Agenda Item 15

PLANNING APPLICATIONS COMMITTEE 27th March 2014

<u>Item No:</u>

<u>UPRN</u> <u>APPLICATION NO.</u> <u>DATE VALID</u>

13/P2904 10/09/2013

Address/Site 12A Ravensbury Terrace, Wimbledon Park SW18 4RL

(Ward) Wimbledon Park

Proposal: Demolition of existing buildings and erection of 9 residential

units (Class C3) and 6 offices (Class B1) in a building ranging in

height from three to five storeys, together with associated

access arrangements, parking and landscaping.

Drawing Nos PLA3 001, 002, PLA 010, 011, 100, 101, 102, 103, 104, 105,

200, 201, 202, 203, 501, 505, PLA 500, Design and Access

Statement, Transport Statement, Contamination Risk Assessment Report, Habitats Survey and Flood Risk

Assessment

Contact Officer: Richard Allen (8545 3621)

RECOMMENDATION

GRANT Planning Permission subject to conditions and completion of a S.106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted –

- External consultants: None
- Density: n/a
- Number of jobs created: unknown; proposal increases office floorspace
- Archaeology Priority Zone:
- Flood risk zone 3

1. **INTRODUCTION**

1.1 This application has been brought to the Planning Applications Committee due to the requirement for a S.106 Contribution towards affordable housing, education, sustainable transport and the residential development being designated 'permit free'.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a collection of industrial buildings occupying a site area of 924m2 that run along the west side of Ravensbury Terrace. To the rear of the site is the River Wandle.
- 2.2 To the north of the site is a tributary of the River Wandle. Both the River Wandle and the tributary are inaccessible due to the collection of outbuildings that abut the site boundaries. To the front of the site, fronting Ravensbury Terrace is a single storey warehouse style building, currently occupied as offices. Directly adjacent to the south side of the site is a large brick building, (12 Ravensbury Terrace) containing office and residential facilities. Ravensbury Terrace comprises a mix of two storey housing of various architectural styles and industrial buildings of various architectural gualities.
- 2.3 The site is close to the borough boundary with the London Borough of Wandsworth and the site is not within a conservation area. The site is modelled as being within an area at risk from flooding. The application site has a PTAL rating of 3 [where 1a represents the least accessible areas and 6b the most accessible] although the site is within 6 minutes walk of Earlsfield rail station according to TfL's Journey Planner.

3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves the retention of the frontage office building and demolition of the remaining existing buildings on the site and the erection of a part three, part four, part five storey building comprising nine residential units (4x 1 bed and 4x 2 bed flats and 1x 3 bed duplex apartment) and 425m2 of office floor space (in addition to the retention of 325m2 office space).
- 3.2 The proposed building would be sited to the north and west parts of the site with the existing offices at 12A Ravensbury Terrace being retained on the Ravensbury Terrace frontage. The proposed building would 'wrap around' the retained offices and would be between 13 and 25 metres in width and have an

overall length of 36.5 metres. The proposed building would range in height from 11m (three storey), 14m (four storey) and 17m (five storey). The proposed building would be faced in brick with a pitched roof form. It would be of contemporary design but would reflect the character of adjacent retained commercial buildings. The existing access from Ravensbury Terrace would be retained and at ground floor level, undercroft car parking would be provided for 7 cars and 20 cycles together with bin stores, plant room and entrance lobby/lift.

3.3 At first floor level six office suites would be provided. The floor space of each unit is set out below:-

Office Suite	1	55.4m2
	2	88 m2
	3	41.8m2
	4	50.6m2
	5	59.4m2
	5	59.4m2

Total floor space =

Office suite number 1, 2 and 6 would have small balconies. Whilst 6 separate units are shown, the new space has been designed to be flexible, with the potential to be reconfigured in response to market demand. It provides 425 sq m GIA.

3.4 At second, third, fourth floor levels 9 residential flats would be provided. The schedule of accommodation is set out below to show the gross internal floor area for each flat compared to the London Plan minimum floor area requirements:-

Second Floor

Flat 1 - 2 Bedroom – 4 Person 70m2 - London Plan GIFA -70m2 Flat 2 – 2 Bedroom – 4 Person 83.6m2 - London Plan GIFA - 70m2 Flat 3 – 2 Bedroom – 4 Person 79.6 m2 - London Plan GIFA - 70m2 Flat 4 - 1 Bedroom – 2 Person 50.3m2 - London Plan GIFA - 50m2 Flat 5 - 1 Bedroom – 2 Person 59.6m2 - London Plan GIFA - 50m2

Third Floor

Flat 6 – 3 Bedroom – 6 Person 85.4m2

(Split level accommodation also occupies part of fourth floor. The total floor area of the split level accommodation is 154.4m2). London Plan GIFA – 95m2)

Flat 7 – 2 Bedroom – 4 Person 79.6m2 - London Plan GIFA - 70m2 Flat 8 – 1 Bedroom – 2 Person 50.3m2 - London Plan GIFA - 50m2 Flat 9 – 1 Bedroom - 2 Person 59.6m2 - London Plan GIFA - 50m2

Fourth Floor

Flat 6 continued – Living/Kitchen/Dining area 69m2

3.5 In terms of amenity space provision, the proposed flats would each have a balcony. The balcony sizes for each flat are set out below:-

Flat 1 - 7.6m2

Flat 2 - 8.8m2

Flat 3 - 10.7m2

Flat 4 – 11.1m2

Flat 5 - 10.2m2

Flat 6 – 8.8m2

Flat 7 – 10.7m2

Flat 8 – 11.1m2

Flat 9 – 10.2m2

4. **PLANNING HISTORY**

4.1 None relevant to the current redevelopment proposal. Relevant planning history for the adjoining building directly to the south (12 Ravensbury Terrace) was granted a certificate of lawfulness in October 2005 (05/P0991) for an existing self-contained residential flat on part of the first floor and planning permission was granted in April 2009 (09/P0360) for the erection of a roof extension to create additional offices (Use Class B1)

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 13 letters of objection have been received. The grounds of objection are set out below:-
 - -The occupiers of the existing offices at 12A Ravensbury Terrace operate a call centre employing 30 people and are very concerned at the substantial construction work proposed just 4 metres from their premises.
 - -The proposals should include a pedestrian and cycle bridge across the River Wandle to create an alternative to the busy Penwith Road.
 - -The proposal will result in an increase in HGV traffic in Ravensbury Terrace that is already causing problems.
 - -The owners of 8 Ravensbury Terrace have no objection to a mixed use development. However, the windows at first and second floor levels of the building may prejudice future development of the adjoining site.
 - -It would make more sense if access to the site was from the Haslemere Industrial Estate access.
 - -Ravensbury Terrace cannot accommodate a further increase in road traffic.
 - Banham Security, who are developing a site in the London Borough of Wandsworth at 20 Thomsett Road at the other side of the river Wandle opposite the application site object to the residential element on the basis that

it could prejudice their employment use and is not compatible with its location on a site directly opposite a Wandsworth Council designated Locally Significant Industrial Area. where B1, B2 and B8 uses are preferred.

- the 3 Southfields Ward Councillors from the adjoining Borough of Wandsworth have submitted a joint objection on the grounds of disruption during construction and danger to pedestrians including school children They state that there are already high levels of lorry traffic from industrial estate nearby and whilst width restrictions are in place on the parallel road there are none on Ravensbury Terrace. They propose that width restrictions are at least temporarily removed from Haslemere Road in the London Borough of Merton to allow traffic to use that alternative route or that an alternative access road is built diverting traffic away from heavily populated roads. If plans are approved, imperative that there be a Construction Management plan in consultation with local residents and those living in Ravensbury Terrace.

5.2 <u>London Borough of Wandsworth</u>

The building's scale, location and design would fail to protect or enhance the setting of the River Wandle. The proposals fail to provide or justify the lack of improved access to the River Wandle.

Should the Council be minded to grant permission, the following conditions and contributions are requested;

- 1) Prior to commencement of development, details of a scheme to insulate the approved development against noise generated by the adjacent Locally Significant industrial area shall be submitted to and approved by the local planning authority. The approved measures shall be installed prior to the commencement of the use/occupation of the building.
- 2) Prior to commencement of development a Construction Management Plan shall be submitted to and approved by the lpa in consultation with the London Borough of Wandsworth. The Plan should detail the routing of construction vehicles, arrival and departure times, and any proposed temporary traffic and pedestrian management measures during the course of construction. The works shall be carried out in accordance with the approved plan.
- 3) A financial contribution should be sought for improvement to the Wandle Valley while a footpath as part of a riverside walk should also be included within the development.

5.3 <u>Future Merton</u>

The application site is located north of the borough, near the borough boundary with the London Borough of Wandsworth. The site 12a Ravensbury Terrace adjoins a building containing offices and one residential flat to the south (at 12 Ravensbury Terrace). Haslemere Industrial Estate is located to the south of that building. It is stated with the planning application; that 425m2 of additional office space is to be provided as part of this redevelopment, in addition to retaining 354m2 of existing office floorspace, which will more than double the office floorspace and provide much-needed support for businesses and jobs.

With regard to emerging policy, this site is proposed for allocation in Merton's *Sites and Policies Plan* for a mix of office and residential. This site is referred to as Site Proposal 64: 12A Ravensbury Terrace, Wimbledon Park SW18 4RL

Since 2006, the site has been occupied by Thomas Reuters and has approximately 80 employees. As part of Merton's *Sites and Policies Plan*, the council received a letter from Thomson Reuters in October 2012 in support of the proposal for office and residential.

The NPPF reinforces the importance of having up to date Development Plans and of revising Development Plans to align with the NPPF as quickly as possible (NPPF paragraphs 209 and 213).

Merton's Sites and Polices Plan:

- has been subject to more than nine months of public consultation since January 2012, which includes this site and the proposed site allocation.
- has been prepared to be in conformity with the National Planning Policy Framework 2012 and the London Plan 2011
- was resolved by full Council on 10 July 2013 for submission to the Secretary of State
- was submitted to the Secretary of State on 02 October 2013, who appointed an planning inspector to conduct an independent examination of the Plan. As part of the Plan, full council resolved that the site be allocated for office and residential:
- was subject to public hearings between 21 and 30 January 2014. No changes were proposed to the allocation of 12a Ravensbury Terrace for offices and residential.

In accordance with the National Planning Policy Framework, paragraph 216, from the day of publication [of the NPPF in March 2012], decision takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation in the emerging plan (the more advanced the preparation, the greater weight can be given)
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater weight that may be given)
- the degree of consistency of the relevant policies to the policies in this Framework (the closer the policies in the emerging Plan to the policies in the Framework

Merton's *Sites and Policies Plan* has been the subject of a public hearing led by an independent Planning Inspector in January 2014. There have been no unresolved objections to the relevant policies in the Plan. Therefore, in accordance with the NPPF, weight may be given to the policies within Merton's *Sites and Policies Plan*.

5.4 Future Merton: Economic development and land use

This proposal would need to comply with the following key policies:

- CS7 (Centres) and CS12 (Economic Development) of Merton's Core Planning Strategy 2011;
- DME1 (Employment areas in Merton) of Merton's emerging Sites and Policies Plan 2014, and
- E.1(General Employment Policy), E.7 (Land Uses on Sites Outside the Designated Industrial Areas), TC.1 (Promoting Development in Town Centres) and TC.2 (Town Centre Type Developments Outside Designated Town Centres) of the UDP 2003.

The proposal retains the existing B1 floorspace and is redeveloping the remainder of the site for additional office and residential uses, thus complying with Policy CS12 of the Core Planning Strategy, policy DM.E1 of Merton's Sites and Policies Plan and Policy E.1 of the UDP. It represents an excellent opportunity to help support businesses and jobs in the borough.

Policy DM.E1 of Merton's emerging Sites and Policies Plan and Policy E.7 of the UDP encourages offices to locate on scattered employment sites, though the justification text indicates that proposals for above circa 300 m2 of floorspace outside town centres may be unsuitable as they may generate journeys to work on a scale which could harm local amenity. This proposal is for an additional 425 m2 of floorspace outside a town centre. However, as the site is within 6 minutes walk of Earlsfield rail station, provides parking for cars and bicycles on site and provides revitalised office floorspace, it is considered that the proposal for 425m2 may be acceptable on this occasion.

5.5 <u>Future Merton: housing</u>

The London Plan 2011 (policy 3.3 (increasing housing supply) and Merton's Core Planning Strategy CS9 (housing provision) are in line with the National Planning Policy Framework's requirement to increase the supply of new homes. Core Strategy policy CS9 and London Plan 2011 policy 3.3 state that the Council will work with housing providers to provide a minimum of 4,800 additional homes [320 new dwellings annually] between 2011 and 2026. This minimum target that should be exceeded where possible and the current consultation on the Further Alterations to the London Plan [January 2014] policy 3.3 (increasing housing supply) proposes that Merton's housing target be increased to a minimum of 411 homes per year. The Core Strategy states that the Council will encourage housing in 'sustainable brownfield locations'. The site is referred to in Merton's Sites and Policies Plan as Site Proposal 64 and has been approved by council in July 2013 for allocation to provide new business space and new homes. The building directly adjoining the site (12) Ravensbury Terrace) already provides a similar mixed use office and residential development. The current application site is on brownfield land in a sustainable location adjacent to other mixed use existing office residential properties and benefiting from being within walking distance of Earlsfield station and other local services.

5.6 Future Merton: Flood risk

The site is modelled as being at risk of flooding from the river Wandle and its tributaries (flood zone 3). The flood modelling of the Wandle's catchment,

which does not take account of existing buildings or other structures in London, suggests that the site may be liable for 1 in 20 year flooding events. The NPPF Technical Guidance on flood risk (March 2012, page 5) advises that the definition of functional floodplain should take account of local circumstances and should not be based on rigid probability parameters alone (such as modelling).

The local circumstances of this site are that neither the Environment Agency nor the council has any records of flooding on this site or in the vicinity of the site (such as the residential properties to the north of Haslemere Avenue) from the river Wandle or its tributaries in more than 20 years. The site is currently used as offices and does not function as flood storage.

Compared to the existing buildings on site, the new development is raised on columns to the first storey, reducing the footprint area of the development within the site and meaning that the redevelopment of the site will not result in an increased flood risk elsewhere. This site has previously been the subject of a sequential search to assess whether sites at lower probability of flooding are deliverable, which it passed.

A surface water management strategy is also provided as part of the FRA. The proposed redevelopment includes a green roof to help address surface water runoff and a softened planted edge to the river Wandle, both of which have biodiversity and landscape amenity benefits.

The applicants have provided a Flood Risk Assessment demonstrating that flood risk can be appropriately managed through a combination of safe access and an emergency plan. It is advised that planning conditions are sought to ensure safe access and an appropriate emergency plan, in consultation with the Local Authority's emergency planning team.

5.7 Future Merton: Transport Planning

Transport Planning have stated that Ravensbury Terrace is located near the borough boundary with Wandsworth. It has a PTAL raring of 3 although the site is within easy walking distance of Earlsfield Station [6 mins according to TfL Journey Planner]. The site is referred to in Merton's *Sites and Policies Plan* as Site Proposal 64 identified within is the issue of access across the River Wandle.

The applicant has provided a transport statement that demonstrates that impact on the highway is minimal at the sites location. The proposed development uses the existing access and has provided adequate parking spaces with mitigation that there is a CPZ in operation within the Merton section of Ravensbury Terrrace and that the new residential units should be made permit free, secured through a S.106 Agreement.

A financial contribution towards sustainable transport initiatives in Merton of £500 per unit (both residential and commercial) would be required to be used for improvements to walking and cycling and access to the River Wandle.

Therefore there are no transport objections to the proposal subject to securing the planning obligations and appropriate conditions.

5.8 Environment Agency

The Environment Agency has requested three additional pieces of information:

- information on whether the site currently provides flood storage: the council has confirmed that it doesn't as there are existing operational buildings on the site and no records of flooding on the site
- information on the structure of the river wall. Discussions between the applicant and the Environment Agency on the suitability of the wall's replacement have already taken place as part of the scheme's development and the applicant has provided information to the Agency on the wall's replacement with gabion basket structures. The final approval of the structure would be governed by the Environment Agency's river consenting process and
- information on safe access and egress or an emergency plan, which is added as a planning condition to this application.

6. **POLICY CONTEXT**

- 6.1 The relevant policies contained within the adopted Merton Core Strategy (July 2011) are CS8 (Housing Choice), CS9 (Housing Provision), CS12 Economic Development, CS13 Open space and Development, CS14 (Design), CS15 (Climate Change) CS16 (Flood Risk Management) and CS20 (Parking, Servicing and Delivery).
- The retained policies contained within the Adopted UDP (October 2003) are HS.1 (Housing Layout and Amenity), E1 General Employment Policy, E11 Environmental Improvements from Employment Development, BE.15 (New Buildings and Extensions), BE.16 (Urban Design), BE.22 (Design of New Development) and BE.25 (Sustainable Development), PE.2 (Pollution and Amenity), PE.5 Risk of flooding, RN.3 Vehicular Access, F2 Planning Obligations.

6.3 The London Plan (July 2011)

The relevant policies within the London Plan are 3.4 (Optimising Sites Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 3.11 (Affordable Housing), 4.1 (Developing London's Economy), 4.2 (Offices), 4.3 (Mixed Use Development and Offices) and 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.12 Flood Risk Management, 6.3 Transport and 7.4 Local character.

6.4 Merton's Emerging Sites and Policies Plan (January 2014)
The relevant policies and site allocations within Merton's er

The relevant policies and site allocations within Merton's emerging *Sites and Policies Plan* are DM.E1 (Employment areas in Merton) DM.D1 (Urban design and the public realm) DM D2 (Design considerations in all developments) DM F1 (support for flood risk management) DM F2 (sustainable drainage systems 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)

6.5 Unitary Development Plan 2003

The retained policies contained within the Adopted UDP (October 2003) are HS.1 (Housing Layout and Amenity), BE.15 (New Buildings and Extensions, Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.16 (Urban Design), BE.22 (Design of New Development) and BE.25 (Sustainable Development), PE.2 (Pollution and Amenity).

6.6 The London Plan (February 2011)

The relevant policies within the London Plan are 3.4 (Optimising Sites Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 3.10 (Definition of Affordable Housing), 3.11 (Affordable Housing Targets), 3.13 (Affordable Housing Thresholds), 4.1 (Developing London's Economy), 4.2 (Office's), 4.3 (Mixed Use Development and Office's) and 5.1 (Climate Change Mitigation).

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations relate to the provision of office accommodation outside Town Centres, flood risk issues, design, standard of accommodation, neighbour amenity and relationship to adjoining employment uses, parking, highways and sustainable transport, flood risk issues, sustainability and biodiversity and S.106 Requirements.

7.2 Provision of Office Accommodation Outside Town Centres

The proposal would result in the provision of 425m2 of additional floor space in addition to the retention of 354m2 of existing floor space. Emerging Sites and Policies Plan policy DM.E1 and Retained UDP 2003 policy E.7 encourages office development to locate on scattered employment sites although proposals for more than 280 sgm of floorspace in Merton's Sites and policies Plan DM.E1 (200m2 in 2003 UDP E1) of floor space should not be located outside town centres as they are likely to generate journeys to work on a scale that could harm local amenity. Future Merton has confirmed that the site is designated 'Site Proposal 64: 12A Ravensbury Terrace' within the emerging 'Sites and Policies Plan' and the site is designated for offices and residential use. The Sites and Policies Plan has been subject to wide consultation since January 2012, including this site and the proposed site allocation. The full Council has signed off the 'Sites and Polices plan' in July 2013 and as such are happy for the site to be designated for office and residential use. The document was submitted to the Secretary of State in October 2013 and was the subject of a public hearing in January 2014 and no changes have been made to the site designation. The redevelopment represents an opportunity to provide a small increase in office floorspace in Merton, supporting both businesses and jobs. Therefore the above factors are a material consideration and that in the circumstances the proposal is on balance acceptable despite not being in accordance with retained 2003 UDP policy E.7.

7.3 Managing flood risk

The agents advise that pre-application advice from the Environment Agency(EA)'s Development and Flood Risk Technical Specialist has informed the detailed design and preparation of the scheme. The submitted Flood Risk Assessment(FRA) (September 2013) explains how the scheme has responded to the Environment Agency's requirements. The EA's Flood Report is appended to it and the FRA explains why the applicants believe the site is not at risk of 1 in 20 year flooding which currently indicates the wider area surrounding the site.

7.4 With regard to the functional floodplain the FRA explains the following:

The definition of the functional floodplain is largely focussed on the predicted 1 in 20 year (5% AEP) flood level. As discussed in detail in Section 4.5 of the FRA, there is a significant amount of uncertainty over the predicted flood levels at this location. Taking into account the indications that the numerical hydraulic model is over-predicting flood depths in this location, it is considered that the site is not within the functional floodplain.

- 7.5 In addition to the flood levels predicted by the Environment Agency's hydraulic model, when defining the functional floodplain there also needs to be a degree of pragmatism. Given that the site, or the surrounding area, has no recorded history of flooding, it would appear contradictory to refer to this developed area as being a 'functional' floodplain. Taking into account the fact that PPS25 Guidance clearly states that developed areas are not generally considered as functional floodplain and the historical evidence that suggests that the hydraulic model is over-predicting flood levels in this location, it is concluded that the site would be more accurately defines as being within Zone 3a rather than Zone 3b.
- 7.6 The NPPF states that the Local Planning Authority should apply the sequential approach as part of the identification of land for development in areas at risk from flooding. The overarching objective of the Sequential Test is to ensure that lower risk sites are developed before sites in higher risk areas. When applying the test it is also necessary to ensure that the subject site is compared to only those sites that are available for development and are similar in size. This requires a comprehensive knowledge of development sites within the district and is generally applied as part of the Local Development Framework (LDF) process. However, when applying the test to sites that have not been assessed as part of the LDF it is necessary to apply a bespoke test. In consultation with the London Borough of Merton, a Sequential Test for this site has been undertaken and the proposed development is deemed to pass the test.
- 7.7 Our specialist is happy to advise further if that would assist. We note also that a key feature of the scheme is that the vulnerable use (residential) are located at first floor so not as to be impacted in the unlikely event of a flood. Details of a safe exit route are provided within the Design and Access Statement and shown on the attached plans. If necessary, the LPA could impose a condition

requiring the details of the dry means of escape to be agreed in writing before occupation.

FRA, design and access statement. River frontage to be green and accessible.

7.8 <u>Design Issues</u>

A contemporary design has been adopted for the proposed development. The form of the proposed building, with tall narrow elements and pitched roofs, and the use of facing brickwork echos the character of the retained frontage building and the adjacent commercial buildings. The proposal is therefore considered to be acceptable in terms of retained UDP policies BE.16 and BE.22, Policy CS14 of the Adopted Merton Core Strategy and emerging policies DM D1 and DM D2 of Merton's emerging Sites and Policies Plan.

7.9 Standard of Residential Accommodation

Nine flats would be provided in the development and the internal layout of the flats is considered to be acceptable and all the flats comply with the minimum standards set out in the London Plan. In terms of amenity space each of the 9 flats would be provided with a small balcony. However, amenity space provision for flat developments is calculated on 10m2 per habitable room (the development having 24 habitable rooms. The 9 flats would therefore require 240 m2 of amenity space. The balconies would provide a total of 89m2 amenity space. The development therefore has a shortfall of 151m2 in amenity space provision. A financial contribution towards improvements to nearby public open space would therefore be required in accordance with retained UDP policy HS.1.

7.10 Neighbour Amenity

The proposed building would be sited behind the retained office building fronting Ravensbury Terrace and would abut the adjacent office building. There is one residential flat on the upper floors of 12 Ravensbury Terrace (adjacent to the south of the site) and the proposed balconies would not result in any overlooking and/or loss of privacy to occupiers of neighbouring residential properties. The proposal is therefore considered to be acceptable in terms of retained UDP policy BE.15.

7.11 Parking / Highways / Sustainable Transport

The proposed development would provide off street parking for 7 cars and secure cycle parking for 18 cycles. Transport Planning has no objections to the proposed development subject to the residential units being designated 'permit free' secured through a S.106 Agreement and that a financial contribution towards sustainable transport initiatives in the borough be made also secured through a S.106 Agreement. The proposal is therefore considered to be acceptable in terms of Adopted Core strategy Policy CS20 (Parking).

7.12 Sustainability

The commercial element of the proposed development would be required to meet the BREEAM rating of not less than 'very good' and that the

development should also comply with the London plan CO2 reduction targets. The residential development would also be required to comply with the Code for Sustainable Homes (Code Level 4) in accordance with Core Strategy policy CS 15 (Climate Change). Appropriated conditions should therefore be imposed on any grant of planning permission to ensure compliance with sustainability targets.

7.13 Planning Obligations

The proposal involves a residential development of 9 residential units and Core Strategy Policy CS8 (Housing Choice) requires the developer to make a financial contribution towards affordable housing in the borough (£374, 208). The development would also attract a financial contribution towards education provision in the borough (£6,856.96), a financial contribution towards development of the Wandle Trail pedestrian/cycle route (£7,500) and the residential units being designated 'permit free'.

- 7.14 Merton's Community Infrastructure Levy will be implemented on 1st April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces local infrastructure that is necessary to support new development. Merton's CIL will replace Section 106 agreements as the principal means by which developer contributions towards providing the necessary infrastructure should be collected.
- 7.15 The application will be subject to either the completion of a Unilateral Undertaking covering the S106 heads terms listed in the next section, or if the Unilateral Undertaking is not completed and a final decision is not issued prior to 1st April 2014, the application would be subject to a S106 on affordable housing only and Merton's Community Infrastructure Levy.

7.16 Local Financial Considerations

The proposed development is liable for the Mayoral Community Infrastructure Levy, the funds of which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to agree to pay the CIL.

SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

9.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

10. **CONCLUSION**

10.1 The proposal will result in the redevelopment of a commercial site to provide new office units and nine residential flats. The design of the proposed building is considered to be acceptable and the proposal would not affect

neighbour amenity. Accordingly it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

Either a Unilateral Undertaking covering the following heads of terms:

- 1. Financial contribution for affordable housing (£374,208)
- 2. Financial contribution for education (£6,856)
- A financial contribution towards development of the Wandle Trail pedestrian/cycle route (£7,500
- 4. The development being designated 'Permit Free'.
- 5. Payment of the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

Or a S106 agreement/unilateral undertaking covering the following heads of terms:

- 1. Financial contribution for affordable housing (£374,208)
- 2. The development being designated 'Permit Free'.
- 3. Payment of the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

and subject to the following conditions:-

- 1. A.1 <u>Commencement of Development</u>
- 2. B.1 (Approval of Facing Materials)
- 3. B.4 (Site Surface Treatment)
- 4. B.5 (Boundary Treatment)
- 5. C.2 (No Permitted Development Doors/Windows)
- 6. C.4 (Obscure glazing of windows facing No. 8 Ravensbury Terrace.
- 7. C.6 (Refuse and Recycling)
- 8. C.7 (Refuse and Recycling-Implementation)

- 9. D.9 (External Lighting)
- 10. D.11 (Construction Times)
- 11. F.1 (Landscaping Scheme)
- 12. F.2 (Landscaping Implementation)
- 13. H.6 Cycle Parking Details to be Submitted
- 14. H.7 (Cycle Parking Implementation)
- 15. H.9 Construction Vehicles)
- 16. No demolition works shall be undertaken on site until a statement containing information regarding: the method of construction; measures to indentify, and remove asbestos, if present and measures to prevent nuisance from dust and noise; has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall then be undertaken in accordance with the approved statement.

Reason for condition: To safeguard the amenities of the area and to ensure compliance with policy PE.2 of the Adopted Merton UDP (October 2003).

- 17. J.1 (Lifetime Homes)
- 18. L.2 (Code for Sustainable Homes-Pre Commencement)
- 19. L.3 (Code for Sustainable Homes Pre Occupation)
- 20. INF.1 Party Wall Act
- 21. INF.8 Construction of Vehicular Access
- 22. INF.12 Works Affecting the Public Highway
- 23. Prior to occupancy of the development hereby approve a Biodiversity Report shall be prepared and submitted to the Local Planning Authority to include details of the measures set out in Table WM05 (Recommendations) of the applicant's Phase 1 Ecology report including securing appropriate measures towards biodiversity improvements of Biodiversity Action Plan species habitats on the site or in the river Wandle.

Reason for condition: In order to protect the Biodiversity of the River Wandle and its surroundings.

24. An emergency plan for the development hereby approved shall be submitted to and be approved in writing prior to first occupancy of the residential units

hereby approved. The report shall be prepared in consultation with the LPA's emergency planners.

Reason for condition: In order to protect future occupiers of the development.