MRT-WWP-CP-ZZ-DR- A-20000 (Townhouse Sections); MRT-WWP-CP-ZZ-DR-A- 21001 (Proposed Elevations - Townhouses Front and North); MRT-WWP-CP-ZZ-DR-A-21002 (Proposed Elevations - Apartment Block - North and West); MRT-WWP-CP-ZZ-DR-A- 21003 (Proposed Elevations - Apartment Block - East and South); MRT-WWP-CP-ZZ-DR-A-21004 (Proposed Elevations - Townhouses Rear and South); MRT-WWP-CP-ZZ-DR-A- 21000 Rev 1.0 (Proposed Context Elevations)_Amended 21.05.20. ExA_1930_CP_101 Rev D (General Arrangement Plan); ExA_1930_CP_110 Rev A (Tree Retain and Remove Plan); ExA_1930_CP_201 Rev A (Planting Plan).	
	Documents: Design and Access Statement (Issue 03) 31/09/2019; Design and Access Statement Addendum 21/05/20; Canons Place Heritage Assessment (May 2020); Daylight and Sunlight report 17/10/2019 (ref: AWH_21971_REL06_V2); Landscape Planning Statement 02/10/2019 (ref: ExA_1930_CP_Planning_Statement Rev A); BS 5837:2012	

Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement v4 22/06/2020; Preliminary ecological appraisal, bat roost assessment and tree survey v3 (04/10/2019); Ecologist Letter v2 (04/10/2019); Canons Place Transport Statement Rev 3.0 (12/08/2019); Development Viability Report (30/10/2019).

**Contact Officer:** Catarina Cheung (020 8545 4747)

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## **RECOMMENDATION**

**Grant Planning Permission subject to the completion of any enabling agreement and conditions.**

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## **CHECKLIST INFORMATION**

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Design Review Panel consulted: Reviewed by DRP during pre-application stage, but not for the main application
- Number of neighbours consulted: 39
- Controlled Parking Zone: No
- Archaeological Zone: Yes, Tier 2
- Conservation Area: Yes, Mitcham Cricket Green
- Listed Building: No, but toward the east is Park Place, Grade II Listed, and west, Canons House and Dovecote House, Grade II\* and Grade II Listed
- Trees: The site is overgrown, there are no TPOs but there is a Pagoda tree at the centre of the site which won Meton's Favourite Tree Competition for 2019

### **1. INTRODUCTION**

- 1.1 The application is being brought to the Planning Applications Committee for determination due to the nature and number of objections received.

### **2. SITE AND SURROUNDINGS**

- 2.1 The application site (approximately 1800sqm) is located north of Madeira Road in Mitcham, behind the semi-detached properties fronting the main road. The site is access via a laneway from both Madeira Road to the south and Commonsides West to the east. The site is a vacant piece of scrubland within the wider Canons Place Leisure complex and is gated off with no public access, there are no TPOs within the site but there is a significant Pagoda tree at the centre of the site which won the Favourite Tree Competition for 2019. The site is 'L-shaped' and wraps around the neighbouring residential dwelling, 15 Madeira Road, to the north-west of the site.

- 2.2 The site lies within Mitcham Cricket Green Conservation Area, specifically sub area Cranmer Green, which also encompasses the grounds of the Canons House. Toward the east, 54 Commonside West, known as Park Place, is a Grade II Listed Building operating as a Toby Carvery, their car park shares the eastern boundary of the application site which is currently divided by a metal railing with a number of trees providing screening. The western boundary of the application site comprises the 18<sup>th</sup> Century Listed wall of The Canons curtilage (which contains a stone plaque inscribed with “This wall is placed at the boundary & built by Mrs. E. M. Cranmer in the year 1816”), and further toward west is The Canons House and Dovecote House, Grade II\* and Grade II Listed Building respectively.
- 2.3 Between the application site and The Canons House, arriving from the laneway from Madeira Road, is The Canons car park, continuing north arrives at the Canons Leisure Centre car park and The Canons Leisure Centre itself.
- 2.4 The application site is located adjacent to designated open space and Metropolitan open land.
- 2.5 The site has a PTAL rating of 2 (measured on a scale of 0 to 6b, 0 being the worst), and is not located within a Controlled Parking Zone.
- 2.6 This application site is identified in Merton’s Local Plan 2020 (currently under review following Stage 2 consultation held between 31 October 2018 and 28 January 2019) as an ‘opportunity’ site for development – ‘Site Mi5’, and the Council’s proposed site allocation is residential (C3) use.

### **3. CURRENT PROPOSAL**

- 3.1 The proposed development seeks to erect 7 townhouses (4bed) of 3 storey height along the eastern boundary of the site, and a 3 storey L-shaped flatted development toward the south-western corner comprising 11 units (7 x 1bed and 4 x 2bed units).
- 3.2 The buildings would surround the perimeter of the site, focusing around the Pagoda tree at its central point. The tree would form the main landscape feature of the courtyard, the apartments and houses facing inward to this space and the entrances to the properties are also accessed from this new ‘internal street’. Entry to the development could either be accessed off Madeira Road or Commonside West (going past Park Place).
- 3.3 6 off-street parking spaces are provided, 2 disabled parking spaces are designated for the accessible units in the flatted development (Units 1 and 3).
- 3.4 Individual refuse and bike stores would be provided at the front of the proposed townhouses, and are also designated a refuse collection area to wheel bins for collection days. A communal refuse bin store and cycle store would be provided for the flats on the ground floor within the building.
- 3.5 The townhouses would have a total width of 55.8m, depths from 8-9m with a maximum height of 10.2m. The external finishing of the townhouses would be of a warm buff brick with bronze metal work detailing. The rear elevation of the townhouses would form the new boundary between the site and Park Place’s adjacent car park (currently, there is a metal railing dividing the two). The curved wall of the townhouses’ courtyards

would be detailed with metal railings to provide security, as well as a low level of planting area to create a defensible space between the sites.

3.6 The flatted block would have a maximum height of 10.2m, toward the western elevation would have display a depth of 25.6m and toward the southern elevation would display a depth of 22.8m. The western element would have a width of 7.5m and the southern, a width of 9m. Materiality wise, this would be externally finished the same as the townhouses to retain a cohesive appearance.

3.7 The proposed dwelling mix would be as follows:

	Level	Type	Storeys	Proposed GIA (sqm)	Proposed amenity (sqm)
Unit 1	Ground	1b2p (wheelchair accessible unit)	1	65	60
Unit 2	Ground	1b2p	1	51	42
Unit 3	Ground	1b2p (wheelchair accessible unit)	1	64	24
Unit 4	First	2b4p	1	74	7
Unit 5	First	1b2p	1	50	7
Unit 6	First	1b2p	1	52	7
Unit 7	First	2b4p	1	74	7
Unit 8	Second	2b4p	1	74	7
Unit 9	Second	1b2p	1	50	7
Unit 10	Second	1b2p	1	52	7
Unit 11	Second	2b4p	1	74	7
	TH1	4b6p	3	118	23
	TH2	4b6p	3	118	25
	TH3	4b6p	3	118	26
	TH4	4b6p	3	118	26
	TH5	4b6p	3	118	26
	TH6	4b6p	3	118	26
	TH7	4b6p	3	118	65

3.8 The proposal at Madeira Road consists of 18 new homes, 7 of which are houses for private sale, and 11 of which are apartments for the private rental sector (PRS). This site is being brought forward in conjunction with three other development sites in Merton (Farm Road 19/P4046], Elm Nursery [19/P4047] and Raleigh Gardens [19/P4048]) by Merantun Developments Ltd, which have a joint affordable housing strategy.

3.9 The scheme has also been subject to negotiation and amendment, with alterations being the subject of re-consultation on 22/05/2020. The changes include:

- Reduction of balcony depth of the flatted development, from 2m to 1.8m. Stepping further away from the Listed wall and boundary to achieve a clearer division between the two.
- An amended Arboricultural report to clarify the spread of the Pagoda tree, the development's impact on its growth as well as tree management strategy. This has been reviewed by the Council's Tree officer, comments within Sections 5 and 7.10.
- An addendum to the Design and Access statement provides further clarification of

the townhouses amenity space, as well as their refuse strategy, design of the townhouses' rear elevation and boundary treatment with Park Place's car park.

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

- 4.1 04/P1468: REMEDIAL WORKS TO LISTED WALL – Granted 04/04/2005
- 4.2 00/P2184: REBUILD SECTION OF BOUNDARY WALL (APPLICATION FOR LISTED BUILDING AND CONSERVATION AREA PLANNING CONSENT) – Granted 28/06/2001
- 4.3 96/P1134: PROVISION OF FOUR PARKING BAYS ON EXISTING GRASSED AREA ADJACENT TO CARETAKER'S HOUSE (COUNCIL APPLICATION). – Granted Section 316 Permission 20/12/1996
- 4.4 MER553/83: LISTED BUILDING CONSENT TO CREATE A 4M WIDE OPENING IN BOUNDARY WALL TO ALLOW NEW ACCESS ROAD. – Consent by Minister 31/12/1983
- 4.5 MER529/83: FORMATION OF REAR ACCESS ROAD. – Granted 08/09/1983
- 4.6 MER332/82: LISTED BUILDING APPLICATION FOR DEMOLITION AND ALTERATIONS OF BUILDINGS AND WALLS. - Granted Listed Building Consent 09/09/1982

#### Recent planning history on neighbouring site – The Canons:

- 4.7 17/P1450: LISTED BUILDING CONSENT FOR Alterations and extensions to Canons House to provide a mix of workspace, education and community spaces involving demolition of toilet block and part of wall for erection of new entrance and community wall, partial demolition and extension to Madeira Hall to provide café, play/community room and public toilets, repair works to the Dovecote, provision of a new civic space in location of current northern car park, provision of new play area to replace existing play area, and associated landscaping and external works including reinstatement of historic running track, installation of outdoor gym equipment, new fencing, entrances, paths and lighting, and resurfacing of driveway. – Granted 26/02/2018
- 4.8 17/P1449: Alterations and extensions to Canons House to provide a mix of workspace (Class B1), education and community spaces (Class D1) involving demolition of toilet block and part of wall for erection of new entrance and community wall, partial demolition and extension to Madeira Hall to provide café, play/community room and public toilets, repair works to the Dovecote, provision of a new civic space in location of current northern car park, provision of new play area to replace existing play area, and associated landscaping and external works including reinstatement of historic running track, installation of outdoor gym equipment, new fencing, entrances, paths and lighting, and resurfacing of driveway. – Granted 26/02/2018

#### **5. CONSULTATION**

##### **External**

- 5.1 Public consultation was undertaken by way of letters sent to 39 neighbouring properties. Major application and conservation area/listed building site and press notices were displayed.
- 5.2 10 representations were received to the proposal. 3 comments and 7 objections.
- 5.3 2 comments received by Wimbledon Swift Group and Swift Conservation raising awareness of the building project's potential to include to provide a new nesting site

for swifts. 1 comment received by the Merton Green Party regarding affordable housing.

- 5.4 Mitcham Cricket Green Community & Heritage raised the following concerns:
- Poor community engagement, and considers the conclusion provided in the Statement of Community Involvement to be a fundamental distortion of the truth;
  - Do not support development of the site separate from its function as part of the historic Canons landscape and in a manner which does not reflect its historic use as functional open space, the plans would harm both the Conservation Area and heritage assets;
  - Excessive height, bulk and mass;
  - 3 storey blank flank elevation of flatted development unacceptable;
  - Design and architectural context is weak, the proposals would cause harm to the Mitcham Cricket Green Conservation Area, supported by an inadequate Heritage Assessment;
  - The proposed impact of the development would undermine the public benefit being secured from public investment in The Canons supported by the National Lottery;
  - Conflict with the projects being under at The Canons;
  - Concern of potential damage to the striking Pagoda tree at the centre of the site which is a celebrated local asset, question the sense of proposing development on three sides of the tree and whether there is sufficient space for continued growth;
  - Excessive lighting scheme which will cause unnecessary light pollution, potential harm to the sensitive landscape, nightscape and wildlife;
  - Viability study should be subject to independent scrutiny;
  - Minimal parking provision is inadequate and will place extra parking pressure on surrounding roads already at capacity, 2 proposed parking spaces at the end of the "mews street" are poorly conceived and will conflict with pedestrian safety;
  - Inadequate information on sustainability.
- 5.5 Objections from the public are summarised as below:
- Loss of privacy and overlooking;
  - There is a climate change emergency declared by Merton Council, cutting down healthy older trees is not in line with the actions the Council's needs;
  - Out of character in the area;
  - 3 storeys is inappropriate;
  - Detract from the neighbouring historic buildings;
  - Insufficient provision of car parking;
  - General services in the area are not sufficient to cater for the increase of population caused by the development;
  - Impact on proposed value of Madeira Road;
  - Absence of adequate information to assess the impact on designated heritage assets and the Conservation area;
  - Absence of information relating to The Canons project;
  - Protection of the Pagoda tree and wildlife;
  - Inadequate Statement of Community Involvement;
  - Harm to Conservation area and Heritage assets;
  - Conflict with Council's affordable housing policies.
- 5.6 A 14 day re-consultation was carried out 22/05/2020, and 3 representations were received.
- 5.7 Mitcham Cricket Green Community & Heritage:
- Initial objection still stands;

- Reduction of the balconies are in minor but welcome change;
- Negative impact toward Park Place;
- Errors in initial arboricultural report and concerns of impact toward Pagoda tree;
- Townhouses to provide only half the outdoor amenity space required by policy;
- Revised Heritage Assessment remains inadequate;
- Impractical arrangement for refuse strategy;
- 3 storey blank flank elevation of flatted development unacceptable;
- Likely ground disturbance impacting archaeological matters;
- Conflict with Canons scheme.

5.8 Objections from the public are summarised as below:

- Inadequate parking provided;
- Impact toward the central Pagoda tree, the development will be overbearing depriving it of natural light;
- The site is not to be called Canons Place, this relates to a new area currently in the process of construction as part of the Lottery funded Canons refurbishment.

5.9 Thames Water – General waste and water comments provided, if the application were minded to be approved a number of informatives have been provided

5.10 Design Review Panel – During the pre-application stage, the schemes were put forward to the Design Review Panel (DRP) twice before submission of the main planning application: 23 April 2019 and 29 October 2019. During the DRP in April, the scheme received an Amber verdict, and at DRP in October, the scheme received an Amber verdict.

The notes from the October meeting:

The Panel saw the proposal as being of good architecture with good detailing, particularly the fronts of the mews houses. The level of private and communal open space was good and it was felt the communal square with buildings grouped around it would work really well. It was a good composition. There had been a number of improvements since the previous review.

It was felt there were a few issues that required further work. Although a heritage statement had been submitted as part of the application, the Panel had not seen this. It was therefore important that the proper procedure and assessment had taken place to conclude the level of harm and what the mitigation and public benefits were, that would outweigh this. There was some scepticism from the Panel regarding the rather emphatic conclusion reported in the review material.

In general, although the design was commended, the overall feel was that the development felt too harsh and clunky. This was most notable at the rear of the mews houses. This elevation seemed to have too much going on in terms of its volumetrics, with an array of different forms and planes. This made it seem too busy, intense and slightly military in feel. The Panel's advice on this was that the solution was an architectural one, which did not require a fundamental rethink, but which needed to be cuter, quieter and more rural in feel, to better relate to its historic surroundings. In contrast, the front of the mews was considered quite successful.

The flats block was considered to have similar issues – they needed to relax and breathe more - but not to the same degree as the mews houses. The access road felt like a road and needed softening to feel like a space. Again, the Panel felt that the roof was being under-used, lacking sustainable measures or access for roof gardens. Flat roofs were questioned in an area where pitched roofs generally prevailed, but was not necessarily considered essential.

Whilst internally the house layouts were liked, the entrance areas were considered impractical and cramped, with no storage for essential items such as coats, shoes etc. This area would benefit from a redesign. The headroom for the under-stairs WC was also questioned. Whilst one Panel member expressed the view 'I'd love to live there' the Panel as a whole felt that the issue of the feel and appearance of the mews houses just prevented them from giving a Green verdict.

Verdict: AMBER

### **Internal**

- 5.11 Tree officer – The Pagoda tree in the centre of the site is a very important tree. This won Merton's Favourite Tree competition for 2019.

The Tree officer requested further details be provided within the arboricultural statement in relation to the Pagoda tree. Following review of the amended report, the Tree officer has recommended attaching conditions to ensure the details and measures for the protection of the existing and retained trees as specified in the submitted document be fully complied with, and the retention of an arboricultural expert to monitor the works and report to the LPA.

- 5.12 Conservation officer –

- The rationale of the design responds to the architecture of the Listed Buildings;
- The block of flats is sufficiently removed from Park House that the height of the development would not have a harmful impact, and the greater distance from Canons House does not cause conflict.
- Any works impacted the Listed Wall will require Listed Building Consent from the Council.

- 5.13 Ecology – The site has the following Local Plan environmental site designations, for which the corresponding policies will need to be considered:

- Wandle Valley Regional Park – Canons Recreation Ground (CS5, CS13, CS para 21.13, DM01)
- Wandle Valley Regional Park 400m Buffer (CS5, CS13, CS para 21.13, DM01)

The proposed development site is adjacent to designated open space and MOL.

The applicant has submitted a Preliminary Ecological Appraisal report, of which the methodology, findings and recommendations seem suitable. The PEA included a bat roost assessment on 29th Nov 2018, ecology walkover on 30th Nov 2018 and arboricultural survey on 2nd Jan 2019. The report identifies the site as having "*significant ecological value, as it has been left unmanaged for some time, and has developed a seminatural character*". The report makes a number of recommendations, which included further surveys and investigations be undertaken for nocturnal bat surveys, badger activity trailcams and greater crested newt presence surveys.

The applicant has also submitted a letter from the ecologist, dated 4 October 2019, which provides the findings and recommendations from badger, bat and great crested newt surveys.

Should you be minded to recommend approval for this application, the recommendations from both reports should be included as suitably worded conditions, to ensure the protection and enhancement of biodiversity and provide a net biodiversity gain on the site.

- 5.14 Transport officer – The site lies within an area PTAL 2 which is considered to be poor. A poor PTAL rating suggests that only a few journeys could be conveniently made by public transport.

Car parking – 4 car parking spaces are proposed within the curtilage of each building for the townhouses. This number of car parking provided is considered acceptable. Two disabled car parking spaces are proposed for the two ground-floor accessible units. This level of provision for disabled car parking spaces adheres to London Plan (2016) standard.

Cycle parking - The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles: 1 per studio and one bed dwellings; and 2 per all other dwellings. Long stay cycle parking should be secure and undercover.

Recommendation: No objection in principle to the development. The following conditions should apply to any planning approval:

- Car parking maintained.
- Condition requiring the provision of the disabled parking bays.
- Condition requiring Cycle parking.
- Refuse storage arrangements.
- 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.

- 5.15 Climate Change Officer – The Council declared a climate emergency in July 2019 and will shortly be adopting an action plan asking that developers maximise sustainability in schemes. Whilst the original proposal sought to surpass Merton's minimum policy standards, the applicants are seeking further solutions to apply additional measures to promote sustainability – such as the provision of PVs on the roof.

Energy statements are being updated accordingly and shall be reviewed by the Council's Climate Change officer, any further changes to this arrangement shall be reported to the LPA.

- 5.16 Environmental Health – conditions have been recommended should the application be approved. Further to additional consultation, no supplementary comments that are relevant to Environmental Health (Noise) were provided.

- 5.17 Waste services – The developer has addressed the concern with the bin travel distance.

The developer had stated that the refuse vehicle will be able to reverse into the site access road using a banksman, to collect the bins. However, as a policy, the waste collection vehicle will not reverse into a side road.

A revised refuse strategy should be provided to demonstrate sufficient room to manoeuvre and load a vehicle of the following dimensions without reversing:

- Length = 11 metres
- Width = 2.5 metres
- Height = 3.5 metres
- Turning circle = 18.0 metres

- 5.18 GLAAS. Archaeology –Paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.

The planning application lies in an area of archaeological interest.

The revised archaeological desk-based assessment is a welcome improvement and provides a thorough archaeological background to the site. The site has potential to contain remains relating to the post-medieval Park Place to the east, and possibly medieval remains relating to a moated site to the west. These remains will be affected by the proposed development.

I have looked at this proposal and at the Greater London Historic Environment Record. I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. 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.

- 5.19 Met Police - Secure by Design – There appears to be a shared pedestrian and vehicle route within the site, the use of shared surface arrangements should be designed for those with visual impairment.

No further comments were raised on the amended drawings.

## **6. POLICY CONTEXT**

### 6.1 NPPF - National Planning Policy Framework (2019):

Part 5 Delivering a sufficient supply of homes  
Part 9 Promoting sustainable transport  
Part 11 Making effective use of land  
Part 12 Achieving well-designed places  
Part 14 Meeting the challenge of climate change, flooding and coastal change  
Part 16 Conserving and enhancing the historic environment

### 6.2 London Plan 2016:

3.3 Increasing housing supply  
3.4 Optimising housing potential  
3.5 Quality and design of housing developments  
3.8 Housing choice  
3.9 Mixed and balanced communities  
3.10 Definition of affordable housing  
3.11 Affordable housing targets  
3.12 Negotiating affordable housing  
3.13 Affordable housing thresholds  
5.1 Climate change mitigation  
5.2 Minimising carbon dioxide emissions  
5.3 Sustainable design and construction  
5.13 Sustainable drainage  
5.17 Waste Capacity  
6.3 Assessing effects of development on transport capacity  
6.9 Cycling

- 6.11 Smoothing traffic flow and easing congestion
  - 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
  - 8.2 Planning obligations
  - 8.3 Community infrastructure levy
- 6.3 Merton Sites and Policies Plan July 2014 policies:
- DM D1 Urban design and the public realm
  - DM D2 Design considerations in all developments
  - DM D4 Managing heritage assets
  - DM EP4 Pollutants
  - DM H2 Housing mix
  - DM H3 Support for affordable housing
  - DM O1 Open space
  - DM O2 Nature conservation, Trees, hedges and landscape features
  - 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 road network
- 6.4 Merton Core Strategy 2011 policy:
- CS 5 Wandle Valley
  - CS 8 Housing choice
  - CS 9 Housing provision
  - CS 13 Open space, nature conservation, leisure and culture
  - CS 14 Design
  - CS 15 Climate change
  - CS 17 Waste management
  - CS 18 Transport
  - CS 20 Parking servicing and delivery
- 6.5 Supplementary planning documents
- Accessible London SPG – October 2014
  - London Housing SPG 2016
  - Technical Housing standards – nationally described space standards 2015
  - Affordable Housing and Viability SPG – August 2017
  - Merton’s Waste and Recycling Storage Requirements – For Commercial and Residential Premises in the London Borough of Merton
  - The Canons Conservation Management Plan – February 2017
- 7. PLANNING CONSIDERATIONS**
- 7.1 The key planning considerations of the proposal are as follows:
- Principle of development
  - Design and impact upon the character and appearance of the area
  - Impact upon neighbouring amenity
  - Standard of accommodation

- Transport, parking and cycle storage
- Refuse
- Sustainability
- Affordable housing
- Other matters
- Developer contributions

## 7.2 PRINCIPLE OF DEVELOPMENT

### **Erection of residential development**

- 7.2.1 The National Planning Policy Framework, London Plan Policy 3.3 and the Council's Core Strategy Policy CS8 and CS9 all seek to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that an acceptable standard of accommodation would be provided. Policy 3.3 of the London Plan 2016 also states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities.
- 7.2.2 The emerging London Plan, now accorded moderate weight in recent appeal decisions issued by the Secretary of State, and anticipated to be adopted in the coming months, will signal the need for a step change in the delivery of housing in Merton. 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.
- 7.2.3 Policy H1 'Increasing housing supply' (Draft London Plan Policy) and Table 4.1 of the draft London Plan sets Merton a ten-year housing completion target of 13,280 units between 2019/20 and 2028/29 (increased from the existing 10-year target of 4,107 in the current London Plan). However, following the Examination in Public (mentioned above) this figure of 13,280 has been reduced to 9,180.
- 7.2.4 Merton's latest Annual Monitoring Report 2018/19 concludes that in the years 2011-2016, 2,573 new homes were delivered which is 52% over the target. For the years 2021-26, the provision of additional homes is projected at 3,269 new homes, 59% over the target. All of the home completions this financial year were on small sites of less than 0.25 hectares in size. All of the schemes except one delivered 10 homes or fewer, with one scheme of 11 homes. Merton has always exceeded the London Plan housing target, apart from 2009/10 and this year 2018/19.
- 7.2.5 But, the increased target set of 918 units per year in the draft London Plan will prove considerably more challenging, and will require a step change in housing delivery within Merton.
- 7.2.6 The site lies within a Conservation area, but adjacent to open space and Metropolitan open land. Therefore, there are no "in principle" restrictions to development on the land itself.
- 7.2.7 This application site is identified in Merton's Local Plan 2020 (currently under review following Stage 2 consultation held between 31 October 2018 and 28 January 2019) as an 'opportunity' site for development – 'Site Mi5', and the Council's proposed site allocation is residential (C3) use. It is considered the redevelopment of the currently vacant site would make effective use of the land, helping to increase housing provision through the development of under-utilised land.

7.2.8 Whilst the introduction of residential use to the development site would respond positively to London Plan, draft London Plan and Core Strategy planning policies to increase housing supply, optimise the site and support provision of additional housing, the development scheme is also subject to all other planning considerations being equally fulfilled and compliant with the policies referred to in Section 6.

### **Housing mix**

7.2.9 Policy DM H2 of Merton's Sites and Policies Plan requires development to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. Residential development proposals will be considered favourably where they contribute to meeting the needs of different households such as families with children, single person households and older people by providing a mix of dwelling sizes, taking account of the borough level indicative proportions concerning housing mix. Policy 3.8 of the London Plan requires new developments offer a genuine choice of homes that Londoners can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environment.

7.2.10 Merton's Core Strategy Policy CS 8 requires 10% of new housing to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

7.2.11 The scheme provides the following unit mix:

- 7 x four bed family sized townhouses (39%)
- 4 x two bed, 4 person apartments (22%)
- 7 x one bed, 2 person apartments (39%)

7.2.12 The indicative housing mix set out in Merton's Sites and Policies Plan envisages a broadly equal split between 1, 2 and 3 bedroom (and larger) units. This mix is informed by a number of factors, including Merton's Strategic Housing Market Assessment (SHMA 2010). Further work is being undertaken as part of the preparation of a new local plan. Merton's Strategic Housing Needs (Market) Assessment was published in July 2019.

7.2.13 The proposals would not be considered to significantly deviate from the Sites and Policies Plan indicative housing mix.

7.2.14 Mitcham has the lowest percentage of 4 bedroom houses than the borough average (based on 2011 census data), and the proposed scheme would contribute a large percentage of this unit size. Overall, the site provides a reasonably mixed provision of larger family home units as well as smaller 1-2 bedroom units, and officers consider that the mix would optimise the development potential of the site, positively promoting policy objectives of Policies 3.8 and 3.9 of the London Plan.

### **7.3 CHARACTER AND APPEARANCE**

7.3.1 The NPPF states that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should ensure that they are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities).

7.3.2 Policies CS14, DMD1 & DMD2 require that new development reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the

development would contribute positively to the character and appearance of the built environment. Policy DM D2 of Merton's Sites and Policies Plan requires development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting. The requirement for good quality design is further supported by the London Plan London Plan Policies 7.4 and 7.6.

- 7.3.3 Concerning development in an area with historic interest, London Plan Policies 7.8, and Merton Site's and Policies Plan Policy DM D4, state that development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials and architectural detail. Heritage assets such as statutorily and non-statutory locally listed buildings and Conservation Areas make a significant contribution to local character and should be protected from inappropriate development that is not sympathetic in terms of scale, materials, details and form. Development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character.
- 7.3.4 The site sits within the grounds of the Canons Place Recreation Ground and Leisure Centre, within the Mitcham Cricket Green Conservation Area, specifically the Cranmer Green sub area (adjacent to Three Kings Piece sub area which covers Park Place). The existing site is an overgrown area of vegetation which is vacant and currently not in use, but at its centre lies a Pagoda tree, which has been highlighted by the Tree officer, won Favourite Tree of the Year in 2019.
- 7.3.5 The site, as described under Section 7.2, does not hold any designations which would restrict development. It lies adjacent to open space and MOL, so, Policy CS 13 should be considered, which seeks to protect and enhance the borough's public and private open space network including Metropolitan Open Land, parks, and other open spaces.
- 7.3.6 The history of the Canons site is extensive, but as a summary, the Canons Conservation Management Plan (2017) provides an apt description of the site:

*The Canons includes two Georgian villas, Canons house (1680) and Park Place (c.1780), as well as remnants from designed landscape of these periods when the properties in the area were developed by wealthy London business men and figures of genteel society, often used as weekend retreats. These mini country estates included extensive grounds, including lawns, ornamental gardens, specimen trees and walled gardens with 'borrowed' views over adjacent common land. Canons house and Park Place represent two of the few surviving examples of Georgian houses of this period and although there are remains of both Georgian grounds, The Canons is especially important as it retains a relationship between house and several features of the designed landscape including the pond, dovecote, lawns, specimen trees and the walled garden as well as adjacent common land and greens. Although most of Mitcham has been developed over the centuries, the area denoted by the Conservation Area including the Commons and Cricket Greens as well as The Canons has retained its largely rural character, and a strong sense of community. (p.26)*

- 7.3.7 Historically, the Canons site consisted of two medium sized estates, The Canons and Park Place which had significant landscaped grounds. Both estates remained as separate parcels, although at times linked by paths due to shared family ownerships,

*until they were unified when the Mitcham Borough Council bought Park Place in 1965 to add to their ownership of The Canons previously purchased in 1939. (p.28)*

- 7.3.8 The application site lies between the two 'estates': Park Place and the Canons. Whilst these were independently developed, there was some link to demonstrate that they were joined through pathways, and at various points the application site did contain some development. The submitted Heritage Assessment states that from 1879 to 1971, *that part of the Site [the application site] adjoining The Canons estate, was in use as a nursery and included various glasshouses and associated structures.*
- 7.3.9 Small pockets of land within The Canons site have been developed at various points in history, such as: The Canons Nursery, which survived until 1970s/80s and now developed to form the car park area adjacent to The Canons house; the Canons Leisure Centre built in 1984; Park Place was severely damaged by fire in 1989 and was eventually sold in 1995 and converted to its present use as a pub/restaurant (Toby Carvery), its immediate curtilage converted into a car park to service this. The land within The Canons has been incrementally built upon, but overall retains an open rural character.
- 7.3.10 The site did not historically either forge an architectural link between the two Listed buildings, or provide a meaningful vista between the two. but the proposed development would introduce new buildings in the intervening space from Park Place to the Canons, as well as from Madeira Road toward the surrounding open space and vice versa. Historically, this area did not form open space which was excluded from development, between The Canons and Park Place. There was no distinct link or protected view between the two, and historic plans show that the area at times in the past contained glasshouses and various structures. Officers judge that the integrity of the setting to the two neighbouring listed buildings would be preserved were development to take place on the site. Further consideration of the form massing and detailing of the new buildings in this sensitive heritage setting is however vital as the presence of the listed buildings ultimately acts as a constraint to development opportunities.
- 7.3.11 The development scheme focuses around the Pagoda tree, wrapping around the perimeter of the site, comprising an L-shaped apartment block within the southern corner of the plot and a row of townhouses along the eastern boundary. This approach is inspired by the walled gardens of The Canons. The 'walled garden' development would incorporate the Listed Wall along the western boundary of the site, which forms the curtilage of The Canons. Amendments were also provided (these changes were the subject of re-consultation), which reduced the depth of the flatted block's balconies to ensure there was an increased setback between these and the Listed Wall, to ensure distinct layers of space were retained between the historic and new fabric.
- 7.3.12 The proposed buildings are both of 3-storeys, keeping in height with the Listed buildings, and the otherwise contemporary design also heavily influenced by their Georgian architecture, demonstrated in the proposed design's simplicity, symmetry, window proportions, groupings and materials.
- 7.3.13 Whilst the main front elevation of the townhouses face inward toward the communal courtyard, the design of the rear elevation reflects the aforementioned Georgian proportions to ensure interest is retained along this elevation so as not to appear as a 'rear' and be inactive toward the public realm. The courtyards, forming the new boundary between the site and Park Place's car park, would feature curved walls to the courtyard echoing the curved boundary walls seen within The Canons.

- 7.3.14 The walled garden approach is considered acceptable and reflective of the features of The Canons, it would incorporate the existing 18<sup>th</sup> century Listed brick boundary wall to develop a new enclosed intimate enclosure. The development would integrate with the Listed buildings and surrounding scenery, it does not seek to compete with the historic structures and would preserve their visual or historic significance. Officers consider the development would have a neutral impact on the open space being suitably separated.
- 7.3.15 Whilst the site is adjacent to Metropolitan open land, there is no restriction to build on the site itself. Given the buildings proportion and scale, which do not seek to compete with the wider historic environment, if glimpses of the development are seen from the neighbouring open spaces officers consider that this would add interest to and not be harmful to the backdrop to the open space.
- 7.3.16 As a matter of judgement it may reasonably be concluded that proposals would preserve the character and appearance of the conservation area and preserve the character, setting and significance of the existing heritage assets..

#### 7.4 NEIGHBOURING AMENITY

- 7.4.1 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

##### **15 Madeira Road**

- 7.4.2 This is a detached two storey (with pitched roof) dwelling north of the application site. The separation distance between this dwelling and the flatted development would be approximately 10m, there are no windows on the existing side (southern) elevation of the dwellinghouse facing toward the proposed flatted development.
- 7.4.3 The proposed terrace houses would be set further back from the existing house, retaining a separation of approximately 17m.
- 7.4.4 The proposed flatted development and townhouses would be of three storeys, around 1.9m taller than the existing detached dwellinghouse. However, given the layout of the proposed development surrounding the perimeter of the plot, this sympathetically considers the detached dwelling so as to maintain appropriate setbacks. Furthermore, with dense greenery further surrounding the boundaries, the marginally increased height of the proposed development is not considered likely to be visually dominant nor harmful in terms of light.

##### **Park Place, 54 Commonsides West**

- 7.4.5 Park Place serves as 'Toby Carvery' restaurant/pub, with residential accommodation above (manager/assistant manager accommodation). However, separating this building from the proposed townhouses would be Park Place's car park spanning a width of around 20m. Given the properties would be sufficiently separated, it is not considered the townhouses would have a harmful impact toward the amenities of Park Place, nor would the neighbouring restaurant/residential uses raise issues of overlooking/privacy, or inappropriate noise, toward the townhouses.
- 7.4.6 The courtyard on the ground floor of the townhouses would have a boundary brick wall with a maximum height of 2.4m, this wall would form the new boundary between the application site and the car park at Park Place (currently there is a metal railing between the sites). As mentioned within paragraph 7.5.6, the treatment of this boundary would further provide a strip of low level planting to create a defensive area

to ensure cars are not parked immediately at the rear of the courtyard walls, and to also prevent people from standing and immediately being able to peer into the private amenity spaces (e.g. outside the courtyard of Townhouse 7 would be a strip of 0.5m low level planting and Townhouse 6, 0.4m). The lowest part of the curved brick wall would be topped with metal railings (up to a height of 2.4m), ensuring safety and security for the future occupiers.

**Madeira Road, semi-detached dwellings facing toward the road**

7.4.7 The balconies on the southern elevation of the flatted block would be sited around 23-26m from the rear of the properties along Madeira Road, thereby exceeding commonly used separation distances of between 18m and 20m. It is considered the space between proposed and existing buildings would not give rise to harm to overlooking toward the internal living areas of the existing properties.

7.4.8 Toward the rear boundary of the properties along this section of Madeira Road, many of the gardens have large garages/outbuildings with a vehicular access path providing further separation between the sites. Whilst there may be some perception of overlooking, it is not considered views would be indirect, and with the balconies reduced in depth, the views/time spent on the balconies would not be considered inappropriately prolonged or direct so as to negatively impact the enjoyment of the neighbouring gardens.

**Canons House**

7.4.9 The application site is set back from The Canons House by approximately 89m. Officers consider the proposed development would not impact on the amenities of its occupiers.

7.5 STANDARD OF ACCOMODATION

**Internal**

7.5.1 Policy 3.5 of the London Plan 2016 requires housing development to be of the highest quality internally and externally, and should satisfy the minimum internal space standards (specified as Gross Internal Areas –GIA) as set out in Table 3.3 of the London Plan. Table 3.3 provides comprehensive detail of minimum space standards for new development; which the proposal would be expected to comply with. Policy DMD2 of the Adopted Sites and Policies Plan (2014) also states that developments should provide suitable levels of sunlight and daylight and quality of living conditions for future occupants.

	Level	Type	Storeys	Proposed GIA (sqm)	Required GIA (sqm)	Compliant
Unit 1	Ground	1b2p	1	65	50	Yes
Unit 2	Ground	1b2p	1	51	50	Yes
Unit 3	Ground	1b2p	1	64	50	Yes
Unit 4	First	2b4p	1	74	70	Yes
Unit 5	First	1b2p	1	50	50	Yes
Unit 6	First	1b2p	1	52	50	Yes
Unit 7	First	2b4p	1	74	70	Yes
Unit 8	Second	2b4p	1	74	70	Yes
Unit 9	Second	1b2p	1	50	50	Yes
Unit 10	Second	1b2p	1	52	50	Yes
Unit 11	Second	2b4p	1	74	70	Yes

TH1	4b6p	3	118	112	Yes
TH2	4b6p	3	118	112	Yes
TH3	4b6p	3	118	112	Yes
TH4	4b6p	3	118	112	Yes
TH5	4b6p	3	118	112	Yes
TH6	4b6p	3	118	112	Yes
TH7	4b6p	3	118	112	Yes

7.5.2 As demonstrated by the table above, all the units would comply with the minimum space standards.

7.5.3 The design achieves dual aspects for all the residential units and townhouses.

### External

7.5.4 In accordance with Merton Site's and Policies Policy DMD2, all new houses are required to provide a minimum garden area of 50 sqm as a single usable regular shaped amenity space. For flatted dwellings, a minimum of 5sqm of private outdoor space should be provided for 1-2 person flatted dwellings (also specified in the Mayor's Housing Supplementary Planning Guidance) and an extra 1 sqm should be provided for each additional occupant.

	Level	Type	Proposed amenity (sqm)	Required amenity (sqm)	Compliant
Unit 1	Ground	1b2p	60	5	Yes
Unit 2	Ground	1b2p	42	5	Yes
Unit 3	Ground	1b2p	24	5	Yes
Unit 4	First	2b4p	7	7	Yes
Unit 5	First	1b2p	7	5	Yes
Unit 6	First	1b2p	7	5	Yes
Unit 7	First	2b4p	7	7	Yes
Unit 8	Second	2b4p	7	7	Yes
Unit 9	Second	1b2p	7	5	Yes
Unit 10	Second	1b2p	7	5	Yes
Unit 11	Second	2b4p	7	7	Yes
	TH1	4b6p	23	50	No
	TH2	4b6p	25	50	No
	TH3	4b6p	26	50	No
	TH4	4b6p	26	50	No
	TH5	4b6p	26	50	No
	TH6	4b6p	26	50	No
	TH7	4b6p	65	50	Yes

7.5.5 It is noted that townhouses 1-6 would fall short of the 50sqm requirement for external amenity for a new dwellinghouse. However, in place of a single amenity area, there are a number of external amenity spaces provided: a courtyard on the ground floor together with balcony areas on each the upper levels (total of 3 balconies). The townhouse have been design to be dual aspect, the rear facing an eastern aspect, so amenity spaces, bedrooms and living areas would receive adequate sunlight and daylight. The western balconies would face inwards toward the courtyard, towards the attractive Pagoda tree, and at the front elevation of the townhouses would be an

integrated seating area within the façade, so the internal spaces feel as though they spill out into the courtyard and external landscaped areas. The townhouses have been well-conceived for an urban context and whilst outdoor spaces fail to either meet the Council's adopted minimum garden space standards for family houses or provide the space in one single usable area, their design would ensure family occupiers would have access to a number of well-lit external spaces throughout the dwelling and enjoy the atmosphere of being connected to the surrounding green open environment. Officers note the site is immediately surrounded by a number of open spaces: Canons Recreation Ground, Cranmer Green and Mitcham Common, providing alternative access to larger areas of open space. Given the immediate proximity of the publicly accessible open spaces, it may be concluded that adherence to adopted external space standards may be relaxed in this instance and that it may be unreasonable to withhold permission on this basis.

- 7.5.6 The design of the rear boundary wall ensures a sufficient receipt of light and security as it would form the new boundary between the site and the neighbouring car park. The maximum height of the brick wall would be 2.4m, part of its design would curve down to 1.5m with a metal railing atop (total 2.4m). The railings would allow light penetration, and to create further defensible space, low level planting is proposed between this wall and up to the boundary of the car park.
- 7.5.7 It is noted the proximity of the car park to the courtyard gardens could raise some concerns in terms of the quality of the space. However, the design treatments, proposing a suitable high level brick wall with an area of defensible planting provides ample set back and screened view of parked vehicles, furthermore, as it is an area for parking activities there would only be fleeting views of cars/drivers arriving and leaving the site and not a space where one can rest for a prolonged period. Hence, the lower level curved brick wall with railings, which provides some outlook is considered appropriate and would not provide an uncomfortable relationship with the car park. The metal railings assist with light, but also increases the sense of security and safety for future occupiers.

## 7.6 TRANSPORT, PARKING AND CYCLE STORAGE

- 7.6.1 Core Strategy Policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management. Cycle storage is required for all new development in accordance with London Plan Policy 6.9 and Core Strategy Policy CS18. It should be secure, sheltered and adequately lit and Table 6.3 under Policy 6.13 of the London Plan stipulates that 1 cycle parking space should be provided for a studio/1 bedroom unit and 2 spaces for all other dwellings.
- 7.6.2 The site lies within an area PTAL 2, which is considered to be poor, and also not located in a Controlled Parking Zone so consequently the surrounding streets do not contain parking restrictions.
- 7.6.3 The proposed development would provide 6 on-site parking spaces, 2 disabled car parking spaces for the accessible units within the flatted development and 4 for the townhouses. The Transport officer has been consulted and raises no objection to the parking arrangement, recommending conditions be required, should the application be approved the parking spaces should be provided prior to occupation of the development.

- 7.6.4 In relation to cycle storage, The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles: 1 per studio and one bed dwellings; and 2 per all other dwellings. The proposed development would provide a cycle store containing 20 cycle spaces. The number of units indicate that 15 cycle spaces would be required. Therefore, the proposed provision would exceed the minimum requirement and is considered acceptable.
- 7.6.5 The townhouses would require 2 cycle spaces each, at the front of each townhouse would be a private cycle store providing a space for 2 cycles. This is considered acceptable.
- 7.6.6 Access – The access roads off Madeira Road and Commonsides West are Council owned, so, the site currently being under the ownership of Merton Council does not raise issues in terms of pedestrian/vehicular access. In future, if the properties are sold, it is considered drawing up a new agreement to permit access for new landowners would be appropriate. This arrangement is currently in place with Park Place who hold a wayleave agreement with the Council to utilise the access road off Commonsides West.

## 7.7 REFUSE

- 7.7.1 The London Plan Policy 5.17 and Merton Core Strategy Policy CS17 require new developments to show capacity to provide waste and recycling storage facilities.
- 7.7.2 Merton's Waste and Recycling Storage Requirements require that residents do not have to walk more than 30metres to dispose of their waste and recycling in accordance to Building Regulations 2002, Part H. The collection vehicle shall be able to approach the container store or collection point within a maximum distance of 10 metres.
- 7.7.3 Each townhouse would be provided with an individual refuse and cycle store within their property demise. It is proposed that the four mews houses closest north of the application site would have their general and recyclable waste bins at the corner of the plot. The residents will then move their bins to this communal collection point adjacent to the vehicle access on collection day, this would be in line with the collection route existing for Park Place, and the pull distance required for the refuse vehicle would be less than 10m – it is noted the access road from Commonsides West is owned by Merton Council with a wayleave agreement to allow access to Park Place and its car park.
- 7.7.4 There is a communal refuse store located within the flatted development. Residents from the southern three townhouses will carry their refuse to this refuse point. The travel distance would be within 30m in accordance with Merton's Waste requirements and Building Regulations.
- 7.7.5 Merton's Waste Services team has been consulted and considers that the travel distances proposed are acceptable. However, the developer has stated that the refuse vehicle will reverse into the site using a banksman in order to collect the bins within the communal refuse store of the flatted development, but, adopted Council Waste Services practice is such that the waste collection vehicle will not reverse into a side road. Therefore, should the application be approved, a revised refuse strategy should be provided and agreed by Waste Services for the collection of the communal bins in the flatted block.

## 7.8 SUSTAINABILITY

7.8.1 All major residential development proposals will need to demonstrate:

- a) Compliance with Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) and the Policies in outlined in Chapter 5 of the London Plan (2016) through submission of a detailed energy strategy.
- b) Proposals will need to demonstrate compliance with zero emissions target outlined in Policy 5.2 of the London Plan (2016):
  - i. Development proposals must achieve a minimum on-site emissions reduction target of a 35% improvement against Part L 2013, with the remaining regulated emissions (to 100% improvement against Part L 2013) to be offset through *cash in lieu contribution*, and secured via Section 106 agreement. The contribution will be used to enable the delivery of carbon dioxide savings elsewhere in the borough;
  - ii. The cash in lieu contribution will be collected according to the methodology outlined in the Mayor's Sustainable Design and Construction SPG. This will require each tonne of CO<sub>2</sub> shortfall to be offset at a cost of £60 per tonne for a period of 30 years (i.e. 60 x 30 = £1800 per tonne CO<sub>2</sub>);
  - iii. Major residential developments will be expected to calculate and demonstrate the cumulative CO<sub>2</sub> emissions savings to be offset through cash in lieu contribution (in accordance with the above approved methodology, and in line with the Mayor's guidance on preparing energy assessments as part of their submitted energy strategy.
- c) Achieve wholesome water consumption rates not in excess of 105 litres per person per day.

7.8.2 The Council declared a climate emergency in July 2019 and will shortly be adopting an action plan asking that developers maximise sustainability in schemes. Whilst the original proposal sought to surpass Merton's minimum policy standards, the applicants are seeking further solutions to apply additional measures to promote sustainability – such as the provision of PVs on the roof. Energy statements are being updated accordingly and are to be reviewed by the Council's Climate Change officer. Officers consider that this should not impede the determination of the application and that the application of a combination of suitably robust conditions along with legal requirements to secure appropriate carbon offset contributions would ensure that the scheme met adopted standards or mitigated the impact of the development were any shortfall to arise.

## 7.9 AFFORDABLE HOUSING

7.9.1 This matter is assessed within a separate overarching report, which links the 4 Merantun Development applications.

## 7.10 OTHER MATTERS

### **Trees and Ecology**

7.10.1 Policy DM O1 requires protection and enhancement of open space and to improve access to open space. The Council will continue to protect Metropolitan Open Land (MOL) and designated open spaces from inappropriate development in accordance

with the London Plan and government guidance. And Policy DM O2 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.

- 7.10.2 The Tree officer requested further details be provided within the arboricultural statement in relation to the Pagoda tree, following review of the amended report, the Tree officer has recommended attaching conditions to ensure the details and measures for the protection of the existing and retained trees as specified in the submitted document be fully complied with, and the retention of an arboricultural expert to monitor the works and report to the LPA.
- 7.10.3 The application site is adjacent to Metropolitan Open Land (MOL) and designated open space, Canons Recreation Ground, which is part of the Wandle Valley Regional Park 400m buffer. The Wandle Valley will act as a strategic fulcrum in bringing together initiatives that will contribute towards bridging the gap between the east and the west of Merton. Policy CS 5's objectives seeks to support the creation of the Wandle Valley Regional Park, achieving a high quality, linked green infrastructure network, protecting biodiversity and providing opportunities for formal and informal recreation.
- 7.10.4 The Council's Ecology officer has reviewed the submitted "Preliminary ecological appraisal, bat roost assessment and tree survey" and considers the methodology, findings and recommendations suitable. The Preliminary ecological appraisal included a bat roost assessment undertaken on 29th Nov 2018, an ecology walkover on 30th Nov 2018 and arboricultural survey on 2nd Jan 2019. The report identifies the site as having "*significant ecological value, as it has been left unmanaged for some time, and has developed a seminatural character*". The report makes a number of recommendations, which included further surveys and investigations be undertaken for nocturnal bat surveys, badger activity trailcams and greater crested newt presence surveys.
- 7.10.5 The applicant has also submitted a letter from the ecologist, dated 4 October 2019, which provides the findings and recommendations from badger, bat and great crested newt surveys.
- 7.10.6 Should the application be minded for approval, the recommendations from both reports should be included as suitably worded conditions, to ensure the protection and enhancement of biodiversity and provide a net biodiversity gain on the site.

#### **Archaeology**

- 7.10.7 GLAAS were re-consulted with the revised archaeological desk-based assessment and consider this a welcome improvement which provides a thorough archaeological background to the site. The site has potential to contain remains relating to the post-medieval Park Place to the east, and possibly medieval remains relating to a moated site to the west. These remains will be affected by the proposed development.
- 7.10.8 Having looked at the proposal and at the Greater London Historic Environment Record, GLAAS advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. 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.

- 7.10.9 This recommended condition will be attached should the application be minded for approval.

#### 7.11 DEVELOPER CONTRIBUTIONS

- 7.11.1 The proposed developments would all be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

### **8. CONCLUSION**

- 8.1 The application site neither formed a historic architectural link nor delivered distinctive views between Park Place and The Canons. The site is not restricted from development being sited adjacent to, rather than within, Metropolitan Open Land and Open space. A new housing development is considered acceptable in principle and would deliver much needed housing.
- 8.2 The proposed development would introduce a new intervention within the wider environs of The Canons, being influenced by the idea of a walled garden, which is a characteristic feature of The Canons estate, and would incorporate the existing Listed wall around its curtilage, as well as the proposed design drawing influence from the Listed buildings' Georgian architecture.
- 8.3 Officers consider the buildings would preserve the significance of the existing heritage assets, and would develop a vacant overgrown site to provide housing for which there is a recognized need. Views from neighbouring open spaces would not be harmed as the proposed buildings are considered not to compete with the Listed structures, especially being suitably distanced from the main house of The Canons.
- 8.4 The standard of internal accommodation would be acceptable and officers judge that relaxation of outdoor space standards is appropriate in this instance. The relationship of the courtyard gardens with the adjacent car park are not considered inappropriate given the short-lived activities which occur in a car park, design measures have been carefully planned along the boundary so as to increase the sense of safety, security and usability of the gardens for future occupiers. The expected noise from the restaurant and pub of Park Place would also not be considered inappropriate/excessive so as to impact the quality of living within the townhouses.
- 8.5 While modest, adequate parking is available and the proposals, given their location would not have a harmful impact on parking conditions locally. Suitably conditioned trees may be safeguarded, and the sustainability credentials of the development delivered.
- 8.6 It is therefore recommended to grant planning permission subject to conditions and a suitable legal agreement so as to deliver carbon offset contributions for this site, affordable housing as part of a package to develop all 4 Merantun Development sites.

### **RECOMMENDATION**

Grant planning permission subject to the completion of an appropriate legal agreement to deliver the following:

- Affordable housing off site as part of a comprehensive 4 site development package which includes this site;
  - Carbon offset financial contributions.
1. A1 Commencement of Development
  2. A7 Approved Plans
  3. B1 External Materials to be approved – prior to commencement of development (other than site preparation/clearance works)
  4. B4 Details of surface treatment – Prior to occupation of development, further details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft shall be submitted in writing for approval by the Local Planning Authority (providing specification of product where appropriate). The development shall not be occupied until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.
  5. B5 Details of Walls/Fences – Prior to occupation of development, further details (providing specification of product where appropriate) of boundary walls and fences shall be submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be occupied until the details are approved and carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.
  6. C01 No Permitted Development – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the 7 dwellinghouses along the eastern boundary of the site, other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.
  7. D10 External Lighting – Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
  8. Non-standard condition – Notwithstanding the lightning strategy shown on page 16 of the ‘Landscape Planning Statement’ (ref: ExA\_1930\_CP\_Planning\_Statement Rev A), an amended lighting scheme with specification of lighting products to be installed on the site shall be submitted to the Council for approval prior to occupation of the development.
  9. D11 Construction Times – No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.
  10. C07 Refuse & Recycling (details to be submitted) – No development shall be occupied until a revised scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority, particularly resolving the refuse collection of the flatted developments and southernmost Townhouses 5, 6 and 7. No works which are the subject of this condition shall be occupied until the scheme has been approved and carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

11. F05 Tree Protection – The details and measures for the protection of the existing & retained trees as specified in the hereby approved document 'BS5837:2012 Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement for proposed residential development 'Canons Place' adjacent to Canons Leisure Centre, Mitcham, London Borough of Merton' version 4 and dated '22 March 2020' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.
12. F08 Site Supervision (Trees) – The details of the approved 'BS5837:2012 Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement for proposed residential development 'Canons Place' adjacent to Canons Leisure Centre, Mitcham, London Borough of Merton' version 4 and dated '22 March 2020' shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than monthly the status of all tree works and tree protection measures throughout the course of all of the site works. A final Certificate of Completion shall be submitted to the Local Planning Authority at the conclusion of all site works.
13. F01 Landscaping/Planting Scheme – Notwithstanding the Planting Plan layout shown on drawing ref: ExA\_1930\_CP\_201 Rev A and the Tree & Planting strategy within the 'Landscape Planning Statement' (ref: ExA\_1930\_CP\_Planning\_Statement Rev A), a further detailed landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development, these works shall then be carried out as approved before the occupation of the buildings hereby approved unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.
14. Non-standard condition (Ecology) – The recommendations set out in the 'Preliminary ecological appraisal, bat roost assessment and tree survey of land adjacent to Canons Leisure Centre, Mitcham, London Borough of Merton' by CGO Ecology Ltd, dated 04/10/2019, and 'Ecologist's Letter' version 2, by CGO Ecology Ltd, dated 04/10/2019, shall be fully carried out where required prior to the commencement of development, and mitigation/enhancement measures recommended incorporated into the development scheme throughout the construction process and prior to occupation of the development. Any relevant findings and measures for protection shall be reported to the LPA.
15. H04 Provision of Vehicle Parking – The 6 off-street parking spaces shown on the approved plans shall be provided before the occupation of the buildings or use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.
16. H06 Cycle Parking (Details to be submitted) – No development shall be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

17. No development shall take place, other than site preparation/clearance, until a Demolition **and** Construction Logistics Plan (including a Construction Management plan in accordance with TfL guidance) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

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

18. Non-standard condition (sustainability) – 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 of not less than a 35% improvement on Part L regulations 2013, and wholesome water consumption rates of no greater than 105 litres per person per day.

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

20. Non-standard condition (Archaeology) – 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.

## Informatives

1. INF 01 Party Walls Act

2. INF 14 Tree felling, birds and bats
3. INF 20 Street naming and numbering
4. INF Sustainability
5. INF Swifts
6. INF Thames Water
7. INF Listed Building – The applicant is reminded that if any works are required to the Listed Wall, along the western boundary of the site, Listed Building Consent will need to be sought from the Local Planning Authority.
8. INF GLAAS – Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England’s Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
9. INF GLAAS – An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.
10. Note to Applicant – approved schemes