

PLANNING APPLICATIONS COMMITTEE
29th June 2021

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	20/P3866	17/12/2020
Address/Site	Shaftesbury House, 2A Amity Grove, Raynes Park, SW20 0LJ.	
(Ward)	Raynes Park	
Proposal:	DEMOLITION OF EXISTING BUILDING AND ERECTION OF 5 STOREY (PLUS BASEMENT LEVEL) RESIDENTIAL BUILDING COMPRISING 14 SELF-CONTAINED FLATS AND A TWO-STOREY RESIDENTIAL BUILDING AT REAR COMPRISING 3 SELF-CONTAINED FLATS, WITH ASSOCIATED LANDSCAPING, REFUSE AND CYCLE STORES, ON-STREET BLUE BADGE PARKING AND A ROOFTOP PLANT.	
Drawing Nos	0001, 1000 Rev B, 1001, 1002 Rev A, 1003 Rev A, 1004 Rev A, 1005 Rev A, 1006 Rev B, 2100 Rev A, 2101 Rev A & 3100 Rev A.	
Contact Officer:	Tim Lipscomb	

RECOMMENDATION

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

CHECKLIST INFORMATION

- Heads of s.106 Agreement: Restrict parking permits for 6 units, Carbon offset commuted sum of £24,225.00, commuted sum (TBC) towards off-site children's playspace and late stage review for affordable housing)
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- DRP: No
- Press notice: No
- Site notice: No
- Number of neighbours consulted: 50
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No

- Controlled Parking Zone: Yes (RPN)
- Flood Zone 1
- PTAL: 5

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received contrary to the officer recommendation.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a three storey (with flat roof) building located on the eastern side of Amity Grove and towards the junction with Coombe Lane, Raynes Park. The building features a single storey entrance element to the front, a part-single, part-two storey element to the rear which incorporates a first floor balcony. A pre-existing small box style plant room was situated above the flat roof which has recently been demolished.
- 2.2 To the rear of the site is a car park with 11 parking bays. The vehicular access to the site from Amity Grove is a shared access used to service the rear of commercial units along Coombe Lane.
- 2.3 The building features brickwork to all elevations with the front façade being painted white and windows feature in the front, rear and southern flank elevations at all levels. The building is currently vacated and in a poor state of appearance but was formerly used as offices and benefits from prior approval to convert to 11 residential units, as well as planning permission granted under application ref. for 19/P1966 for an additional floor of accommodation to provide 3 x 1 bed flats.
- 2.4 Immediately to the north is a 1.2m wide pedestrian access way, beyond which are the rear gardens for residential properties at 2 Amity Grove (sub-divided into two residential units). Immediately to the south is a part two, part three storey parade with commercial units/shops at ground floor and flats above, the parade comprises a mixture of single storey and two storey rear extensions of varying depths, some of which house roof terraces; to the southeast corner of the site the parade steps up to 3 storeys in height. To the east of the site is a two storey wing of the Raynes Park Health Centre.
- 2.5 The site is located within Raynes Park Town Centre and is located to the rear of a primary shopping frontage. The site is located within a controlled parking zone (CPZ) has a public transport accessibility level (PTAL) of 5 (0 being the lowest and 6b being the best) being 180m from Raynes Park Station and having numerous bus routes in close proximity. The site is not located within a conservation area nor is it within the curtilage of a listed building. However, the site is directly adjacent to a row of terraced dwellings, known as 'Shakespeare Villas', which are Locally Listed.
- 2.6 The site has an area of approximately 0.046 Ha.
- 2.7 Amity Grove links with the A238 Coombe Lane at the southern end where there is egress only permitted onto the A238. Amity Grove is

two-way for the majority of its length reducing in width to a one-way section just to the south of the site.

- 2.8 The site is located in a Controlled Parking Zone (RPC) where parking and loading is controlled from Monday to Friday between 11am – Noon.

3. **PROPOSAL**

- 3.1 The proposal is for the demolition of the existing building on site and the erection of a five storey building (with basement) to the frontage of the site, to accommodate 14 flats and a two-storey building to the rear part of the site to accommodate an additional three flats.
- 3.2 The building would be constructed from facing brickwork, with buff brick diamond pattern detailing, with partly enclosed balconies. The top floor would be a standing seam metal panel roof.
- 3.3 The proposed building would have a maximum height of 17.8m (to the top of rooftop plant) with a height of 16.1m to the top of the flat roof. The building to the rear would have a maximum height of 6.2m to the top of the roof, although as the ground levels would be lowered by 0.6m, the overall height would be 5.6m above the existing ground level. The terrace would stand at 2.6m above the existing ground level height, with the privacy screen standing at a height of 1.8m.
- 3.4 The basement would accommodate 34 cycle parking spaces, 14 individual secure storage areas for residents and would be served by a lift and stairwell.
- 3.5 The roof of the frontage building would be a biodiverse roof and would also accommodate PV panels.
- 3.6 All units would have private amenity space in the form of either balconies, terraces or patio gardens.
- 3.7 The two-storey building proposed to the rear part of the site would feature ground level gardens for the two ground floor units and an expansive roof terrace at first floor level, which would be screened with a 1.7m high obscurely glazed panel.
- 3.8 An area to the frontage of the site would be landscaped and enclosed by steel railings. The landscaping would include the planting of three trees along with other soft and hard landscaping.
- 3.9 The schedule of accommodation proposed is as follows:

Level	Unit	Type	GIA (sqm)	External amenity space (sqm)
GF	01	1B/2 P	50	6

GF	02	1B/2 P	50	32
GF	03	1B/2 P	50	6
1F	04	1B/2 P	50	6
1F	05	2B/3 0	74	8
1F	06	1B/2 P	50	6
2F	07	1B/2 P	50	6
2F	08	2B/4 P	74	8
2F	09	1B/2 P	50	6
3F	10	1B/2 P	50	6
3F	11	2B/4 P	74	8
3F	12	1B/2 P	50	6
4F	13	1B/2 P	50	6
4F	14	2B/4 P	74	8
Building to rear. GF	15	1B/2 P	59	14
GF	16	1B/2 P	54	13
1F	17	2B/4 P	78	33

- 3.10 The proposed housing mix is 67% one bed units and 33% two bed units.
- 3.11 A communal bin store would be situated near to the frontage of the site, accessed from the main foyer of the building.
- 3.12 One on-site disabled car parking space is also proposed to the frontage of the site.
- 3.13 The application was amended on 15.03/2021 following concerns raised by officers. The amendments are summarised as follows:
- Size of basement amended.
 - Roof form of rear building altered, involving the loss of one unit.
 - Lowering of ground levels of 0.6m for the building to the rear.
 - Additional roof terrace shown to building at rear.
 - Solar panels shown on roof.

- 3.9 The application was further amended on 11/06/2021 to show the disabled parking space to be located on site, rather than a new Blue Badge holder bay located on the public highway.
- 3.10 The application is accompanied by the following supporting documents:
- Basement Impact Assessment
 - Daylight and Sunlight Impact Assessment, 10/03/2021
 - Design and Access Statement, Version 1.1 March 2021
 - Energy & Sustainability Statement, 10/03/2021
 - Heritage Statement, October 2020
 - Landscape design Statement 05.11.2020
 - Noise Impact Assessment 09.11.2020
 - Overheating Assessment, November 2020
 - Planning Statement, November 2020
 - Surface Water Drainage Strategy November 2020
 - Transport Statement, June 2021
 - Viability Study, December 2020 and amended Viability Study, March 2021

4. PLANNING HISTORY

- 4.1 Various historic decisions pertaining to former use of site including MER52/72: part three storey and part single storey office block with parking - Granted.
- 4.2 09/P2246: the use of vacant office floorspace [use class B1] at ground, first and second floor levels for education purposes [use class D1] - Grant Permission subject to Conditions 11-01-2010
- 4.3 15/P1214: Demolition of the existing three storey West Wimbledon College building [Use Class D1 - 526 square metres] and the erection of a new four storey building with additional basement level at the front of the site providing retail, financial services, business, non-residential institutions or assembly and leisure use [Use Class A1, A2, B1, or D1- 278 square metres] at basement and ground floor level with floor space to the rear of the commercial space and in a second detached building with floor space at basement and ground floor level providing a total of 9 flats (4 three bedroom; 3 two bedroom and 2 one bedroom) including 4 off street car parking spaces with vehicle access from Amity Grove - Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 16-07-2015.
- 4.4 17/P4083: Prior Approval in respect of the proposed change of use of office space (class C1a) to provide 11 residential units (class C3) - Prior Approval Not Required 31-01-2018.
- 4.5 18/P4148: Erection of a two storey building comprising of 3 x residential units with associated landscaping and cycle parking. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 14-10-2019.

- 4.6 18/P4363: External alterations to facade including cladding, addition of balconies, reconstruction of plant room on roof, amendments to door and window openings, landscaping and associated works in connection with LBM ref. 17/P4083 for the prior approval for change use of office space (class B1a) to provide 11 residential units (class C3). Grant Permission subject to Conditions 14-01-2019.
- 4.7 19/P1966: Erection of an additional floor to create 3 x 1 bed flats, external alterations to facade including cladding, addition of balconies, reconstruction of plant room on roof, amendments to door and window openings, landscaping and associated works in connection with LBM ref. 17/P4083 for the prior approval for change use of office space (class B1a) to provide 11 residential units (class C3). Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 25-11-2019 – Permit free for dwellings.
- 4.8 20/P1610 – Pre-application advice sought for demolition of existing building and the erection of a 6 storey (plus basement) residential building comprising 17 flats and a terrace of 4 two storey dwellings to the rear.

5. CONSULTATION

- 5.1 Site notice posted, neighbouring properties notified. 19 representations were received, objecting on the following grounds:

- Query whether all units would be affordable.
- Insufficient parking on Amity Grove. Suggestion that area to the rear of the site be used for car parking.
- Suggestion that existing parking restrictions be extended.
- No on site space for delivery vehicles.
- Scale and sized proposed is disproportionate to Shakespeare Villas. Three or four storeys would be more reasonable.
- Overdevelopment and intrusive appearance.
- Adverse impact on sunlight, daylight and overlooking to neighbouring properties.
- Concerns regarding noise and disruption throughout construction process.
- Adverse impact on mental health during construction process.
- Devaluing of nearby properties.
- The proposed building should be no larger than the existing.
- Additional strain on local services and infrastructure.
- Congestion as a result of refuse collection and servicing.
- The front of the building and balconies, are too close to the pavement.
- Assertion that a tree was illegally removed from the frontage of the site.
- Queries regarding shared vehicular access throughout construction process.

- A disabled parking space would be created on the road – query whether this would be for any user or residents only.
- Daylight and Sunlight Analysis clearly indicates that neighbouring properties would suffer an unacceptable loss of light.

5.2 Following amendments to the application to reduce the size of the proposed building to the rear, a further 4 objections were received, objecting on the following grounds:

- Adverse visual impact
- Harm to neighbouring amenity from building to the rear.
- Congestion and parking concerns

5.3 Residents Association of West Wimbledon:

-
- Fails to respond positively and appropriately to the siting, rhythm, scale, density, proportions, height and massing of surrounding buildings and existing street patterns. Harmful to the setting of a heritage asset.
- Adverse impact to Shakespeare Villas
- Adverse impact in terms of sunlight and daylight.
- Loss of privacy.
- Poor quality amenity space and accommodation.
- Concerns regarding deliveries, parking and refuse arrangement.
- S.106 to restrict parking permits is required.
- No affordable housing contribution proposed.

5.4 Additional comments from Residents Association of West Wimbledon following amendments to the proposal:

Comments remain as per above.

5.5 Amity Grove Residents' Association

- Fails to respond positively and appropriately to the siting, rhythm, scale, density, proportions, height and massing of surrounding buildings and existing street patterns. Harmful to the setting of a heritage asset.
- Overly dense.
- Limited amenity space.
- Excessive height.
- Building would stand forward of Shakespeare Villas.
- Balconies are very close to the street and would result in a cluttered appearance.
- Overlooking from rear facing windows and balconies proposed.
- Query over use of access road to the side of the site.
- Query as to where construction vehicles would be accommodated.
- No provision for on-site disabled parking.
- Restriction of parking permits is required.

- Loss of light and visual intrusion to Shakespeare Villas.

5.6 The Wimbledon Society:

- Over-development, overly dominant and excessive height.
- Insufficient space for landscaping
- Flats are only just dual aspect and outlook is very limited.
- Concerns regarding use of gas boilers.
- Use of metal panels is incongruous and does not reflect the materials of the area.

Internal consultees.

5.7 Future Merton/Planning Policy:

The proposal will make a useful contribution to meeting Merton's strategic housing target (918 homes annually) and Merton's 5-year housing land supply requirement.

The proposal is accompanied by a financial viability report supporting the position that provision of affordable housing in accordance with the Development Plan policy requirement would make the scheme unviable therefore no affordable provision is proposed. The financial viability report will need to be independently assessed and the assessment should include recommendations on what alternative viable affordable housing provision can be made by the applicants should the independent assessment support the position put forward in the applicant's financial viability report.

The scheme proposes a total of 18 additional homes consisting of 67% 1 bed and 33% 2 bed homes. However, whilst a more equally proportioned split of 1 and 2 bed homes, would more effectively contribute to addressing the borough's housing needs, it is also acknowledged that:

A) Assessment needs to establish the appropriate balance to be struck between this current proposal's individual merits and the materiality and weighting given to the extant permissions.

B) The site is in a high PTAL location where in accordance with the Development Plan a higher proportion of one and two bed homes are generally more appropriate (e.g. as set out within London Plan Policy H10A bullet point 6).

5.8 LBM Transport planner (comments in relation to original proposal):

Car Parking

- No onsite parking is proposed.
- Permit free option would be acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding

controlled parking zones to be secured by via S106 legal agreement.

Disabled Bay

- The proposed on street disabled space is not acceptable. Disabled space should be sited within the curtilage of the site.
- The proposal identifies 2 adaptable units which are Part M4 (3) compliant, comprising 10% of the overall accommodation.
- Disabled persons parking should be provided for new residential developments. Residential development proposals delivering ten or more units must, as a minimum:

1) ensure that for three per cent of dwellings, at least one designated disabled persons parking bay is available from the outset

2) demonstrate on plan and as part of the Parking Design and Management Plan, how an additional seven per cent of dwellings could be provided the remaining bays to a total of one per dwelling for ten per cent of dwellings can be requested and provided when required as with a designated disabled persons parking space in the future upon request. This should be provided as soon as existing provision is shown to be insufficient.

3) All disabled persons parking bays associated with residential development must be for residents' use only (whether M4(2) or M4(3) dwellings).

Cycle Parking

- 30 long stay, 2 short stay) secure and covered cycle spaces for residents will be provided on site which satisfies the London Plan standards (in accordance with the draft New London Plan Cycle Parking Standards).

Deliveries and Refuse arrangements

- The applicant fails to provide information on deliveries and parking arrangements for service vehicles for the 18 units. Highways have particular concern that the proposed number of trips to the site from deliveries serving the residential development, such as for food and internet shopping is likely to be higher, particularly given increased rates of internet shopping and home working which have been exacerbated by the Covid-19 pandemic.
- Any servicing carried out along Amity Grove would have a significant impact on the free flow of traffic and inconvenience to all users of the road.
- The applicant to consider a turning area within the site to accommodate service vehicles and refuse vehicles.

Policy:

- Sites and Policies Plan DMT3 car parking and servicing standards
 - g) New development or modification to existing development should make proper provision for loading and servicing in accordance with Freight Transport Association (FTA) guidance, except when a development would impact on a listed build designated conservation area then facilities will be considered on case by case basis.
Support Text item 9.43 also states: Servicing should be provided off-street in accordance with Freight Transport Association guidelines to minimise the impact on congestion and the safe movement and operation of traffic. Where this is not possible or there is a need to protect the character of a historic building/conservation area then alternative approaches should be explored to mitigate potential adverse impacts on the road network as part of the accompanying Transport Assessment or Access statement.

Refuse

- Large number of bins would result in extended dwell time during refuse collection, to be undertaken from Amity Grove.
- The extended dwell time would essentially shut off the road for other vehicles and road users during collection periods given the size of the refuse collection vehicle and presence of on street parking on both sides of the Amnity Grove carriageway.

Recommendation: Until the above issues been clarified, I am unable comment further on this application.

5.9 LBM Highways

No objection subject to (standard) conditions and informatives:
H1 (Vehicle access – details to be submitted),
H2 (Vehicle access – to be provided),
H3 (Redundant crossovers),
H5 (Visibility Splays),
H10 (Construction vehicles, washdown facilities, etc) and
H13 (Construction Logistics Plan)
Inf 8 (Construction of accesses),
9 (Works on the public highway) and
12 (Works affecting the public highway)

5.10 LBM Environmental Health Officer (Contaminated Land):

No objections, conditions recommended.

5.11 LBM Environmental Health Officer (noise):

No objection, conditions recommended in relation to noise levels and the submission of a Demolition and Construction Method Statement

1) Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall not exceed LA90-5dB at the boundary with any residential property.

2) Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the ALN Acoustic Design, Noise Impact Assessment Report J0504_R01, dated November 2020, must be implemented as a minimum standard for the development.

3) No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

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

Reason: To protect the amenities of future occupiers and those in the local vicinity.

5.12 LBM Climate Change Officer:

No objection subject to conditions relating to energy efficiency and water usage.

Carbon off-set payment of £24,225.00 for 17 units.

5.13 LBM Tree and Landscape Officer:

No arboricultural issues. Suggest imposing conditions F1 (Landscaping/planting scheme and F2 (Landscaping – implementation).

5.14 Metropolitan Police Designing Out Crime Officer:

Summary of comments:

- I have a few concerns about the entrance, there appears to be a void area at the porched entrance ideal for concealment. This area should be redesigned to be more open.

- Suggest side facing door to Unit 02 to open onto the access road.
- Raise concern over possibility of graffiti to side wall of bin store.
- Suggest entrance lobbies have a second set of access controlled doors.
- The basement storage area should have appropriate CCTV.
- Advise that a lighting scheme across the site be implemented.

Condition recommended in relation to security measures and Secured by Design objectives and certificate.

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

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

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

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

5.15 Independent Financial Viability Advisors (Altair Ltd):

From our analysis of the applicant's viability assessment we conclude that an affordable housing contribution is not currently possible from the proposed development.

We recommend that the Council applies the viability review mechanisms at early and late stages of development as outlined within the Draft London Plan and Mayors SPG based on the conclusions of the Altair appraisal.

5.16 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 application form states that none of the 18 units will be affordable housing. We ask the Council to require that its 40% target be met.

- 6.1 National Planning Policy Framework (2019):
- 2. Achieving sustainable development
 - 4. Decision-making
 - 5. Delivering a sufficient supply of homes
 - 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
 - 15. Conserving and enhancing the natural environment
 - 16. Conserving and enhancing the historic environment
- 6.2 London Plan (2021):
- D1 London's form, character and capacity for growth
 - D2 Infrastructure requirements for sustainable densities
 - D3 Optimising site capacity through the design-led approach
 - D4 Delivering good design
 - D5 Inclusive design
 - D6 Housing quality and standards
 - D7 Accessible housing
 - D8 Public realm
 - D9 Tall buildings
 - D10 Basement development
 - D11 Safety, security and resilience to emergency
 - D12 Fire safety
 - D13 Agent of Change
 - D14 Noise
 - H1 Increasing housing supply
 - H4 Delivering affordable housing
 - H5 Threshold approach to applications
 - H6 Affordable housing tenure
 - H7 Monitoring of affordable housing
 - H10 Housing size mix
 - S4 Play and informal recreation
 - HC1 Heritage conservation and growth
 - G5 Urban greening
 - G6 Biodiversity and access to nature
 - G7 Trees and woodlands
 - SI 1 Improving air quality
 - SI 2 Minimising greenhouse gas emissions
 - SI 3 Energy infrastructure
 - SI 4 Managing heat risk
 - SI 5 Water infrastructure
 - SI 7 Reducing waste and supporting the circular economy
 - SI 8 Waste capacity and net waste self-sufficiency
 - SI 10 Aggregates
 - SI 13 Sustainable drainage
 - T1 Strategic approach to transport
 - T2 Healthy Streets
 - T3 Transport capacity, connectivity and safeguarding
 - T4 Assessing and mitigating transport impacts
 - T5 Cycling
 - T6 Car parking
 - T6.1 Residential parking
 - T6.3 Retail parking

T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

6.3 Merton adopted Core Strategy (July 2011):

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 Active Transport
CS 20 Parking servicing and delivery

6.4 Merton adopted Sites and Policies document (July 2014):

DM H2 Housing mix
DM H3 Support for affordable housing
DM E4 Local employment opportunities
DM O2 Nature conservation, Trees, hedges and landscape features
DM D1 Urban Design and the public realm
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

6.5 Other guidance:

National Design Guide – October 2019
Draft Merton Local Plan
DCLG: Technical housing standards - nationally described space standard
March 2015
Merton's Design SPG 2004
GLA Guidance on preparing energy assessments – 2018
London Environment Strategy - 2018
Mayor's Air Quality Strategy - 2010
Mayor's SPG - Housing 2016
Mayor's SPG – Sustainable Design and Construction 2014
Mayor's SPG – Character and Context 2014
Mayor's SPG – Affordable Housing and Viability 2017
Mayor's SPG – Play and Informal Recreation 2012
LB Merton – Air quality action plan - 2018-2023.
LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation
Supplementary Planning Document (SPD) 2018
LB Merton - Basement and Subterranean Planning Guidance March 2017

7. **PLANNING CONSIDERATIONS**

Material Considerations

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

- Principle of development

- Planning history
- Need for additional housing and residential density
- Design and impact upon the character and appearance of the area
- Basement considerations
- Affordable Housing
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Safety and Security considerations
- Refuse storage and collection
- Sustainable design and construction
- Drainage
- Response to issues raised by objectors

7.1 Principle of development

7.1.1 Policy H1 of the London Plan 2021 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. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2019 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

7.1.2 The principle of the loss of office space and conversion to residential use has already been established by the extant Prior Approval change of use application (17/P4083). In addition to the previous approvals, the current proposal seeks to demolish the existing building and construct a five storey building in its place and a two storey building to the rear of the site.

7.1.3 The site is within Raynes Park Town Centre and represents brownfield land. The site has a good public transport accessibility level (PTAL) of 5 (with 0 the worst and 6b being excellent). The proposals would provide additional residential units, thereby meeting NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of sites at higher densities.

7.1.4 Given the above, it is considered the proposal is acceptable in principle, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents as detailed in the relevant sections below.

7.2 Planning history

7.2.1 It is noted that applications have been granted on the site, which allow for a residential use of the building with an additional floor of accommodation added, to form a 4 storey building. In addition, permission has been granted for a two-storey building to the rear part of the site.

7.2.2 The current proposal seeks to demolish the existing building and erect a 5 storey building, with an additional two-storey building to the rear part of the site.

7.2.3 In terms of the scale and form of the approved in comparison to the proposed, the table below shows the key measurements of each proposal:

	Previous permissions	Current proposal
Frontage building:		
Max. height	15m	17.8m
Height to front parapet	13.3m	16.1m
Building to rear:		
height	5.73m (5.73m* above existing ground level)*	6.2m (5.6m* above existing ground level)

*The ground levels to the rear of the site are shown to be reduced by 0.6m in the current proposal, in comparison to the previous approvals.

7.2.4 Therefore, whilst permissions have been granted for use of the building as residential, with an additional floor and permission has been granted for a two-storey residential building to the rear, the current proposal is a major planning application which is subject to affordable housing contributions and potentially carbon offset contributions and the impact of the additional height of the building proposed is the key difference over and above what has been previously granted on site, along with the changes to the layout of the building to the rear including the proposed terrace.

7.3 Need for additional housing and residential density

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

7.3.2 Policy H1 of the new London Plan sets the ten-year targets for net housing completions that each local planning authority should plan for. The ten year target for the London borough of Merton is 9,180 (i.e. 918 per year)

7.3.3 Against the requirement of 918 units per year, which equates to 4083 over 5 years (the year 20/21 would remain as per the previous London Plan target), the London Borough of Merton can demonstrate a supply of 4369 units, a provision of 107% of the required five year land supply.

7.3.4 Notwithstanding the above the scheme would make a valuable contribution towards the Council's housing stock.

7.3.5 Policy D3 of the new London Plan requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.

7.3.6 The proposed development would have a density of 369 dwellings per hectare.

7.3.7 New London Plan, Policy D6 sets out that:

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

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

7.3.8 The new London Plan does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals. Density has been measured and monitored in London over recent years in units per hectare (u/ha). Average density across London of new housing approvals in the monitoring year 2015/16 was 154 u/ha with the highest average density being recorded in Tower Hamlets at 488 u/ha. However, comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units. Planning application boundaries are determined by the applicant. These boundaries may be drawn very close to the proposed buildings, missing out adjacent areas of open space, which results in a density which belies the real character of a scheme. Alternatively, the application boundary may include a large site area so that a tall building appears to be a relatively low-density scheme while its physical form is more akin to schemes with a much higher density.

7.3.9 Therefore, whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.

7.4 Design and impact upon the character and appearance of the area

7.4.1 The NPPF, London Plan policies D3 and D4, Core Strategy policy CS 14 and SPP Policy DM D2 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context. Thus, development proposals must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.

7.4.2 Massing and heights

- 7.4.3 The site occupies an area that borders on an area of commercial frontages and also stands adjacent to long established residential properties, which exhibit strong architectural uniformity. The site stands in a transition area, given the existing commercial building on site and therefore it is important that the correct balance is struck in terms of the bulk and massing of the building to ensure that it respects the established residential character to the north whilst responding positively to the larger scale development to the west and south.
- 7.4.4 Previous permissions on the site have resulted in a building with a parapet height similar to the ridge height of the adjacent Shakespeare Villas, whereas the current scheme would exceed the height of the adjacent Shakespeare Villas. However, this in and of itself does not mean that the proposed development would result in material harm to the character and appearance of the area.
- 7.4.5 The scheme has been carefully designed to minimise the proposed bulk and massing with a suitable set back from the road, a step-in, in the building line, from the adjacent Shakespeare Villas and the incorporation of brickwork detailing that would partly animate the flank walls. It is noted that the top floor is set back from the front of the building, which would go some way in minimising the visual bulk and massing proposed.
- 7.4.6 It is noted that directly opposite the site is a six storey building (Travel Lodge and Post Office below at ground floor) and officers consider that the additional height over and above the existing building, would not result in such an adverse impact on the setting of the adjacent Shakespeare Villas as to raise concern on this basis. The proposed building would be higher than the neighbouring buildings but officers conclude that the bulk, massing and heights proposed of the two proposed buildings would be suitable in terms of the character and appearance of the area.

7.4.7 Layout

- 7.4.8 The proposed layout allows for a clear entrance to the building, with bin storage and bike store accessible on site.
- 7.4.9 The proposed building line (of the main frontage building) does not protrude further than the existing building line at the rear and the massing of the rear building is similar to the consented.
- 7.4.10 The layout is based on sound urban design principles and is considered to represent an optimisation of the site.

7.4.11 Design and appearance

- 7.4.12 Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning

documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

- 7.4.13 The application site is not located in a conservation area and the character of Amity Grove is formed by the variety that is present in terms of the design, scale, form and appearance of nearby buildings. This variety includes a flat roofed three storey block of 9 flats at 14 Amity Grove, located immediately to the north of Shakespeare Villas. On the opposite side of Amity Grove is the two storey pitched roof NHS clinic building. Other two storey residential properties in Amity Grove have variety in their design and form with different front bays in front elevations and different roof forms.
- 7.4.14 The application site is adjacent to the rear of buildings fronting Combe Lane that are two and three storeys in height. These buildings include a part two, part three storey building on the corner of Coombe Lane and Amity Grove and a three storey building at 42 Coombe Lane. The six storey building called Durham House that has a flat roof is directly opposite the application site in Amity Grove. Raynes Park Health Centre is located to the rear of the application site and this building is 4 storeys in height.
- 7.4.15 In terms of the application site this is currently occupied by a three storey building with a flat roof. The main roof of the existing building is 3.8 metres lower than the roof ridge of the adjacent property at 2 Amity Grove. The proposed building would stand 2.7m higher than the ridgeline of the adjacent Shakespeare Villas.
- 7.4.16 Officers note that the proposed building is taller than the adjacent Shakespeare Villas. However, the proposed design is considered to respond well to the scale of the surrounding area, noting the other taller buildings in the vicinity, and would optimise the site, whilst not over-powering the adjacent locally listed buildings.
- 7.4.17 The materials proposed are considered to reflect the surrounding area and in particular the neighbouring locally listed Shakespeare Villas to the north by the use of red terracotta cladding of similar colour and white cladding to the ground floor and entrance. The use of contrasting cream and bronze elements does well to break up the large facades and the materials in general are considered to reflect the contemporary design of this development. The proposed fenestration is considered to be acceptable, by maintaining consistent spacing and heights. The proposed landscaping, boundary treatment and cycle store are considered to be of a good quality design which would improve the visual amenity of the site.
- 7.4.18 It is considered that the design and appearance of the proposed building and other external works would respect and enhance the character of the surrounding area and the development is in keeping with the surrounding area. The proposed materials are considered in keeping with the surrounding area whilst also reflecting the contemporary design of this development. The proposal is considered in accordance with London Plan policies D3 and D4, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3.

7.4.19 It is noted that a pre-application version of the scheme was presented to the Design Review Panel in August 2020, the key comments from the DRP were:

- Form and scale of the building was over dominant and not related to the local context sufficiently.
- Positive elements to its general appearance and the position of the front elevation.
- Mews approach to the rear was appropriate and could work.

7.4.20 The scheme which went before the DRP was also for a five storey building but the top floor was not setback or finished in a contrasting material. In addition, the balcony to the rooftop unit would be an open balcony with balustrades as opposed to an enclosed continuation of the brick frontage of the building (as the floors below are).

7.4.21 Officers note that the current scheme has not gone before the DRP. However, as a matter of judgement it is considered that the current proposal, which significantly reduces the number of units proposed, has struck the correct balance in terms of its height and form and the impact on the adjoining Shakespeare Villas.

7.5 Basement considerations

7.5.1 Policy D10 (Basement development) of the London Plan states that Boroughs should establish policies in their Development Plans to address the negative impacts of large-scale basement development beneath existing buildings, where this is identified as an issue locally. Large –scale developments are basements which are multi-storey and/or those that extend significantly beyond the existing building footprint). Policy DM D2 sets out a number of requirements relating to structural stability and hydrology for basement development.

7.5.2 Building Regulations deal with the structural integrity of a building but do not cover the impact on neighbourhood amenity of the construction process or the finished development; this is covered by the planning system.

7.5.3 The application is accompanied by a Basement Impact Assessment which sets out that the proposed works have been designed to safeguard the structural stability of the nearby buildings and the adjoining highway. The report considers the existing construction and ground conditions, a possible sequence of construction and the impacts on surrounding structures. To demonstrate the feasibility of the proposed subterranean development, supplementary drawings have also been provided.

7.5.4 Officers conclude that the proposed basement would not have a significant impact on neighbouring amenity, as it would be a non-habitable area with no additional lightwells etc. Therefore, the proposed basement element of the proposal is considered to be in line with planning policy. Specific details of the construction process can be secured by condition in the planning permission.

7.6 Affordable Housing

- 7.6.1 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.
- 7.6.2 In seeking this affordable housing provision LMB will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.
- 7.6.3 The application is accompanied by a financial viability assessment which indicates that the proposal would not be able to deliver any on-site affordable housing or a commuted sum and remain financially viable.
- 7.6.4 This assessment has been scrutinised by independent financial viability assessors, employed by the Council, who conclude that the scheme is not able to provide any on-site affordable housing or commuted sum and remain viable. Therefore, officers recommend that the legal agreement includes a clawback mechanism to ensure that any potential uplift in profit can be utilised for affordable housing contributions.

7.7 Impact upon neighbouring amenity

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

7.7.2 Privacy and overlooking

- 7.7.3 The property to the north features window openings in its flank facing elevation at first and second floor level and the upper level residencies to the south have facing windows towards the development. The proposal would introduce new side facing windows to the north and south. Where these windows would overlook neighbours they can be obscured by way of condition, as the majority of the rooms the windows serve are dual aspect. As such, these side facing windows are not considered to impact upon neighbouring privacy. However, as set out above, it is considered that a condition can reasonably be included to restrict the proposals regular side facing windows to the north and south to be obscured and non-openable to 1.7m.
- 7.7.4 The balconies to the front and rear would not offer an increased level of overlooking than that which already exists and would make use of 1.8m obscure glazed screenings to the sides to limit potential overlooking and loss of privacy to neighbouring amenities. It is considered this arrangement would be acceptable and a condition is included requiring the implementation and retention of the obscured screenings to safeguard this

7.7.5 The building to the rear would feature an extensive roof terrace at first floor level, in close proximity to the neighbouring properties to the north at 2 Amity Grove. The proposed roof terrace would be enclosed by a privacy screen and whilst the building and roof terrace would be visible from the gardens and rear windows of neighbouring properties, subject to suitable screening, there would be no direct issue of overlooking or loss of privacy in planning terms.

7.7.6 Loss of light, shadowing and visual intrusion

7.7.7 Whilst the proposal would increase in vertical mass and could therefore result in additional shadowing and loss of light to surrounding properties, the orientation of the site and sun path is such that this would primarily occur towards no.2 Amity Grove to the north.

7.7.8 The submitted Daylight and Sunlight Analysis considers the impact on neighbouring windows and gardens, taking into account the light from the sky in terms of Vertical Sky Component, No-Sky Line and taking into account sunlight in terms of Annual Probable Sunlight Hours and sunlight on gardens and open spaces.

7.7.9 The proposed development would result in an uplift in built form on the site. The main frontage building would be two-storeys higher than currently exists and a new two-storey element would be erected to the rear (albeit set down into a lower ground level and with a flat roof). Therefore, there will be a change in the visual appearance of the site, which will be apparent from neighbouring properties.

7.7.10 The separation distances to properties to the south are such that whilst there would be some impact in terms of outlook, this would not amount to material harm. In terms of sunlight, being to the south, this impact would also not be materially harmful. In terms of daylight, the most affected properties to the south are 58-62 Coombe Lane. Below are the key impacts on these properties:

- 58-62 Coombe Lane: 4 windows fail to meet the VSC recommendations, however, all 4 windows experience a loss factor only marginally above the recommended 20% (20.2% to 22.0%)
- 58-62 Coombe Lane: 1 room fails to meet the NSL recommendations, however, it experiences a loss factor only marginally above the recommended 20% (26.6%) and continues to have sky view in more than 70% (73.4%) of the internal area.
- 64 Coombe Lane: 1 room fails to meet the NSL recommendations, however, it experiences a loss factor only marginally above the recommended 20% (21.3%) and continues to have sky view in more than 75% (78.5%) of the internal area.
- 66 Coombe Lane: All rooms meet the NSL recommendations except Room 48. However, the room experiences a loss factor only marginally above

the recommended 20% (29.1%) and continues to have sky view in more than 65% (68.3%) of the internal area.

7.7.11 In terms of properties to the north, the key impact is on the directly adjacent property (flats 1 and 2 at 2 Amity Grove), where the rear garden is sub-divided to allow for a separate garden for each flat.

7.7.12 The side facing windows to No.2 Amity Grove are already obscured by the existing building and no reasonable objection can be raised in terms of the impact on these side facing windows. The key impacts to consider are the impact on the main rear facing windows and light to the garden area.

7.7.13 The rear facing windows would not be significantly affected by the proposed development as the main frontage building would be in a similar position to the existing and the building to the rear would have a modest overall height.

7.7.14 In terms of light to gardens, the BRE guidance set out:

Sunlight on gardens and open spaces:

- At least half of the garden space should receive at least 2 hours of sunlight on 21st March.
- The area that receives at least 2 hours of sunlight on 21st March is more than 0.8 times its former area (before the new development).
- Where a detailed calculation cannot be carried out, the centre of the garden should receive 2 hours of sunlight on 21st March.

7.7.15 The submitted Daylight and Sunlight Analysis concludes, in relation to the garden spaces at No.2 Amity Grove, that “all garden spaces continue to receive adequate sunlight and are not seen to be negatively affected by the proposed development.” Officers acknowledge that there would be a significant change in outlook from this property. However, the building to the rear would have a similar impact to that previously approved and the additional height to the frontage building is not considered to have such an adverse impact on neighbouring amenity to warrant a refusal.

7.7.16 Below is a summary of the main impacts relating to daylight and sunlight:

VSC: 73% of the assessed windows meet the recommendations for the VSC. A minor impact is seen on properties 54 and 58-62 Coombe Lane with a loss only marginally above the recommended 20%.

NSL: 74.4% of the assessed rooms meet the recommendations for the no-sky line. A minor impact is seen on properties 54, 58-62, 64 and 66 Coombe Lane with a loss only marginally above the recommended 20%

APSH: The APSH has been calculated for all existing south facing windows. 64.0% of all tested windows

meet the recommendations for the APSH with only the windows located on the side façade of 2 Amity Grove failing to meet the APSH recommendations.

- 7.7.17 According to BRE report paragraph I6, the impact is assessed as 'minor' when only a small number of windows are affected, or the loss of light is only marginally outside the guidelines. The proposed development will have a 'minor' impact on the daylight and sunlight received by the neighbouring amenities.
- 7.7.18 Therefore, members will see that the increased bulk and massing would have some minor impact on neighbouring properties in terms of light and outlook. However, Officers consider that the proposed scale and form of the development is such that permission could reasonably be granted.
- 7.7.19 In conclusion and following assessment of the development including the site context, the building heights, the nature of the existing residential accommodation and the separation distances between buildings, it is considered that the proposed development will not give rise to materially harmful visual intrusion, loss of daylight or sunlight, or loss of privacy to adjacent residential occupiers. The development is considered in accordance with Sites and Policies Plan policy DM D2.

7.8 Standard of accommodation

- 7.8.1 Policy D6 of the London Plan states that housing developments should be of the highest quality internally and externally. New residential development should ensure that it reflects the minimum internal space standards (specified as Gross Internal Areas).
- 7.8.2 All units would meet or exceed the minimum GIA and private external amenity space requirements of the London Plan.
- 7.8.3 Policy DMD2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of sunlight and daylight and quality of living conditions for future occupants. Policy S4 of the London Plan deals with the provision of children's playspace.
- 7.8.4 The London Plan also sets out that: "Off-site provision, including the creation of new facilities or improvements to existing provision, secured by an appropriate financial contribution, may be acceptable where it can be demonstrated that it addresses the needs of the development whilst continuing to meet the needs of existing residents. This is likely to be more appropriate for the provision of play facilities for older children, who can travel further to access it, but should still usually be within 400 metres of the development and be accessible via a safe route from children's homes."
- 7.8.5 The proposed development has a play space requirement of 22.1sqm, as calculated through the GLP Population Yield Calculator. Officers conclude that an area of this size would not provide for a functional, useable play area for children and as such this matter would be more appropriately addressed by way of a

commuted sum towards existing or new play space provision in the locality. This matter would be addressed by way of legal agreement.

7.9 Transport, parking and cycle storage

7.9.1 Policy T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking.

7.9.2 The provision of cycle parking would meet the requirements of the London Plan and no objection is raised on this basis.

7.9.3 Following amendments to the plans, the scheme now includes one on-site disabled parking space for occupiers of the development. This provision also falls in line with London Plan policies.

7.9.4 The provision of an on-site space as opposed to using the public highway would mean that sufficient space is retained to the frontage of the site to allow for on-street servicing by a Council refuse vehicle. Therefore, the concerns raised in relation to the parking and servicing arrangements in the originally proposed layout are considered to be overcome.

7.9.5 In order to prevent the increase of on street parking pressure in the local area, future occupiers of the proposed units should be restricted from obtaining permits for the CPZ and this should be secured by way of a legal agreement. It is acknowledged that the future occupants of the prior approval scheme were not restricted from obtaining permits, and therefore it is considered it would be unreasonable to enforce restrictions upon these units given the fall-back position.

7.10 Safety and Security considerations

7.10.1 Policy DMD2 sets out that all developments must provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.

7.10.2 The comments of the Secured by Design Officer have been carefully considered. However, the entrance arrangements are considered sound and would not provide an area for concealment to the extent that the building should be redesigned. Whilst an entrance from Unit 02 onto the access road may provide additional natural surveillance and activity, it would also mean an entrance directly onto a thoroughfare with no opportunity for defensible space. Other matters raised can be addressed through condition.

7.10.3 The proposal is considered to be acceptable in terms of safety and security considerations.

7.11 Refuse storage and collection

7.11.1 Policies SI8 and SI 10 of the London Plan and policy CS 17 of the Core Strategy requires details of refuse storage and collection arrangements.

7.11.2 A storage area for refuse has been indicated on the ground floor, which provides suitable access to residents and for the transportation of refuse for collection. It is considered this arrangement would be acceptable and a condition requiring its implementation and retention will be included to safeguard this. As outlined above, the concerns initially raised by the Transport Planner are now overcome as sufficient space would be retained on the highway for servicing purposes.

7.12 Sustainable design and construction

7.12.1 London Plan policies SI 2 to SI 5 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.12.2 As per CS policy CS15, major residential developments are required to achieve a 35% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The development would not achieve this on-site and therefore officers recommend that the carbon off-set commuted sum of £24,225.00 be secured by way of legal agreement.

7.12.3 Subject to conditions and legal agreement, the proposal is considered to be acceptable in terms of sustainable design and construction.

7.13 Drainage

7.13.1 Policy SI 13 of the London Plan (Sustainable drainage) sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features.

7.13.2 The application is accompanied by a Surface Water Drainage Strategy which sets out a number of measures that will reduce surface water run-off on the site. These include:

- Approximately 220m² of green roof.
- Permeable paving
- Buried attenuation tanks to be provided (11 cubic metres).

7.13.3 The proposed attenuation tanks and green roof, will reduce peak runoff rates by between 78-92%. The proposed drainage strategy will result in a decrease in the volume of runoff from the site due to the green roofs, permeable paving and landscaped areas. The

surface water drainage system will be maintained by a management company.

7.13.4 Officers conclude that subject to condition, to ensure these measures are employed, that the proposed development would be acceptable in terms of drainage and runoff.

7.14 Response to issues raised by objectors:

7.14.1 The issues raised by objectives are mainly addressed in the body of this report. However, in addition, the following response is provided:

- Whilst there would be some limited and transient disturbance throughout the construction process, this could not reasonably form a reasonable reason for refusal. However, safeguarding conditions to minimise the impact of the construction works are recommended.
- Whilst the impact on the character of the area and neighbouring amenity is a material planning consideration, the impact on local property values is not a matter that can reasonably form a material planning consideration.
- In terms of shared vehicular access throughout the construction process – the granting of planning permission does not overrule any other covenants or agreements with other landowners.
- The Daylight and Sunlight Analysis is a tool to indicate the likely impact on neighbouring amenity but is not necessarily determinative of whether permission should be granted or not. Members should take the daylight and sunlight analysis into account when considering the impact on neighbouring amenity and making the overall planning judgement.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

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

9. Conclusion

9.1 Officers consider the proposal is acceptable in principle, providing a residential development at an increased density, in line with planning policy. The proposal is considered to be a well-considered design, appropriately responding to the surrounding context in terms of massing, heights, layout and materials whilst optimising development across the site.

9.2 The proposed development would not have a harmful impact on the visual amenities of the area. The proposal would not unduly impact upon neighbouring amenity. The proposal would not unduly impact upon the highway network, including parking provisions (subject to Section 106 Obligations). The proposal would achieve suitable refuse and cycle storage provision.

- 9.3 Officers conclude that the proposal accords with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case.
- 9.4 It is therefore recommended to grant permission subject to conditions and a Section 106 Agreement.

RECOMMENDATION: Grant Permission Subject to Section 106 Obligation covering the following heads of term;

- 6 of the proposed flats are to be parking permit free residential units
- Carbon offset commuted sum of £24,225.00
- Late stage review for affordable housing contributions.
- Commuted sum towards off-site children's playspace (TBC)
- The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations.
- The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of development (full application)
2. A7 Approved Plans
3. The development shall be carried out in accordance with the recommendations of the following approved documents:
 - Basement Impact Assessment
 - Design and Access Statement, Version 1.1 March 2021
 - Energy & Sustainability Statement, 10/03/2021
 - Heritage Statement, October 2020
 - Landscape Design Statement 05.11.2020
 - Noise Impact Assessment 09.11.2020
 - Overheating Assessment, November 2020
 - Planning Statement, November 2020
 - Surface Water Drainage Strategy November 2020
 - Transport Statement, June 2021

Reason: For the avoidance of doubt and in the interests of proper planning
4. B3 External Materials as Specified
5. C04 Obscured Glazing (Non-Opening Windows)
6. C07 Refuse & Recycling (Implementation)
7. C08 No Use of Flat Roof
8. C09 Balcony/Terrace (Screening)
9. D10 External Lighting

10. F1 (Landscaping/planting scheme)
11. F02 Landscaping (Implementation)
12. H1 (Vehicle access – details to be submitted)
13. H2 (Vehicle access – to be provided)
14. H3 (Redundant crossovers)
15. H04 Provision of Vehicle Parking
16. H5 (Visibility Splays)
17. H07 Cycle Parking to be implemented
18. H10 (Construction vehicles, washdown facilities, etc)
19. H13 (Construction Logistics Plan)
20. 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.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and the London Plan.
21. Non Standard Condition. Prior to the first occupation of the development hereby approved a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and the London Plan.
22. Non Standard Condition. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - a) Detailed Demolition Method Statement produced by the Contractor appointed for demolishing the existing building.
 - b) Detailed Construction Method Statement produced by the Contractors appointed for the piling, excavation and construction of the basement. This shall be reviewed and agreed by the Structural Engineer designing the basement.

- c) Structural drawings of the secant piled retaining wall and construction sequence drawings of the temporary works.
- d) Design calculations of the secant piled and temporary works.
- e) 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 as recommended by the Construction Method Statement. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the contingency measures for different trigger alarms.
- f) The development shall be carried out in strict accordance with the approved details.
- g) Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties

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

Reason: To protect the health of future users of the site in accordance with policy E7, part B, section 3f of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

24. The approached remediation shall be completed prior to completion. And a verification report, demonstrating the then effectiveness of the remediation, subject to the approval of the LPA.

Reason: To protect the health of future users of the site in accordance with policy E7, part B, section 3f of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

25. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall not exceed LA90-5dB at the boundary with any residential property.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

26. Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the ALN Acoustic Design, Noise Impact Assessment Report J0504_R01, dated November 2020, must be implemented as a minimum standard for the development.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

27. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:

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

Reason: To protect the amenities of future occupiers and those in the local vicinity.

28. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions in accordance with those outlined in the approved documents, and wholesome water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources.

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