

PLANNING APPLICATIONS COMMITTEE

23 SEPTEMBER 2021

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
21/P2154	01/06/2020
Site Address:	89 Worple Road, WIMBLEDON, SW19 4JG
Ward:	Hillside
Proposal:	APPLICATION FOR PRIOR APPROVAL IN RESPECT OF THE PROPOSED ERECTION OF ONE ADDITIONAL STOREY ON TOP OF EXISTING BLOCK OF FLATS TO CREATE 2 ADDITIONAL RESIDENTIAL UNITS
Drawing Nos:	2003-05 PL.11; 2003-05 PL.10; 2003-05 PL.12
Contact Officer:	Calum McCulloch

RECOMMENDATION

Grant Prior Approval, subject to conditions and permit free legal agreement

CHECKLIST INFORMATION

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	No
Site notice	Yes
Design Review Panel consulted	No
Number of neighbours consulted	63
External consultations	0
Internal consultations	0
Controlled Parking Zone	Yes - W6

1. INTRODUCTION

- 1.1 This planning application has been put forward to the planning committee due to the number of representations received.

2. SITE AND SURROUNDINGS

- 2.1 The application site – 89 Worple Road – comprises a four-storey detached block of flats situated on South Park Road in Wimbledon. The existing block comprises 8 self-contained flats.
- 2.2 The site is accessible to pedestrians from Worple Avenue. There is also off-street car parking and garages located to the rear.
- 2.3 The site surroundings have a predominant residential character which feature a mixture of two three-storey residential properties with some more modern four-storey blocks of flat including Haverley Court located on the opposite side of Worple Avenue.
- 2.4 The application site itself is not located within a Conservation Area.
- 2.5 The site is within Flood Zone 1 indicating low probability of flooding.
- 2.6 The site has a PTAL of 2.
- 2.7 The site is located in within Controlled Parking Zone (CPZ) Zone W6.
- 2.8 The site provides off-street parking to the rear of the site.
- 2.9 Existing refuse storage is located in the parking area at the rear.

3. CURRENT PROPOSAL

- 3.1 This application seeks Prior Approval for the erection of a one-storey extension containing 2 self-contained 2-bed flats under the prior approval process of Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 3.2 The proposal would add two additional storeys above the existing building thereby giving the block a total of five storeys.
- 3.3 The height of the building with extensions proposed would be approximately 15.24m
- 3.4 The proposed 5th storey would adopt a pitched roof profile with projecting gables and roof dormers inserted.
- 3.5 The extension would be finished in brickwork to match the facades beneath and a mid-grey slate roof.

4. PLANNING HISTORY

- 4.1 MER1114/85 - ERECTION OF A 4 STOREY BUILDING COMPRISING 8 TWO BEDROOM FLATS INCLUDING PROVISION OF 10 PARKING SPACES AND FORMATION OF NEW VEHICULAR ACCESS ONTO WORPLE ROAD –

GRANT PERMISSION SUBJECT TO CONDITIONS – 13/02/1986

- 4.2 MER1095/72(O) - OUTLINE APPLICATION FOR THE ERECTION OF A 5 STOREY BLOCK OF 10, TWO BEDROOM FLATS AND GARAGES, AND DEMOLITION OF EXISTING DETACHED HOUSE – GRANT PERMISSION SUBJECT TO CONDITIONS - 09/11/1972
- 4.3 MER1095/72(D) - DETAILED APPLICATION FOR THE ERECTION OF A 5 STOREY BLOCK OF 10, TWO BEDROOM FLATS AND GARAGES, AND DEMOLITION OF EXISTING DETACHED HOUSE – APPLICATION GRANTED - 29/03/1973
- 4.4 91/P0987 - ERECTION OF A FOUR STOREY BUILDING COMPRISING EIGHT TWO BEDROOM FLATS INCLUDING PROVISION OF TEN PARKING SPACES AND FORMATION OF NEW VEHICULAR ACCESS ONTO WORPLE AVENUE – GRANT PERMISSION SUBJECT TO CONDITIONS – 16/01/1992
- 4.5 92/P0908 - ERECTION OF A BLOCK OF 5 GARAGES WITH ATTACHED REFUSE STORE AND SERVICES INTAKE TOGETHER WITH PROVISION OF FIVE PARKING SPACES – GRANT PERMISSION SUBJECT TO CONDITIONS – 24/06/2021
- 4.6 92/P0197 - ERECTION OF A FOUR STOREY BUILDING COMPRISING EIGHT SELF CONTAINED TWO BEDROOM FLATS INCLUDING PROVISION OF 10 PARKING SPACES AND FORMATION OF NEW VEHICULAR ACCESS ON TO WORPLE AVENUE (MODIFICATION TO PREVIOUSLY APPROVED SCHEME 91/P0987) – GRANT PERMISSION SUBJECT TO CONDITIONS - 08/05/1992
- 4.7 97/P0688 - ALTERATIONS TO THE EXISTING GARAGE BLOCK AT THE REAR OF 89 WORPLE ROAD TO PROVIDE 5 FLAT ROOFED GARAGES, PROVISION OF REPLACEMENT BIN STORAGE AREA, AND PROVISION OF BOUNDARY TREATMENT AND LANDSCAPING TO THE CAR PARKING AREA – GRANT PERMISSION SUBJECT TO CONDITIONS - 13/11/1997
- 4.8 13/P2906 - REPLACE EXISTING BALCONIES WITH NEW STAINLESS STEEL AND GLASS BALCONIES - Grant Permission subject to Conditions - 13/11/2013
- 4.9 21/P0034 - APPLICATION FOR PRIOR APPROVAL IN RESPECT OF THE PROPOSED ERECTION OF TWO ADDITIONAL STOREYS ON TOP OF EXISTING BLOCK OF FLATS TO CREATE 3 ADDITIONAL RESIDENTIAL UNITS - Prior Approval Refused - 08/03/2021 – Appeal Pending

5. CONSULTATION

External

- 5.1 Consultation letters were sent to neighbouring properties and a site notice displayed. 16 objections were received, including objections from the Wimbledon Society and Edge Hill Residents Association on the following grounds:

- Scale and size of the proposed development and its impact on the surrounding area.
- Negative impact on the street scene
- Increased parking pressure and congestion (post-construction)
- Decrease in air quality
- Disruption from building works, including noise and congestion
- Concerns that car free units cannot be enforced legally
- Loss of light toward south east of 3 Worple Avenue
- Increased strain on gas supply
- Increased overlooking
- Increased overshadowing
- Concerns of increased risk of flooding
- Concerns regarding capacity of waste and cycle storage
- Concerns regarding the Daylight Sunlight Assessment including:
 - Still, no attempt has been made by ERS to download floorplans for Haverley flats from the Land Registry. The form and function of the rooms facing the proposed development affect key variables that determine pass/fail results.
 - The VSH still does not take into account window size or whether there is any other access to natural light within a room. There is only one window per room for the flats facing the proposed development. Any effect on the existing light is, as a result compounded especially when there is more than one room for an existing flat on that elevation.
 - Regardless, in their new analysis of the ADF, ERS demonstrate that now previous fails now achieve pass (except major fails with 91 Worple), using the bare minimum values still is a disregard for a person's "right to light".
 - The results from the ERS analysis show borderline results. The ERS document is pivotal to the proposed development.
- One resident noted the development would not comply with condition AA (2) (c) of the GDPO because the roof pitch of the principle part of the dwelling house following development would not be the same as the roof pitch of the existing dwellinghouse.
- Concerns Design and Access statement was not available.
- Concerns the proposal will exceed density standards in the London Plan, which sets the standard as 150 – 250 habitable rooms per hectare for a site like this. The present block at 310 (24 rooms on a 750 sq m site) already exceeds this standard and the addition of more rooms will raise this to 390. This would indicate over density.
- Concerns development would not meet the London Plan social housing target

- Concerns that the highest standards for fire safety should be followed.
- Concerns that energy efficiency measures are not included as part of the development.
- Concerns there is no lift for the development limiting access to the vulnerable.

5.2 One representation was received from the occupier of Wimbledon Swift group highlighting the opportunity to integrate habitats for swifts into the development.
Internal

Council's Transport Officer: No objections subject to permit free legal agreement, cycle parking and a construction logistics plan.

Council's Environment and Health Officer: No objections raised.

6. POLICY CONTEXT

Town and Country Planning (General Permitted Development Order) 2015 (as amended)

- Schedule 2, Part 20, Class A – New dwellinghouses on detached blocks of flats

National Planning Policy Framework (2021)

7. PLANNING CONSIDERATIONS

7.1 Under the prior approval process, the proposal must accord with all criteria set out within Schedule 2, Part 20, Class A of the GPDO 2015 (as amended) for new dwellinghouses on detached blocks of flats.

7.2 In accordance with procedure for applications for prior approval under Part 20 provision B. (15) states that the local planning authority must, when determining an application –

7.3 *(b) Have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.*

Schedule 2, Part 20, Class A - New dwellinghouses on detached blocks of flats: Criteria

A. Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats, together with any or all –

(a) Engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;

(b) Works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;

(c) Works for the construction of appropriate and safe access to and egress from the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;

(d) Works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

7.4 Officers acknowledge the proposed works include:

- The operations necessary to construct the roof extension and flats.
- No removal of existing plant and no proposals for additional plant.
- Access to the new flats to be provided (including means of escape) via the existing internal staircase and its extension to the proposed top floor. The proposals are also subject to building regulations.
- The proposals involve will enlarging the existing bin enclosure adjacent to the external rear stairs and retaining the existing separate household waste store in the North-West site boundary garden wall and planter.

6.2 DEVELOPMENT NOT PERMITTED – A.1

A.1. Development is not permitted by Class A if –

(a) The permission to use any building as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule.

7.5 Not applicable to no. 89 Worple Road.

(b) Above ground level, the building is less than 3 storeys in height.

7.6 89 Worple Road is 4 storeys in height as existing.

(c) The building was constructed before 1 July 1948 or after 5th March 2018.

7.7 89 Worple Road was constructed following approval of application 92/P0197 decided on 8th May 1992. The applicant states the building was constructed some 30 years ago.

(d) The additional storeys are constructed other than on the principal part of the building.

7.8 The additional storeys are constructed on the principal part of the building.

(e) The floor to ceiling height of any additional storey, measured internally, would exceed the lower of –

(i) 3 metres; or

(ii) The floor to ceiling height, measured internally, of any storey of the principal part of the existing building.

7.9 The floor to ceiling height of the 5th floor proposed would be 2.36m

(f) The dwellinghouses are not flats.

7.10 The proposed units within the newly constructed floor at 89 Worple Road are both self-contained flats.

(g) The height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case).

7.11 The overall height of the roof of the extended building at 89 Worple Road is 2.73m taller than the highest part of the existing roof which is 12.68m in height.

(h) The height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres.

7.12 The extended building would be 15.24m in height.

(i) Development under Class A. (a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development.

7.13 The completed building will have no visible support structures.

(j) Development under Class A. (a) would consist of engineering operations other than works within the existing curtilage of the building to –

(i) Strengthen existing walls;

(ii) Strengthen existing foundations; or

(iii) Install or replace water, drainage, electricity, gas or other services.

7.14 The development does not consist of engineering operations outside the existing curtilage of the building.

7.15 (k) In the case of Class A. (b) development there is no existing plant on the building.

7.16 There is no existing plant on the building which requires relocating as part of the development.

(l) In the case of Class A (b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building.

7.17 Not applicable to 89 Worple Road

(m) Development under Class A (c) would extend beyond the curtilage of the existing building.

7.18 Not applicable to 89 Worple Road. All development and engineering operations will take place within the curtilage of the existing building.

(n) Development under Class A. (d) would –

(i) Extend beyond the curtilage of the existing building;

(ii) Be situated on land forward of a wall forming the principal elevation of the existing building; or

(iii) Be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building.

7.19 Not applicable to 89 Worple Road

(o) The land or site on which the building is located, is or forms part of –

(i) Article 2(3) land;

(ii) A site of special scientific interest;

(iii) A listed building or land within its curtilage;

(iv) A scheduled monument or land within its curtilage;

(v) A safety hazard area;

(vi) A military explosives storage area; or

(vii) Land within 3 kilometres of the perimeter of an aerodrome.

7.20 Not applicable to 89 Worple Road

7.21 Overall, the proposal complies with A.1 of Schedule 2, Part 20, Class A of the GPDO 2015 (as amended).

6.3 DEVELOPMENT NOT PERMITTED – CONDITIONS - A.2

A.2. – (1) Where any development under Class A is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to -

7.22 (a) Transport and highways impacts of the development.

7.23 The applicant notes the development would be 'car free' and not entitled to access to residents parking permits. It is therefore assumed the existing on-site car parking spaces and garages are at capacity and would not be available to use by the proposed units. The development does not propose any increases to parking capacity.

7.24 The application is within a Controlled Parking Zone (CPZ) and has a PTAL of 2. Despite the lower PTAL rating, the site located in close proximity to bus stops on Worple Road with buses travelling towards Wimbledon Station. Therefore, the site is considered to have enough connectivity to public transport services

that a permit-free development could be permissible.

- 7.25 Subject to the developer entering a legal agreement restricting the proposed units from parking permits, the proposed development is considered acceptable.

(b) Air traffic and defence asset impacts of the development.

- 7.26 The development is not assessed to have an adverse impact on air traffic or defence assets.

(c) Contamination risks in relation to the building.

- 7.27 There are no known contamination risks in relation to the building.

(d) Flooding risks in relation to the building.

- 7.28 The site is located within Flood Zone 1 indicating low probability of flooding where in principle new residential development is considered acceptable in flood risk terms.

(e) The external appearance of the building

- 7.29 Officers' assessment of part e) relating to 'the external appearance of the building' is guided by recent appeal decisions which provide more clarity on how this should be assessed. The prior approval legislation is relatively newly introduced (2020) and over time appeal decisions would naturally be released which will provide guidance on how officers should interpret the legislation. Although the appeal decisions referenced below are not in Merton, they do provide useful guidance on how the legislation is interpreted. Previously, Officers assessed the external appearance of the proposed building in relation to the existing building as well as the visual impact on the surrounding area. However, some recent appeal decisions demonstrate the assessment of external appearance should be limited to the external appearance of the building in isolation rather than its effect on the wider area. Two appeal decisions of relevance are described below.

- Seaforth Court, 91 Victoria Drive, Eastbourne BN20 8LA (APP/T1410/W/20/3263486) – Proposal for construction of two additional floors to create 4 self-contained dwellings – appeal allowed

The inspector notes:

“The principal objection of the Council is less about the external appearance of the building per se, but rather with the additional height and bulk making the resultant building appear as a dominant and intrusive feature in the street scene, which is characterised by mainly two storey, family houses with pitched roofs. The Council makes reference to paragraphs 118 and 127 of the Framework which support upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, and is sympathetic to local character and history, including the surrounding built

environment, while not preventing or discouraging appropriate innovation or change (such as increased densities). For the purposes of assessing whether prior approval should be granted, I consider the assessment of the matter in dispute is limited to the external appearance of the building rather than its effect on the wider area. The Framework is only relevant so far as it relates to the subject matter of the prior approval, in this case the external appearance of the building. Even if a wider interpretation of the matter to be considered under prior approval is taken, the principle of upward extension of up to 2 storeys is established by the permitted development right in Part 20, Class A of the 2015 Order, and the matters requiring prior approval need to be interpreted in the context of that principle. The Framework and indeed development plan policies should not be applied so as to frustrate the purpose of the grant of permitted development rights through the 2015 Order in the first place.”

- Kings Gate, 111 The Drive, Hove BN3 6FU (APP/Q1445/W/21/3267608) for the erection of an additional two storeys to provide 10no self-contained flats – appeal allowed

The inspector notes:

Whilst I have acknowledge that the proposal would result in a building of significant height being included within the street scene, which would be noticeably larger than its neighbours, it is unavoidable that in some circumstances development permitted by the 2015 Order will result in more substantial variations to the wider area. The introduction of the permitted development right supports the Government’s objective of significantly boosting the supply of homes as set out in paragraph 59 of the Framework. 17. I conclude that the external appearance of the proposed building would be acceptable when viewed by itself, and for the purposes of Part 20, Class A of the 2015 Order the increase in height and bulk would not be inconsistent with the overall street scene having regard to the support for additional homes and increased densities in the Framework.

- 7.30 In terms of the current proposal, officers consider the architectural form, language, detailing and materials of the additional storey acceptable in relation to the host building by itself. The 5th floor would be finished in brick matching the appearance of the below floors, and the tiled pitched roof with gables inserted, would respond to the form of the existing roof profile. The windows and dormers are also of an acceptable design assimilating well with the facades and would not unduly dominate the roof profile. The previously refused proposal (21/P0034) had a flat roof design which did not assimilate well with the existing design of the building. The current proposal would provide a suitable design with use of a pitched roof and gable features, more in keeping with the existing buildings character.
- 7.31 Officers are sympathetic to concerns from residents regarding the building’s height in relation to surrounding buildings. However, as demonstrated by recent appeals, the principle of additional storeys is already established and Officers are not in position to impose local development plan policies to restrict the building’s height. The design and form of the proposed works are considered suitable to the existing building.
- 7.32 For the reasons stated above, the development is considered acceptable in respect of part e) relating to the external appearance of the building.

(f) The provision of adequate natural light in all habitable rooms of the new dwellinghouses.

7.33 The development is considered to provide adequate natural light in all habitable rooms of the new self-contained flats.

(g) Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light.

7.34 The impact on properties are considered in turn below:

2 and 3 Worple Avenue

7.35 No 2 and 3 Worple Road are orientated and separated from the building in such a way that there would be no harm from increased sense of enclosure, loss of sunlight, daylight or outlook. This view is supported by the Daylight Sunlight Assessment (DSA) conducted by ERS Consultants which found that the proposal would have an undue negative impact in respect of the four tests - Vertical Sky Component (VSC), Average Daylight Factor (ADF), Annual Probable Sunlight Hours (APSH) and No Sky Line

85-87 Worple Road (Haverley House)

7.36 Haverley House comprises a block of flats located to the east of the site built under planning permission 94/P0590. There would be a separating distance of 15.47m between the application site and Haverley House. The DSA demonstrates the VSC, ADF, APSH and No Sky Line values meet the BRE guidelines in respect of the habitable rooms analysed. Whilst the proposal would increase the sense of enclosure and change the outlook for apartments facing the site, there is not considered to be material harm to dwellings at no. 85-87 Worple Road given the separating distance across the street of 15.47m.

91 Worple Road

7.37 91 Worple comprises a semi-detached building split into flats under planning permission 88/P0881. There are number of windows on the side elevation of the building facing the application site, though it is noted these are somewhat enclosed already by the existing building at no. 89. The DSA demonstrates there would be a negligible impact on APSH for all rooms analysed. There would be a 'low' impact on VSC for one kitchen at first floor level (R3 Kitchen). A second floor kitchen window (R2 Kitchen) failed the standard No Sky Line Test and ADF test. The floorplans for the rooms in question show that the kitchens negatively impacted are only large enough to be used for cooking rather than dining with principle habitable areas located to the front and rear of the building. It is also common for windows positioned on the side elevation of a mansion block such as 91 Worple Road to tolerate a degree of enclosure. For these reasons, on balance officers do not consider the daylight and sunlight impacts likely to be so significant that they would warrant refusal of this application and there would be no material harm to the amenity of dwellings at no. 91 Worple Road.

126 – 132 (Evens) Worple Road

7.38 These properties located on the opposite side of Worple Road from the site were not considered within the DSA. However, there is a separating distance of roughly 29m between the proposed building and the front of these properties. Therefore, although there would be some change in outlook from the front of no. 126-132, the proposal is not considered to harm the amenity of these properties.

7.39 Overall, the potential impacts of the development towards the amenities of neighbouring properties are considered acceptable the proposed development is considered acceptable in respect of part (g)

(h) Whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State.

7.40 Not applicable.

7. REPRESENTATIONS

(15) The local planning authority must, when determining an application

(a) Take into account any representations made to them as a result of any consultation under sub-paragraph (5), (6), (7) or (10) and any notice given under sub-paragraph (12).

7.41 In accordance with statutory requirements, officers issued consultation letters to adjoining properties and those considered to be potentially impacted by the development. Officers reviewed the 14 representations received and assessed their comments in the assessment of this application.

7.42 Each flat would have a floorspace of 76 sq m and would meet the National Space Standard requirement of 70 sq m for a 2 bed/4 person flat. The floor to ceiling height for both flats would be at 2.36 m, which would meet the National Space standard of minimum of 75% of the floorspace having at least 2.3 m floor to ceiling height.

8. CONCLUSION

8.1 The proposed development is considered compliant with the criteria set out under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

9. RECOMMENDATION

9.1 Grant Prior Approval subject to a legal agreement restricting occupants of the proposed units from obtaining parking permits and subject to the below conditions.

Conditions

1. The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2003-05 PL.11; 2003-05 PL.10; 2003-05 PL.12
3. **B3 External Materials as Specified:** The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. **Hours/days of construction:** No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

5. **Construction Method Statement:** No development shall take place until a 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 amenity of surrounding occupiers.

6. **Construction Logistics Plan:** Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

7. **Refuse and recycling:** The proposed development shall not be occupied until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policies SI 7 and D6 of the London Plan 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

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