PLANNING APPLICATIONS COMMITTEE 22nd September 2022

Item No:

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

21/P3808

Address/Site 225 Streatham Road Streatham London

SW16 6NZ

(Ward) Graveney

Proposal: Demolition of existing single storey

buildings (shops and garage/workshop) and erection of a steel frame single storey structure for use as motor repairs (class B2), provision of hand car wash business (Sui Generis) and car sales (Sui Generis)

Drawing Nos: Site drainage plans x 2 by BIM

Architectural Services 2021, Existing site drainage document by BIM Architectural Services 2021, Existing site plan, New Temporary Structure drawing, NOISE IMPACT ASSESSMENT Report 17500-NIA-01-RevB Prepared on 24 August 2022 amended 25th May 2022, Proposed elevations, Proposed site plan amended 28th July 2022, Site location plan, Swept Path Analysis amended 7th August 2022 and Transport Statement amended 24th May 2022. (Drawings are not individually numbered but the job reference on all

drawings is: Ag/21/10/FP/Ex)

Contact Officer: Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Refuse permisison.

CHECKLIST INFORMATION

Heads of Agreement: n/a

Is a screening opinion required: No

Is an Environmental Statement required: No

Has an Environmental Statement been submitted: No

Press notice: NoSite notice: No

Design Review Panel consulted: No
 Number of neighbours consulted: 170

External consultations: NoConservation area: NoListed building: No

Tree protection orders: No

Controlled Parking Zone: Yes (Zone GC1)

Green corridor – Yes (bordering the site to the south)

Site of importance for nature conservation (SINC) –
 Yes (bordering the site to the south)

PTAL 2

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is located at 225 231 Streatham Road and 1 The Bungalows. Along the northern boundary, the site has a frontage to Ridge Road, a residential cul-de-sac; along the western boundary, the site has a frontage to Streatham Road, a main arterial route; and along the southern boundary the site is bordered by railway tracks and associated buffer/embankment land. Streatham Road at the location of the site reduces in height as the road goes under the railway bridge. The site is roughly triangular in shape, coming to an elongated point where the railway land intersects Streatham Road. The site has an area of 975sq.m (0.0975ha). The site has a public transport access level of 3 (1 being poor and 6 being excellent).
- 2.2 The site is currently occupied by a parade of 4 single storey shops and a garage/workshop (225 231 Streatham Road) which front Streatham Road along with a single storey building (1 The Bungalows) that fronts The Bungalows. The remainder of the site is hardstanding and has been used for a variety of purposes including storage of plant and vehicles along with mechanical repairs (Use Class B8/Sui Generis). No. 1 The Bungalows has been associated with this use and has been used as an office and for storage. The B8/Sui Generis use does not appear to have been authorised, albeit it has become lawful for planning purposes through the passage of time (continued use for over 10 years). The site has a vehicle access from the Bungalows, near its junction with Streatham Road.

- 2.3 The site was operating as a hand car wash and motor repair business, up until the last few months when the planning Enforcement Team issued a Stop Notice. A metal garage, workshop building, and canopy have been erected. 2m high palisade fencing encloses the site. Cars have been sold at the site recently also as part of this use. The existing use is unauthorised and is the subject of a planning enforcement investigation. This application seeks to regularise the existing unauthorised use.
- 2.4 The site has approximately 40m of frontage along Streatham Road and 19m of frontage along The Bungalows. Immediately to the south is an elevated railway line which is a designated 'green corridor' and 'site of importance for nature conservation' (SINC). There is a railway bridge bordering the southwest corner of the site where the railway crosses Streatham Road. Immediately to the east of the site is a residential property occupied by a bungalow (No.2 The Bungalows).
- 2.5 The area is characterised by varied development both in terms of architectural style and scale. The site is located within a mixed use area comprising shops, takeaways, cafes, auto- repairs, offices and residential premises. The Bungalows is a residential cul-de-sac which is characterised by a mixture of bungalows and two storey dwellings with pitched roofs. To the north of the site are two storey dwellings with high pitched roofs, the equivalent height of a three storey building. To the immediate west are two storey dwellings with pitched roofs. Immediately to the east are single storey dwellings, beyond which are two storey dwellings with pitched roofs. Beyond the railway bridge to the south are three storey buildings with pitched roofs, buildings of this scale are present on both sides of Streatham Road.
- 2.6 Immediately to the south of the railway bridge is 223 Streatham Road, a former industrial site, now demolished with a residential flatted scheme on the site.
- 2.7 The site is not located within a Conservation Area and is within Flood Zone 1 (low risk of flooding).

3. **PROPOSAL**

- 3.1 The proposal is for the use of the site as a hand car wash, motor repairs garage, tyre sales and fitting and motor sales.
- 3.2 In terms of built form, a three bay workshop building is proposed towards the southern boundary of the site. 6 car parking spaces (one of which would be a Blue Badge holders space) are proposed to the eastern boundary, to serve the motor repair garage.
- 3.3 The south-eastern most corner of the site would be used to store cars for sale up to 6 cars are indicatively shown on the submitted drawings. The 3D rendering of the site layout shows the workshop building and the proposed canopy but the canopy is not shown on the site layout drawings (the canopy is, however, shown on the elevation drawings).

- 3.4 4 car parking spaces are proposed for cars waiting to be washed, with two washing bay spaces. A further unmarked parking area for approximately 3 cars would be provided adjacent to the north-west boundary, beneath the proposed canopy. This area would be used for cars awaiting pick up following tyre fitting or servicing works.
- 3.5 All vehicles would enter the site from Streatham Road and then exit via The Bungalows.
- 3.6 The site plans sets out that the garage workshop building is temporary in its construction (however, the application is for a permanent planning permission). An enclosed canopy forms the boundary with Streatham Road, with the only opening being the vehicular entrance to the site.
- 3.7 Three water butts are proposed around the site.
- 3.8 A Silt Trap with Metal Grille over, which collects any residue below, is proposed. Any overflow goes to Foul Drain at Manhole.
- 3.9 The submitted noise impact assessment sets out that there would be a 3m high acoustic barrier to the perimeter of the site.
- 3.10 The application is accompanied by a Design and Access Statement, drainage information, noise impact assessment, swept path analysis and Transport Statement.

PLANNING HISTORY

4.1 89/P1195: Continued use for display and sale of motor vehicles with ancillary office – Refused.

Reasons for refusal:

- The proposal represents an unneighbourly form of development which is detrimental to the amenities of local residents by reason of general disturbance and visual intrusion in the street scene, contrary to Policy E.30 of the Draft Reviewed Borough Plan.
- The proposal is leading to an increase in on-street parking to the detriment of the safety and convenience of pedestrians and highway users contrary to Policies M.13 and M.18 of the Draft Revised Merton Borough Plan.
- 4.2 99/P1943: Continued use of the site for the following purposes;
 - A) Parking and storage of vehicles, plant and equipment associated with a concrete pumping business.
 - B) Parking and storage of vehicles, plant and materials associated with a construction site clearance landscaping business.
 - C) Retention of a portacabin for storage of tools and spare parts Refused. Reasons for refusal:

The use represents an unneighbourly form of development detrimental to the amenities of neighbouring residents through general disturbance caused by increased vehicular activity associated with the uses, visual intrusion, increased demand for on-street vehicle parking within The Bungalows, and obstruction of

the public highway, detrimental to highway safety and residential amenity, contrary to policies W.8, M.12 and M.29 of the Adopted Unitary Development Plan (April 1996) and policies E.11, PE.3 and PK.3 of the Deposit Draft Unitary Development Plan (September 1999).

4.3 99/P1945: Application for a certificate of lawfulness in respect of the existing use for vehicle maintenance and repairs and storage of skips and other machinery – Refused.

Reason for refusal: The Existing Use began less than 10 years and therefore requires planning permission.

- 4.4 01/P0533: Application for a certificate of lawfulness in respect of the existing use for servicing and repair of cars, vans and lorries Refused. Reason for refusal: The use of the site currently taking place is not solely the use the subject of the Application for the Lawful Development Certificate. As a consequence a number of elements of the said use began less than 10 years prior to the date of the Application.
- 4.5 16/P3598 Demolition of existing single storey buildings on site, comprising retail, a workshop, and a storage yard with associated office, and redevelopment of the site to provide a part three, part four and part five storey mixed-use building, comprising retail use at ground floor and 25 residential units above. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 23-06-2017.
- 4.6 17/P3632 APPLICATION FOR DISCHARGE OF CONDITION 22 PART 1 (Contamination remediation strategy) ATTACHED TO APPLICATION 16/P3598 RELATING TO THE Demolition of existing single storey buildings on site, comprising retail, a workshop, and a storage yard with associated office, and redevelopment of the site to provide a part three, part four and part five storey mixed-use building, comprising retail use at ground floor and 25 residential units above. N.B: Parts 2 and 3 of condition 22 require separate discharge. Partial Grant Discharge of Condition 17-11-2017.
- 4.7 19/P0866 DEMOLITION OF EXISTING SINGLE STOREY BUILDINGS AND ERECTION OF A PART THREE, PART FOUR, PART FIVE AND PART SIX STOREY MIXED USE BUILDING COMPRISING RETAIL (CLASS A1) ON GROUND FLOOR AND 28 x RESIDENTIAL UNITS ABOVE. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 20-04-2020

5. **POLICY CONSIDERATIONS**

5.1 **POLICY CONTEXT**

- 5.2 National Planning Policy Framework (2021)
 - 2. Achieving sustainable development
 - 4. Decision-making
 - 6. Building a strong, competitive economy
 - 8. Promoting healthy and safe communities
 - 9. Promoting sustainable transport

- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 5.3 London Plan (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
 - D11 Safety, security and resilience to emergency
 - D12 Fire safety
 - D13 Agent of Change
 - D14 Noise
 - E2 Providing suitable business space
 - E11 Skills and opportunities for all
 - G1 Green infrastructure
 - G4 Open Space
 - G5 Urban greening
 - G6 Biodiversity and access to nature
 - SI 1 Improving air quality
 - 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 12 Flood risk management
 - SI 13 Sustainable drainage
 - T3 Transport capacity, connectivity and safeguarding
 - T4 Assessing and mitigating transport impacts
 - T5 Cycling
 - T6 Car parking
 - T7 Deliveries, servicing and construction
- 5.4 Merton Local Development Framework Core Strategy 2011 (Core Strategy)
 - CS 11 Infrastructure
 - CS 12 Economic development
 - CS 13 Open space, leisure and nature conservation
 - CS 14 Design
 - CS 15 Climate change
 - CS 17 Waste management
 - CS 18 Transport
 - CS 20 Parking servicing and delivery
- 5.5 Merton Sites and Policies Plan 2014 (SPP)
 - DM E4 Local employment opportunities
 - 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 O2 Nature conservation, Trees, hedges and landscape features

DM D2 Design considerations

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

5.6 Supplementary planning considerations

National Design Guide – October 2019

London Environment Strategy - 2018

Mayor's Air Quality Strategy - 2010

LB Merton – Air quality action plan - 2018-2023.

LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018

6. **CONSULTATION**

- 6.1 Press Notice, Standard 21-day site notice procedure and individual letters to 170 neighbouring occupiers. 37 representations have been received, raising objection on the following grounds:
 - Noise impact
 - Fails to provide housing
 - Low quality development
 - Unsightly appearance, industrial appearance not in keeping with the area.
 - Environmental concerns from water and chemicals entering the drainage system and local area.
 - Air quality impact no air quality report submitted.
 - Traffic and congestion increase/highway danger
 - Road safety concerns
 - Parking in the area is limited and this would exacerbate the impact.
 - The buildings have been constructed and signs erected without planning permission.
 - A car wash is not needed, there are plenty nearby.
 - Legal covenants prevent the erection of buildings on the land
 - Owners have damaged water mains when erecting the fencing.
 - Suggestion of potential illegal activities.
 - Query whether site address is correct.
 - Planning permission should not be granted retrospectively.
- 6.2 Following the submission of additional information relating to noise and transport impacts, a further 10 objections have been received, making a total of 47. The objections raise the same concerns as those listed above.
- 6.3 One of the representations received expressed support in for the development for the following reasons:

- Small scale commercial use is suitable and would be an improvement to the site.
- The provision of further residential uses would add pressure to local infrastructure and services.

6.4 Internal consultees:

6.5 <u>LBM Environmental Health Officer (contaminated land):</u>

With regards contaminated-land we recommend three conditions, the first two, subject to prior agreement:

- No development shall occur until a preliminary risk-assessment is submitted to the approval of the LPA. Then an investigation conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.
- No development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, and shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.
- Prior to first occupation, the remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

6.6 <u>LBM Environmental Health Officer (noise) (updated comments following the submission of additional information 25/08/2022):</u>

Further to your consultation in relation to the above planning application and having considered the additional information submitted, should you be minded to approve the application then I would recommend the following planning conditions:-

- 1) The noise criteria and mitigation within the Noise Impact Assessment Report 17500-NIA-01-RevB Prepared on 24 August 2022 by Clement Acoustics shall be implemented to that standard or higher.
- 2) No mechanical jet wash equipment or similar for the purpose of washing vehicles shall be used at the premises at any time.

3) No development shall take place until a Construction Environmental 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 and monitoring 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.

6.7 LBM Environmental Health Officer (noise) (Original comments 09/02/2022):

The acoustic report seems to relate to a previous development for residential/commercial, which states 'The development will provide a mixed-use scheme comprising 28 residential apartments on the first to fifth floor and 315m2 of retail/commercial space on the ground floor level.' This does not deal with the noise associated with proposed use of the site in this application. I would require further details in the report which are more specific to the end use and plant/equipment used at the site together with the likely impact on local residents.

I do not support the application until additional information regarding the emission and control of noise from the end use of the development is assessed.

6.8 LBM Highway Officer:

H9, INF9 and INF12 Highways must be contacted prior to any works to ensure all relevant highway licenses are in place

6.9 <u>LBM Transport Officer (updated comments following the submission of additional information 25/08/2022):</u>

Proposal

The proposal is for the use of the site as a hand car wash, motor repairs garage, tyre sales and fitting and motor sales.

The site is currently operating as a hand car wash and motor repair business.

This application seeks to regularise the existing unauthorised use and erection of new buildings.

Location

The application site is accessed via A216 Streatham Road, which is a single carriageway road running on a north/south alignment from the A23 Streatham High Road to the A217 London Road.

Streatham Road is approximately 11 metres wide in the vicinity of the site and is subject to a 30 mph speed limit.

There are double yellow lines present on both sides of the carriageway with two sections of on-street parking bays provided on the site frontage, either side of a vehicular access protected by double yellow lines. There are no loading restrictions in place on the development site frontage.

PTAL

The site lies within an area PTAL 2 which is considered to be poor. A poor PTAL rating suggests that only a few journeys could be conveniently made by public transport.

CPZ

The site is located within zone GC1 of the local Controlled Parking Zone (CPZ) which operates from 08:30 to 18:30 hours Monday to Friday, with Pay and Display.

Within the CPZ the surrounding area has a mixture of Pay and Display only and resident permit holder parking bays. To the north and west is the GC CPZ and to the south-west the GC2 CPZ that was implemented in July 2018.

Internal layout

The layout indicates two vehicular accesses to service the proposal. One off Streatham Road and the second from an existing access on The Bungalows near to the main Streatham Road.

A three bay workshop building is located towards the southern boundary of the site. 6 car parking spaces (one of which would be a Blue Badge holders space) are located to the eastern boundary, to serve the motor repair garage.

The south-eastern most corner of the site would be used to store cars for sale – up to 6 cars are indicatively shown on the submitted drawings.

4 car parking spaces are proposed for cars waiting to be washed, with two washing bay spaces. A further unmarked parking area for approximately 3 cars would be provided adjacent to the north-west boundary, beneath the proposed canopy. This area would be used for cars awaiting pick up following tyre fitting or servicing works.

Internal layout to be one way operation with all vehicles entering the site from Streatham Road and exit via The Bungalows.

Swept path analysis showing the one way operation of vehicle movement is acceptable.

Cycle Parking

The proposal would require minimum 3 cycle spaces for the staff (secure & undercover)

Recommendation: Raise no objection subject to:

- All vehicles to enter the site from Streatham Road and exiting via The Bungalows. (one way internal operation)
- Cycle Parking: 3 cycle spaces (secure & undercover).

6.10 LBM Transport Officer (Original comments 01/03/2022):

Proposal

The proposed development would involve proposed change of use from E to B2 (General Industrial) for use as a Hand Car Wash, Motor repairs, Tyre Sales and Car Sales

Location

The site is bounded by Kingston Road to the north, Rutlish Road to the east and the Tram lines to the west. Kingston Road forms part of the Strategic Road Network (SRN) for which TfL is the traffic authority.

The site has a vehicle access from The Bungalows, near its junction with Streatham Road (A216).

CPZ

The local area forms part of Controlled Parking Zone GC1. Restrictions are enforced from Monday to Friday between 8:30 am and 6.30 pm with a maximum stay of 2 hours for pay and display customers.

Transport Statement

The transport statement submitted relates to an earlier scheme and is not relevant to the current proposal.

Layout

The layout indicates two vehicular accesses to service the proposal. One off Streatham Road and the second from an existing access on The Bungalows near to the main Streatham Road.

Entrance to car wash is taken off streatham road using existing dropped kerb. The second access will be used by all other vehicles including those who have used car wash services.

Second access will also be used by other service vehicles such as heavy goods vehicles delivering tyres and car carrying transporter trailers.

There will be a severe impact at this exit for those vehicles leaving the site and those on Streatham Road waiting to get into the site.

HGV's and large car transporters will be unable turn into to the site due to the restricted geometry of the Streatham Road with The Bungalows.

Cycle Parking

The proposal does not provide cycle parking for the staff in accordance with the London Plan cycle parking standards.

Recommendation: Refuse

The increased use of the existing access on to The Bungalows with the generation of additional conflicting traffic movements, resulting from the proposed development, would be prejudicial to road safety.

6.11 <u>LBM Flood Risk Engineer:</u>

I have reviewed this application and have no objections on flood risk grounds.

With regards to drainage, the scheme must be implemented in accordance with the drainage layout and must comply with the drainage notes submitted here:

https://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000116000/1000116531/21P3808 Drainage%20Notes.pdf

All drainage must be connected and discharged to the foul sewer network and not surface water.

Thames Water should be consulted on the planning application. Please include the following condition/informative.

Condition:

Prior to the commencement of development, a detailed final scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority.

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

Informative:

No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior

approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

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

6.12 Thames Water

No response received.

7. PLANNING CONSIDERATIONS

7.1 Key Issues for consideration

- 7.1.1 The key issues in the assessment of this planning application are:
 - Principle of development
 - Planning history background
 - Housing Need & Optimising the Site
 - Site Condition
 - Policy
 - o PTAL Score
 - Proposed Use
 - Principle on principle of development
 - Design and impact upon the character and appearance of the area
 - Impact on neighbouring amenity
 - Transport, highway network, parking and sustainable travel
 - Air quality and potentially contaminated land
 - Flooding and site drainage
 - Response to issues raised in objection letters

7.2 Principle of development

- 7.2.1 S.38 (6) of the Planning and Compulsory Purchase Act 2004, which essentially requires that a determination made under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.
- 7.2.2 The site has historically been used as an employment site and would amount to a 'scattered employment site' for the purposes of Policy DM E3. Generally, the policy seeks to resist the loss of employment sites. Therefore, the use for a car repair, tyre fitting and car wash would be acceptable in principle on this site.

7.3 Planning history background

7.3.1 Planning permission has been granted under application ref.19/P0866 for the erection of a part three, part four, part five and part six storey mixed use building comprising retail (Class A1) on the ground floor and 28 x Residential units above. The permission has not been implemented (it expires on 20th April 2023).

7.3.2 The current planning application was reported to the planning applications committee on 17th March 2022, with an officer recommendation for refusal, as insufficient information relating to transport impacts and noise impacts had been provided. Members took the view that the applicant should be offered the opportunity to provide additional information in order to overcome the concerns raised. As such, Officers have liaised with the agent and a formal noise assessment and 'swept path analysis' drawings have been provided. The Environmental health Officer and Transport Planner raise no objection, subject to conditions, and accordingly, the officer recommendation no longer includes these as reasons for recommended refusal.

7.4 Optimising the Site

- 7.4.1 Policy GG2 of the London Plan requires those involved in planning and development to enable the development of brownfield land such as the application site. It also requires the proactive exploration of the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development.
- 7.4.2 London Plan policy D3, Optimising site capacity through the design-led approach, sets out that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 7.4.3 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"
- 7.4.4 In terms of site optimization, the NPPF sets out at para 130.

"Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."
- 7.4.5 At a regional level, Policy D3 of the London Plan states:

"The design-led approach

All development must 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. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D.

- 7.4.6 In supporting text para 3.3.1 "For London to accommodate the growth identified in this Plan in an inclusive and responsible way every new development needs to make the most efficient use of land by optimising site capacity. This means ensuring the development's form is the most appropriate for the site and land uses meet identified needs. The optimum capacity for a site does not mean the maximum capacity; it may be that a lower density development such as gypsy and traveller pitches is the optimum development for the site."
- 7.4.7 In relation to the delivery of housing, Policy H1 of the London Plan sets out:
 - 2) optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:
 - a) sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary
 - b) mixed-use redevelopment of car parks and low-density retail parks and supermarkets

- c) housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses
- d) the redevelopment of surplus utilities and public sector owned sites
- e) small sites (see Policy H2 Small sites)
- f) industrial sites that have been identified through the processes set out in Policy E4 Land for industry, logistics and services to support"
- 7.4.8 The National Planning Policy Framework 2021, London Plan 2021 and the Council's Core Strategy Policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types dwellings at locations with good public transport accessibility.

Site Condition

- 7.4.9 The agent has set out that "the site had fallen into disrepair and parts were unsafe and it recently was attracting a very unsociable group that were squatting there or carrying out the dealing of drugs.
- 7.4.10 Officers note that the site has been in various states over the last few years with illegal fly-tipping and anti-social behaviour occurring. The use of the site for a commercial business, with suitable fencing will assist in reducing this issue.

<u>Policy</u>

7.4.11 The site is not allocated for residential use in the Development Plan. Whilst the site is considered as a small site, which could deliver housing, there is no adopted policy allocation for housing on the site or legal mechanism for the extant permission to be implemented.

PTAL Score

- 7.4.12 In relation to the delivery of housing, Policy H1 of the London Plan sets out:
 - 2) optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:
 - a) sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary
- 7.4.13 The site has a PTAL score of 2 and is not within 800m of a station or town centre boundary and therefore this site does not have the characteristics identified in Policy H1 and thus it is considered there would be no justification for refusal due to housing not being included within the proposal.

Proposed Use

7.4.14 The agent has confirmed that the structures on site are temporary in nature and could be removed should the residential scheme be implemented in the future. However, it is noted that the application is not for a temporary planning permission. Therefore, Members should consider the application on the basis of that it is submitted as permanent planning permission and not time limited.

Conclusion on principle of development

- 7.4.15 Officers acknowledge that the site has the potential to deliver new housing in the future which would be fully supported and welcomed, however each site must be considered on its own merits, its context and planning policy. In this instance, the site is not an allocated site for residential in the Local Plan, the site remains commercial, there is no legal requirement for planning permission 19/P0866 for housing to be implemented and the site has relevantly poor access to public transport with a low PTAL score of 2.
- 7.4.16 It is noted that planning permission has been granted for a mixed use scheme on the site which involves the provision of residential units. Whilst the provision of residential units meets a specific need in Merton, officer conclude that the application could not reasonably be refused on the basis of a failure to optimise the site to include residential uses. The site is not allocated in any site allocation document to be used for residential purposes and it has a low PTAL. Therefore, whilst the provision of a mixed use scheme is welcomed, it is considered that insufficient justification exists to refuse the application on the basis of failing to optimise the site.
- 7.4.17 As set above, the land had fallen into disrepair, parts are unsafe and overall the plot detracts from the character of the area. Due to the brown field nature of the centre of the site, it's redevelopment is therefore desirable and accords with London Plan 2021 Policy GG2. The proposal will include the creation of jobs and thus accords with Policy DM E3. For these reasons, the principle of development is considered in accordance with Policy and acceptable.

7.5 <u>Design and impact upon the character and appearance of the area</u>

- 7.5.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan (2021), in Policy D1-D5. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.5.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing

- street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports these SPP Policies.
- 7.5.3 The proposed building are not of a high architectural quality, however, they are suitable for the intended purpose and the modest size buildings would not have an adverse impact on the character of the area. However, the building is not considered to be main visual feature of the proposed development.
- 7.5.4 The development will be a large hard surfaced area with no landscaping proposed such as trees, grassed areas or SUDs. As this is not a temporary permission this is not considered acceptable to completely miss any opportunity for visual enhancement and biodiversity net gain.
- 7.5.5 To make the development acceptable in terms of residential amenity specifically noise, a 3m acoustic fence is proposed around the site's perimeter bar the access and egress points. The entire development will therefore visually turns its back to the surrounding area. The visual impact of a solid 3m fence to Stratham Road and The Bungalows, which creates no interaction or variation to these street scene is considered to create a moderate to high negative visual impact.
- 7.5.6 For the reasons detailed above the proposed developments impact to visual amenity of the public realm is considered unacceptable and conflicts with London Plan Policies (2021) Policy D1-D5 and Policy DM D2 together with the requirements of the NPPF 2021.
- 7.6 <u>Impact on neighbouring amenity</u>
- 7.6.1 Planning policy CS policy 14 of Merton's Core Planning Strategy and policy DM D2 of Merton's Sites and Policies Plan seek to ensure new developments does not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties.
- 7.6.2 Planning policy DM D2 (Design considerations in all developments) states that amongst other planning considerations that proposals will be expected to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens.
- 7.6.3 Planning policy DM EP2 (Reducing and mitigating noise) Merton's Sites and Policies Plan seeks to ensure that that development is sustainable and managed to minimise its impact on the local environment and residential amenity. Development which would have a significant effect on existing or future occupiers or the local amenity due to noise or vibration will not be permitted unless the potential noise problems can be overcome by suitable mitigation measures.
- 7.6.4 The proposed use, as a motor repair business, tyre fitting service, car sales and car wash has the potential to adversely impact on neighbouring amenity, primarily by way of noise as the bulk and massing of the building themselves is not objectionable.

- 7.6.5 Initially Officers raised concern in that the application had provided insufficient detail to demonstrate that the impact on neighbouring amenity would be acceptable. No details of likely noise levels, mitigation, hours of operation or any other restrictions or management measures were set out. Therefore, officers had concluded that the applicant has failed to demonstrate that the impact on residential amenity would be acceptable.
- 7.6.6 Following the committee meeting of 17th March 2022, the applicant has provided a formal noise impact assessment. The assessment sets out:
 - Noisy operations will only take place between the hours of 08:00 and 18:00
 - The noise emissions data for the proposed activities as obtained from measurements undertaken at a similar premises.
 - Source and receiver locations are as established in this report and marked on the attached site plan
 - Mitigation is applied as recommended in this report, in the form of upgraded acoustic screening around the perimeter of the site.

The proposed development now includes an acoustic barrier of 3m in height around the perimeter of the site.

- 7.6.7 The submitted noise impact assessment takes into account the relevant noise receptors close to the site. The Council's Environmental Health Officer has reviewed the report and mitigation measures proposed. These mitigation measures can be secured by way of condition, as recommended by the Council's Environmental Health Officer.
- 7.6.8 Subject to condition, officers consider that the impact of noise on nearby properties would be sufficiently mitigated and the overall impact would not be materially harmful.
- 7.7 Transport, highway network, parking and sustainable travel
- 7.7.1 Policies DMT1-T3 of the London Plan seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking. Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).
- 7.7.2 Planning Policy T5 (Cycling) of the London Plan 2021 states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.
- 7.7.3 The site has a vehicle access from The Bungalows, near its junction with Streatham Road (A216).
- 7.7.4 The local area forms part of Controlled Parking Zone GC1. Restrictions are enforced from Monday to Friday between 8:30 am and 6.30 pm with a maximum stay of 2 hours for pay and display customers.

- 7.7.5 The layout indicates two vehicular accesses to service the proposal. One off Streatham Road and the second from an existing access on The Bungalows near to the main Streatham Road.
- 7.7.6 Entrance to the site is off Streatham Road using the existing dropped kerb. The second access will be used to exit the site onto The Bungalows.
- 7.7.7 Initially, Officers raised concern as the Transport Statement had very little information within. Following discussions with the Council's Transport Planner, the applicant has provided additional information, including swept path analysis drawings which indicate that vehicles can safely enter and exit the site. There would be no HGVs accessing the site.
- 7.7.8 Subject to conditions to include a one-way system entering and leaving the site and a condition to secure cycle parking, the Council's Transport Planner has confirmed that the proposed arrangements would be acceptable in highway terms. Therefore, Officers consider that the impact on the local highway network would be acceptable.
- 7.8 Air quality and potentially contaminated land
- 7.8.1 Planning Policy SI 1 (Improving air quality) of the London Plan 2021 states that to tackle poor air quality, protect health and meet legal obligations development should not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits, delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits or create unacceptable risk of high levels of exposure to poor air quality. In order to meet the policy requirements, development proposals must be at least Air Quality Neutral, use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures.
- 7.8.2 Planning Policy DM EP4 of Merton's Adopted Sites and Policies plan (2104) seeks to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on people, the natural and physical environment in Merton. The policy states that to minimise pollutants, development:
 - a) Should be designed to mitigate against its impact on air, land, light, noise and water both during the construction process and lifetime of the completed development.
 - b) Individually or cumulatively, should not result in an adverse impact against human or natural environment.
- 7.8.3 In accordance with the aims of the National Air Quality Strategy, the Mayor's Air Quality Strategy seeks to minimise the emissions of key pollutants and to reduce concentration to levels at which no, or minimal, effects on human health are likely to occur.

- 7.8.4 To meet the aims of the National Air Quality Objectives, the Council has designated the entire borough of Merton as an Air Quality Management Area (AQMA). Therefore, development that may result in an adverse air quality including during construction, may require an Air Quality Impact Assessment in order for the Council to consider any possible pollution impact linked to development proposals.
- 7.8.5 The application includes no supporting information relating to the impact on air quality or necessary mitigation. Therefore, a number of safeguarding conditions are recommended to ensure that the impacts of the operation of the proposed use is minimised where reasonable and practicable.
- 7.8.6 In relation to potentially contaminated land issues, it is noted that the Environmental Health (contaminated land) officer has raised no objection. Conditions would be imposed relating to any potential contamination of the land on the site, to include remediation measures if necessary. Therefore, no objection is raised in relation to potentially contaminated land issues.

7.9 Flooding and site drainage

- 7.9.1 London Plan policies SI 12 and SI 13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.9.2 The site is within Flood Zone 1 (low risk of flooding). The details provided relating to site drainage have been considered by the Council's Flood Risk and Drainage Officer and it is concluded that the proposals would be acceptable in this regard, subject to a condition to secure a detailed final scheme for the provision of surface and foul water drainage.

8. Conclusion

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.
- 8.2 As set out above, officers conclude that the principle of development is acceptable and that the failure to provide a mixed-use commercial and residential scheme does not provide sufficient justification to refuse the application based on site optimisation considerations.
- 8.3 The development includes a large amount of hard surfacing, with no tree planting or landscaping areas together with a solid 3m perimeter fence. The visual appearance of development is considered to be very poor and opportunities to create enhancement missed such as setting back the fence and creating landscaping areas along the public highway. As such the visual appearance is not considered acceptable and would result in an unfriendly development which

does not successfully integrate with the adjacent residential streets. The development therefore does not comply with the requirements of London Plan (2021) Policies D1-D5, D8 and G7 and Policy DM D2 together with the requirements of the NPPF 2021.

8.4 The development site has no restrictions which would prevent it delivering an onsite biodiversity net gain given its current low biodiversity value. No biodiversity features have been proposed such as trees. As such the development fails to meet the requirements of paragraph 174 of the National Planning Policy Framework 2021 together with the London Plan (2021) Policies GG2 and D8.

9. **RECOMMENDATION**

- 9.1 The application is recommended for refusal for the following reasons:
 - A. The development seeks permanent planning permission and includes no design and landscaping proposals to mitigate the harsh visual appearance of the proposed development including the 3m solid perimeter fence and large amounts of hardstanding. As such the development is considered very poor design and will have a moderate to high negative visual impact to the character of the area. The development therefore conflicts London Plan (2021) Policies D1-D5, D8 and G7 and Merton Sites and Policies Plan 2014 (SPP) Policy DM D2 together with the requirements of Section 12 of the National Planning Policy Framework 2021.
 - B. Biodiversity net gain proposals have not been incorporated into the proposal and there have been no reasons identified which demonstrate this cannot be achieved for this application site. As such the proposal conflicts with paragraph 174 of the National Planning Policy Framework 2021 and London Plan (2021) Policies GG2 and D8.

NORTHGATE SE GIS Print Template



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Existing site's surface water drainage

The site is located in Mitcham, south-west London. The site has had the parade of 4 single storey shops (225 – 231 Streatham Road) fronting Streatham Road and a single storey building (no. 1 The Bungalows) fronting onto The Bungalows demolished. The considerable rubbish that accrued from the fly tipping that went on has also been removed along with containers used for storage .The remaining area within the site is made up of a concrete hardstanding area. The vehicular access into the site is located at Streatham Road/The Bungalows junction.

The existing site levels are approximately 22.30m AOD in the south-west corner of the site. Levels rise to a high point of 23.00m AOD in the south-east corner of the site and 22.70m AOD in the north of the site, where the existing vehicular access is located.

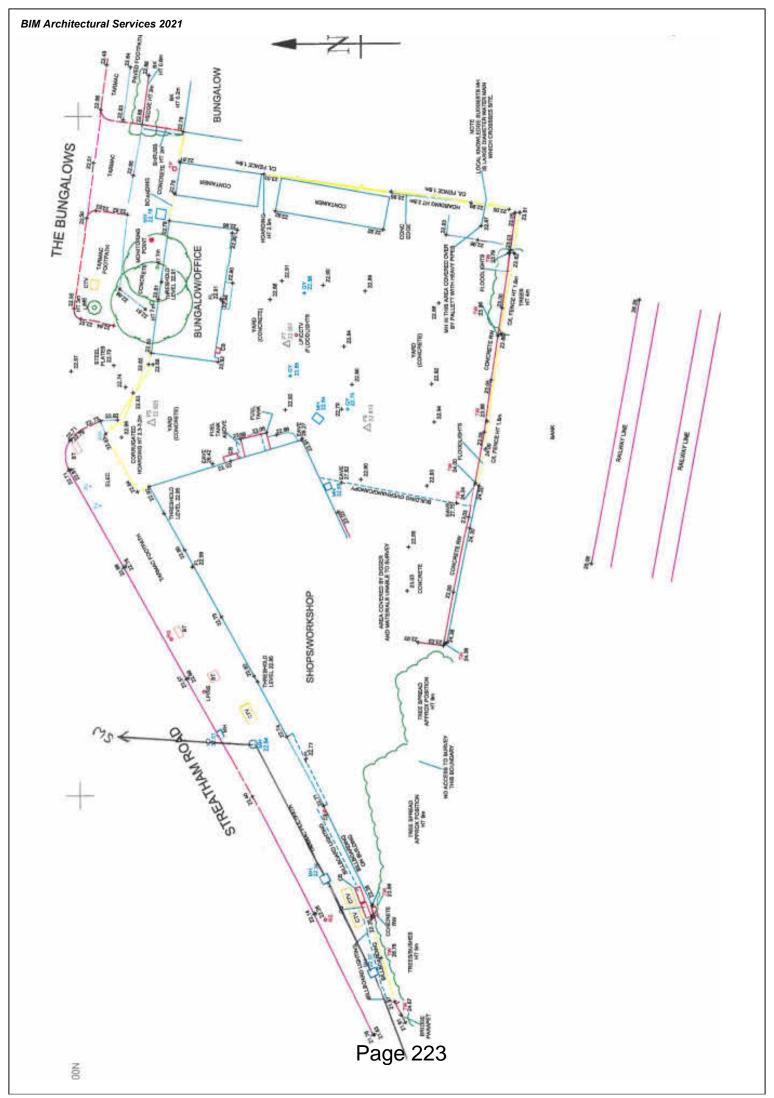
Immediately to the south is an elevated railway line which is a designated 'Green Corridor' and 'Site of Importance for Nature Conservation' (SINC). There is a railway bridge bordering the south-west corner of the site where the railway crosses Streatham Road. Immediately to the east of the site is a residential property occupied by a bungalow. The site levels are fairly flat and within the hardstanding concrete area there are a number of existing gullies located at the low points. A site location drawing and topographical survey for the site are provided.

The site occupies a gross area of approximately 975sq. m,and the peak discharge run-off from the site's impermeable area, using the Modified Rational Formula (Q=2.78CiA), is 13.1l/s.

Thames Water Utilities have existing surface water sewers locating in Streatham Road. Thames Water records are provided .

Taking advantage of the recent report carried out on the surface water drains for the last application we know that this site has reasons for not utilising SUDSand falls within a Groundwater Source Protection Zone and therefore the Environment Agency will not allow disposing of surface water to a soakaway as there is a risk of polluting ground water.

We are not able with this application to maje use of Green Roofs but have introduced storage facilities with our Butts and we will undertake further talks with EA and take their advice, maybe some landscaping could be introduced if required. The technical note told us that infiltration is not possible at this site due to its location to the Source Protection Zone. The purpose of SPZs is to provide additional protection to safeguard drinking water quality through constraining the proximity of an activity that may impact upon a drinking water

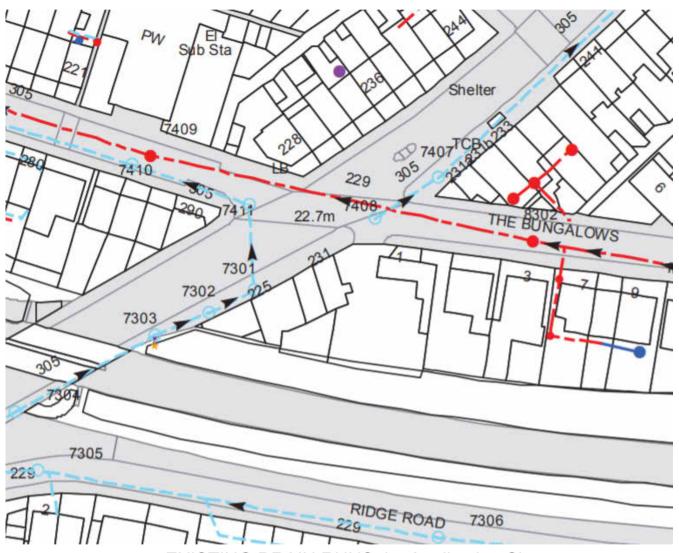


From the technical note for previous application we know:

There are no nearby watercourses available to discharge to.

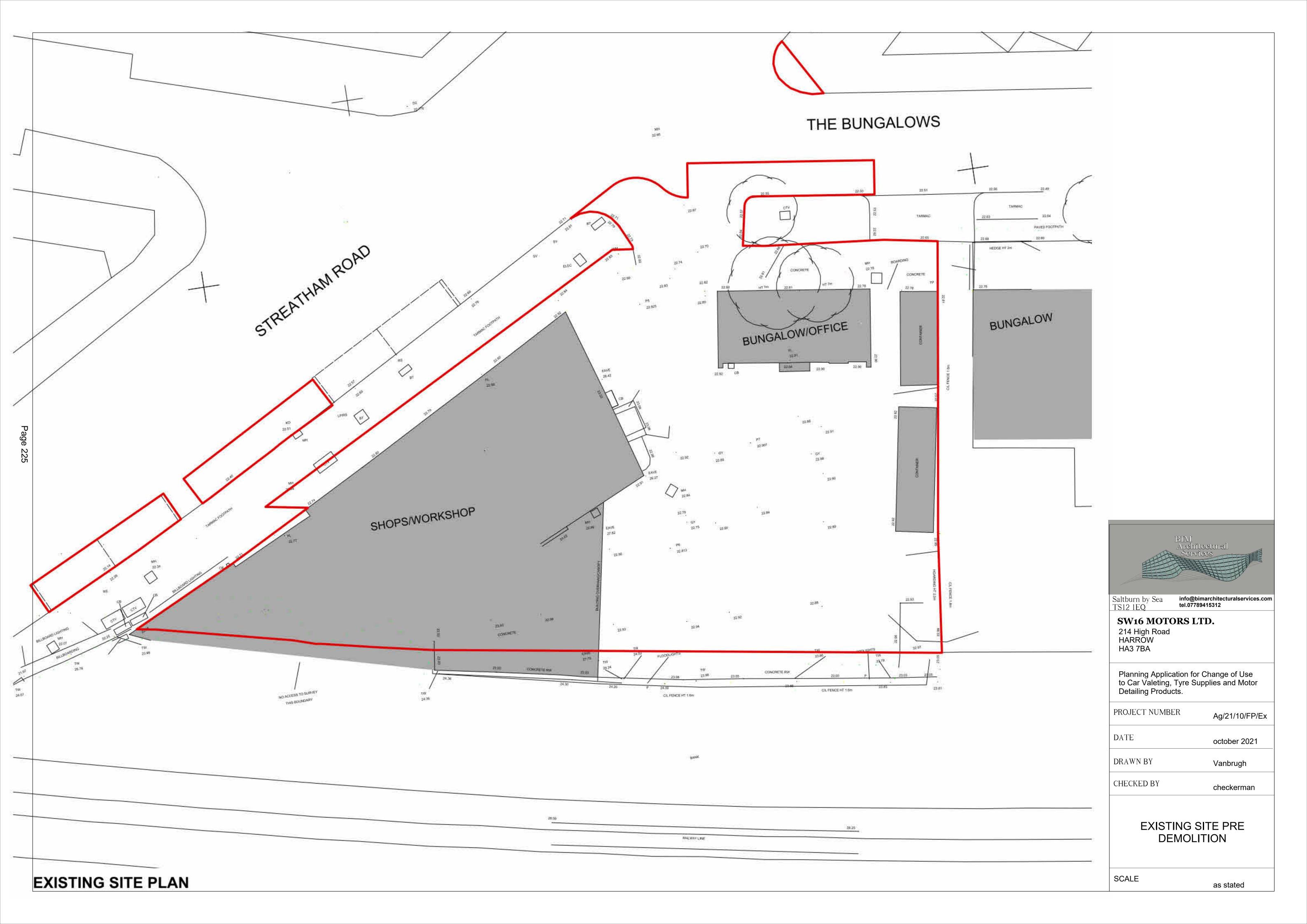
The proposed surface water drainage network for the development will be connected to the existing public sewer in Streatham Road via either an existing or a new lateral surface water drain to the public sewer.

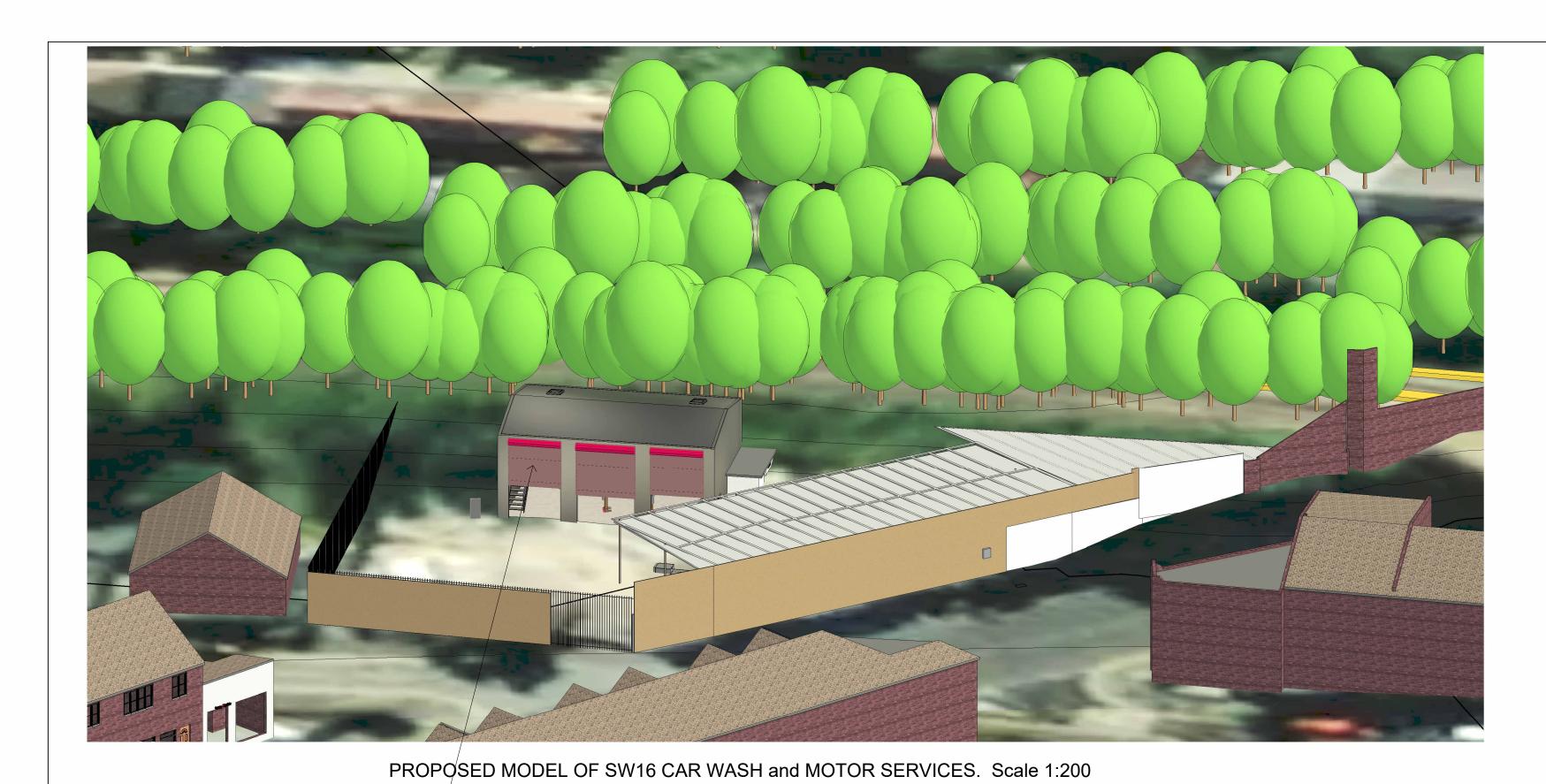
The surface water drainage network for the development is proposed to be connected to the existing public sewer in Streatham Road via either an existing or a new lateral surface water drain to the public sewer.



EXISTING DRAIN RUNS by Application Site.

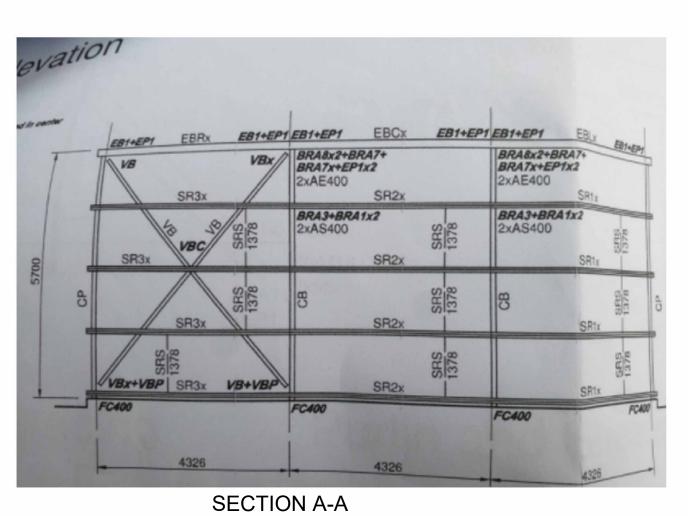
Majority of the site will remain as existing connections with the addition of reducing the amounts of surface water and ensuring that any run off due to car washing or other activities do not discharge as already explained on drainage sheets submitted. We will communicate with EA and keep the council informed.

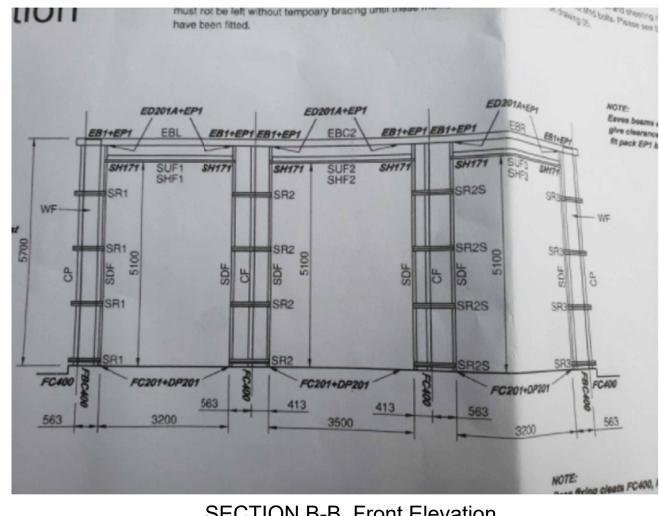




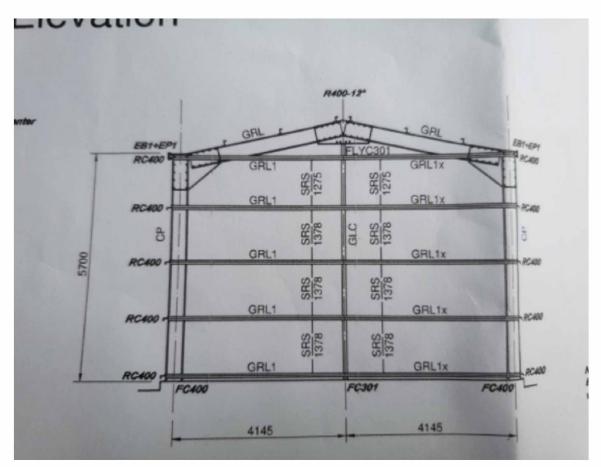
ROOFPLAN SCALE 1:59

New Steel (Kit Form) Building.
Construction Details on this sheet.





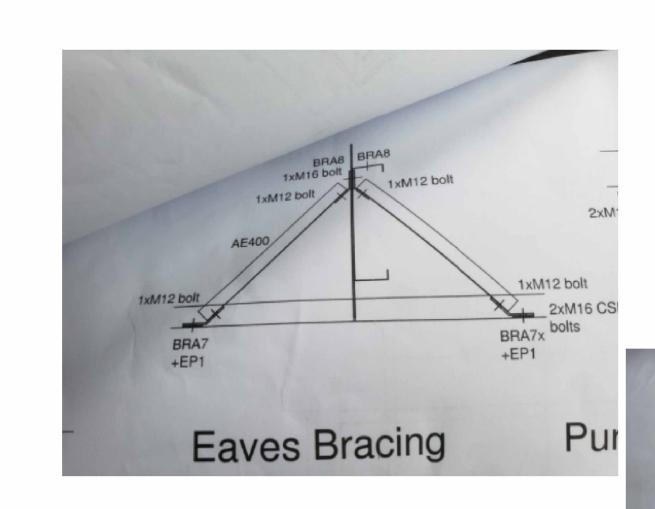
SECTION B-B Front Elevation

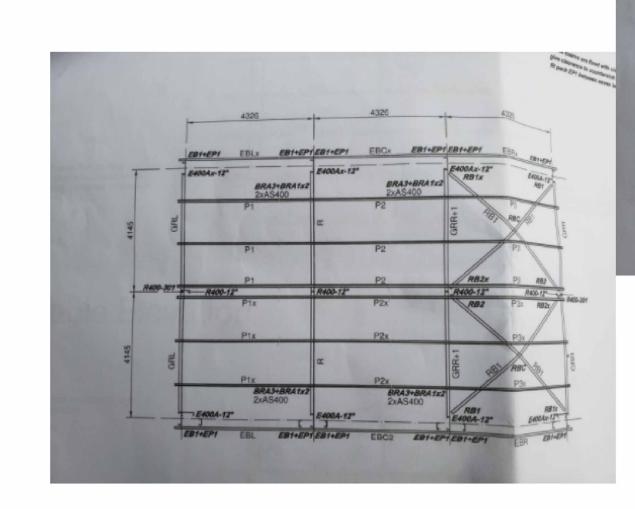


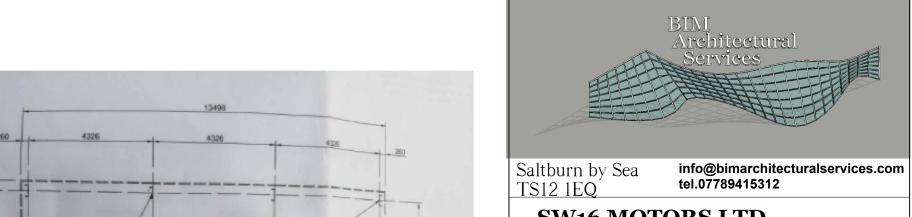
SECTION C-C



SECTION D-D







SW16 MOTORS LTD. 214 High Road HARROW HA3 7BA

Planning Application for Change of Use to Car Valeting, Tyre Supplies and Motor Detailing Products.

PROJECT NUMBER	Ag/21/10/FP/Ex

DATE	october 2021
DRAWN BY	Vanbrugh

CHECKED BY checkerman

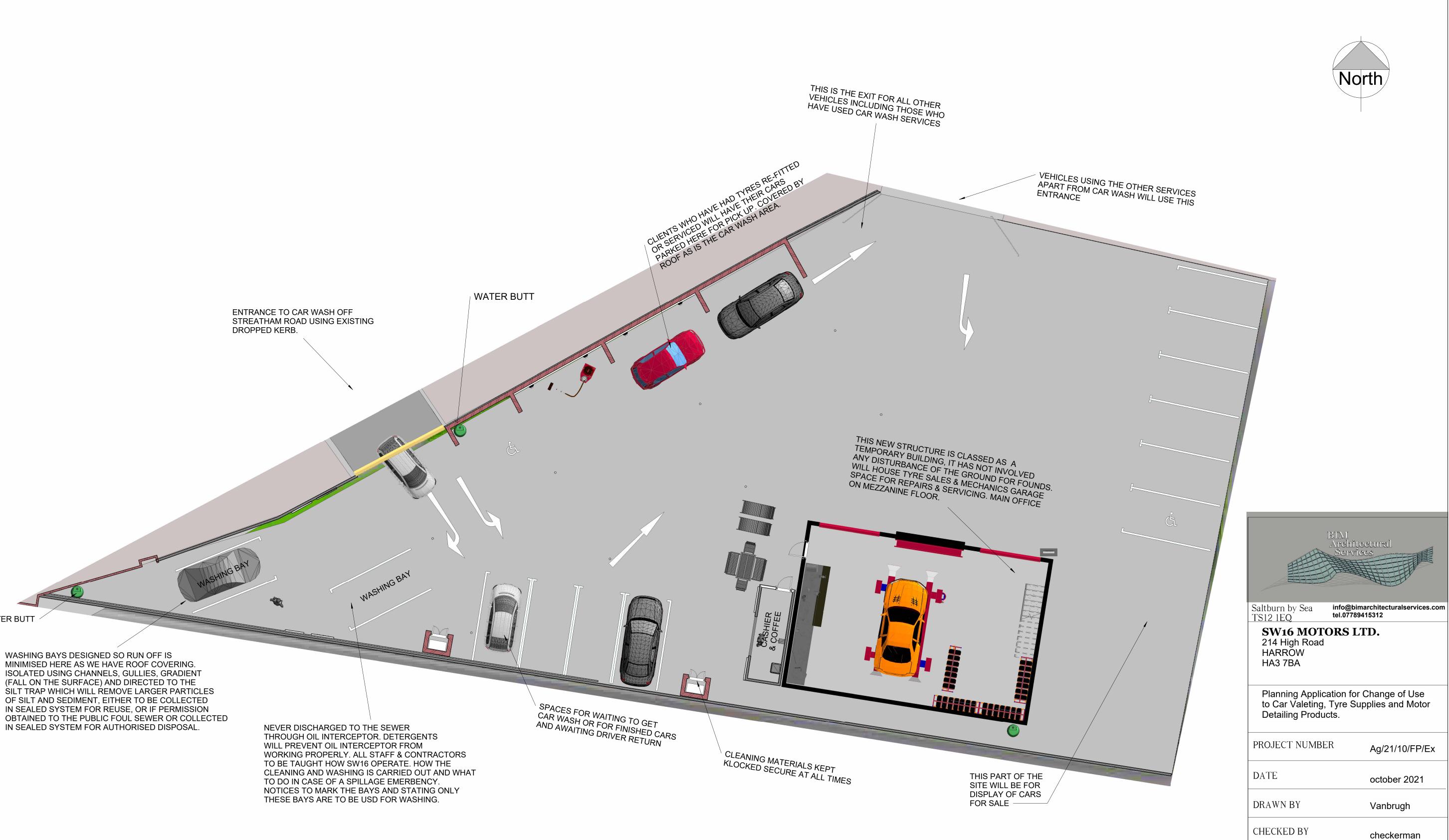
NEW TEMPORARY STRUCTURE HOUSING TYRES, MOTOR REPAIRS AND OFFICE. KIT FORM STEEL

SCALE

2m

VISUAL SCALE 1:100 @ A1

10m



PROPOSED SITE LAYOUT AT SW16 MOTOR SERVICES AND CARWASH

SCALE as stated

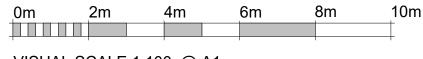


RENDERED VIEW OF CAR SALES PLOT



RENDERED VIEW OF CAR WASHING WAITING AREA and CASHIER

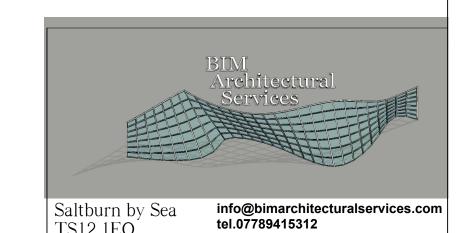




VISUAL SCALE 1:100 @ A1

Video Link

https://youtu.be/9eDccFms7Hg



Saltburn by Sea TS12 1EQ

SW16 MOTORS LTD. 214 High Road HARROW HA3 7BA

Planning Application for Change of Use to Car Valeting, Tyre Supplies and Motor Detailing Products.

PROJECT NUMBER

DATE october 2021

DRAWN BY Vanbrugh

CHECKED BY checkerman

EXTERNAL RENDERS

SCALE

as stated

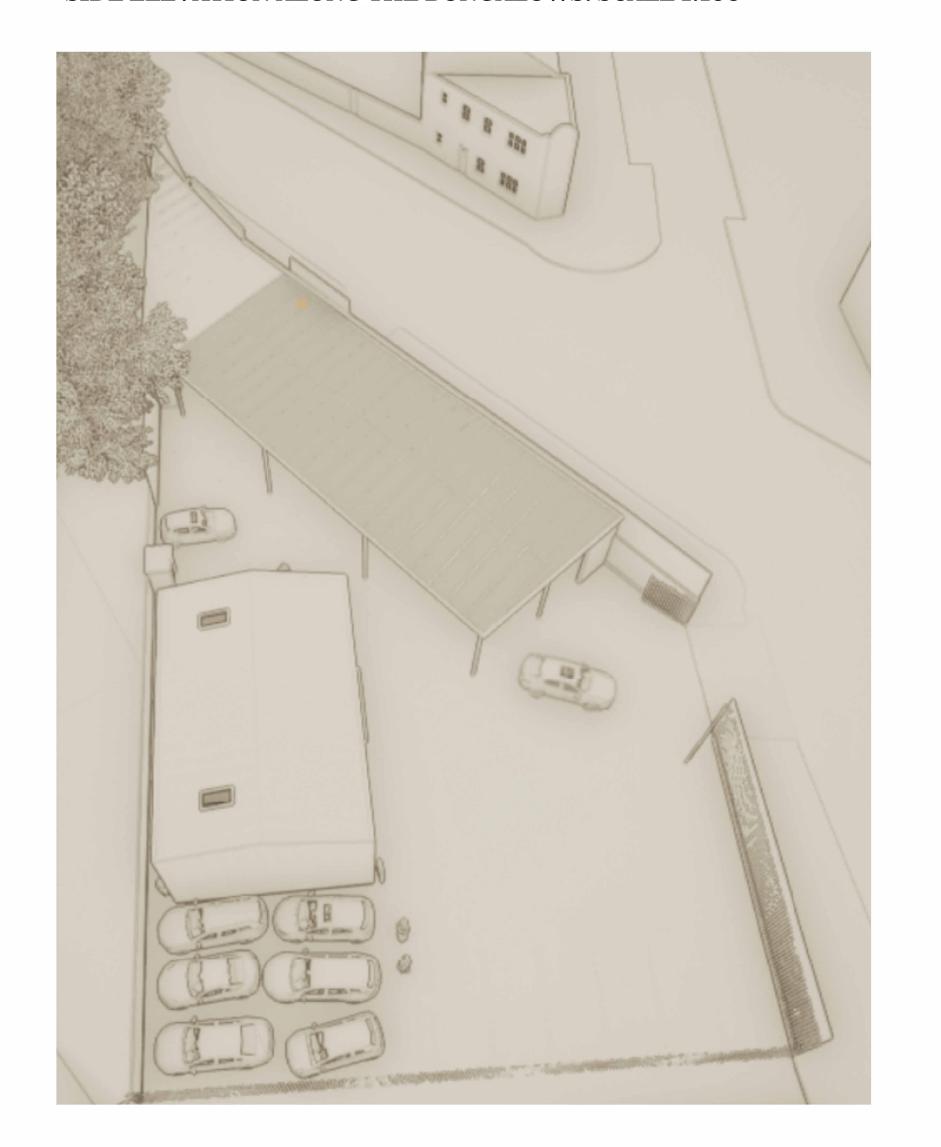
Ag/21/10/FP/Ex

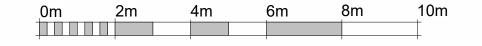


PROPOSED FRONT ELEVATION ALONG 225-231 STREATHAM ROAD Scale 1:100

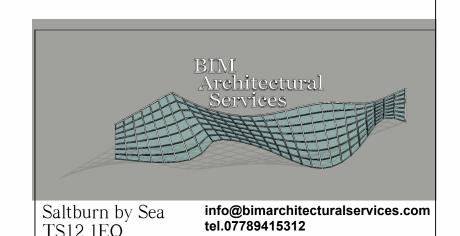


SIDE ELEVATION ALONG THE BUNGALOWS. SCALE 1:100





VISUAL SCALE 1:100 @ A1



Saltburn by Sea TS12 1EQ

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DATE october 2021

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CHECKED BY checkerman

PROPOSED ELEVATIONS

SCALE

