

**PLANNING APPLICATIONS COMMITTEE**  
**22<sup>nd</sup> October 2020**

**Item No:**

<b><u>UPRN</u></b>	<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
	19/P3772	24/10/2019
<b>Address/Site</b>	16 – 20 Morden Road, South Wimbledon, SW19 3BN	
<b>(Ward)</b>	Abbey	
<b>Proposal:</b>	DEMOLITION OF EXISTING BANK (CLASS A2) AND ERECTION OF A NEW RESIDENTIAL BLOCK (CLASS C3), COMPRISING 26 x SELF-CONTAINED FLATS WITH ASSOCIATED PARKING AND LANDSCAPING.	
<b>Drawing Nos:</b>	P/01 F, P/02 G, P/03 G, P/04 G, P/06 G, P/07 G, P/08 G, P/09 C, P/10 F, P/11 C and P/12 D.	
<b>Contact Officer:</b>	Tim Lipscomb (0208 545 3496)	

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**RECOMMENDATION**

**Grant Permission subject to conditions and s.106 legal agreement.**

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**CHECKLIST INFORMATION**

- Heads of Agreement: Yes, restrict parking permits.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: No
- Number of neighbours consulted: 138
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (S1)
- Green corridor – Yes (bordering the site to the north)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the north)

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and scale of the development.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is located on the west side of Morden Road, South Wimbledon. The site is occupied by a flat roof, three storey building (11.2m in height), comprising A2 use on ground floor with ancillary offices above. To the rear of the building is parking lot. The site is generally regular in shape and has an approximate area of 770sq.m.
- 2.2 Adjoining the site to the north is Spur House, a nine storey mixed use building (recessed top floor – 25.7m to parapet, 28.3m to lift overrun) with residential on the upper floors and retail at ground floor level (permitted under application ref. 09/P2219). To the rear of the site, beyond the carpark, is a terrace row of two storey dwellings (with additional loft level). Immediately south of the site is an 8.4m wide shared vehicle access (provides access to the site), beyond which is a four storey block of flats. Opposite the site, across Morden Road within the High Path Estate, are four storey blocks of flats. However, outline planning permission has been granted for the redevelopment of the High Path Estate (17/P1721), which would result in nine storey buildings opposite the application site (buildings of 34m in height).
- 2.3 The surrounding area is characterised by a mix of land uses, albeit it is predominantly residential in nature, becoming more commercial to the north of the site. The area is very well connected, being 70m from South Wimbledon Underground Station and having a public transport accessibility level (PTAL) of 6a.
- 2.4 The site has the following designations and restrictions:
- Controlled parking zone (CPZ) – Yes
  - Conservation area – No
  - Building listed – No
  - Tree Protection Orders – No
  - Flood Zone – Yes (zone 2)
  - PTAL – 6a
- 2.5 The site is also identified with the Draft Merton Local Plan as being on the edges of a new proposed Local Centre. However, that plan is not yet adopted and as such limited weight can be attributed to this potential designation.

### 3. **PROPOSAL**

- 3.1 The revised proposal (amended plans received 13/07/2020) is for the demolition of the existing three storey mixed use building and the erection of a part 5, part 6 storey building, with basement, to provide 26 residential flats.
- 3.2 The building would have a height of 19.7 (with a maximum height of 20.7m) to the top of the lift shaft overrun.
- 3.3 The building would stand to the frontage of the site, with a slight setback to provide some defensible space at ground floor level. To the rear of the site the existing ground level car park would be reconfigured to provide parking for three cars, a standalone single storey building to house air source heat pump plant and refuse storage. A new communal garden/playspace would be provided to the rear of the standalone building (with an area of 130sqm).

At fifth floor level a roof terrace would be provided (area of 42sqm), along with a sedum green roof (on a non-accessible part of the roof)

- 3.4 A basement would be created beneath the entrance lobby/bike store area, and would be non-habitable, providing a servicing/maintenance/plant area accommodating boilers, tanks and electric meters.
- 3.5 Vehicular access would be via the existing access road to the south of the site, which currently provides vehicular access to the site. No changes to the access are proposed.
- 3.6 The building would feature partly projecting balconies, with integrated winter gardens, to the front and rear elevations.
- 3.7 The ground floor setback to the frontage of the site would accommodate some planting and soft landscaping. A further area of planting and soft landscaping would be provided to the immediate rear of the proposed building. A line of street tree planting is shown to the frontage of the site (within land owned by the applicant).
- 3.8 The building would be finished in light grey and dark grey facing brickwork, with projecting window frames in dark grey coated aluminium.
- 3.9 The building would be 6 storeys to the frontage, with a reduced height of 5 storeys to the rear elevation (in order to seek to minimise the impact on residential properties to the rear).
- 3.10 The existing mature tree to the southwest corner of the site would be retained.
- 3.11 There would be a main entrance to the frontage of the building, leading to a lift lobby and bicycle store (parking for 36 bicycles). The rear entrance to the building, accessed from the car park, would lead directly into the bicycle store. The building would be served by a single staircore and lift shaft. The three units at ground floor level would each have an individual entrance onto the street, along with some limited private garden space to the rear (accessed via bedrooms), enclosed by a 1.8m high brick wall, with indicative hedge planting behind.
- 3.12 In terms of servicing a refuse vehicle would service from the adjacent access road to the south, as is the existing situation.
- 3.13 Nine of the proposed units would be fully dual aspect, with windows to the front and rear (and some to the side also). Eight of the units would be dual aspect but with windows to the front and wide rather than from front to rear. Nine units would be single aspect (N.B. The single aspect units are all east or west facing. None would be north facing).
- 3.14 All three bed units would be dual aspect (with windows to front and rear). The single aspect units would be studios and one-bedroom flats only.
- 3.15 The proposal would provide the following accommodation:

	Type	Habitable rooms	GIA sq.m	External amenity space sq.m	Dual Aspect Rating
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<b>Ground floor</b>	3b/5p	4	96	15	Fully dual aspect
	3b/5p	4	92	15	Fully dual aspect
	3b/5p	4	92	15	Fully dual aspect
<b>First floor</b>	Studio	1	40	6	Single aspect
	1b/2p	2	60	6	Single aspect
	1b/2p	2	53	6	Dual aspect front and side
	2b/4p	3	72	6	Dual aspect front and side
	3b/4p	4	88	6	Fully dual aspect
<b>Second Floor</b>	Studio	1	40	6	Single aspect
	1b/2p	2	60	6	Single aspect
	1b/2p	2	53	6	Dual aspect front and side
	2b/4p	3	72	6	Dual aspect front and side
	3b/4p	4	88	6	Fully dual aspect
<b>Third floor</b>	Studio	1	40	6	Single aspect
	1b/2p	2	60	6	Single aspect
	1b/2p	2	53	6	Dual aspect front and side
	2b/4p	3	72	6	Dual aspect front and side
	3b/4p	4	88	6	Fully dual aspect
<b>Fourth floor</b>	Studio	1	40	6	Single aspect
	1b/2p	2	60	6	Single aspect
	1b/2p	2	53	6	Dual aspect front and side

	2b/4p	3	72	6	Dual aspect front and side
	3b/4p	4	88	6	Fully dual aspect
<b>Fifth floor</b>	1b/2p	2	50	6	Single aspect
	1b/2p	2	56	6	Fully dual aspect
	2b/3p	3	71	6	Fully dual aspect

**Housing mix:**

Studio	4
1b 2p	10
2b 3p	1
2b 4p	4
3b 4p	4
3b 5p	3

The proportional housing mix is:

Studio – 15.5%

1 bedroom – 38.5%

2 bedroom - 19%

3 bedroom – 27%

3.16 In terms of affordable housing, no affordable housing or commuted sum is offered as part of the application. The application is accompanied by a Financial Viability Statement which states that the proposed scheme is unable to support the provision of affordable housing whilst remaining deliverable.

3.17 The application is accompanied by the following supporting documents:

- Air Quality Assessment
- Arboricultural Report
- Daylight and Sunlight Report (amended 15/07/2020)
- Design & Access Statement
- Energy and Sustainability Statement
- Environmental Noise Survey and Acoustic Design Statement Report
- Financial Viability Assessment
- Flood Risk Assessment
- Basement Impact Assessment and Ground Investigation Report
- Planning Statement
- Structural Engineering Report and Outline Construction Method Statement
- SuDS Report
- Transport Statement

3.18 It should be noted that the scheme has been amended (13/07/2020) and originally proposed an alternative, curved roof form, with different elevational treatment. The layout of communal amenity space, parking and refuse storage has also been amended. The number of units has reduced from 30 to 26, with more three bedrooms proposed as a result.

#### 4. PLANNING HISTORY

4.1 There is extensive planning history on the site, albeit the majority is not relevant to the current proposal. The most relevant history is summarised as follows:

4.2 Offices and bank approved in 1980's (multiple applications)

4.1 **Opposite the application site at the High Path estate:**

4.4 High Path Estate, South Wimbledon, SW19 2TG:

4.5 17/P1721 - OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED, EXCEPT IN RELATION TO PARAMETER PLANS) FOR THE COMPREHENSIVE PHASED REGENERATION OF HIGH PATH ESTATE COMPRISING DEMOLITION OF ALL EXISTING BUILDINGS AND STRUCTURES; ERECTION OF NEW BUILDINGS RANGING FROM 1 TO 10 STOREYS MAX, PROVIDING UP TO 1570 RESIDENTIAL UNITS (C3 USE CLASS); PROVISION OF UP TO 9,900 SQM OF COMMERCIAL AND COMMUNITY FLOORSPACE (INC REPLACEMENT AND NEW FLOORSPACE, COMPRISING: UP TO 2,700 SQM OF USE CLASS A1 AND/OR A2, AND/OR A3 AND/OR A4 FLOORSPACE, UP TO 4,100 SQM OF USE CLASS B1 (OFFICE) FLOORSPACE, UP TO 1,250 SQM OF FLEXIBLE WORK UNITS (USE CLASS B1), UP TO 1,250 SQM OF USE CLASS D1 (COMMUNITY) FLOORSPACE; UP TO 600 SQM OF USE CLASS D2 (GYM) FLOORSPACE); PROVISION OF NEW NEIGHBOURHOOD PARK AND OTHER COMMUNAL AMENITY SPACES, INCL. CHILDREN'S PLAY SPACE; PUBLIC REALM, LANDSCAPING, LIGHTING; CYCLE PARKING (INCL VISITOR CYCLE PARKING) AND CAR PARKING (INC WITHIN GROUND LEVEL PODIUMS), ASSOCIATED HIGHWAYS AND UTILITIES WORKS. Grant Outline Planning Permission subject to S.106 Obligation. 29-04-2019.

#### 5. Relevant policies.

5.1 The key policies of most relevance to this proposal are as follows:

##### 5.2 **National Planning Policy Framework (2019)**

5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

##### 5.3 **London Plan (2016)**

Relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 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 on individual private residential and mixed use schemes.
- 3.13 Affordable housing thresholds
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.17 Waste capacity
- 5.21 Contaminated land
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.10 Walking
- 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
- 7.14 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

5.4 **Merton Local Development Framework Core Strategy – 2011 (Core Strategy)**

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 13 Open space, leisure and nature conservation
- CS 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

5.5 **Merton Sites and Policies Plan – 2014 (SPP)**

Relevant policies include:

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM O2 Nature conservation, Trees, hedges and landscape features
- DM D1 Urban Design
- DM D2 Design considerations
- DM EP2 Reducing and mitigating noise
- DM EP3 Allowable solutions

DM EP4 Pollutants  
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure  
DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DM T4 Transport infrastructure

## 5.6 **Supplementary planning considerations**

London Housing SPG 2016

DCLG - Technical housing standards – nationally described space standard 2015

London Affordable Housing and Viability SPG – 2017

London Character and Context SPG 2014

Merton Estates Local Plan 2018

Draft London and Local Plans

## 6. CONSULTATION

- 6.1 Press Notice, Standard 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 6 individuals, raising objection on the following grounds:

Originally submitted scheme:

- Location of the refuse bins.
- Location of air source heat pumps.
- Overlooking to house to the rear.
- Loss of light to residential properties.
- Concerns that mature tree on site could not be retained.
- Consider removing the parking behind Barclays altogether and replacing it with a child play area.
- Noise disturbance from use of amenity space and air source heat pumps.
- Consider bringing design in line with Spur House.
- Adverse impact on the character of the area.
- We do not want six storey plus buildings becoming a common feature of South Wimbledon.
- Not clear whether the refuse store would be fully enclosed or not.
- Concern that outbuildings would allow for access for intruders to neighbouring gardens.
- Query whether hostile ground floor is suitable for a residential use.
- The proposed development would have a dominant and detrimental impact on the occupiers of Falcon House in terms of overlooking and loss of light to windows, many of which serve habitable rooms.
- The development would also be significantly out of scale with Falcon House due to this height difference.
- Significant potential for overlooking of windows in both the side and front elevations of Falcon House.
- The development would be contrary to Policy CS8 of the Merton Development Plan which requires at least 40% of dwellings to be Affordable Housing. Queries raised in relation to soundness/inflated costs of viability assessment.
- The development only has one staircase which would be a significant problem in the event of a fire.



- This would inevitably lead to residents and visitors parking in the car park for Falcon House, to the inconvenience and detriment of residents. No provision has been made in the application as to how this would be prevented. Would residents of the new development be subject to a S106 Agreement to ensure that they cannot apply for residents parking permits in the Borough?
- Additional congestion.
- Query whether applicant has a right to use the access road to gain entry to the site.

6.2 Since the application was amended on 13/07/2020, a further 4 objections have been received, objecting on the following grounds (in total, objections have been received from 9 address points):

- Changes do not overcome concerns.
- Overlooking, loss of light to windows at Falcon House.
- Increased noise levels.
- Significantly out of scale with Falcon House.
- Only one staircase is proposed, which would be a problem in the event of a fire.
- Insufficient car parking.
- Concern that windows may over-sail land under the ownership of Falcon House.
- Concern that large mature tree on site would not be retained.
- Overlooking and loss of privacy to houses to the rear.
- Concerns remain as to whether the applicant has a legal access to use the access road to the site.
- The area is already overcrowded.

6.3 1 general comment was received, which expressed support for on- street tree planting and suggested that the tree planting be continued to the frontage of Spur house to assist with road noise reduction.

6.4 **Internal consultees:**

6.5 **LBM Environmental Health Officer:**

No objection subject to conditions relating to noise levels and noise mitigation measures, external lighting, a Demolition and Construction Method Statement

6.6 **LBM Highway Officer:**

No objection subject to conditions, relating to Construction vehicles, Delivery and Servicing Plan and Construction Logistics Plan.

6.7 **LBM Transport Officer:**

No objection subject to conditions relating to the provision of vehicle parking, including passive charging points, provision of cycle parking, a Demolition and Construction Logistics Plan.

In addition, the applicant should enter in 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 and to provide free car club membership for all new residents for a period of three years.

6.8 LBM Flood Risk Engineer:

No objection raised subject to conditions relating to a detailed proposal of how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), a detailed scheme for the provision of surface and foul water drainage.

5.8 LBM Climate Change Officer:

Specific technical queries raised in relation to SAP compliance reports and worksheets, “be lean” calculations and why a decentralised continuous mechanical extract ventilation system has been recommended.

Confirmed that the proposal would meet 105litres per person per day.

5.9 LBM Structural Engineer:

The submitted documents demonstrate that the proposed basement works can be undertaken safely without adversely affecting the surrounding built and natural environment.

Conditions are recommended in relation to:

- a Detailed Demolition Method Statement,
- a Detailed Construction Method Statement produced by the Contractors appointed for the piling, excavation and construction of the basement,
- Structural drawings of the secant piled retaining wall and construction sequence drawings of the temporary works,
- Design calculations of the secant piled and temporary works,
- Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from pre-construction to completion of the project works. a Detailed Demolition Method Statement,
- a Detailed Construction Method Statement produced by the Contractors appointed for the piling, excavation and construction of the basement,
- Structural drawings of the secant piled retaining wall and construction sequence drawings of the temporary works,
- Design calculations of the secant piled and temporary works,
- Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from pre-construction to completion of the project works.

5.10 LBM Tree and Landscape Officer:

No objection.

Conditions are recommended in relation to tree protection.

5.11 LBM Urban Design Officer (comments in relation to originally submitted scheme):

- The appearance and architecture in my mind cannot be described as high quality. It is unambitious, dated and does not derive from any good local context.
- The architecture of the emerging High Path regeneration can be viewed as a good emerging contextual clue.
- The curved roof is a discordant feature and is failing in any attempt at distinctiveness, which is wholly unnecessary in this regard. It is a particularly dated element.
- The positioning of the lift shaft at the front of the building creates a dead frontage and is a poor architectural feature that imbalances and rhythm such a building should have in its local context. It is also a dated typology.
- The ground floor of the building will have a poor residential environment and outlook on a busy and polluted road.
- Ground floor units have the private amenity space off the living area at the front of the building, which is unlikely to be used. There is rear amenity space, but this is inconveniently and inappropriately accessed through the private bedrooms and thus is also unsatisfactory.

*Officer comment:*

*The concerns expressed in relation to the original scheme are noted. The applicant has amended the scheme and it is considered that the issues raised are sufficiently overcome to warrant the granting of planning permission. These matters are explained in more detail later in this report.*

5.11 External consultees:

5.12 Design Review Panel – 30/01/2020 (an earlier version of the scheme)- The current scheme has not gone before the DRP

The Panel had a number of concerns regarding the design of this building and felt more work was required to ensure a quality building was built on this site.

It was felt there was a clear lack of a design narrative for the proposal, which should inform the design and appearance of the building. This was evident in the roof form and range of proposed materials. The appearance of the building was likened to a poor 1990s development. Regarding the roof, a range of poor quality examples were given, from non-contextual locations, whereas good quality examples from the locality should have been identified to inform an appropriate design response. The skyline was considered unsatisfactory, mostly due to the curved roof. The Panel felt that the materials palette was too varied and needed to be far more restrained – and again – be more contextual.

The Panel were concerned about having residential use on the ground floor, as this was a hostile environment for this use. Whilst stopping short of expressly stating this was inappropriate, they suggested that if this use was retained, some changes were required. It was suggested a deeper defensible space was needed and that a more solid acoustic barrier was

needed – a wall rather than vegetation. It was also felt the bedrooms would be better located at the rear.

The south elevation was also considered problematic as it has a bedroom window directly facing onto a secluded, publicly accessible space. It was felt this was susceptible to anti-social behaviour and a better solution was required. This led to further highlighting of the difficulty of creating successful ground floor residential use and a suggestion that the southern part of the ground floor at least, should be considered for non-residential use.

Another key element of the design the Panel were concerned about was the high proportion of single aspect units – 21 out of a total of 30 units. It was felt this was poor design and a long way from being in accordance with London Plan policy D4 E. Internally the party walls and layouts had scope for simplification, notably regarding internal party walls, to create more regular shaped flats. There was also a lack of a coherent narrative on the approach to meeting sustainability requirements and this needed more work.

It was also felt that the car park at rear of the building presented a harsh area of tarmac, which could also attract antisocial behaviour. It was suggested that the car park could be re-arranged to provide some ground level communal open space and provide more conveniently located bin storage. It was also suggested that the basement could be expanded slightly to accommodate cycle parking and provide bulky storage for flats.

The Panel noted the applicant's approach to the building alignment, but remained uncomfortable with bringing the elevation forward from that of the adjacent Spur House. This was particularly so regarding the need to maximise defensible space for ground floor residential units and also reducing the depth of the building. This was related to the single aspect units and the depth of the kitchen areas which it was felt would not receive much light and require artificial lighting.

The Panel were also unconvinced by the positioning of the lift shaft as it presented a blank frontage to the street. If this was reversed with the stair well a more attractive solution with windows could be presented to the street. The Panel also felt that more could be made of the entrance, expanding it to occupy one bay of the building in terms of its architectural expression. Overall the Panel felt a significant amount of development and revision was required to make the proposal acceptable.

VERDICT: RED

*Officer comment:*

*The concerns expressed in relation to the original scheme are noted. The applicant has amended the scheme and it is considered that the issues raised are sufficiently overcome to warrant the granting of planning permission. These matters are explained in more detail later in this report.*

5.13 TfL (original proposal):

TfL have the following comments.

1. The site of the proposed development is on the A129 Morden Road, which forms part of the Strategic Road Network (SRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.

2. The site of the proposed development has a Public Transport Access Level (PTAL) of 6a on a scale ranging from 0 to 6b, where 6b represents the greatest level of access to public transport services. The site is served by 7 high frequency bus services within walking distance of the site, along with London Underground Services from South Wimbledon and Tramlink Services from Morden Road.

3. The applicant is proposing to provide 4 blue badge car parking spaces on site. In line with draft London plan standards, 3% of residential units should be provided with blue badge spaces, rising to 10% if the need arises. Therefore, the applicant should reduce the blue badge car parking spaces provided initially to one space, with information provided showing how a further 2 blue badge spaces could be provided in the future.

a. Due to the small number of car parking spaces provided on site, all spaces should be equipped with active electric charging provision.

b. All residents of the proposed residential units should be exempt from obtaining parking permits for local Controlled Parking Zones.

4. In line with draft London Plan policy T5, the applicant should provide a total of 36 long stay cycle parking spaces and 2 short stay spaces.

a. Further information regarding the design and layout should be provided regarding the cycle stores.

b. All cycle parking provision should be provided in line with the London Cycle Design Standards.

5. A full Construction Logistics Plan (CLP) should be provided to and discharged in conjunction with the LB Merton and TfL prior to any works taking place on site. TfL guidance should be followed when producing the CLP, and can be assessed here;

<http://content.tfl.gov.uk/constructionlogistics-plan-guidance.pdf> .

6. A full Delivery and Servicing Plan (DSP) should be provided to and discharged in conjunction with the LB Merton and TfL prior to the occupation of the proposed development.

TfL requests additional information is provided as outlined above prior to being supportive of the application.

*Officer comment: The amendments made to the application are considered to have overcome the concerns set out. (This matter is addressed later in this report).*

#### 5.14 Metropolitan Police – Designing out Crime Officer:

Comments relating to the need for controlled access doors, cycle storage, defensible space around windows, design of air source heat pump enclosure (to eliminate misuse by climbing), the need for a CCTV system and lighting.

Conditions recommended in relation to security measures and a Secured by Design final certificate.

5.15 Merton Green Party:

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 planning statement states (paragraph 6.23) that none of the 30 units will be affordable housing. We ask the Council to require that its 40% target be met.

5.16 External Financial Viability Consultant (Summary of comments):

We have considered the assumptions used in the Applicant's Residual Land Value calculation and how they compare to industry benchmarks and current economic factors and evidence. We have made appropriate adjustments and conclude the scheme cannot viability provide 40% affordable housing. Even based on 100% private tenure, the scheme is not viable.

5.17 Wimbledon Swift Group:

Advise that the development include Swift friendly features.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2016)

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes.
- 3.13 Affordable housing thresholds
- 4.1 Developing London's economy
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector and related facilities and services
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage

- 5.15 Water use and supplies
  - 5.17 waste capacity
  - 6.3 Assessing effects of development on transport capacity
  - 6.9 Cycling
  - 6.10 Walking
  - 6.13 Parking
  - 7.2 An inclusive environment
  - 7.3 Designing out crime
  - 7.4 Local character
  - 7.5 Public realm
  - 7.6 Architecture
  - 7.8 Heritage assets and archaeology
  - 7.14 Improving air quality
  - 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
  - 7.21 Trees and woodland
  - 8.2 Planning obligations
  - 8.3 Community Infrastructure Levy
- 6.3 Merton Core Planning Strategy (July 2011)
- CS8 Housing Choice
  - CS9 Housing Provision
  - CS11 Infrastructure
  - CS12 Economic Development
  - CS13 Open Space, Nature Conservation, Leisure and Culture
  - CS14 Design
  - CS15 Climate Change
  - CS16 Flood Risk Management
  - CS17 Waste Management
  - CS18 Active Transport
  - CS19 Public Transport
  - CS20 Parking, Servicing and Delivery
- 6.4 Sites and Policies Plan and Policies Map (July 2014)
- DM H2 Housing mix
  - DM H3 Support for affordable housing
  - DM D1 Urban design and the public realm
  - DM D2 Design considerations in all developments
  - DM D7 Shop front design and signage
  - DM E1 Employment Areas in Merton
  - DM E3 Protection of scattered employment sites
  - DM E4 Local employment opportunities
  - DM O2 Nature Conservation, trees, hedges and landscape features
  - DM EP2 Reducing and mitigating noise
  - DM EP3 Allowable solutions
  - DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
  - DM T1 Support for sustainable transport and active travel
  - DM T2 Transport impacts of development
  - DM T3 Car parking and servicing standards
  - DM T5 Access to the road network
- 6.5 Supplementary planning guidance.
- London Housing SPG – 2016
  - London Town Centres SPG – 2014
  - London Affordable Housing and Viability SPG – 2017
  - London Play and Informal Recreation SPG – 2012

London Sustainable Design and Construction - SPG 2014  
London Character and Context SPG - 2014  
GLA Guidance on preparing energy assessments - 2018  
DCLG: Technical housing standards - nationally described space standard  
March 2015  
Merton's Design SPG 2004

## 7. **PLANNING CONSIDERATIONS**

### 7.1 Key Issues for consideration

7.1.1 The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing, residential density and housing mix
- Affordable Housing
- Design and impact upon the character and appearance of the area
- Impact on trees
- Impact on neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Sustainability
- Air quality and potentially contaminated land
- Basement considerations
- Flooding and site drainage
- S.106 requirements/planning obligations
- Response to issues raised in objection letters

### 7.2 Principle of development

7.2.1 The site is currently mixed use, comprising a vacant bank use on ground floor and ancillary office space above (previously known as A2 uses). It should be noted that as of 1st September 2020 the use as a bank and offices would comprise the new Class E (commercial).

7.2.2 There are no specific adopted policies which seek to protect A2 land uses. The site does not form part of a local centre or town centre where policies may seek to protect or in the event of redevelopment, promote non-residential uses at ground floor level.

7.2.3 The planning policy context is currently undergoing review and as the relevant stages in Plan preparation and assessment are reached greater weight will be accorded to the policies in the emerging revised local plan. For the moment weight should be properly accorded to the current Development Plan.

7.2.4 The National Planning Policy Framework 2018, London Plan 2016 Policy 3.3 and the Council's Core Strategy Policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types dwellings at locations with good public transport accessibility. The site has a PTAL rating of 6a which is considered to be excellent.

7.2.5 The proposal would result in the provision of 26 residential units. Policy CS.9 of the Core Planning Strategy 2011 states that the Council will work with housing providers to facilitate the provision of a minimum of 4,800



additional homes for the period 2011-2026. The proposals would make a meaningful contribution to this target.

7.2.6 The site is considered to be underutilised and suitable for redevelopment; A2 uses are not specifically protected; the proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets. Given the above, and having regard to the current policy circumstances, the principle of a fully residential scheme is considered to be acceptable.

7.2.7 Therefore, officers consider that the principle of development is acceptable, subject to the suitable resolution of design and technical considerations.

7.2.8 Notwithstanding this advice, it is important to note that Merton's emerging Local Plan proposes a new Local Centre at the heart of South Wimbledon focussed around the underground station and junction. The application site would fall within the proposed Local Centre.

7.2.9 The function of the Local Centre is, amongst other things, to

- Support shops, services and businesses commensurate with a local centre, particularly those that serve the day-to-day needs of local residents;
- Support measures to enhance the streetscene public realm in South Wimbledon, particularly along the main roads where most travel takes place;

7.2.10 The changing policy landscape is emerging and it is not yet clear what the status of the application site will be when the emerging Local Plan is adopted. However, on balance, officers consider that a fully residential scheme would be acceptable in principle, as the site does not currently sit within a Local Centre and therefore there is no policy basis to resist the principle of development.

### 7.3 Need for additional housing, residential density and housing mix

7.3.1 The National Planning Policy Framework (March 2018) 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.

7.3.2 Policy 3.3 of the London Plan states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The policy also states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.

7.3.3 The draft London Plan is likely to significantly increase this figure to around 918 new homes annually. Therefore officers consider that significant weight should be given to optimising the housing output from this site. The scheme would make a valuable contribution towards the Council's housing stock.

- 7.3.4 Table 3.2 of the London Plan identifies appropriate density ranges based on a site's setting and PTAL rating. The proposed development would have a density of 337 dwellings per hectare and 870 habitable rooms per hectare.
- 7.3.5 The proposed density is higher than the maximum relevant density range (200-700 habitable rooms per hectare 70-260 dwellings per hectare) as set out in Table 3.2 for the setting (Urban) and PTAL 6A.
- 7.3.6 The numerical density is not the only determining factor but serves as an indication that the design merits of the proposals require rigorous and careful scrutiny if the Council is to be persuaded that the quantum of development is appropriate. In this case, it is noted that the bulk and massing would be lower than the adjacent Spur House and officers consider that the overall bulk and massing would be acceptable.
- 7.3.7 Introduction of non-residential floorspace on the ground floor would bring the density closer to the maximum of the relevant density range given the site's accessibility. However, such an adjustment would not in itself alter the bulk and massing of the scheme and may result in empty floorspace and dead frontage. Given the likely step change in housing targets officers consider that density guidelines should not be applied slavishly in such an accessible location and in proximity to taller buildings also in residential use.
- 7.3.8 In terms of housing mix, the scheme provides 7 x three bedroom units (27% of the overall provision).
- 7.3.9 Policy DM H2 sets out that 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.
- 7.3.10 The supporting text to the policy explains that research in London and in Merton shows that there is an overwhelming need in London and in Merton for all types and sizes of new homes, which must be balanced against the need for supporting infrastructure. Assessment of historical provision in the borough indicates a disproportionately greater delivery of smaller homes compared to larger homes: 84% of dwellings completed in the borough between April 2000 and March 2011 consisted of 1 or 2 bedroom units.
- 7.3.11 In assessing development proposals the council will take account of Merton's Housing Strategy (2011-2015) borough level indicative proportions which are set out as follows:

<b>Number of bedrooms</b>	<b>Percentage of units</b>
One	33%
Two	32%
Three +	35%

- 7.3.12 The borough level indicative proportions concerning housing mix will be applied having regard to relevant factors including individual site

circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions. Where a developer considers a site unsuitable to apply the borough level indicative housing mix, set out above, the developer will be responsible for demonstrating why this is the case.

7.3.13 The proposed development has incorporated family sized units in the form of three bedroom flats and whilst it does not directly meet the indicative borough mix proportions, the provision of family sized units is welcomed by officers. Importantly, all of the ground floor units would provide for family housing, with access to some extent of external amenity space.

7.3.14 The proposed development is considered to be acceptable in terms of density and housing mix.

#### 7.4 Affordable Housing

7.4.1 The Council's policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.4.2 The Mayor's SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

"Applications that meet or exceed 35 per cent affordable housing provision (by habitable rooms) without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)...

... Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA)."

7.4.3 If the proposal does not meet this 35% provision, it will be necessary to submit a full viability assessment in order to demonstrate that the scheme is delivering as much affordable housing as is financially viable.

7.4.4 The current scheme offers no affordable housing whatsoever, on the basis that it is not financially viable to do so.

7.4.5 The Council has employed an external financial viability consultant who has considered the evidence put forward by the applicant and concludes that the scheme is not able to provide any contribution towards affordable housing. Whilst this is disappointing, the information has been reviewed by the external financial viability consultant and as such, it would not be reasonable to resist the application on this basis. A legal agreement is recommended to ensure that a review mechanism is included to capture any potential uplift in profit.

## 7.5 Design and impact upon the character and appearance of the area

- 7.5.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan (2015), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.5.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates 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. Core Planning Policy CS14 supports these SPP Policies.
- 7.5.3 The current built form on site represents an under development of the site. The buildings along Morden Road in this location vary in height from 4 storeys to 9 storeys, with buildings permitted up to 9 storeys opposite the site at the High Path Estate and, therefore, officers consider that a building of the height proposed could be supported.
- 7.5.4 The site stands in a transition area, in terms of building heights. To the immediate north is Spur House, a nine storey flatted block; to the south is a four storey flatted block, with more traditional two-storey residential dwellings beyond. Officers consider that the scale and design of the building sufficiently takes account of this transition and responds positively to it.
- 7.5.5 The redevelopment of the site provides an opportunity to enhance the streetscape and whilst a more active use at ground floor level may appear more animated, the impact on the streetscene would be improved and is considered to be acceptable.
- 7.5.6 The design and form of the proposed building has gone through a number of changes throughout the pre-application and Design Review Panel process and amended plans have been submitted throughout the course of this application in response to officer comments/concerns.
- 7.5.7 The visual impact of the proposed building is considered to relate positively to the streetscene in terms of form and design. The proposed building would not appear out of keeping with the existing neighbouring buildings and would not appear out of keeping with the new development being brought forward at the High Path Estate, opposite the site.
- 7.5.8 Whilst overall, the visual impact of the building is considered to be acceptable, as a matter of judgement it is considered that the southern elevation fails to take full advantage of the opportunity to enhance the streetscape and could be considered to present a large, somewhat inactive edge when approaching from the south. However, there is some articulation through the fenestration and, on balance, the quality or otherwise of this element of the scheme is not considered to warrant a refusal on the basis of design.
- 7.5.9 Whilst concerns were initially raised in relation to the lack of a convincing design rationale for curved copper roof, this element of the design has now

been omitted, along with the cumbersome projecting out-shot to house the lift shaft and the current proposal is considered to respond reasonably well to the rhythm and context of the existing streetscene.

7.5.10 The submission indicates that the partly recessed balconies to the front elevation would be part enclosed winter gardens. The use of winter gardens, and recessed balconies, as opposed to projecting balconies, is considered to be suitable along this busy road.

7.5.11 The set back at ground floor level, with an area of soft landscaping for defensible space, is considered to be a suitable design response to a fully residential scheme.

7.5.12 In terms of internal layout, the provision of individual entrances to ground floor units is supported as this would create some activity and natural surveillance at ground floor level.

7.5.13 The proposed layout of amenity space to the rear of the building has been amended since the scheme's initial conception and now includes a regular shaped area of land that would be enclosed by the proposed bin store/air source heat pump building, whilst being overlooked by the proposed development and surrounding properties. This solution to providing both car parking and amenity space is considered to be a good use of the available space on the site.

7.5.14 The scheme shows a row of street trees to the frontage of the site, which would be on land owned by the applicant. There is an intention that this street undergo additional street planting and it is not clear at this stage how the proposed planting in the application would relate to the street tree planting scheme. However, this is a matter that can be addressed through conditions and would not affect the overall acceptability of this proposal.

7.5.15 The proposal is considered to provide a suitable transition between the taller buildings to the north and the lower, more residential scale buildings to the south. The proposal would not be out of keeping with the scheme to redevelop the High Path Estate. The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area.

*Response to DRP Comments:*

7.5.17 It is noted that the proposal has been amended substantially following concerns raised by the DRP. The copper curved roof has been omitted from the design, along with the lift out-shot and the currently proposed building is considered to provide a less conspicuous skyline, with a better contextual response.

7.5.18 The layout has been amended to provide the main living space of all ground floor units to the front of the building (as opposed to some units originally presenting bedrooms to the front only), following concerns raised by the DRP due to and it is considered that this would present a more active frontage to Morden Road. Whilst the ground floor residential use would still about a somewhat hostile environment, the setback and use of screening is considered to mitigate the impact sufficiently. The south facing bedroom window has also been omitted following concerns raised by the DRP.

- 7.5.19 In terms of single aspect units, this part of the scheme has been amended and now allows for a greater proportion of dual aspect units (this is discussed in more detail later in this report under 'Standard of Accommodation').
- 7.5.20 The arrangement of the rear amenity space, bin storage and parking has been amended following the suggestion of the DRP and now provides for a more safe, secure and defensible space.
- 7.5.21 The building no longer stands forward of Spur House in response to the concern raised by the DRP.
- 7.5.22 The projecting lift shaft out-shot to the front elevation, initially proposed, has been omitted from the scheme, in favour of a more suitable elevational treatment.
- 7.5.23 Officers consider that the applicant's revised scheme has responded well to the comments of the DRP in terms of its form and design. In terms of the ground floor residential use, as explained earlier in this report, officers consider that there is not a sufficient policy basis to resist the application on this ground.
- 7.5.24 The design of the building has responded positively to comments made by the Urban Design Officer (as noted above these comments need tempering) and the Design Review Panel and officers consider that the proposal would make a more positive contribution to the streetscene.

## 7.6 Impact on trees

- 7.6.1 There is a significant mature Lime tree to the rear of the site standing on a grassed area adjacent to the access road. Officers consider that this tree has substantial visual public amenity value. The proposed works would not interfere with this grassed area and the tree would be retained throughout and following the development.
- 7.6.2 The Tree and Landscape Officer has reviewed the submitted arboricultural report and raises no objection subject to a safeguarding condition.
- 7.6.3 The proposal is considered to be acceptable in terms of its impact on trees.

## 7.6 Impact on neighbouring amenity

- 7.6.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.
- 7.6.2 The scheme proposes a substantial increase in height of the building in comparison to the existing (the existing building is 11.2m in height, with the proposed building being a maximum of 20.7m in height, to the top of the lift shaft and 16.5m to the top of the parapet to the rear elevation). It is noted that the original scheme has been amended to include less bulk, massing and height to the rear part of the proposed building.
- 7.6.3 The site is surrounded on three sides by residential properties. To the immediate rear of the site is a row of terraced dwellings (22-24A Morden Road), which face towards the application site. To the north is Spur House, part eight, part nine storey building, with a lower out-shot to the rear, (part

three, part storeys). To the south, to the other side of the access road is 26 Morden Road (Falcon House), a four storey flatted block.

7.6.4 *22-24A Morden Road – row of terraced dwellings to the rear:*

7.6.5 The existing building on site is three storeys and therefore the houses to the rear currently enjoy a relatively unimpeded outlook to the front. The proposed development would present a rear elevation to a height of 16.5m, separated from the houses to the rear by 19.5m. The rear wall of the existing building stands at a height of 8.5m-11.2m.

7.6.6 The applicant's Daylight and Sunlight Report concludes that the windows to the dwellings to the rear would be affected to some limited degree but argue that ample light would be provided to the ground floor living area due to the dual aspect layout of the ground floor of the terraced houses. The bedrooms at first floor level would also experience a minor loss of light but this impact is limited and the relationship created is not considered to be unacceptable in this urban context.

7.6.7 Whilst officers note that there would be some limited loss of light and outlook to properties to the rear, the separation distance is considered sufficient to avoid a materially harmful impact.

7.6.8 In terms of overlooking, the separation distance of 19.5m is considered to be sufficient to avoid a loss of privacy and in line with frequently applied separation thresholds.

7.6.9 *Spur House:*

7.6.10 The part eight, part nine storey element of Spur House would not be adversely affected as it stands in line with the proposed building and would form part of a continuous street frontage. The three storey element to the rear has the potential to be affected. Similarly with the impact on the terraced dwellings to the rear, there would be some change to outlook and some marginal loss of light. However, the relationship created would not be unusual in this urban context.

7.6.11 There would be the opportunity for some oblique overlooking from the rear facing windows of the proposed building to the side facing windows of the rear part of Spur House. However, this arrangement is not dissimilar to the existing relationship between Spur House and the terraced dwellings to the rear of the site and whilst there would be significantly more bulk and massing in close proximity to these existing units, due to the oblique positioning, the impact is not considered to result in a material loss of privacy.

7.6.12 The separation distance to residential properties, such as Falcon House to the south, 7 Milner Road to the northwest and the flatted blocks opposite at the High Path estate is considered to be sufficient to avoid a materially harmful impact.

7.6.13 It is noted that the scheme has been amended since its initial conception, with a reduced height to the rear to seek to minimise the impact on neighbouring amenity. Officers acknowledge that the increase in bulk and massing would result in some limited harm to the outlook and light of neighbouring properties to the rear and side, however, officers conclude

that this relationship would not result in material harm to residential amenity and would not be unusual in this urban context.

## 7.7 Standard of Accommodation

- 7.7.1 The detailed design of the proposed development should have regard to the requirements of the London Plan (2016) in terms of unit and room sizes and provision of external amenity space. The requirements of SPP Policy DM D2 will also be relevant in relation to the provision of amenity space (see paragraph 6.17 of the supporting text).
- 7.7.2 The proposed units would meet or exceed the minimum GIA set out in the London Plan.
- 7.7.3 The amount of private external amenity space provided would meet the minimum requirements of the London Plan and no objection is raised in this regard.
- 7.7.5 The provision of external amenity space is considered to be acceptable. The provision of amenity space to the rear, would provide areas that are well over-looked and secure and would provide high quality amenity space for future residents.
- 7.7.6 Officers advise that a scheme for landscaping and to secure the provision of suitable play equipment and ongoing maintenance should be controlled by way of planning condition in the event that planning permission is granted.
- 7.7.7 At least 10% of units should be wheelchair accessible. In addition, Standard 18 of the Mayor's SPG on Housing sets out that each designated wheelchair accessible dwelling should have a car parking space that complies with Building Regulations Part M4(3). The plans show there to be 3 wheelchair accessible units with 3 disabled parking spaces and therefore no objection is raised in this regard.
- 7.7.8 The standard of accommodation is considered to be acceptable.

## 7.8 Transport, highway network, parking and sustainable travel

- 7.8.1 Policy 6.1 of the London Plan (2016) states that the Mayor will support developments, which generate high levels of trips at locations with high levels of public transport accessibility and which improves the capacity and accessibility of public transport, walking and cycling. At a local level Policy CS.19 of the Core Planning Strategy states that the council will ensure that all major development demonstrates the public transport impact through transport assessments. Travel plans will also be required to accompany all major developments. Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).
- 7.8.2 There are double yellow lines on the road immediately outside the site on both sides of the road, along with a designated bus lane running in a northerly direction. There is no parking permitted on Morden Road.
- 7.8.3 The site is located within Controlled Parking Zone (CPZ), Subzone S1, where restrictions operate between 08:30 and 18:30, Monday to Saturday. Milner Road nearby provides a mix of permit holder bays and pay & display.



7.8.4 The site is within a high PTAL area and therefore it is appropriate that car parking on site is limited to disabled users only. It will be necessary for the applicant to enter into a s.106 to restrict the issuing of parking permits, to future occupants, so as to avoid undue additional pressure on kerbside parking locally. In addition, passive electrical charging should be provided, which can be secured by way of condition.

7.8.5 The scheme would meet London Plan requirements in terms of cycle parking and no objection is raised on this basis.

7.8.6 In terms of refuse collection, there would be adequate space to accommodate the refuse storage requirements for the development and no objection is raised in this regard. The Council's Transport Planner has confirmed that the proposed development would be serviced by London Borough of Merton refuse vehicles and the proposed arrangements are acceptable.

7.8.7 Subject to legal agreement and conditions, the proposed development is considered to be acceptable in term of transport and highway impacts.

#### 7.10 Sustainability

7.10.1 Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO2 emissions.

7.10.2 An Energy & Sustainability Statement has been submitted with the application. This statement sets out that in order to comply with policy 5.2 of the London Plan a reduction in CO2 emissions of 35.25% has been achieved against the Baseline Emission Rate, including through the use of air source heat pumps on site.

7.10.3 The Council's Climate Change Officer has reviewed the submission and confirms that the scheme would meet the limit of 105 litres per person per day water usage. However, the officer has raised queries on specific, technical matters relating to energy usage. However, these are matters that can be reasonably addressed by way of condition, as it is considered that the scheme has provided detail on the sustainability credentials, including the incorporation of air source heat pumps and therefore these matters will be considered in the detailed design and construction of the building.

7.10.4 Subject to condition, the proposal is considered to be acceptable in terms of sustainability and climate change considerations.

#### 7.11 Air quality and potentially contaminated land

7.11.1 The whole of Merton is an Air Quality Management Area (AQMA).

7.11.2 The application is supported by an air quality assessment, which concludes that there would be a reduction in traffic related emissions due to the decrease in vehicle movements (over and above the lawful use of the site). Officers note that only limited car parking has been provided, which is positive in terms of air quality. Subject to suitable conditions to control the construction process (demolition and construction method statement and a

limit on noise levels from plant/machinery), it is considered that the proposed development would be acceptable in terms of its impact on air quality.

7.11.3 In addition, conditions would be imposed relating to any potential contamination of the land on the site, to include remediation measures if necessary.

#### 7.12 Basement considerations

7.12.1 The proposed development includes a basement and whilst the construction of basements is largely addressed under Building regulations, in accordance with the requirements of Policy DMD2 the applicant has provided a Structural Engineering Report and Outline Construction Method Statement detailing how the basement could be constructed to pose no significant threat to the structural stability of adjoining properties.

7.12.2 The Council's Structural Engineer has reviewed the submitted documents and raises no objection subject to suitable conditions.

#### 7.13 Flooding and site drainage

7.13.1 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.13.2 The site is within Flood Zone 1 (low probability of flooding) and is not within a critical drainage area. However, notwithstanding that, the scheme includes details of a Sustainable Urban Drainage System and demonstrate a sustainable approach to the management of surface water on site.

7.13.3 The Council's Flood Risk Officer have raised no objection and the proposal is considered to be acceptable in terms of surface water runoff and flooding considerations.

#### 7.14 S.106 requirements/planning obligations

7.14.1 It will be necessary for the development to be parking permit free and to provide three years free car club membership, by way of legal agreement.

7.14.2 A clause in the legal agreement is recommended to ensure that a review mechanism is included to capture any potential uplift in profit, as affordable housing contributions.

7.14.3 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £220 per additional square metre of floor space to be paid to Merton Council and an additional £60 per additional square meter to be paid to the Mayor. Further information on this can be found at:  
<http://www.merton.gov.uk/environment/planning/cil.htm>

#### 7.15 Response to issues raised in objection letters

The majority of issues raised by objectors are addressed in the body of this report and a number of issues relate to the original application scheme,

rather than the amended scheme. However, in addition, the following comments are provided:

- Any noise disturbance from air source heat pumps would be minimal as they are to be entirely enclosed. Use of the amenity area would not amount to material harm to residential amenity.
- The refuse and air source heat pump enclosure would be fully roofed.
- The amended positioning of the proposed refuse and air source heat pump enclosure would not give rise to increased opportunity for burglaries (it is now moved further from the direct boundary with residential properties).
- Issues of fire safety would be primarily addressed at the Building regulations stage of the development, as opposed to the planning stage. However, the emerging London Plan includes requirements relating to fire safety and as such a condition is recommended in relation to fire safety measures, (which may include measures such as 'fire evacuation lifts', fire assembly points, fire alarm systems, passive and active fire safety measures, means of escape and associated evacuation strategy).
- Issues relating to the use of the access road to the site are not a material planning consideration – planning permission does not convey an ultimate right to develop land and if there are other legal obstacles, the granting of planning permission would not overcome these legal obstacles.

## 8. Conclusion

- 8.1 The principle of a residential use on this site, including at ground level, is considered to be acceptable. The scheme would provide a range of unit sizes, including family sized units with private external amenity space, in addition to communal amenity space.
- 8.2 The proposal, as a result of the increased height over the existing, would result in some limited impact on properties to the side and rear of the site. However, as explained in this report, the impact is considered to be minimal and would not warrant a reason for refusal in this urban context, whereby there is a reasonable expectation that a building fronting a main road such as this would be enlarged.
- 8.3 The applicant has gone to effort to seek to overcome the concerns initially raised by the Council's Urban Design Officer and the Design Review Panel and it is concluded that the proposed building would be of an acceptable architectural quality and would complement this part of the streetscene creating a suitable transition between Spur house and the lower buildings to the south.
- 8.4 Whilst officers are disappointed at the lack of affordable housing provided, this matter has been reviewed by an external expert who concludes that due to the residual value of the existing site, the proposed development could not yield any affordable housing contribution, and, therefore, this matter could not reasonably form a reason for refusal. However, the legal agreement includes a clause to ensure that a further financial viability assessment is carried out at the implementation stage to identify whether

the financial viability of the scheme has altered, which may then allow for any uplift in profit to be captured as affordable housing contributions.

- 8.5 Officers consider that the proposal is acceptable in planning terms, subject to conditions and a legal agreement and therefore the recommendation is for approval.

## 9. RECOMMENDATION

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits.
- Car club membership for all eligible adults for three years.
- Financial viability review mechanism.
- and cost to Council of all work in drafting S106 and monitoring the obligations.

And the following conditions:

1. Time limit
2. Approved Plans
3. B1 External Materials to be Approved
4. B4 Details of surface treatment
5. B6 Levels
6. C03 Obscured Glazing (Fixed Windows)
7. C07 Refuse & Recycling (Implementation)
8. C06 Waste Management Plan (Details to be Submitted)
9. C08 No Use of Flat Roof
10. C10 Balcony or External Staircase (Screening details to be provided)
11. D09 No External Lighting
12. F01 Landscaping/Planting Scheme
13. F02 Landscaping (Implementation)
14. F5 Tree Protection
15. F8 Site supervision (trees)
16. F13 Landscape Management Plan
17. H06 Cycle Parking and workshop facility - Details to be Submitted
18. H01 New Vehicle Access - Details to be submitted
19. H02 Vehicle Access to be provided
20. H04 Provision of Vehicle Parking (including disabled parking and electric vehicle charging)
21. H05 Visibility Splays
22. H08 Travel Plan
23. H10 Construction Vehicles, Washdown Facilities etc (major sites)
24. H12 Delivery and Servicing Plan
25. H13 Construction Logistics Plan to be Submitted (major development)
26. H14 Doors/Gates
27. H11 Parking Management Strategy
28. L2 Sustainability - Pre-Commencement (New build residential)
29. L6 BREEAM - Pre-Commencement (New build non-residential)
30. A Non Standard Condition: The recommendations to protect noise intrusion into the residential dwellings and plant noise criteria as specified in the Sandy Brown, Noise Impact Assessment Report 18404-R01-B, Scheme A, dated 27 March 2019 shall be implemented as a minimum standard for the development. A post

- construction noise survey shall be conducted within 3 months of occupation and any necessary remedial measures implemented should the submitted criteria fail to be achieved. The remedial measures shall be first agreed in writing by the LPA.
31. A Non Standard Condition: Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
  32. A Non Standard Condition: All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.
  33. A Non Standard Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 4.02l/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.
  34. A Non Standard Condition: The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
  35. A Non Standard Condition: Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
  36. A Non Standard Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.
  37. A Non Standard Condition: The development hereby approved shall not be commenced until a scheme for the provision and management of external amenity space, to include details of children's play equipment, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed facilities and management plan are implemented in accordance with the approved details.
  38. A Non Standard Condition: No development above ground level other than demolition shall take place until drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. The

development shall thereafter be carried out solely in accordance with the approved details.

- i) metal, glass and wood work including to private amenity spaces and balconies;
- ii) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths);
- iii) copings and soffits and junctions of external materials;
- iv) rain water goods (including locations, fixings, material and colour).

39. J2 Wheelchair Accessible Homes

40. D11 Construction Times

41. A Non Standard Condition: Prior to occupation, the detailed design, specification and planting scheme for any green roof forming part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved prior to occupation of the relevant part of the development, retained and maintained in perpetuity thereafter.

42. A Non Standard Condition: [Local employment strategy] Prior to the commencement of development [including demolition] a local employment strategy shall have been submitted to and approved in writing by the Local Planning Authority setting out the measures taken to ensure that the development provides employment opportunities for residents and businesses in Merton during the construction phase.

43. Prior to the commencement of development the following documents shall be submitted to and approved in writing by the Local Planning Authority, in consultation with London Underground:

- a Detailed Demolition Method Statement,
- a Detailed Construction Method Statement produced by the Contractors appointed for the piling, excavation and construction of the basement,
- Structural drawings of the secant piled retaining wall and construction sequence drawings of the temporary works,
- Design calculations of the secant piled and temporary works,
- Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from pre-construction to completion of the project works. a Detailed Demolition Method Statement,
- a Detailed Construction Method Statement produced by the Contractors appointed for the piling, excavation and construction of the basement,
- Structural drawings of the secant piled retaining wall and construction sequence drawings of the temporary works,
- Design calculations of the secant piled and temporary works,
- Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from pre-construction to completion of the project works.

The development shall be carried out in accordance with the approved details.

44. Prior to the commencement of development a Fire Safety Strategy shall be submitted to and approved in writing by the Local Planning Authority. The applicant shall confirm in writing, to the Local Planning

Authority, prior to the first occupation that the development has been carried out in accordance with the agreed strategy.

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