

**PLANNING APPLICATIONS COMMITTEE**  
**20th August 2020.**

<b>UPRN</b>	<b>APPLICATION NO.</b>	<b>Item No:</b>
	20/P1060	<b>DATE VALID</b>
		07.04.2020
<b>Address/Site</b>	Former Sparrowhawk site, 159 Commonside East, Mitcham, CR4 2QB	
<b>Ward:</b>	Figges Marsh	
<b>Proposal:</b>	DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF BUILDINGS TO CREATE 25 SELF-CONTAINED RESIDENTIAL UNITS WITH ASSOCIATED PARKING AND LANDSCAPING	
<b>Drawing Nos;</b>	Site location plan and drawings P101C, P102B, P103B, P104, P105, P201B, P202A, P301A, P601, P602A, P701, SH/SP103 & SH/SP101	

**Contact Officer:** Leigh Harrington (020 8545 3836)

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## **RECOMMENDATION**

Grant planning permission subject to a section 106 agreement for off-site affordable housing contribution, permit free development and carbon offsetting and relevant conditions.

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## **CHECKLIST INFORMATION.**

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: Yes at Pre App stage
- Number of neighbours consulted: 85
- Press notice – Yes
- Site notice – Yes
- External consultations: Metropolitan Police & Historic England

- Archaeological Priority Zone – Yes
- Controlled Parking Zone – Yes, along Commonside East frontage
- Number of jobs created: N/A
- Density 131 Dwellings per hectare

## **1 INTRODUCTION**

- 1.1 The application has been brought before the Committee due to the level of public interest.

## **2. SITE AND SURROUNDINGS**

- 2.1 The site is an irregular shaped plot of land located at the junction of Commonside East and Hallowell Close in Mitcham. The site comprises a detached house and a disused scrap yard. The site is surrounded by predominantly residential properties with two storey interwar terraced houses and a garage area along Hallowell Close and a converted public house on Commonside East and a block of flats being the adjacent neighbours whilst the bridge on Commonside East screens much of the site from Mitcham Common which is opposite the site. The site is now adjacent to a CPZ that has been implemented along Commonside East and prohibits parking for non-permit holders between the hours of 8.30am and 6.30pm. The site is adjacent to the Mitcham Cricket Green Conservation Area. It is located within a Tier 2 Archaeological Priority Zone and has a Ptal rating of 3. The site is within Flood Risk Zone 1 and therefore deemed to be at low risk of flooding.

## **3. CURRENT PROPOSAL**

- 3.1 Following a previous refusal of permission for flats on this site, this application seeks planning permission for the demolition of all buildings on the site and the erection of a new part three storey part four storey apartment block. With a proposed quantum of 25 units the proposals represent a reduction in numbers by three units over the refused scheme.
- 3.2 The vehicular access to the site leading to 17 parking spaces and including 2 disabled and 4 EV capable spaces will be from Commonside East via a gated entrance which also serves the cycle storage for 35 bicycles in a secured bike storage shed. The refuse store would also be located alongside this access.
- 3.3 The main pedestrian entrance to the block would also be via Commonside East . At ground floor level this elevation provides three x 1 bedroom units (2x wheelchair capable) with ground floor amenity gardens to the rear with a two bedroom (also wheelchair capable) unit with ground floor garden in the south

east corner of the block. Four x duplex units would face the Hallowell Close elevation all set behind small front gardens and with rear ground floor gardens. As submitted, the existing pavement configuration would have been altered to provide 6 parking spaces to replace the more informal on pavement parking along Hallowell Close in front of the site. The applicant has since confirmed that whilst they will pass that land to the control of the Council they consider paying £25k towards providing the bays unreasonable and therefore will not be providing those spaces.

- 3.4 Access to the upper floors would be via a combined stairwell and lift shaft accessed at the end of the main pedestrian entrance. At first floor level these open out onto an access deck that serves the five units facing Commonside East. There being no access from here to the duplex units on Hallowell Close.
- 3.5 At second floor level the deck access would serve five units facing the common and to the four one bedroom units facing Hallowell Close.
- 3.6 At third floor level the deck access would serve the top three units facing Commonside East along with a communal roof terrace area in the south east corner of the building.
- 3.7 The block would be finished in a mixed palette of materials including the predominant finish of light buff brickwork with light coloured mortar, fluted pale concrete panels and grey-green zinc for the roofs with this colour carried over into the door and window framing.
- 3.8 Accommodation Mix

Unit type	Number	%
Studio	1	4
1 Bed 2 Persons	13	52
2 Bed 3 Persons	1	4
2 Bed 4 Persons	4	16
3 Bed 4 Persons	2	8
4 Bed 6 Persons	4	16
Total	25	100

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

- 4.1 06/P1778- Planning permission granted for erection of single storey rear extension
- 4.2 90/P1098 1136 – Planning permission granted for the construction of a mono-pitch roof above existing flat roof of warehouse building.
- 4.3 17/P2574 Planning permission refused by PAC and appeal dismissed for DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF BUILDING TO CREATE 28 X SELF CONTAINED RESIDENTIAL UNITS WITH ASSOCIATED PARKING AND LANDSCAPING.

***Reasons; The proposals by reason of their size, siting massing and bulk would result in an unneighbourly overdevelopment of the site, and would be unduly dominant and unduly prominent, failing to relate positively and appropriately to local character to the detriment of neighbouring occupiers and the visual amenities of the area. The proposals would be contrary to policies 3.5, 7.4 and 7.6 of the London Plan (2015), policy CS.14 of the Merton Core Planning Strategy (2011), and policy DM.D2 of the Merton Sites and Policies Plan (2014).***

***The proposals by reason of their design and layout would fail to provide a satisfactory standard of accommodation for future occupiers arising from a failure to provide adequate outdoor amenity space for all units, and failing to demonstrate to the satisfaction of the Council that the number of single aspect units has been minimised. The proposals would be contrary to policy 3.5 of the London Plan (2015), policy DM.D2 of the Merton Sites and Policies Plan and Standards 26 and 29 of the Mayor's Housing SPG 2016 (as amended in 2017).***

***The proposals by reason of the number of units proposed would be likely to exacerbate pressure on kerbside parking locally to the detriment of the amenities of existing residents. The proposals would be contrary to policy CS20 of the Merton Core Planning Strategy (2011).***

- 4.4 In dismissing the appeal the Inspector concluded; *'I have found that the proposal would contribute toward the supply of housing in the area, re-use a brownfield site, the traffic and parking relating to the proposed flats would not harm the safe and efficient operation of the highway network and there would be contributions toward carbon offset projects and to the local highway. However, these factors are not sufficient to outweigh the harmful effect the works would have on the character and appearance of the area and the flats would not provide adequate living conditions for prospective occupiers. Given that results in conflict with development plan policies, I conclude that the proposal would be contrary to the development plan as a whole. As such, I conclude that the appeal should be dismissed'*.

## 5. CONSULTATION

- 5.1 The applicants undertook their own public engagement on the scheme comprising of the delivery of 127 consultation leaflets to homes in the immediate area surrounding the site. Face to face meetings and discussions have also been held with Ward Councillors, including a meeting with Councillor Stanford and Councillor Akyingyina. The application was accompanied by a Statement of Community involvement
- 5.2 The application was advertised by means of Press and site notices and letters to 85 neighbouring occupiers. As a result 14 neighbouring residents objected raising concerns relating to;

### BULK AND MASSING

- As with previous applications the height of the building is still too high, The 4 storey building (GROUND , 1st , 2nd and 3rd ) Makes this higher than any neighbouring structure.
- Reducing the height of the building would mean fewer residence and this may mean they would have enough spaces.  
Tthe communal balcony compromises the privacy of at least the first three houses on Hallowell close as the balcony will allow residents to look straight into the bedroom windows.
- This development as planned is not suitable for the plot, a far smaller and lower development is required.
- the property proposed is still too high for this residential street
- It is a 4 tier building including the ground floor
- The building is still too tall in relation to its environment. The area of Commonside East and Hallowell Close is obviously not a high rise area
- The front axonometric diagram shows how much the development dwarfs surrounding houses. Therefore, as noted in the previous appeal rejection letter '*The impact of the proposed development on the character and appearance of the surrounding area*' remains unchanged, and the reduction in the number of dwellings has not been reflected in a reduction in the developments height.
- The reduced number of units still leaves the development vastly overpopulated, the area cannot cope with the overcrowding
- The structure is still too high it will be totally out of character with the surrounding houses which ae mainly 1930's terrace houses and even older cottages,
- Just setting back the flats on the third floor does nothing to alter the fact it is still far too high and it will overshadow most of Hallowell Close and be leaving half of the residents having to look out at this obscene structure.

## DESIGN & APPEARANCE

- The corner of the building on the very junction of Hallowell Close and Commonside East is a wall that sticks out and is 9-10m in height, this needs to be shaped better to fit more with the building:
- The lift shaft that is used for the flats on the 4th floor is not settled into the design of the building looks more like an after thought. This is an eyesore as this also creates a pillar wall that reaches 12-13m in height
- The new plans show less entrances to the flats from Hallowell close than the previous plans. This was one of the designs ideas that came with praise for the idea that private entrance doors would allow for more of a community feel of these flats that are on Hallowell Close, as the main entrance to the building in on Commonside East.
- The building would have a harmful effect on the character and appearance of the surrounding area even though the plans have been amended.
- It is our opinion that the current vista has not been taken into consideration of the developers.
- the new build will be out of character and be far too big
- These 'penthouses' look like sheds, and while they would provide those who purchase them views of the common over beehive bridge, they add to the height of the building, again illustrated in the south elevation drawing.
- They appear to be served by a lift shaft between the blocks, which extends to the roof dwellings. I have looked at other blocks locally, eg at Bond Road, and note that they do not have these rooftop constructions.

## PRIVACY

- With a communal space we envisage gatherings here which will have an impact on local residents, this should be removed.
- This building will impose hugely on their human right to privacy, also blocking out the sunshine we enjoy now making it very dark and depressing.

## PARKING

- Since the previous application double yellow lines are down the full length of one side of the street so parking has become even more cramped. The spaces allocated to development wouldn't be enough and it should be stated that the new development shouldn't have access to permits for the surrounding streets
- Even without permits residents and their visitors would still park in the Close, there is not enough room for the residents now.
- Not enough spaces are available

- They have not planned for enough parking to accommodate that number of dwellings. There is enough pressure on parking in this street.
- Potentially, there could be 50 additional cars.
- this will impact on the already overcrowded parking
- There is no facility for deliveries of materials and the large plant that would be needed to carry out this development
- Refuse collections are already hampered by residual traffic. This could be further hampered by parked material delivery vehicles
- The 17 onsite parking spaces are also inadequate, two are reserved as disabled bays bringing it down in real terms to 15, which is nowhere near enough,
- We have already had the benefit of pavement parking taken away by Merton Council and the shortage of on street parking will most definitely lead to an altercation between a once friendly community.

#### OTHER COMMENTS

- The actual proposed images of the development are attractive but the number of units should be reduced to a more realistic proposal that accommodates parking for say 2 vehicles per unit.
- How are they intending to compensate the current residents for the disruption caused by the endless comings and goings of truckloads of building materials? They have not specified a projected time for completion. It could go on for months and months.
- The land should be developed but do they really have to shoehorn people in at such high density? It should be done sympathetically with the surroundings here. These plans smack of maximising every last buck and they have not considered people's welfare.
- Without the 4th storey, the roof dwellings this is an acceptable development. It is good that it has been confirmed that the residents will be unable to apply for residential parking permits. Even with parking restrictions in place, parking is still difficult on the road and is a major concern for those living there already.
- Suspect that the timing for submitting this highly controversial planning application forward now is G&L homes know that whilst the country is in the middle of a global pandemic and is in lockdown, it will be extremely difficult for the residents of Commonsides East and Hallowell Close to be able to talk, and hold any meetings or to take action, as we have previously to get this application rejected, as it has been twice before at both council appeal level, and housing and regeneration level.
- As we border the Mitcham conservation area this will change the character of the whole area, and possibly ruin the close community spirit the residents have now.

- Merton council should reject this development or at least suspend it until the current pandemic is over and residents have the opportunity to unite against it, something the developers are trying to avoid.
- 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 none of the 25 units will be affordable housing. We ask the Council to require that its 40% target be met.

### 5.3 The Mitcham Cricket Green Community & Heritage;

- No objection to a residential use.
- Design welcomed for additional design details, use of recessed balconies and dual aspect units throughout.
- Massing & height remains excessive and will still be as prominent as the refused scheme
- Only marginally lower and retains issues of a flat roof above ridge line of 145 Commonside East and incongruous relationship with houses on Hallowell Close that lead to appeal being dismissed
- Intrudes negatively on the Conservation area and detracts from No 145 which makes apposite contribution to the CA
- Fails to provide any affordable housing relying on a flawed assessment
- Fails to address impact on parking and should not assume that the Town Green can be legally parked on.
- Poor quality blank frontage on N & E elevations
- This is an Archaeological Priority Zone and consent should be conditional on archaeological investigations.

### 5.4 The Metropolitan Police Safer by Design Officer

The site is on the periphery of Mitcham Town Centre which is Merton Boroughs crime hot spot having a high volume of crime and antisocial behaviour. Security should be of paramount concern with robust security measures incorporated into the design and build. There is no mention of security or crime considerations within the Design and Access Statement. The Officer's recommendations are addressed in the design section of this report

### 5.5 English Heritage-

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. I therefore recommend attaching a pre-commencement condition which is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199.

## 5.6 Design Review Panel.

On 30th January 2020 the pre application drawings were submitted and the design received a GREEN verdict

The Panel were unanimous in their praise for the appearance and architecture of the proposed design. They felt was it carefully thought through and well considered. It had good levels of detailing and responded well to the two different streets. The Panel also liked the proposed materials and reserved palette, though did question the white colour of the railings. The dual aspect nature of the flats was praised. However one deck did have bedrooms directly onto the deck without a privacy buffer and it was felt this should be provided. The Panel did also note the relatively high level of parking provided, despite no policy requirement for this amount. This issue was discussed and in the context of a possible CPZ being introduced. It was felt there was a possible alternative which reconfigured the rear layout. This could provide less parking and more private amenity space as well as some communal space. Reducing parking could also effect a more significant change by maximising the number of units facing the common by rationalising internal flat shapes and relocating the vehicular access to Hallowell Close. This could also bring more efficiencies with bin and cycle provision.

### INTERNAL CONSULTEES

#### 5.11 Transport planning officer

- Permit free option would be acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- The development proposals are set back along the Hallowell Close site frontage. The set back has allowed for the introduction of a 2m wide footway that will connect with the existing footway provision. This will allow the existing footway provision to be converted to on-street car parking, which can form part of the recently introduced CPZ, ensuring residents of the site will not be able to access the spaces if supported by a parking permit restriction, which is accepted by the Applicant.

- The layout would entail the reconfiguration of the pavement and carriageway in front of the site in order to provide for a safe and continuous footpath and for loading/unloading. This would require the dedication of land as highway and for the applicant to cover the Council's costs of such works and any necessary road traffic orders.
- The proposal is unlikely to have a significant impact on the adjoining highway.

The officer raised no objection subject to conditions and agreements requiring:

- Car & cycle parking to be maintained.
- 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.
- Prior to occupation of the development the applicant shall enter into and complete an agreement under S278/S38 of the Highways Act with the Council as local highway authority, to provide for a scheme of works to deliver the layby and footway as shown on plan.
- The applicant is willing to dedicate land to allow highways improvements but not fund them.

#### 5.12 Environmental Health

No objections subject to the imposition of conditions relating to site contamination given the use of the site for scrap dealing, noise impact on future residents, construction management and hours of construction and external lighting.

#### 5.13 Climate change officers

Satisfied the proposals would meet current policy requirements for a 35% reduction in CO2 emissions although London Plan policy seeks for major developments to achieve 100% improvement. Where that can't be achieved through savings on site a cash contribution for carbon offset can be secured through a s106 agreement which in this instance equates to £35,460.

#### 5.14 Arboricultural officer.

Initial concerns relating to the impact of the proposals on the Ash tree at the adjoining property on Hallowell Close and that to leave it in place and construct this block would render the tree a safety hazard. The applicant has provided evidence that they have attempted to contact the owner of the tree to agree its removal, with the applicant willing to meet the costs of removal but no response was received from that neighbouring owner in this regard. The

officer was otherwise satisfied with the proposals and considered the landscaping would enhance the locality.

#### 5.15 Council's Flood Risk Manager

I have reviewed this application in terms of flood risk and drainage and find the report acceptable and in accordance with policy.

Nimbus Engineering have produced a SuDS report to accompany the application. The proposed development will include an increase in impermeable drainage area in the form of buildings, access and car parking. In order to comply with policy, flow control will be used and attenuation provided on site to accommodate storm events up to and including the 1 in 100 year plus 40% climate change event.

Surface water will be discharged into the 229mm public surface sewer located immediately north of the site at a rate of 2 l/s. A gravity connection appears feasible subject to utilising shallow depth attenuation storage techniques. Attenuation will be provided within the sub-grade of permeable paving. The sub-grade can be formed from geo-cellular units to limit the depth and facilitate gravity drainage”.

#### 5.16 Council's Design officer.

This remains a generally good scheme although with some differences with the scheme presented to DRP.

5.17 Following the submission of revised elevations on the Hallowell Close elevation the proposals were reconsulted upon. No further neighbour responses were received.

#### Metropolitan Police Safer by Design Officer.

- Amendments to the window design would be of benefit security wise - increasing the chance of natural surveillance onto the street scene. Safety design features should include;
- The residential entrance lobby should be 'air locked' by a second set of access controlled .
- Mailbox provision needs to be considered in the entrance lobby, preferably externally delivered and internally collected.
- A zoned encrypted fob controlled system should be installed to control access throughout the block..
- the design of the cycle storage should be to LPS1175; STS202 or LPS2081 standards .
- The design of the bike store and the bin store should eliminate the chance of seating.

- The gardens that abut the rear parking area should have a boundary treatment of a 1.5 metre fence supplemented by trellis to a height of 1.8 metre to promote natural surveillance.
- Access control should be applied to the vehicular and pedestrian gates to prevent unauthorized access into the car park and the rear of the block. The rear car park gates should be automated, capable of being operated remotely by the driver whilst sitting in the vehicle, the operation speed of the gates should be as quick as possible to avoid tailgating by other vehicles.
- Plants should be selected to have a mature growth height no higher than 1 metre, trees should have no foliage, shoots or lower branches below 2 metres, thereby allowing a 1 metre clear field of vision.
- Theft of motorcycles, scooters and mopeds is a major problem in the Mitcham area and dedicated motorcycle parking facilities should be designed into the car parking area. The incorporation of ground anchors and/or metal support stays can provide a firm and immovable object to affix the rear wheel where the rider can add their secondary measures.
- Space should be created between any seating and any footpaths to help reduce the fear associated with having to walk past and also all seating should be located where there will be a chance for natural surveillance.
- Any seating should be designed to include centrally positioned arm rest dividers to assist those with mobility issues.
- CCTV would be of benefit for this development. Any lighting fixtures should not be in conflict with the CCTV cameras field of view. All CCTV systems should have a simple Operational Requirement (OR) detailed to ensure that the equipment fitted meets that standard
- Lighting across the entire development should be to the required British Standards, avoiding the various forms of light pollution (vertical and horizontal glare), the public space lighting should also meet the current council requirements.

5.17.1 The officer is concerned about the safety of the development given the high crime figures for the area and therefore suitable secure by design conditions are recommended.

## **6 POLICY CONTEXT**

6.1 NPPF (2019). Key sections:

- 6. Delivering a wide choice of high quality homes.
- 7. Requiring good design.

6.2 Relevant policies in the London Plan 2016 are; 3.3 (Increasing housing supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.8 (Housing choice), 5.1 (Climate change mitigation), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.13 (Sustainable drainage), 6.9 (Cycling), 7.5 (Public realm), 7.6(Architecture) & 7.21 (Trees and woodlands).

6.3 London Housing Supplementary Planning Guidance 2016

- 6.4 DCLG Technical standards 2015
- 6.5 Relevant policies in the Core Strategy 2011 are; CS8 (Housing choice), CS 9 (Housing targets), CS 11(Infrastructure), CS 12 (Economic Development), CS 13 (Open Space, Nature conservation), CS 14 (Design), CS 15 (Climate change), CS 16 (Flood risk), CS 18 (Transport) & CS 20 (Parking, Servicing & delivery).
- 6.6 The relevant policies in the Sites and Policies Plan 2014 are; DM D1 (Urban Design and the public realm), DM D2 (Design considerations in all developments), DM D4 (Heritage Assets), DM E3 Protection of scattered employment sites, DM EP4 Pollutants, DM F1 (Flood risk management), DM F2 Sustainable urban drainage systems DM EP 2 (Reducing and mitigating noise), DM EP4 (Pollutants), DM H2 (Housing mix), DM 02 (Trees, hedges and landscape features), DM T2 (Transport impacts of development) & DM T3 (Car parking and servicing standards).

## **7. PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations in this case relate to the loss of the scattered employment site, the principle of development, the suitability of accommodation and design of the new flats, the impact on occupier and neighbour amenity, the impact on the character and appearance of the local area and servicing of the development.

### **7.2 Loss of the scattered employment site**

Sites and Policies Plan policy DM E3 Protection of scattered employment sites seeks to ensure that there is a diverse mix of size, type, tenure and location of employment facilities which can support a range of employment opportunities within the borough. For the purposes of this policy 'employment' and business refers to premises or land that operates within the B1 (a), B1 (b), B1 (c), B2 and B8 Use Classes.

- 7.3 Applications proposing a loss of a scattered employment site will have to show that full and proper marketing has been undertaken to demonstrate that employment uses are no longer viable on the site. Applicants should demonstrate that:

- the site has been marketed for 30 months unless otherwise agreed with the council;
- Site is in a predominantly residential area
- Size, configuration and access make it unsuitable and financially unviable for whole site employment use.

- the site has been marketed using new (on the internet) and traditional marketing tools available; and
- the site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).

7.4 Based on information submitted with the 2017 application officers are satisfied that the site has been marketed for more than 5 years. The site is within a residential area and its use as a scrap yard is not one that would now be considered suitable for such a location and the constrained access limit its suitability for regular traffic from larger commercial vehicles. There were no concerns at the loss of the scrapyards use on the previous application and therefore in view of these considerations there would be no justification for resisting the change of use to a residential one.

#### 7.5 Provision of and need for housing.

The emerging 'intend to Publish 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. While AMR data shows the Council has exceeded its current 411 target, the target of 918 units per year will prove considerably more challenging. The relaxation of the earlier target (1300+ units) for Merton (following the Inspector's finding following the London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019) was predicated on not adopting a particular GLA formula to delivering significant new housing on small sites, with larger opportunity sites such as the application site rising in importance.

7.5.1 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years worth of housing with an additional buffer of 5% to provide choice and competition.

7.5.2 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report 2018/19). The latest Monitoring report confirms that all of the 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. There were no large schemes that completed this year, which resulted in a lower number of new homes built in the borough. Merton has always exceeded the London Plan target apart from 2009/10 and this year 2018/19 where there was a 34% shortfall although in total Merton has exceeded the London Plan target by 987 homes during this period 2004/5-2018/19

- 7.5.3 The proposal to introduce residential use to this site is considered to respond positively to London Plan, draft London Plan policies and Core Strategy planning policies to increase housing supply and optimise sites, is supported by Officers and the Planning Inspector who commented “the proposed development would contribute an additional 27 dwellings toward the mix and supply of housing, including a financial contribution to the supply of affordable housing, and this is a material consideration of considerable weight in favour of the proposed development.”
- 7.5.4 The proposals currently before members would provide 25 new dwellings in a variety of units sizes including family sized units of accommodation on the site given the demolition of the existing vacant house on the site. With increased housing targets for the borough the ability of the site to deliver a meaningful contribution to future housing supply is significant.
- 7.5.5 In relation to unit mix 56% would be studio and 1 bed units, 20% 2 bed and 24% 3 and 4 bed units. Whilst it is acknowledged that this differs from policy goals for approximately 33% for each size type officers consider that this mix would optimise the development potential for the site helping to deliver flats of a variety of sizes to meet the requirements of a range of households in a part of the borough where there is currently a greater concentration of three bedroom family housing.

#### **Density/Bulk/Massing/Design/Appearance/Layout.**

- 7.6.1 **Density.** Policy on development density seeks to optimise housing output on sites.
- 7.6.2 The proposals involve a density of 131 dwellings per hectare. With a ptal of 3 in a suburban setting this does exceed the current recommended range of 50-95 units set out in the current London Plan.
- 7.6.3 Whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable. The density would be higher due to the development being flats but the scale and massing are considered acceptable, the appearance along the Hallowell Close elevation is softened with the set back gardens and duplex units and these factors are considered to combine to mitigate any harm from the higher density whilst still optimising the use of the site.
- 7.6.4 **Design-Appearance** Sites and Policies Plan policies DM D1 (Urban design), DM D2: (Design considerations) as well as LBM Core Strategy Policy CS14 are all policies designed to ensure that proposals are well designed and in keeping

with the character of the local area. Given that the application is for a block of flats and the majority of the housing in the area is terraced family homes and form of development that is not terraces of houses will be at odds with the character of the area. However new developments of flats in areas such as this are becoming increasingly common and are blending into the new character of those areas. To reduce the visual impact of the building the proposals incorporate the use of lighter coloured brickwork and exterior materials whilst the planting and set back along Hallowell Close is considered to help tie this elevation into the existing street. A condition requiring samples of proposed materials to be approved is recommended.

7.6.5 The design of the proposals at pre application stage secured a Green from the Design Review Panel and the applicants made a small number of changes from that design to the one currently before members that included;

- Relocating of secondary windows to improve privacy;
  - Colour of boundary treatment;
  - Suggestion that the scheme should be future proofed so that there is potential to reduce the number of car parking spaces and change this to amenity space in the future if required
  - More prominent windows on the Hallowell Close elevation.
- The changes are not considered to detract from the design to the degree that they would warrant a refusal of the proposals.

#### 7.6.6 **Design-Layout**

Safety and design

SPP policy DM D2 requires proposals to provide a safe and secure layout. To this end the Safer by Design officer has advised that a number of safety features be incorporated into any finished design and conditions are recommended to ensure this.

#### 7.6.7 **Design-Bulk and Massing**

In determining the appeal the Inspector made comments that the flat roof above the third storey would be higher than the ridge of the neighbouring former public house, separated from the building by the access to the car park. This would result in the building being prominent in views along Commonsides East. Although the height remains the same with this application the use of horizontally wider balconies and the set back from the front elevation and a much smaller width of the third-floor element. mean that visually the structure will have a greater horizontal rather than vertical emphasis.



7.6.8 The Inspector also raised concerns about the bulky nature of the proposed statement building but officers consider that as stated above the changes to the third floor have made a significant reduction in the bulk of the scheme to the degree that the block could not sit suitably in this position with no detrimental impact on the character and appearance of the wider setting.

**7.7 Standard of accommodation and the amenity of future occupiers.**

7.7.1 SPP Policy DM D2, Core Strategy 2011 policies CS 9 Housing Provision and CS 14 Design and London Plan policies 3.3 Increasing Housing Supply, 3.4 Optimising Housing Potential, 3.5 Quality and Design of Housing Developments are all policies that seek to provide additional good quality residential accommodation.

7.7.2 In determining the appeal the Inspector considered that as eighteen of the proposed units were single aspect or were not provided with outside amenity space in accordance with the standards that this would provide a poor standard of accommodation and this was cited in his dismissal of the appeal. The applicants has now revised the design such that there are no single aspect units and all units exceed the minimum external space standards and as shown in the table below all units exceed the minimum internal space standards. In view of that officers consider that the proposals will provide a high standard of residential amenity for future occupiers.

**7.7.3 Schedule of accommodation**

Unit	Type	Proposed GIA	Minimum Req'd GIA	Proposed Amenity	Min Req'd Amenity
GF 1	1B/2P	56m2	50m2	8m2	5m2
GF 2	1B/2P	68m2	50m2	14m2	5m2
GF 3	1B/2P	66m2	50m2	8m2	5m2
GF 4	2B/4P	93m2	70m2	74m2	7m2
GF 5	4B/6P	142m2	106m2	6+18m2	5m2
GF 6	4B/6P	124m2	106m2	6+21m2	9m2
GF 7	4B/6P	122m2	106m2	5+21m2	9m2
GF 8	4B/6P	140m2	106m2	8+34m2	9m2
1 <sup>st</sup> F 9	3B/4P	77m2	74m2	7m2	7m2
1 <sup>st</sup> F 10	1B/2P	55m2	50m2	6m2	5m2

1 <sup>st</sup> F 11	1B/2P	55m <sup>2</sup>	50m <sup>2</sup>	6m <sup>2</sup>	5m <sup>2</sup>
1 <sup>st</sup> F 12	2B/4P	72m <sup>2</sup>	70m <sup>2</sup>	11m <sup>2</sup>	7m <sup>2</sup>
1 <sup>st</sup> F 13	2B/4P	71m <sup>3</sup>	70m <sup>2</sup>	7m <sup>2</sup>	7m <sup>2</sup>
2 <sup>nd</sup> F 14	3B/4P	77m <sup>3</sup>	74m <sup>2</sup>	7m <sup>2</sup>	7m <sup>2</sup>
2 <sup>nd</sup> F 15	1B/2P	55m <sup>2</sup>	50m <sup>2</sup>	6m <sup>2</sup>	5m <sup>2</sup>
2 <sup>nd</sup> F 16	1B/2P	55m <sup>2</sup>	50m <sup>2</sup>	6m <sup>2</sup>	5m <sup>2</sup>
2 <sup>ND</sup> F 17	2B/3P	72m <sup>2</sup>	61m <sup>2</sup>	10m <sup>2</sup>	6m <sup>2</sup>
2 <sup>ND</sup> F 18	1B/2P	51m <sup>2</sup>	50m <sup>2</sup>	29m <sup>2</sup>	7m <sup>2</sup>
2 <sup>ND</sup> F 19	1B/2P	51m <sup>2</sup>	50m <sup>2</sup>	10m <sup>2</sup>	5m <sup>2</sup>
2 <sup>ND</sup> F 20	1B/2P	50m <sup>2</sup>	50m <sup>2</sup>	8m <sup>2</sup>	5m <sup>2</sup>
2 <sup>ND</sup> F21	1B/2P	51m <sup>2</sup>	50m <sup>2</sup>	8m <sup>2</sup>	5m <sup>2</sup>
2 <sup>ND</sup> F22	Studio	40m <sup>2</sup>	37m <sup>2</sup>	10m <sup>2</sup>	5m <sup>2</sup>
3 <sup>RD</sup> F23	1B/2P	55m <sup>2</sup>	50m <sup>2</sup>	22m <sup>2</sup>	5m <sup>2</sup>
3 <sup>RD</sup> F24	1B/2P	56m <sup>2</sup>	50m <sup>2</sup>	18m <sup>2</sup>	5m <sup>2</sup>
3 <sup>RD</sup> F25	2B/4P	74m <sup>2</sup>	70m <sup>2</sup>	25m <sup>2</sup>	7m <sup>2</sup>
Comm' terrace				85m <sup>2</sup>	

## 7.8 Neighbour Amenity.

The application has been assessed against adopted planning policies London Plan policy 7.6 and SPP policy DM D2 which require that proposals will not have a negative impact on neighbour amenity in terms of loss of light, privacy visual intrusion or noise and disturbance.

7.8.1 The proposals were accompanied by a daylight sunlight assessment. As part of the initial assessment two existing neighbouring properties were identified that could be affected from the proposed development. Calculations confirmed that the existing properties will still receive adequate annual probable sunlight hours and adequate sunlight hours during the winter period.

7.8.2 In relation to summer sunlight the report found that from all neighbouring properties only one window, located at 147 Commonsides East at ground floor level will not receive the recommended sunlight hours throughout the year. The proposed development can still be considered as appropriate for the site due to the fact that a total of 37 neighbouring windows comply with the BRE requirement of receiving more than 371.5 hours of sunlight during the year. For winter sunlight results showed that only one window will not

achieve the recommended 74.3hours of sunlight during the winter period. However, the window does achieve 72 hours and therefore the difference has been kept to a minimum.

- 7.8.3 An open space/garden was also identified at the rear of the neighbouring residential property and therefore, an overshadowing assessment was carried out. A detailed model study in Ecotect Analysis demonstrated that more than 50% of the rear garden will receive a total of 6.25hrs of sunlight on the 21st March. Therefore, the proposed development will not have an impact on the amenity space.
- 7.8.4 In relation to neighbours the assessment of daylight, sunlight and overshadowing indicates that the proposed residential units will not cause a change in light levels to existing occupants and therefore, the proposal is considered appropriate for the specific site.
- 7.8.5 For future occupiers the final analysis also showed that the proposed habitable internal spaces of the residential scheme will achieve all the minimum daylight factor standards set by BRE and will be adequately daylight
- 7.8.6 In view of these considerations the proposals are not considered detrimental to the amenity of neighbouring residents or future occupiers
- 7.8.7 With regard to loss of outlook the combination of the reduced quantum of third floor accommodation and its set back positioning mean that the proposal would not therefore be considered visually intrusive.

#### 7.9 Parking, servicing and deliveries.

Core Strategy Policy CS 20 requires proposals to have regard to pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. The proposals did generate objections regarding parking however the scheme will provide 19 on site parking bays and this ratio of 0.68 cars per unit is the same ratio as that found to be acceptable by the Planning Inspector. Given the introduction of a CPZ since the last decision by members, officers consider it would be unreasonable to resist the latest proposals on the grounds of parking impact.

7.9.1 The applicant is willing to pass ownership of some of the land along Hallowell Close in order to provide bays for up to six cars to park as noted by the Inspector but will now not offer a contribution of £25,000 towards the cost of these works. Notwithstanding the applicant's refusal to pay for the highway improvement the dedication of the land will allow the Council the opportunity to make those improvements in the future if conditions permit.

7.9.2 In view of these factors members may consider the parking provision for the development is acceptable.

#### 7.10 Cycle Parking:

The London Plan cycle parking standards for residential development are one space per one bed units and two spaces per unit for all other dwellings.

The proposal provides 33 resident's spaces and 3 visitor cycle parking spaces in the form of stacked cycle stands, within an external shelter accessed via the parking area / access road. The no. of cycle spaces provided is satisfactory.

#### 7.11 Refuse Collection:

Refuse collection at the site will take place on-street.

The bin storage areas for the apartments are located on the ground floor adjacent to the main flat entrance. A separate door provides access to the bin store, allowing the bins to be located within 10m of the public highway. Each flat / house with a front door onto Commonsides East and Hallowell Close is provided with their own refuse storage area, outside the property allowing on-street collection to occur.

#### 7.12 Sustainable design and construction.

Any new building must comply with the Mayor's and Merton's objectives on carbon emissions, renewable energy, sustainable design and construction, green roofs, flood risk management and sustainable drainage as set out in policies in the London Plan (2016) – Chapter 5 and the Council's LDF Core Planning Strategy (2011) policies CS15 and CS16). Climate change officers were satisfied the design was policy compliant in terms of achieving a 35% reduction in CO2 emissions whilst the carbon offset contribution will assist towards the Mayor's zero carbon goals .

#### 7.13 Affordable Housing

Policy CS 8 within the Core Strategy states that for new development involving housing of 10 or more dwellings the affordable housing target is for 40% of the units to be affordable of which the desired tenure mix should be 60% social Rented and 40% intermediate. The proposal was submitted with an Economic Viability Assessment that has been independently assessed. Based on the information supplied, the assessors agreed with the applicant that delivering 40% affordable housing on a policy basis is unviable; and the revised sales values indicate no affordable housing can be provided on site save for a contribution of £61,000 towards affordable housing to be paid on implementation of the scheme.

The assessors recommend the following in accordance with the Mayors SPG and the intention of the government consultation on ground rents:

- Early and late stage reviews to be included within the s106 agreement based on the Altair appraisal;
- Homes to be identified by plans to be delivered on site in event viability allows for affordable housing delivery;
- Restrictive obligation that ground rents are not be charged on the development.

#### 7.14 Flood risk

The application was submitted with a drainage strategy that has been assessed by the Council's Flood Risk manager who is satisfied that, subject to the imposition of suitable conditions, the proposals involve no risk to flooding or issues in relation to surface drainage of the site and are therefore considered acceptable in this regard.

#### 7.15 Archaeology

The site is located within an archaeological priority zone and Historic England consider that the scale of the works would be such that they could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. Their officers recommend mitigating pre-commencement conditions be imposed to ensure that the site is thoroughly investigated in order to record any information and finds that may be on site are not lost.

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

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.
- 8.2 In order to ensure that the development is policy compliant a condition to that effect requiring CO2 reductions of not less than a 35% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day is recommended in addition to the carbon offset payment that would be included within the s106 agreement.

### **9. CONCLUSION**

- 9.1 The proposed development will provide 25 new flats of which 6 would be 3 and 4 bedroom family units for which there is an identified need in the Borough. The previous partial use of the land for a scrap merchants, whilst historic, would not be a use that would now be considered acceptable in such close proximity to residential properties and the site has been marketed

without success and the issue of residential use for the site is considered acceptable.

- 9.2 The proposals provide each unit with excess of the minimum internal floor area and unlike the previous application there are no single aspect units. Additionally the scheme now provides each unit with private amenity space. Although a large development, supporting documentation demonstrates that there should not be an unacceptable impact on neighbour amenity in terms of loss of light and outlook.
- 9.3 The site is in a location with high levels of on street parking stress but the proposals will provide 19 parking spaces (which the Inspector has previously deemed to be acceptable) so that all the larger units would have a parking space and cycle space provision meets the required standard.
- 9.4 The issue of affordable housing has been independently assessed and only a small off site contribution would be viable. As part of the relevant s106 clause this would require viability review mechanisms at early and late stages of development including a review of viability if a future application is made to amend the number of unit. A contribution towards carbon offsetting would also be dealt with by means of the section 106 agreement.
- 9.5 The applicants have agreed the dedication of land to the Council but will not pay for the provision of parking bays. In order to ensure the integrity of the highway and the appearance of the finished development the s106 agreement should ensure that the applicant pays for upgrading the pavement area on the dedicated land in front of the building to LBM standards before the land is transferred to the LBM control. The applicant will have to cover the cost of hardsurfacing this area even if they do not dedicate it. If they refuse to undertake this they can keep the land and maintain it themselves.
- 9.6 Subject to the completion of the section 106 agreement and the imposition of suitable planning conditions, the proposal is considered to be acceptable and in compliance with relevant planning policy and is therefore recommended for approval.

## 10. **RECOMMENDATION**

### **GRANT PERMISSION SUBJECT TO SECT 106 AGREEMENT FOR CARBON OFFSETTING, AFFORDABLE HOUSING AND CONDITIONS**

Heads of terms

- i) That the developer makes a contribution of £35,460 towards carbon offsetting
- ii) Affordable housing contribution of £61,000 in lieu of on site provision
- iii) Affordable housing- viability review mechanisms at early and late stages of development, including if future permission is sought for changes to unit numbers
- iv) Dedication of land to the council including the cost of upgrading the pavement on this land in front of the building up to LBM standards before a transfer takes place.
- v) Permit free development
- vi)
- vii) The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

### **Conditions**

- 1 Commencement of works
- 2 In accordance with plans; P101C, P102B, P103B, P104, P105, P201B, P202A, P301A, P601, P602A, P701, SH/SP103 & SH/SP101
3. B1 External materials to be approved;
4. B5 Boundary treatments to be approved;
5. D11 Construction Times
6. H9 Construction Vehicles Prior to the commencement of the development a working method statement (Construction Environmental Management Plan) (compliant with Chapter 8 of the Road Signs Manual for temporary Works) shall be submitted to and approved in writing by the Local Planning Authority to accommodate:
  - (i) Parking of vehicles of site workers and visitors;
  - (ii) Loading and unloading of plant and materials;
  - (iii) Storage of construction plant and materials;
  - (iv) Wheel cleaning facilities;
  - (v) Control of dust, smell and other effluvia;
  - (vi) Control of surface water run-off;
  - (vii) Removal of waste materials from site.

Reason; To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core

7. F1 Landscaping

8. F5 Tree protection
9. F8. Site supervision
10. Non standard Noise Prior to the occupation of the development details of noise attenuation and noise management methods to mitigate against the likely impact of the existing noise environment on the development shall be submitted to and approved by the local planning authority. The approved methods shall be implemented in strict accordance with the approved details prior to the first occupation of the development. The standards should comply with BS8233:2014 as a minimum. Reason; To safeguard the amenities of the future occupiers of the development and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Polices Plan 2014.
11. A desk study, 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 2016 and policy DM EP4 of Merton's sites and policies plan 2014.
12. The approached remediation shall be completed in accordance with the details approved by the Council and a verification report, demonstrating the effectiveness of the remediation shall be provided to the Council for approval by the LPA prior to occupation. Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2016 and policy DM EP4 of Merton's sites and policies plan 2014.
13. Non standard Contaminated Land  
If during construction works, contamination is encountered which has not previously been identified and considered, the Council's Environmental Health Section shall be notified immediately and no further development on that part of the site shall take place until remediation proposals (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation) have been submitted to and approved by the Local Planning Authority and the approved remediation measures/treatments implemented in full. Reason; In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2011 and policy DM EP4 of Merton's Sites and Polices Plan 2014.
14. External lighting Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason; To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure



compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

15. Provision of vehicle parking The vehicle parking areas shown on the approved plans shall be provided before the occupation of the development hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose. Reason; To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Polices Plan 2014.

16. H1 New vehicle access

17. H3 Redundant crossover

18. H6 Cycle storage

19. Prior to any works commencing on site a detailed Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall identify the steps that will be taken to minimise the impacts of deliveries and waste transport. It shall demonstrate compliance with Transport for London's guidance on Construction Logistics Plans July 2017 v3.0 and the Borough's Air Quality Supplementary Planning Guidance, and shall be implemented for the duration of the construction of the development. Reason; To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2011, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Polices Plan 2014.

20. All Non-Road Mobile Machinery (NRMM) used on site during the course of the demolition, site preparation and construction phases shall comply with the emissions standards set out in the Borough's Construction Code of Practice and chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions During Construction and Demolition' dated July 2014 (SPG) or subsequent guidance. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/> Reason: To ensure the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with the following Development Plan policy for Merton: policy CS20 of Merton's Core Planning Strategy 2011

21. H 11 Parking management strategy

22. No development other than demolition approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the local planning authority. The drainage scheme will include construction level drawings showing drainage layout, attenuation calculations and will dispose of surface

water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 2 l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

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

23. Prior to installation, the detailed design and specification for the permeable paving and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. The design shall be carried out as approved, retained and maintained by the applicant in perpetuity thereafter.

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

24. No development other than demolition approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the LPA. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuation provision of no less than 13m<sup>3</sup>) and control the rate of surface water discharged from the site to greenfield runoff rates (no more than 5l/s), and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption authority and any other arrangements.

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

25. 'No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO<sub>2</sub> reductions of not less than a 35% improvement on Part L regulations 2013, and internal water usage rates of not more 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

26. 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. 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.

D. The post-investigation assessment shall be submitted to and approved in writing by the local planning authority prior occupation.

27. 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 (excluding demolition, groundworks and substructure) 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.

28. 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.

### **Informatives:**

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

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'

**Informative:**

No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

**Informative:**

The applicant is advised of the need to enter into a s38 Agreement with the Local Highways Authority in relation to the adoption of the footway on Hallowell Close.

**Informative:**

The applicant is advised of the need to enter into a s278 Agreement with the Local Highways Authority in relation to new waiting and loading restrictions that will be required near the main site access and for the undertaking of the works to the existing and proposed vehicle access ways to the site and the parking bays on Hallowell Close

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.

NPPF informative.

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