

PLANNING APPLICATIONS COMMITTEE

15th June 2023

CASE OFFICER REPORT

APPLICATION NO. **DATE VALID**

22/P3385 15/11/2022

Address/Site: Eddie Katz
42 Station Road
Colliers Wood
London
SW19 2LP

Ward: Colliers Wood

Proposal: Application for variation of condition 2 (approved plans) and deed of variation to S106 legal agreement attached to LBM planning application 21/P1907 relating to phased redevelopment of the site comprising: phase 1: demolition and removal from the site of all existing buildings and structures and all waste materials arising from demolition; and phase 2: provision of a mixed-use development comprising commercial floorspace (Class E) and residential apartments (Class C3) across two separate buildings together with associated car and cycle parking, hard and soft landscaping works and associated infrastructure including the construction of a footbridge'

Variations include increasing the level of affordable and family housing on site by reducing the overall number of units, alterations to external elevations, reduced footprint of the north block, internal reconfiguration including provision of second internal stairwell to the northern block (Block B) and revisions to landscaping.

Drawing No.'s: DL0221-BPTW-S01-00-DR-A-0101 SITE LOCATION PLAN C02,
DL0221-BPTW-S01-00-DR-A-0106 BLOCK PLAN C03,
DL0221-BPTW-S01-00-DR-A-1100 LEVEL 00 - S73 GENERAL ARRANGEMENT PLANS C07,
DL0221-BPTW-S01-01-DR-A-1101 LEVEL 01 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-02-DR-A-1102 LEVEL 02 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-03-DR-A-1103 LEVEL 03 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-04-DR-A-1104 LEVEL 04 - S73 GENERAL ARRANGEMENT PLANS C04,

DL0221-BPTW-S01-05-DR-A-1105 LEVEL 05 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-06-DR-A-1106 LEVEL 06 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-07-DR-A-1107 LEVEL 07 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-08-DR-A-1108 LEVEL 08 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-09-DR-A-1109 LEVEL 09 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-10-DR-A-1110 LEVEL 10 - S73 GENERAL ARRANGEMENT PLANS C03,
DL0221-BPTW-S01-11-DR-A-1111 LEVEL 11 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-12-DR-A-1112 LEVEL 12 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-S01-13-DR-A-1113 LEVEL 13 - S73 GENERAL ARRANGEMENT PLANS C04,
DL0221-BPTW-B01-ZZ-DR-A-2061 Block A - S73 West Elevation C02,
DL0221-BPTW-B01-ZZ-DR-A-2062 Block A - S73 South Elevation C01,
DL0221-BPTW-B01-ZZ-DR-A-2063 Block A - S73 East Elevation C02,
DL0221-BPTW-B01-ZZ-DR-A-2064 Block A - S73 North Elevation C02,
DL0221-BPTW-S01-00-DR-A-2065 Block B - S73 West Elevation C02,
DL0221-BPTW-B02-ZZ-DR-A-2066 Block B - S73 South Elevation C01,
DL0221-BPTW-B02-ZZ-DR-A-2067 Block B - S73 East Elevation C03,
DL0221-BPTW-S01-00-DR-A-2068 Block B - North Elevation C01,
DL0221-BPTW-S01-00-DR-A-2069 S73 East Elevation - Site Wide C03
DL0221-BPTW-S01-00-DR-A-2070 S73 West Elevation - Site Wide C02,
DL0221-BPTW-S01-00-DR-A-2071 S73 South Elevation -Site Wide C01,
DL0221-BPTW-S01-00-DR-A-2201 S73 Site Section N-S C02
DL0221-BPTW-S01-00-DR-A-2202 S73 Site Section Thru S Block C01
DL0221-BPTW-S01-00-DR-A-2203 S73 Site Section Courtyard C01
DL0221-BPTW-S01-00-DR-A-2204 S73 Site Section Thru N Block C02
DL0221-BPTW-S01-00-DR-A-2210 Block B - S73 E-W Section C02
DL0221-BPTW-S01-00-DR-A-2211 Block B - S73 N-S Section C02
DL0221-BPTW-S01-00-DR-A-2212 Block A - S73 E-W Section C01
DL0221-BPTW-S01-00-DR-A-2213 Block A - S73 N-S Section C01
DL0221-BPTW-XX-XX-SA-A-0102 Block A Plot Schedule SA C02
DL0221-BPTW-XX-XX-SA-A-0103 Block B Plot Schedule SA C03
DL0221-BPTW-XX-XX-DO-A-0601 Section 73 Application Comparator Design Report C03
DL0221-FH-XX-00-DP-L-0102 P03 Illustrative masterplan ground floor,
DL0221-FH-XX-00-DP-L-0101 P02 Gen. arrangement plan ground floor

Documents: Landscape Comparator Amended March 2023 & subsequent appendices.

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant variation of condition and Deed of variation to S106 agreement

CHECKLIST INFORMATION

- Is a screening opinion required: No
 - Is an Environmental Statement required: No
 - Has an Environmental Statement been submitted: No
 - Press notice: Yes – Majors press notice & Affects Conservation Area
 - Design Review Panel consulted: Yes at Pre app stage
 - Number of neighbours consulted: 648
 - Controlled Parking Zone (CPZ): No but adjacent to CPZs SW to the west, S3 and CW1 to the north, CW 2 & CW 5 to the east
 - PTAL: 3-4
 - Archaeological Priority Zone: Yes Scheduled Ancient Monument.
 - Conservation Area: Adjacent to the Wandle Valley Conservation Area
 - Environment: Adjacent river bank is a designated Green Corridor
 - Flood Zone 1, an area at low risk of flooding.
 - Listed Building: Not on site but Grade II listed buildings include the Wheel House and Colour House at Mistery's Liberty's Printworks. A number of locally listed buildings are also located in the vicinity of these Grade II listed buildings and they include the Long Shop, the Showhouse, the Apprentice Shop, the 1929 Shop, the Block Shop and the Coles Shop
 - Site is within a Designated Opportunity and Intensification Area
 - Density (units/ha) 352
-

1. INTRODUCTION

- 1.1 The application is being brought to the Planning Applications Committee for determination as officers and the Chair of PAC have agreed the item will be presented to the PAC as it is part of a major regeneration programme for the Borough by a registered affordable housing provider

2. SITE AND SURROUNDINGS

- 2.1 The site is effectively an island site accessed via Station Road with the River Wandle forming the western boundary and the access road into the Sainsbury's/M&S superstore the eastern boundary. The riverbank area runs North – South to the west of the site and is a Designated Green Corridor and forms part of the Wandle Valley Conservation Area. West of the river the area is characterised by streets of

predominantly two storey residential terraces leading to the High Path Estate area which is currently under redevelopment.

- 2.2 Directly to the south of the site on the opposite side of Merantun Way is the Merton Abbey Mills site which includes a number of Statutory and locally Listed buildings. The river area separates the Mills from the Merton Park Industrial Estate to the west. To the east of the Mills is a commercial area with fast food outlets and hotel.
- 2.3 The existing building occupying the Site is a double-storey warehouse building, formerly used as a children's soft-play facility and currently used for charitable community outreach programmes.
- 2.4 The South London High Pressure Water Ring Main runs to the south east of the proposed new towers. There is an exclusion zone 10m either side of the water main, and 15m above. This exclusion zone is set at 3m either side of the sewer's outside face.
- 2.5 The site is not located within a conservation area and the buildings are not statutory or locally listed but the Wandle Valley Conservation Area runs to the side of the site and there are listed buildings to the south of the site at Merton Abbey Mills.
- 2.6 The site is located in an Archaeological Priority Area and it includes a small area of the outline of the Scheduled Ancient Monument of Merton Abbey.
- 2.7 The site is located in an area with a low probability of flooding, Flood Risk zone 1.
- 2.8 The site has a PTAL rating of 3 (measured on a scale of 0 to 6b, 0 being the worst) and is located adjacent to Controlled Parking Zone, CPZ SW to the west and CPZ S3 to the north.
- 2.9 The ownership of the site has changed since the original approval and the red line boundary has been slightly amended along the edge of the site on the boundary with Sainsburys

3. CURRENT PROPOSAL

- 3.1 The application is described as "Variation of Condition 2 (approved drawings) and deed of variation to S106 legal agreement pursuant to phased planning permission dated 08 November 2022 (ref. 21/P1907) for:

Phase 1: Demolition and removal from the site of all existing buildings and structures and all waste materials arising from the demolition, and

Phase 2: Provision of a mixed-use development comprising commercial floorspace (Class E) and residential apartments (Class C3) across two separate buildings together with associated car and cycle parking, hard and soft landscaping works and associated infrastructure including the construction of a footbridge.

Variations include increasing the level of affordable and family housing on site by reducing the overall number of units, alterations to external elevations, reduced footprint of the north block, internal reconfiguration including provision of second internal stairwell to the northern block (Block B) and revisions to landscaping.

3.2 The ownership of the site has now passed to Clarion Housing and the entire development would now be for social housing where, as approved, it involved market units in the North Tower and social in the South Tower. As a consequence the new owners requires more family sized units such that the overall number of units to be provided would be less reducing from 116 units to 98 units. There would also be changes to the exterior finish, landscaping, communal amenity space and internal layout. There would be no changes to the height of the previously approved towers.

3.3 Exterior changes (North Tower)

- Reduction in overall building length, circa 1850mm. This has resulted in minor differences in appearance along the 'shoulder' portion of the building (ground floor to 8th floor).
- East elevation includes revised spacing between balconies in order to achieve higher levels of privacy to each unit.
- Reduced number of windows to the east elevation in upper levels (9th to 12th floor).
- Reduced number of external balconies, due to reduced number of units.

3.4 Exterior changes (South Tower)

- No change to the number of windows and balconies. Small adjustments to spacing between windows and inclusion of additional decorative 'window blanks' to east and west elevations.

3.5 Internal layout changes (North Tower)

- Revised layouts due to new unit mix and for the provision of a second stairwell for emergency evacuation purposes which is required for residential buildings over 30m in height.
- Reduced floor plate from ground floor to 8th floor, circa 20sqm, due to new mix. This reduces overall building footprint.
- Communal terrace omitted and replaced with an intensive green roof. Proposals seek to remove resident access.

3.6 No changes proposed in the South Tower above Ground floor levels 1-9.

3.7 Ground Floor changes

- Consolidated refuse and cycle store strategy
- Originally refuse store serving both blocks located in the South Tower, removing the need for a managed bin strategy, and cycle store relocated in the southern tower. Amended refuse strategy now been received, see details below.
- Cycle numbers reduced in alignment with reduced level of accommodation.
- Increase in commercial floor space provision from 448sqm to 519sqm
- Removal of office
- Changes to plant rooms

3.8 Amendments to site landscaping

- Revision review of both existing and proposed tree locations. Retained and proposed trees intensified in original application were not possible.

- Revision in tree planting strategy ensuring trees are deliverable, resulting in a loss of 15 trees compared to 14 cited in the approved Tree Survey. The amended scheme includes the planting of 15no. new trees compared to the 21 previously cited.
- Revision in play quantum due to the amended tenure mix. Revisions include the provision of 306 sqm of defined play, alongside 300 sqm of playable landscape, compared to 218 sqm of play provided on site within the approved scheme.

3.3 Accommodation schedule

Unit size	Approved Affordable Rent	Approved Intermediate Affordable	Approved Market	Approved totals	Proposed Affordable rent
Studio	0	0	15	15	0
1b	10	6	23	39	48
2b	7	16	28	51	26
3b	5	2	4	11	24
Total	22	24	70	116	98

Of these there will be 12 M4(3) Wheelchair user dwellings; 3 x 3 bed, 3 x 2 bed and 6 x 1 bed WCH.

3.4 Energy

Amendment to the approved energy strategy including through the use of Ambient Looped Air Source Heat Pumps, Water Source Heat Pumps and roof level PV panels. This revised strategy presents a lower carbon scheme compared to the approved strategy. The proposed scheme results in a smaller carbon figure of 1,111.6 each year compared to the approved strategy of 1,170 saving each year.

4. PLANNING HISTORY

Pre-applications

- 4.1 20/P0599 PRE-APPLICATION ADVICE FOR REDEVELOPMENT OF SITE FOR RESIDENTIAL LED MIXED USE SCHEME.

Planning applications

- 4.2 MER921/79 Planning permission granted for ERECTION OF A LIGHT INDUSTRIAL FACTORY
- 4.3 MER1003/81 Planning permission refused for CHANGE OF USE FROM LIGHT INDUSTRIAL TO OFFICES AND ACCOMMODATION FOR DIVISIONAL HEADQUARTERS OF LONDON FIRE BRIGADE
- 4.4 95/P0048 Planning permission granted for CHANGE OF USE OF INDUSTRIAL BUILDING TO AN INDOOR CHILDREN'S LEISURE CENTRE, WITH ASSOCIATED OFF STREET PARKING

- 4.5 95/P0491 Advertisement consent granted for ERECTION OF TWO EXTERNALLY ILLUMINATED FASCIA SIGNS AND ONE FREE STANDING EXTERNALLY ILLUMINATED SIGN.
- 4.6 06/P1432 Advertisement consent granted for DISPLAY OF AN ILLUMINATED SIGN AND TWO NON ILLUMINATED SIGNS AFFIXED TO FRONT FACADE OF BUILDING
- 4.7 21/P1907 Planning permission granted for the redevelopment of the site, involving demolition of the existing building and the erection of two new residential blocks comprising 116 flats, 456sqm of commercial space at ground floor level and a new access bridge across the River Wandle.
- 4.8 23/P0084 APPLICATION approved FOR DISCHARGE OF CONDITIONS 11 (Const. Logistics) (Partially discharged), 16 (Demo & Const. Env Method Plan), 23 (Demo & Const Env Management Plan) & 33 (Arch WSI) ATTACHED TO LBM PLANNING PERMISSION 21/P1907

5. **CONSULTATION**

5.1 Public consultation on this application was undertaken by way of Major and Conservation Area Press Notices and letters sent to 648 neighbouring properties. As a result there were 7 objections received.

5.2 Concerns raised on the initial consultation are summarised below:

5.2.1 Height, scale, bulk and massing

- the amended north block plans and elevations are still too bulky and will still block eastern views and cause overshadowing affecting many of 200 existing family houses in the four residential streets just over the river to the west.
- The development height is excessive; the recent development along East Road has been kept to 5 or 6 floors, presumably in keeping with the surrounding housing and adjacent river Wandle. Why is this different from proposal 22/P3385?
- There is no other tower block in the immediate area, therefore this is completely out of character for the area. It needs to be scaled back to a similar height to the recently built development on the adjoining Station Road which is 4 stories tall.
- Firstly the height of 12 storeys is far too high and 116 units is just ridiculous with access by car/bike via Station Road.
- The overall size of the towers is also completely unreasonable and a massive eye sore from all directions along the Wandle Path and beyond.

5.2.2 Impact on the character of the locality

- The proposed is going to tower over a vast neighbourhood and ruin a community. Whilst I am not opposed to new developments, I am deeply saddened that there is potential for such a high rise to be approved.

5.2.3 Neighbouring amenity

- The proximity to the houses on Mill Road means that it will almost certainly block all light from the house on that side. I only moved to the area 18 months ago, and would not have bought this property had this been planned at the time

due to how much I consider this to affect the light and privacy. The trees on that side of the river are not evergreen and therefore during the winter months the flats will be able to look directly into my lounge and main bedroom

- I will now have a 13 story block of flats situated a stones throw from my property overshadowing my building along with taking away all of my natural sunlight and thus creating a far busier area to live in given the walkway that is also proposed – right underneath my bedroom window
- the proposed development will, when finished, take away most of the limited sunlight we get as well as impact the privacy of my garden. The balconies and a lot of the windows will have a direct view of my back garden.
- That work will take a significant amount of time - probably months if not years. I would like you to note that it will not only be a significant noise disturbance and also cause constant building dust in all properties backing on to the river

5.2.4 Trees, landscape and wildlife

- The amended landscape proposals do not in any way compensate for the loss of a long section of existing "green corridor" canopy used by existing bird, bat and insect populations which rely on this route for safe feeding and breeding, and this will lead to a reduction in the local fauna populations once carried out (if approved)
- Currently walking along the green corridor of the Wandle path past the proposed site is a tranquil experience, a rare opportunity to hear the river and wildlife between the noise of the A24 and Merton high street. This will disappear with the proposed application.
- The works is going to significantly impact the natural wildlife and take away what currently feels like a natural area to live.
- I am concerned that the development company will not be held responsible to take care of the greenbelt and any conservation areas. As a resident of this flat for over 20 years, I have first-hand experience of not holding commercial owners responsible when it comes to the riverside.
- I am also concerned by the reduction in the proposed biodiversity and the affect this is going to have on the wildlife, surely they can do better

5.2.5 Traffic, parking, visitor numbers and air pollution

- There is still no through access for the many new visitors and service / delivery traffic to the adjacent Sainsburys access road and all this new traffic will need to turn round and exit via the narrow Station Road route onto the already congested and awkward bend at the Abbey Road junction (which will already have to cope with added visitor and service vehicles to the new Abbey Wall and Brook Farm developments now under construction).
- The increased development in the area on top of the plans for the High Path and the recent development of Abbey Wall will put significant strain on a handful of small quiet (for now) streets surrounding. Traffic and trips through Dane Road, Mill Road, Meadow Road, Abbey Road and Croft Road are already unacceptable in comparison to the Battles less than 100m away, giving the area a completely different feel from the sareen neighbourhood so close. Crossing Abbey Road at rush hour is already terrifying, and one side of the pavement is so narrow two people cannot pass at the same time. The Traffic using Abbey Road and the surrounding streets as a rat run is already unacceptable and this development will increase traffic. The new proposed bridge will increase traffic on Dane Road (already a blind corner) as delivery

drivers and visitors will stop to avoid driving and parking down Station Road or the traffic size restrictors on Abbey Road.

- Every house in Station Road has a car, in some cases more than one. For the Council to think that our road can cope with cars/bikes/electric scooters and pedestrians all accessing this road is beyond stupid. Station Road is not a full size road and we now have school children walking in the road. We have here an accident waiting to happen. There needs to be access via Dane Road, Mill Road or Merantun Way. The Council cannot expect this small cul de sac to take so much traffic. If somebody gets knocked down do the Council care, it will be our fault. Please try and think outside the box and not have traffic coming down this road alone.
- To have all these vehicles coming down our tiny cul-de-sac is going to be a nightmare. As the building works at Abbey Wall have shown, the street is regularly blocked with deliveries, causing my car to be blocked in my drive or preventing me from returning, along with all the on-site workers leaving their cars in front of everyone's houses. It has been massively inconvenient and the noise and litter is unacceptable, our lives have been made miserable. Our bin collection was missed on Tuesday because they were blocking the road. How on earth are we expected to cope given the size of these proposals? Why can't access to the site be made from the Sainsbury's slip road?
- Also I note that this is again supposed to be car free, with only 3 disabled spaces being made available. Given the circa 70 flats across from us and now 98 at the end of the road, are you really expecting none of those families will have cars, either for their work or pleasure? What about any visitors they may have? I know in an ideal world everyone will cycle or use public transport, but the reality is still very different. Will Station Road and the surrounding roads just become a massive car park, leaving current residents unable to park by their properties, or our driveways being constantly blocked? I very rarely see a traffic warden patrolling our street- who is going to be making sure cars are not being illegally parked?

5.2.6 Consultation process

- The letters were delayed arriving (Due to Royal Mail strike action)

5.2.7 Other matters

- Both residential blocks do not comply with the latest requirements for new build developments (especially high density residential developments) in the current standards required by the Building Safety Act as they only have a single stair to each block for evacuation / access in case of fire. This recent act came into force in October 2022 and requires full evacuation of all residents including any disabled persons rather than the previous stay put policy that relies on the integrity of passive and mechanically / electrically activated fire protection / detection systems. - the north block cannot easily be accessed by emergency services in case of fire to access upper stories on all elevations and the pump water into dry risers or manage evacuation and disabled access. Also the limited amount of new disabled parking spaces at the end of Station Road will constrict any emergency vehicles access
- The High Path redevelopment is going to take ten years, are we as residents supposed to live on a building site for all that time? We've just had 3 years with the Abby Wall development. The proposal includes a commercial space, suggested as a Cafe, there are already multiple Cafes and restaurants in Abbey Mills, this space will lie derelict and become an eyesore.

- What about the huge tarmacked surface areas and the water run off potentially causing a greater flood risk? Also the effects of a microclimate and wind tunnel effect, like the one experienced at Britannia Point? I really do think Clarion need to come up with a much better plan to address these issues as currently it looks like the surrounding residents are in for years of noise, pollution and aggravation.

5.3 **Re-consultation**

Following some amendments the application was reconsulted upon with a clarified description setting out the proposed changes as a result of which 2 objections were received raising the following concerns;

- I object to the proposed footbridge on this site from the development to the Wandle bankside because of the need to cut down trees.
- The proposed site can access the river bank from the entrance at Station Road less than 20 meters away. The bridge is pointless, the destruction of the trees unnecessary.
- Will Hadley Group still be involved with this development or will Clarion be managing the entire build?
- Why has there been a change to this application as 100% Social Renting in an area seeing signs of gentrification? I appreciate the requirement of affordable within a development exceeding 100 flats as being 25% affordable however that is mixed, I just don't see the precedent for changing to 100% social on a site now set for 98 residential flats?
- How will you be managing the tenant eligibility? What will this eligibility be?
- How will you manage the safety of residents whom walk up the side of the River Wandle of an evening? Will there be increased lighting and CCTV?
- Who will be monitoring the specification of the Clarion product? I have worked on sites with Clarion in my previous role and the product and management of these builds was severely sub-standard.
- What has changed as far as common spaces at the scheme?
- Why has the floorplate reduced yet the public amenity and total trees also reduced? Will it still make a positive environmental experience along the Wandle or will it become a large tower block with no aesthetic focus for the area?
- I am concerned for the historic and social value of the Merton Abbey Mills if there are large numbers of antisocial people around the space when families like mine are there.

EXTERNAL CONSULTEES

5.4 **Greater London Authority**

I have assessed the details of the application and, given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues. Therefore, under article 5(2) of the above Order the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA.

5.5 **Transport for London**

Having assessed the variation of condition, I can confirm that TfL has no further strategic transport comments to make on this planning application which were not already addressed in the original application.

5.6 **Designing out Crime officer (Metropolitan Police)**

Having given due consideration to the design of this development, I recommend the following security features be addressed / included:

North Block (Block A)

- The design appears to lack active building frontages; there are large blank elevations fronting onto the proposed public realm reducing passive surveillance, and so safety.
- Hit and miss or perforated brickwork should be carefully designed to eliminate any climbing aids or places for concealment of drugs or weapons.
- The rear double leaf door to the cycle store is in a position that offers very little surveillance and is vulnerable to attack. Double leaf doors themselves are not recommended as they require double the security, single leaf doors are preferred. This door should be removed and access to the cycle store gained through the front door near the entrance lobby which would offer much more natural surveillance.
- The cycle store should be part of the developments access control strategy and be covered by CCTV, both inside and out.
- Short term visitor cycle parking should be located adjacent to the primary entrance doors and meet the minimum requirements set out by Secured by Design.
- The entry door to the west, opposite to the footbridge needs to be carefully secured. This door leads directly into a stairwell and due to its location could be used as a shortcut by residents. As a result it may be propped open allowing unrestricted access.
- Fire drop keys should be avoided, Access Control boxes supplemented by a Premises Information Box should be used as an alternative.
- The postal strategy should be located within the secure lobby entrance area. Parcel theft is a massive problem all over London currently and it's good to see that Amazon Lockers have been considered but I can only see them in the south block. This strategy should be used on both blocks if possible as up to 300 parcels a week can accumulate and cause theft and egress issues.
- Secured by Design recommend compartmentalisation for any development that comprises over 25 residential units. This limits permeability within a block and allows residents to only access their floor or designated areas by way of an encrypted key fob. Fobs should always be encrypted to reduce the risk of them being copied by a third party.
- Residential, retail and communal space should be clearly defined and access controlled to prevent unrestricted public access. There should be no linkage between public, retail, communal and private areas.

Applicant response (in italics) on North Tower

- *This comment (Lack of active frontage) on both buildings is the same received on the original permission. The design was considered acceptable through numerous pre-application discussions with officers during the original permission. These changes do not materially change the design from what was previously proposed.*
- *This comment (Hit and miss brickwork) on both buildings is largely the same as ones previously provided on the original permission. In our response previously, hit and miss brickwork will not be easily climbed as the holes between the brickwork provide minimal footholds. On the northern block the hit and miss brickwork finishes a full 1.8m below the finished floor of the projecting balconies on the first floor. The hit and miss brickwork stops 2.8m above the ground with the finished floor of the projecting balconies being 4.65m off the ground. On the southern block there is no hit and miss brickwork that could potentially provide access to first floor balconies. We do not agree that this design appearance to bricks will be able to conceal drugs or weapon.*
- *The applicant is reviewing whether it would be feasible to convert the cycle store door to a single leaf door.*
- *CCTV will be installed as part of the development*
- *There is limited space available (for short term cycle parking) at the entrance of the primary entrance door. However, Sheffield stands are clearly provided in the central public realm area which will be well-lit and well-visible and well-overlooked.*
- *We do not consider there to be a clear reason why the second door (entry door to the west, opposite to the footbridge needs to be carefully secured) could not be used. In any event, it is required as a second means of escape from the stair core in accordance with fire regulations. The door will be fitted with a closer system to ensure that it shuts close securely.*
- *The post boxes are located within a secure internal locker in Block A. This is the same proposal as per the original application. Further amazon lockers could be implemented later at detailed design stage should there be a demand.*
- *Officer comments on Access Control boxes, compartmentalisation and no linkage between public, retail, communal and private areas are noted.*

South Block (Block B)

- Again the design appears to lack active building frontages; there are large blank elevations fronting onto the proposed public realm reducing passive surveillance, and so safety.

- Hit and miss or perforated brickwork should be carefully designed to eliminate any climbing aids or places for concealment of drugs or weapons.
- The rear door that grants access to the lobby area needs to be secured correctly to prevent misuse.
- The location of one large bin store for both blocks should be reconsidered. I wonder if residents from the north block will make the trip to the south block to dispose of their rubbish. I'd recommend that each block has its own designated bin store to prevent unwanted dumping of rubbish.
- The internal and external access doors into the bin store should be part of the access control strategy and fitted with automatic closers to prevent them being left open. The internal doorsets should be tested and certified to the minimum SBD standard.
- Secured by Design recommend compartmentalisation for any development that comprises over 25 residential units. This limits permeability within a block and allows residents to only access their floor or designated areas by way of an encrypted key fob. Fobs should always be encrypted to reduce the risk of them being copied by a third party.
- Residential, retail and communal space should be clearly defined and access controlled to prevent unrestricted public access. There should be no linkage between public, retail, communal and private areas.
- The cycle store should be part of the developments access control strategy and be covered by CCTV, both inside and out.
- The postal strategy should be located within the secure communal lobby.
- Fire drop keys should be avoided, Access Control boxes supplemented by a Premises Information Box should be used as an alternative.

Applicant response (in italics) on South Tower

- *Officer comments on internal and external access doors into the bin store, Access Control boxes, compartmentalisation and no linkage between public, retail, communal and private areas, CCTV are noted.*
- *The post boxes are located within a secure lobby.*

Landscaping and external areas

- There is unrestricted public access across the entire site from Station Road and Dane Road (via the proposed footbridge) to the proposed steps leading to Merantun Way at the roundabout. With the desire lines through the estate leading to the retail outlets this would lead the development to be used as a potential pedestrian rat run allowing for easy access and intrusion by non-residents and easy access and escape for the opportunist criminal. Public access routes through communal areas should be avoided as it reduces ownership and territorial responsibility, while promoting criminal and antisocial opportunities.

- Planting should not impede the opportunity for natural surveillance and must avoid the creation of potential hiding places. Although plant growth above 1m and below 2m should be absent to provide a window of surveillance, this does not preclude the use of hedging plants and feature shrubs and trees, providing surveillance opportunity is maintained. Plant growth below 500mm will be required in respect to car parks to deter vehicle interference.
- The landscaped area to the north offers little in the way of surveillance and would be an ideal location for nuisance loitering and anti-social behaviour.
- There should be clear demarcation of external retail seating areas which should be defended by using narrow planters, screens or deployable barriers with canvas panels to stop potential offenders being able to ride or walk past and easily access customers' bags or other belongings.
- Permanent external tables and seating areas should be avoided. These will become a natural place to gather and a source of anti-social behaviour.
- Any cycle routes through pedestrian areas should be clearly defined and separated to avoid conflict and be mindful of disabled users, in particular the visually impaired.
- There seems to be nothing to prevent vehicles encroaching the site from the southern parking / turning area. Bollards are located further up by the entrance door to the southern block and next to the delivery bay. Bollards or barriers should be installed to clearly identify and separate pedestrian and vehicular areas.
- The external cycle store with green roof appears isolated and should be in a more prominent position which affords improved surveillance. Ideally this should be located near to a main entrance and covered by CCTV and lighting during the hours of darkness.
- The willow tunnel should be reconsidered. Whilst I appreciate this may be a nice activity for children it is also a place of concealment and leads to the secluded north landscaped area.

Applicant response (in italics) on landscaping

- *The bridge is approved under the original permission. It was a welcome feature as additional connectivity from the surrounding residential areas into the newly created public realm is a product of sound master-planning. The bridge was supported by officers and welcomed by the public during the public consultation as part of the original permission.*
- *The Applicant confirms that the planting selected will be appropriate for its setting.*
- *The Applicant does not agree with this position that the landscaped area to the north offers little in the way of surveillance and would be an ideal location for nuisance loitering and anti-social behaviour. There are units located at upper level which provide natural surveillance. The possible provision of large fencing to close off this area often works contrary to preventing anti-social behaviour.*

- *The demise of the retail area will be determined by the occupant of the space. They will be able to implement planters should they wish to do so.*
- *The Applicant does not agree with this comment that permanent external tables and seating areas should be avoided and that these will become a natural place to gather and a source of anti-social behaviour.. Seating is provided to aid social-interaction and to generate a community spirit in the public areas of the site. All seating is well-overlooked and lit by the proposed building and apartments.*
- *There are no cycle routes through the site.*
- *This area has been tracked and is the precise area required to allow vehicles and refuse vehicles to turn and exist the site. No further adjustment can be made.*
- *The location of the external cycle store is in a highly visible location adjacent to the cars and pedestrian footpath. It is considered to be an appropriate location for the external bike store.*
- *The willow walk feature is part of the children's play. It is located in a highly visible area in the dedicated play zone and a good feature of the public realm.. Details will be developed through detailed design.*

5.7 **Historic England, Archaeology**

The site is located in a Tier 1 Archaeological Priority Area which has been defined due to its potential for buried archaeological features relating to Merton Priory,

Roman activity and post-medieval industrial activity. The site is also partially within the scheduled area of Merton Priory. Archaeological remains have been recorded on sites to the immediate west, south and east of the site. Pre-Ordnance Survey map evidence shows a channel or leat (open watercourse taking water to a mill) running through the site which may be associated with one of the several post-medieval mills in the area.

There is potential for information to be recovered from alluvial layers on the site that could improve understanding of the relationship between the priory and the river; the impact of the priory on the river regime and environment of the valley; and whether the alluvium was triggered by prehistoric or medieval activity.

I have looked at this proposal and at the Greater London Historic Environment Record. I advise that the development could cause harm to archaeological remains. A field evaluation is needed to determine appropriate mitigation. I consider that a two stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains followed, if necessary, by a full investigation.

5.8 **Environment Agency**

We have reviewed the submitted information and have no objection to the variation of condition 2 pursuant to planning permission ref 21/P1907.

5.9 **Natural England**

Natural England made no comment on the application.

INTERNAL CONSULTEES

5.10 **Councils Urban Design officer (12.05.2023)**

- The applicant has revised the ground floor plan to remove the bin store from the northern building and consolidate it with the southern building. The applicant should strongly consider re-introducing the separate bin store in the northern building. The convenience of using the bin store should take priority over the ease of management.
- Residents will be expected to leave their home, take the lift down to the ground floor, leave their lobby and walk outside to the southern bin store (potentially in the rain), use a security fob to gain access to the bin store, then take the same journey back. In reality, the journey taken by residents of the northern building will be inconvenient and unreasonable with the current layout.
- The public stair to the southeast has become more narrow and on days where the 'indicative bin holding zone' is being used will be obstructed. The alignment of these stairs with the crossing above could be further explored.
- The site boundary has changed on the northeast of the site – it is now stepped in. Can the applicant confirm what the boundary treatment will be? Is it going to be fenced or be seen as a continuation of the landscape?
- The commercial space in the northern building is shorter on the western elevation. This has impacted the amount of usable landscape. Can the applicant confirm what the character of the new landscape is and if it is to be used by the public?

5.11 **Councils Planning Policy Officer**

The background is that Clarion have bought Station Road and submitted planning application 22/P3385 for 100% affordable and changes the size of homes to provide more larger homes.

These will be used to rehouse families who want to be rehoused from the early phases of Eastfields estate while the estate is being regenerated.

Clarion have consulted residents about this - I've just found the attached online from Clarion to residents which explains it better.

You may be aware that of the three estates, Eastfields has not started yet. There were garage sites at High Path and Ravensbury on which the first new homes were built, then existing residents moved into these new homes, freeing up the next phase for redevelopment for more new homes etc. Eastfields doesn't have any sites like that.

Therefore, as Allison says, the S106 for Station Road will secure the affordable but will initially be used to house Eastfields residents that want to move either temporarily until their new home is built or permanently.

Any Station Road homes that are vacated and subsequently re-let would be affordable with the normal nomination rights.

5.12 **Councils Transport Planner**

- The amendments to the consented scheme comprise a change in number and type of units from 116 mixed private/ affordable to 98 affordable units.
- There is a small increase in the commercial floor space from 456sqm to 519.5sqm.
- The amended scheme includes the consolidation of the waste storage in the southern block.
- There is no change proposed to the car parking provision.
- Cycle parking provision will remain in accordance with the requirements of the London Plan.
- A trip assessment has been carried out for the revised number and type of dwellings. This indicates that the proposed changes will have a minimal effect on the number of trips associated with the site.

Recommendation: The proposed amendments to the planning consent is unlikely to have a significant impact on the surrounding highway network.

5.13 **Councils Waste services Officer** (21.04.2023)

The initial submission was for a centralised refuse store in the South Tower and for the refuse operatives to enter to collect the waste. The officer considered this unacceptable because of the additional burden in terms of workload and dwell time that this would impose on operatives as well as the location being predominantly beyond the accepted distances for the bins to be collected and the carry distance for residents.

The revised scheme

Officers seeking further comments on amendments, if received, details to be provided as part of mod sheet

5.14 **Councils Highways Officer**

No objections received.

5.15 **Councils Conservation Officer**

No objections received.

5.16 **Councils Trees Officer**

The arboricultural information submitted with 22/P3385 is satisfactory and should replace the previously approved arb report (21/P1907) The new report provides information concerning the level of site supervision required by the arb. person. However, the current report acknowledges the proposed bridge and refers to the need

for a more detailed design. The arb report provided under 21/P1907 specified the use of a cantilevered structure secured by 2 mini-piled foundations on each bank. This should be secured by condition to ensure any harm to the trees on the opposite bank (T20 especially) is kept to a minimum. The landscaping is satisfactory and details should be sought through a planning condition. A separate condition should be applied to the green roofs.

Following further information being submitted the officer commented:

In my opinion, the number and location of the new trees is consistent with the availability of space within the site and the range of large growing species specified in the Landscape Comparator Report. This should form one of the approved documents.

5.17 **Councils Climate Change Officer**

The officer has been involved in protracted discussions with the applicant and was subsequently satisfied that all the relevant information had been submitted.

5.18 **Councils Environmental health (Air quality)**

I can confirm that there are no objections on the grounds of Air Quality.

5.19 **Councils Building Control Officer**

This proposal was submitted in June this year so is not subject to the new restrictions there is a stay put policy proposed for this building that has been designed to comply with the building regulations Access is also very close to complying with the requirement of the building regulations with a deviation of 1m on the access to the dry risers within the building for fire fighting that has been agreed with LFB. I have not seen the new legislation but interestingly the LFB have issued guidance recently that would suggest that these buildings require two stairways. As the current design complies with the regulations and provided work starts within a year I believe that the proposal has to be approved by the Council as there is little discretion available for Building Control.

5.20 **Councils Flood Officer**

No comments received

6. **POLICY CONTEXT**

6.1 **NPPF - National Planning Policy Framework (2021):**

Part 2 Achieving sustainable development
Part 6 Building a strong, competitive economy
Part 9 Promoting sustainable transport
Part 11 Making effective use of land
Part 12 Achieving well-designed places
Part 14 Meeting the challenge of climate change, flooding and coastal change
Part 15 Conserving and enhancing the natural environment
Part 16 Conserving and enhancing the historic environment

6.2 **London Plan 2021:**

GC 5 Growing a good economy
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
 D11 Safety, security and resilience to emergency
 D12 Fire safety
 D13 Agent of Change
 D14 Noise
 E2 Providing suitable business space
 H1 Increasing Housing supply
 H6 Affordable Housing tenure
 H10 Housing size mix
 H12 Supported and specialised accommodation
 S1 Developing London's social infrastructure
 S4 Play and Informal Recreation
 HC1 Heritage conservation and growth
 G1 Green infrastructure
 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 12 Flood risk management
 SI 13 Sustainable drainage
 SI 16 Waterways-use and enjoyment
 SD1 Opportunity areas
 SD 6 Town centres and High Streets
 T2 Healthy streets
 T4 Assessing and mitigating transport impacts
 T5 Cycling
 T6.1 Residential Car parking
 T6.5 Non-residential disabled persons parking
 T7 Deliveries, servicing and construction

6.3 Merton Sites and Policies Plan (SPP) July 2014 policies:

DM C1 Community facilities
 DM D1 Urban design and the public realm
 DM D2 Design considerations in all developments
 DM D4 Heritage assets
 DM E4 Local employment opportunities
 EM EP2 Reducing and mitigating noise
 DM EP4 Pollutants
 DM H3 Support for affordable housing
 DM H4 Housing mix
 DM F1 Support for flood risk management

DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM O2 Nature conservation, trees, hedges and landscape features
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T5 Access to road network

6.4 Merton Core Strategy 2011 policy:

CS 1 Colliers Wood
CS 7 Centres
CS 8 Housing choice
CS 9 Housing provision
CS 11 Infrastructure
CS 12 Economic development
CS 13 Open space, nature conservation, leisure and culture
CS 14 Design
CS 15 Climate change
CS 16 Flood risk management
CS 17 Waste management
CS 18 Transport
CS 19 Public Transport
CS 20 Parking servicing and delivery

6.5 Other guidance:

DCLG Technical Housing Standards - Nationally Described Space Standard 2015
Mayor's Housing SPG 2016 Mayor's Sustainable Design and Construction SPG 2014
Merton's Waste and Recycling Storage Requirements – A Guidance for Architects
Merton's Small Sites Toolkit SPD 2021
Merton Character Study 2021
Merton Explanatory Note: Approaches to Sustainable Design and Construction 2020

7. **PLANNING CONSIDERATIONS**

7.1 The key planning considerations of the proposal are as follows:

- Principle of development
- Loss of community facility
- Suitability for residential use
- Need for housing
- Scale bulk and massing
- Design and impact upon the character and appearance of the surrounding area including conservation areas and heritage assets
- Impact on neighbouring amenity
- Transport, parking and cycle
- Refuse
- Sustainability
- Biodiversity
- Others

7.2 Principle of development

7.2.1 The principle of development has already been established under planning application ref 21/P1907. The application before members of the planning committee is a variation of condition application under section 73 of the Town and Country Planning Act 1990. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. In this instance, the applicant is seeking to vary condition 2 (approved drawings) and the associated legal agreement attached to LBM ref 21/P1907. Members do not need to reconsider the principle of the development as that has already been established. Members need to consider the proposed development in terms of the minor material amendments as follows:

- Increasing the level of affordable from 40% to 100% affordable housing.
- Accommodation changes (larger family housing on site resulting in a reduction in overall number of units (116 to 98).
- Alterations to external elevations.
- Altered refuse and cycle store strategy.
- Reduced footprint of the north tower.
- Provision of second internal stairwell to the northern block (Block B).
- Revisions to landscaping and communal terrace.
- Amendments to the approved energy strategy.
- Changes to employment floorspace

Demolition of the existing building and loss of the community facilities

7.2.1 This element of the scheme has already been approved by Members with no objection from the GLA and is not an issue for consideration under this application.

Principle of residential land use

7.2.2 This element of the scheme has already been approved by Members with no objection from the GLA and is not an issue for consideration under this application.

Employment Floorspace

7.2.3 The approved scheme included 443sqm of flexible commercial floorspace located across both blocks at ground and first floor level. This proposal will increase the space to 519sqm as most of the first floor of the South tower would be commercial, (the first floor of the North tower would now be solely residential). The changes are not considered to impact the acceptability of this element of the development.

Need for additional housing, residential density and housing mix

7.2.4 Policy H1 of the London Plan 2021 has set Merton a ten-year housing target of 9,180 new homes. By providing 98 new units the proposals would make a significant contribution to meeting that target and providing much needed new housing and assist

in the estate regeneration programme. Whilst the proposal would see a reduction in the number of units consented under 21/P1907 by 18 units, the changes to the layout of the development results in more affordable housing units and an increase in the number of larger units (with larger affordable units being particularly welcomed as it helps address housing need).

7.3 **Housing mix**

7.3.1 London Plan Policy H 10 'Housing size mix' is a newer more relevant policy on this subject that Merton's Sites and Policies Plan policy DM H2 which set out a roughly 1/3 split on 1, 2 and 3 bed units in new developments. Policy H 10 is less prescriptive and allows greater flexibility on size mix. This proposal removes the studio units and although there are a number of 1 bedroom units the proportions are reflective of other social housing provided locally by the applicant. Although the total number of units is reduced the proportions of 2 and 3 bedroom units is increased. The housing mix proposed is therefore considered acceptable.

7.4 **Affordable and accessible housing**

7.4.1 Policy H6 of the London Plan requires a minimum of 30% of units to be low cost rented homes (London Affordable Rent or Social Rent), 30% intermediate products and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products. This proposal is an increase of affordable housing from 40% (19% Affordable rent, 21% Intermediate) consent under LBM ref 21/P1907 to 100% affordable rented accommodation for which there is an identified need and which exceeds policy requirements.

7.5 **Accommodation and amenity standards**

7.5.1 In order to ensure a satisfactory standard of accommodation The London Plan 2021 and the DCLG Technical standards set out a minimum GIA that must be attained based on the number of bedrooms and intended number of future occupiers. The proposal includes 98 units, all of which meet with or exceed the proscribed minimum floor area requirements.

Amenity Space

7.5.2 All the units would meet the standard for private external amenity space however this proposal no longer includes the previously approved additional communal amenity space provision which would have been available at roof level in the North tower. The proposal would include the removal of the communal amenity space, however each of the flats would have their own private amenity space which complies with minimum policy standards, therefore there is no policy requirement for the rooftop communal amenity space to be provided.

7.5.3 Applicant response (in italics) re the loss of the upper-level amenity area;

We can confirm that there are no amenity terraces proposed as part of this scheme. Previously the permission scheme contained a shared roof terrace to the northern block. Now both terraces are only accessed for maintenance purposes only. Upon further review it was considered that only providing one terrace in the northern block would not have been fully inclusive for those living in the southern block. The removal of the terraces are also better for a management perspective and also for safety reasons. It is important to note that the previous amenity terrace was not considered as part of the play

provision, however, it should be noted that the overall play provision in the current S73 scheme has increased from 218m² to 306m² of dedicated play with a further 300m² of playable landscape. Overall, we consider that the removal of the terrace and the associated uplift in play to be a material benefit in this case.

- 7.5.4 Whilst there was no policy requirement to provide the communal amenity space, this formed part of the application before members of the planning committee when the original application was approved. Members will need to consider if the removal of the communal amenity space results in the quality of the development being materially diminished, paragraph 135 of the NPPF states:

“Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.

Dual Aspect

- 7.5.5 It is encouraged that wherever possible units should be dual aspect and on the approved scheme 72% would have been dual aspect. In this current proposal there would be a total of 17 single aspect units which equates to approximately 82% being dual aspect with none of the single aspect units being north facing and consequently on balance this is considered to be acceptable.

7.6 Inclusive and safe access

- 7.6.1 Policy D5 of the London Plan seeks to ensure that proposals achieve the highest standards of accessible and inclusive design. Any application should ensure that the development can be entered and used safely, easily and with dignity by all; is convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; is designed to incorporate safe and dignified emergency evacuation for all building users; and as a minimum at least one lift per core should be a fire evacuation lift suitable to be used to evacuate people who require level access from the building..

- 7.6.2 Policy D7 of the London Plan requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’ (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’. As the proposal would provide 12 (12.4%) wheelchair user dwellings (Part M4 (3) it meets this policy requirements and this can be secured through the use of conditions.

7.7 Fire safety

- 7.7.1 Policy D12 of the London Plan states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Additionally London Plan Policy D5(B5) requires developments to incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings.

- 7.7.2 A fire safety improvement over the approved scheme is the inclusion of a second stairwell in the North Tower which would bring it into compliance with current and emerging fire regulations and relevant policy, Part B of Schedule 1 to the Building Regulations 2010 (as amended), and the London Plan Policy D12 and D5(B5) which now requires a minimum of two escape stairs in residential buildings above 30m in height (measured from ground level to the upper most occupied storey).
- 7.7.3 The application was accompanied by a Fire Statement compiled by Design Fire Consultants, the author Ross Barritt-Metha BEng (Hons), MSc, CEng, MCIBSE has 18 yrs experience with the report being checked by Roy Little BEng, MSc, CEng, MIFireE, MSFPE who has 17 years experience, that set out the methods, products and materials to be used, means of escape, features to reduce fire risk to life, methods to minimise both internal and external fire spread, details of access and facilities for the fire service and future proofing the scheme against fire. The Fire Statement confirmed that The Fire Safety design of the proposed development, and the fire safety information contained within that Fire Statement, satisfies the requirements of London Plan Policy D12(A), D12(B) and D5(B5). A condition to ensure that appropriate Fire Safety considerations are secured by way of condition is recommended.

7.8 **Air quality**

- 7.8.1 The Site is located within the London Borough of Merton (LBoM) Air Quality Management Area (AQMA), declared due to exceedances of the annual mean Air Quality Objective (AQO) for nitrogen dioxide (NO2) and the 24-hour mean AQO for Particulate Matter (PM). The Site is also located in an area where air quality is mainly influenced by road traffic emissions along the A24 and the local road network and as such, elevated pollutant concentrations may be experienced at this location.
- 7.8.2 The variations sought by this application have no impact on the approved details and Environmental health officers have raised no objections or other issues.

7.9 **Children’s Play space**

- 7.9.1 London Plan Policy S4 seeks to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sqm. per child. The policy states that at a minimum, playspace for children under five should be provided on-site. Based on London Plan requirements, as a minimum the approved development was required to provide 218 sqm of playspace for under fives and a total playspace area of 452 sqm is required for all anticipated children. The originally submitted amended tenure mix of 100% social rented units saw the doorstep play requirement and child yield increase to a total of 928 sqm. However, with the change in the mix of housing sizes such that fewer three bedroom units are to be provided that requirements has dropped to 816sqm.

Play Yield Total	815.9 m2
Ages 0-3	281 m2
Ages 4-10:	297 m2
Ages 11-18:	237 m2

- 7.9.2 The approved housing mix generated a requirement of 400.2 sqm of play. However due to the confined nature of the site there is insufficient space on site to provide this level of play space although there are public parks in close proximity to the site. It

should be noted that the original scheme also didn't meet play space requirements albeit to a lesser level of shortfall. It is not considered that this would warrant a sustainable reason to refuse the application

7.9.3 The applicant response (in italics) on justification for the play space shortfall:

The principle objectives of the revised play and landscaping strategy has been to introduce multiple areas of quality open space across the site that maintain clear sight lines and create playable routes to maximise opportunities for children to explore and discover. The original scheme contained the main area of play in-between the two buildings which had limited character and did not fully optimise the sites potential for playable routes and landscapes. The revised landscape and play strategy provides varied play typologies to engage children across the site.

The amended tenure mix with 100% social rented unis sees the doorstep play requirement and child yield increase to a total of 815.9 sqm. As mentioned above, the designs have responded to this increased requirement through providing a higher quality offering across the site and by providing genuinely playable routes alongside areas of prescribed play.

The proposed scheme includes defined play areas with fixed play equipment, such as composite timber platforms, boulders and stepping stones, balancing logs and playground telephones. The defined areas of play measure 306 sqm. In addition, further areas onsite that offer play opportunity, but are not defined by prescriptive equipment, have been highlighted as playable offering incidental and play on the way opportunities that link together the wider play elements as part of a circulate route. These areas measure 300 sqm and include; a racetrack circulate route of playable lines with numbering / distance markers, gabions forming a balancing wall between playground telephones and composite timber platformers (among others). The play offer proposed exceeds that provided at the previous planning approval stage.”

7.10 **Design**

7.10.1 The NPPF states that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should ensure that they are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities).

7.10.2 Policies CS14, DMD1 & DMD2 require that new development reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the development would contribute positively to the character and appearance of the built environment. Policy DM D2 of Merton's SPP requires development to relate 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 and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

7.10.3 London Plan Policy D3 requires development proposals to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. Developments should

be of a high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

External Changes

- 7.10.4 The changes to the exterior of the building are relatively minor. In the South Tower the changes involve small adjustments to spacing between windows and inclusion of additional decorative 'window blanks' to east and west elevations. There are more changes with the North tower with a reduction in the overall building length of around 1850mm resulting in minor differences in appearance along the 'shoulder' portion of the building (ground floor to 8th floor). There would be a reduced floor plate from ground floor to 8th floor of around 20sqm which reduces the overall building footprint. On the East elevation there would be revised spacing between balconies in order to achieve higher levels of privacy to each unit and reductions in the number of windows to the east elevation in upper levels (9th to 12th floor). With fewer units there would be fewer external balconies.
- 7.10.5 At ground floor level the most noticeable change to the exterior would be a reduction in the length of the commercial frontage in the North tower. Overall, the exterior changes are considered relatively minor and would have no negative impact on the appearance of the buildings or their wider setting.

Height, bulk scale and massing

- 7.10.6 The issue of the height of the blocks has been one of the main concerns of objectors. However, the height of the Towers remains the same as that approved under 21/P1907 therefore this does not need to be reconsidered. As the north tower would be slightly narrower the scheme before members is a slight reduction in the overall massing of the development,

Site Layout

- 7.10.7 Generally the overall site layout remains a reflection of the approved scheme although the red line site boundary has changed such that a narrow triangular shaped piece of land between the North Tower and the roadway no longer forms part of the site. The position of the towers is broadly the same and the main access points remain the same. The changes to the outdoor layout mainly comprise the location of the bike stores, play areas and pathways.

Public Realm

- 7.10.8 Whilst the site fronts the River Wandle and the existing building is surrounded on three sides by foliage it is not readily accessible from the public realm and its appearance is generally one of a neglected poor quality natural environment. The redevelopment of the site incorporates substantial public realm improvements along the river front including a new foot bridge that would connect the river path on the western bank to the town centre via the site. The impact of the proposed variations is largely confined to within the site and as such are not considered to materially affect the public realm beyond what has already been approved.

Impact on the heritage assets

- 7.10.9 In considering the impact of a proposal upon a heritage asset that is a listed building the decision 'should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. For the approved scheme the assessment had to be made in terms of the impact on the Wandle Valley Conservation Area and upon those buildings at Merton Abbey Mills, namely two Grade II listed buildings the Wheel House and Colour House at Misters Liberty's Printworks. Additionally a number of locally listed buildings are also located in the vicinity of these Grade II listed buildings including the Showhouse, the Long Shop, the 1929 Shop, the Apprentice Shop, the Coles Shop and the Block Shop.
- 7.10.10 The impact of the overall scheme has been assessed previously and found acceptable and it is considered that there are no elements of these variations that would alter that previous determination.

7.11 **Safety and security**

- 7.11.1 Merton SPP Policy DM D2 requires development proposals to provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles. London Plan Policy D11 states boroughs should work with their local Metropolitan Police Service 'Design Out Crime' officers to identify the community safety needs, policies and sites required for their area to support provision of necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime.
- 7.11.2 The Designing out Crime officer (Metropolitan Police) has been consulted on this application and put forward a number of initial concerns in relation to uncontrolled access, the need to increase natural surveillance and remove concealment opportunities, improved signage, alarms/locks, CCTV and lighting. The applicant has noted these comments and the issue of crime prevention and a safe and secure environment is considered to be securable through the imposition of suitable conditions.
- 7.11.2 In response to the officer comments the applicants made the following comments,

"We felt that the majority of the comments were replicated from the original permission such as the use of hit- and miss brickwork and the need to incorporate CCTV, which we have responded to in the attached table.

We have, however, amended the scheme in response to officers comments in relation to the rear cycle doors in the northern block. The doors have been amended to include a single-leaf door from a double-leaf door. These are apparent in the recent plans submitted on the 25th of May.

Please note, SBD also commented that the location of the short stay cycles are not located near to primary entrance doors. Therefore, we have amended the location of some of the bays and provided additional short stays adjacent to the commercial unit in the northern block. This has been done to provide more external cycle bays near to the primary entrance of the commercial unit in the northern block.

In addition, the attached "response to case officer" (submitted on the 25th of May) shows the visibility of the external cycles. As demonstrated from the document, these are well located and visible from a number of vantage points

providing good natural surveillance. We therefore consider this aspect of the SBD comments have been addressed.”

7.12 Impact on neighbouring amenity

7.12.1 London Plan policy D3 and SPP policy DM D2 require that proposals do not have an unacceptable and materially harmful impact on neighbour amenity. The proposed height of the buildings has generated objection from neighbouring residents concerned about the impacts including loss of light and overshadowing, visual intrusion and loss of privacy.

7.12.2 The variations do not alter the height of the towers and do not introduce new windows or balconies, indeed there is some a reduction in balconies and therefore it is considered that the variations would not result in any material change in the amenity of neighbours beyond that from works already approved.

7.13 Transport, parking and cycle storage

7.13.1 Merton SPP Policy DM T2 seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Policy DM T3 seeks to ensure that the level of residential and non-residential parking and servicing provided is suitable for its location and managed to minimise its impact on local amenity and the road network.

7.13.2 Core Strategy Policy CS20 and SPP Policy DM T5 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management, that that they minimise any impacts on the safe movement of people or goods, are appropriately located and connected to the road hierarchy; respect the streets character and environment.

7.13.3 London Plan Policy T2 seeks to promote and demonstrate the application of the Mayor’s Healthy Streets Approach to: improve health and reduce health inequalities; reduce car dominance, ownership and use, road danger, severance, vehicle emissions and noise; increase walking, cycling and public transport use; improve street safety, comfort, convenience and amenity; and support these outcomes through sensitively designed freight facilities.

Car Parking

7.13.4 London Plan Policy T6 considers 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, with developments elsewhere designed to provide the minimum necessary parking (‘car-lite’). Car-free development has no general parking but should still provide disabled persons parking.

7.13.5 The site has a PTAL of 3-4 which is considered good to very good. The site is also bounded by Controlled Parking Zones, CPZs SW to the west, S3 and CW1 to the north, CW 2 & CW 5 to the east

7.13.6 The application makes no alterations to the quantum and type of parking on site. The development would remain car free with the exception of 3 disabled car parking spaces and adjacent servicing/delivery bay onsite (adjacent to the north tower). The number of flats has been reduced and commercial floor space increased in size, the Councils transport planner has raised no objection to car parking or servicing arrangements.

Cycle parking

- 7.13.7 Core Strategy Policy CS18 seeks to promote active transport by requiring new development to provide cycle parking, it encourages design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

Residential (cycle parking)

- 7.13.8 London Plan Policy T5 requires developments to provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2. The London Plan sets out cycle parking standards for residential development based on number of bedrooms at 1 space per studio or 1B1P dwelling, 1.5 spaces per 1B2P dwelling and 2 spaces per all other dwellings. In addition, visitor parking at 2 spaces for 5 to 40 dwellings and 1 space per 40 dwellings thereafter. The proposal provides a total of 178 long-stay and 4 visitor cycle bays for the residential element. The provision comprises a mix of storage types including tiered, Sheffield stands and spaces for larger cargo bikes. The cycle provision complies with London Plan standards

Commercial (cycle parking)

- 7.13.9 The London Plan sets out higher cycle parking standards for certain areas of London which includes LBM. For the commercial space therefore, 1 space per 175sqm long stay and 1 space per 20sqm short stay/ visitor cycle parking is required. A total of three long stay commercial cycle parking spaces will be provided as part of the development. These will be located within the commercial units. Commercial visitor cycle parking, comprising 24 spaces, along with the 4 visitor bays for the residential is provided across the site in the form of Sheffield stands. These are spread throughout the site will be provided within the urban realm in the form of Sheffield stands. These will be located in close proximity to the commercial units and along the river frontage

Brompton bikes & e-cargo bikes

- 7.13.10 On the approved scheme foldable Brompton bikes and an e-cargo bike were to be available for day-long rental on site. The Brompton bikes were to be accessible from a centrally located Brompton dock, situated between the two residential buildings and the e-cargo bike will be available for hire from one of the commercial units. As with the approved bike repair facility that was to be provided and be accessible to the public free of charge these services will no longer be provided. The applicants have stated that this facility was surplus to policy requirements, however like the loss of the communal amenity space, members will need to consider if the loss of this facility results in the quality of the development being materially diminished, paragraph 135 of the NPPF states:

“Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.

7.14 **Refuse**

- 7.14.1 Merton Core Strategy Policy CS17 requires new developments to demonstrate integrated, well-designed waste storage facilities that will include recycling facilities.

- 7.14.2 London Plan Policies SI 7 and SI 8 identifies that in order to manage London's waste sustainably, the waste management capacity of existing sites should be optimised and developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
- 7.14.3 The approved development had different tenures proposed with market units in the North Tower and social housing in the South Tower and each had its own refuse store which also reflected differences in site management. With the whole development proposed to be social housing the applicant submitted proposals for a single consolidated refuse store in the South Tower and no external refuse store waiting/collection area. Officers raised concerns that the applicants were putting the onus on the refuse collectors to enter the store, remove and then empty all the containers and then replace them which represented a significant time investment to the detriment of other residents. Additionally, only the closest receptacle in the store was in the 10m drag distance for operatives and the 30m distance for residents. The proposals would have required all the residents of the North tower to take their waste down in the lift, across the play area and into the refuse store.
- 7.14.4 After discussions with the applicant, officers have secured the reinstatement of a refuse store for each tower. The site operator will arrange for the refuse to be taken from each store to a dedicated temporary storage area on the morning of collection and then return the receptacles to their respective stores once they are empty.

7.15 Sustainability

- 7.15.1 London Plan Policies SI 2 and SI 5 expects a minimum on-site reduction of CO2 emissions at least 35 per cent beyond Building Regulations for major developments. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:
- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
 - 2) off-site provided that an alternative proposal is identified and delivery is certain. Development proposals should also achieve mains water consumption of 105 litres or less per head per day.
- 7.15.2 London Plan Policies SI 2 and Merton Core Strategy Policy CS15 seeks to maximise opportunities for on-site renewable energy, this includes the use of solar photovoltaics, heat pumps and solar thermal. London Plan policy SI 2 requires that development proposals should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 7.15.4 There are no fundamental sustainability issues in relation to this proposal. The Councils Climate Change Officer was satisfied that the applicants had submitted all the relevant information and has confirmed that the carbon offsetting contribution which would be reduced to £105,601.

7.16 **Biodiversity & Urban Greening**

- 7.16.1 Issues of Biodiversity were dealt with in the approved scheme but the applicants are now stating that scheme hereby submitted provides an enhanced urban greening of 0.573 in comparison to 0.45 that was approved within the original scheme. This demonstrates that the scheme exceeds the requirement set out at Policy G5 of the London Plan that requires an urban greening score of 0.40.
- 7.16.2 Details of the ecological mitigation, compensation and enhancement measures, confirmed as required following the suite of phase 2 protected species surveys, should be incorporated into an Ecological Management Plan (EMP) which should be secured by planning condition.

7.17 **Trees and landscaping**

- 7.17.1 Policy DM O2 seeks to protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified whilst London Plan policy G7 states that Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system.
- 7.17.2 The application was accompanied by a Landscape Comparator Document which has been considered by the Council's Trees officer who noted that the applicant recognised there were inconsistencies between the original consent and wanted an updated tree report. This resulted in an increase in the number of groups being surveyed as follows:

Original number: 34

Updated: 39

Total number of trees and groups within planning boundary:

Original: 27

Updated: 30

- 7.17.3 The current proposal cites the removal of 15 trees. These are made up of 14 single trees, and 1 group of Elder, meaning more than one small tree. The proposals include the remove of 2 areas of planting made up of Cherry Laurel and mixed shrubs. Previously, only 1 B2 tree was proposed for removal, but this has increased to 2 to include T13 as this clashes with the proposed footbridge.
- 7.17.4 The applicants states that 15 trees are to be removed and 15 are to be planted, seemingly on a 1 for 1 basis (although it does depend on how G14, the group of Elder is viewed). Most of the new trees will be planted to replace the large group ear-marked for removal numbered T22 - T34. 6 specimen shrubs are proposed, and 5 of those will be located within the same cluster of new trees. Officers are satisfied that the variations will not have a negative impact on trees and are therefore acceptable in this regard.

7.18 **Flood risk and drainage**

- 7.18.1 London Plan policy SI 12 and SPP policy DM F1 seek to ensure that developments are not at risk from nor contribute to flooding or increased flood risk. Despite the close proximity to the River Wandle the site is in Flood Zone 1 and has a low probability of

flooding from groundwater, fluvial and tidal sources and a very low probability of surface flooding. Areas of Flood Zone 3 are located to the west of the site associated with the river.

7.18.2 Given the nature of the variations it is not considered that there are any elements of them which would impact the previous assessment on flooding and drainage and that any previously imposed conditions can be suitably applied to this application. The EA raise no objection to the proposals.

7.19 **Site contamination**

7.19.1 SPP policy DM EP4 seeks to minimise pollution and protect residents and the environment from its effects. Issues relating to site contamination were addressed in the extant consent and there are no elements of this proposals that require them being revisited. The same condition should be applied.

8. **ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS.**

8.1 The applicants submitted requests for a screening opinion on the original proposals because the proposal site falls within a small outer boundary area of the Scheduled Ancient Monument, Merton Priory. As such the proposals comprise Schedule 2 Part 10(b) development due to part of the site falling within the curtilage of a defined 'sensitive area' i.e. a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979. These matters have been assessed in relation to the variations that have been sought and determined not to require an EIA submission.

9. **CONCLUSION**

9.1 The approved scheme provided 116 flats in two towers, the largest of which was for market sale or rent with the other tower providing a mixture of affordable rent and shared ownership. Whilst the number of units overall has decreased (which would not normally be encouraged by officers), in this instance, other material planning consideration are considered to outweigh the reduction of 16 units. The positive changes include an increase of affordable housing from 40% to 100% affordable rent across the whole redevelopment and an increase in the number of larger units which would meet an identified housing need (lack of larger affordable units being brought forward within the Borough).

9.2 There are no changes to the building height, external changes to the appearance of the buildings are considered to be minor and a slight reduction in the width of the north tower will result in a slightly less bulky development.

9.2 Given that the buildings are no bigger (slightly smaller) than the previously approved scheme and some balconies/windows have been removed, the proposed development is a slight improvement when considering neighbouring amenity.

9.3 In addition to changes to the layout of the flats, the proposal now needs to comply with updated fire requirements, the taller north tower requires a second internal stair core (which has been provided). The change to include a second stair core is considered to be an improvement for fire safety, which is considered to be a positive step.

- 9.4 The loss of the previously approved outdoor amenity area on the upper floor of the North Tower and loss of Brompton bikes & e-cargo bikes is a matter for consideration by members as set out in the report above.
- 9.3 Following discussions with officers, the scheme has been amended to reinclude bin storage facilities within each tower. The play space requirement for the proposed development would not meet policy requirements (but note neither did the original proposal), however given the constraints of this small site, officers consider that the lack of play space, when considered in the planning balance (with all other planning considerations) would not result in the refusal of planning permission.
- 9.4 The positioning of service/plant facilities and the commercial units have also changed to reflect changes sought by the site's new owners. Officers raise no objection to these changes.
- 9.5 On balance, the proposed development is considered to make some positive changes, including the increase in affordable housing provision onsite, and other changes to the scheme are still considered to be inline with the adopted planning policies.
- 9.6 Officer recommendation is therefore grant variation of condition and deed of variation to S106 agreement.

10. **RECOMMENDATION**

Grant variation to condition and deed of variation to S106 agreement:

The S106 agreement will be updated to include:

- Permit free development (amended to reflect change in flat numbers)
- Off site car club bays (amended to reflect change in flat numbers)
- Carbon-offset contributions of £ 105,601 (amended to reflect change to design)
- Public realm improvements including bridge maintenance (amended to reflect new application)
- Affordable housing provision (amended to reflect increase from 40% to 100%)

The planning conditions will be updated as follows:

1. A1 Commencement of Development

Condition 1 of planning permission 21/P1907 is varied as follows

The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of LBM permission 21/P1907 (dated 08/11/2022).

2. A7 Approved Plans

Condition 2 of planning permission 21/P1907 is varied as follows;

The development hereby permitted shall be carried out in accordance with the following approved plans: (see list of drawings at start of report)

3. B1 External Materials to be Approved – No development above foundation level within phase 2 shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. The phase 2 development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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 T4 and T7 of the London Plan 2021, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

5. Prior to the occupation of uses within phase 2, an external lighting scheme shall be submitted to the Local Planning Authority. The proposed lighting scheme must be submitted for written approval with confirmation that the lighting plan has been approved and signed off by a licensed Bat Ecologist prior to its finalisation to ensure the scheme is suitable for bats. Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

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: policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014.

6. Prior to the commencement of above ground level works within Phase 2 a Fire Safety Strategy shall be submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the residential development hereby approved the Fire safety measures detailed in the approved document shall be implemented and retained thereafter unless or until they require amendment in accordance with updated Fire Safety Regulations.

Reason to provide a safe living environment and to reduce the risk of fire related danger in accordance with London Plan 2021 policy D12 and Merton Sites and Policies Plan 2014 policy DM D2.

7. Phase 2 of the development shall not be occupied until a Parking Design & Management Strategy has been submitted in writing for approval to the Local Planning Authority. No works that is subject of this condition shall be carried out until this strategy has been approved, and the development shall not be occupied until this strategy has been approved and the measures as approved have been

implemented. Those measures shall be maintained for the duration of the use unless the prior written approval of the Local Planning Authority is obtained to any variation

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policies T6, T6.1 & T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

8. Provision of Vehicle parking - The car parking area shown on the approved plan 172 GSA XX XX DR A 6000 Rev W2-07, shall be provided prior to the occupation of phase 2 and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy T6 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

9. Prior to the occupation of the commercial and residential use within phase 2, 2 metre x 2 metre pedestrian visibility splays shall be provided either side of the vehicular access to the site. Any objects within the visibility splays shall not exceed a height of 0.6 metres.

Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

10. Following the completion of the development within phase 2, none of the residential units and commercial units within that phase shall be occupied until a Delivery and Servicing Plan (the Plan) has been submitted in writing for approval to the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented in accordance with the approved plan. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use, unless the prior written approval of the Local Planning Authority is 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: policy T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

11. Prior to the commencement of the phase 1 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 commencement of phase 1 hereby permitted and shall be so maintained for the duration of phase 2 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.

12. Prior to the commencement of development, excluding demolition, details of the proposed vehicular access to serve the development shall be submitted to and approved in writing by the Local Planning Authority, and the works as approved shall be completed prior to the first occupation of the development. The development hereby approved shall not be occupied until the proposed vehicle access has been sited and laid out in accordance with the approved plans

Reason: To ensure the safety of vehicles and pedestrians.

13. The phase 2 development shall not be occupied until the secure cycle parking facilities for the occupants of, and visitors to, the development shown on the approved drawings have been fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

14. The phased development hereby approved shall be carried out in accordance with Arboricultural method statement and Tree protection plan (Greengage, May 2021) submitted and approved with the planning application.

Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy DM O2 of Merton's Sites and Policies Plan 2014.

15. The phased development shall be carried out in accordance with Chapter 5 of the Ecology Report titled 'Preliminary Ecological Assessment dated April 2021 by Greengage'. Within 6 months of the completion of the works hereby permitted, an Ecological Management and Enhancement Plan detailing how the mitigation and Enhancement measures within Chapter 5 of the report above have been complied with, shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To protect, enhance and mitigate the biodiversity of the site in accordance with the following Development Plan policies for Merton: policies G6 and G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

16. Prior to the commencement of the demolition within phase 1, a Demolition and Construction and Environment Method Plan shall be submitted to and approved in writing by the local Planning Authority. This must also include, but not be limited to
 - 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 viewing, where appropriate
 - wheel washing facilities
 - measures to control emission of noise and vibration during construction.
 - Measures to control the emission of dust and dirt during construction / demolition and a scheme for recycling / disposing of waste resulting from demolition and construction works.
 - the management and protection of the River Wandle and the site during construction and the sequencing of works
 - the environmental protection measures associated with the method of working. .

Reason; (i) To reduce the risk of harm to the River Wandle and the Green Corridor from the proposed development in accordance with London Plan policies G1, G6 and SI 16. And; (ii) 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.

Note original condition **DISCHARGED** - updated if application is approved by PAC

17. A Landscape Management Plan, including long-term design objectives, management responsibilities & maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by, the Local Planning Authority prior to the occupation of the first residential unit within phase 2. The LMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the LPA. The scheme shall include the following elements: i) Details of any proposed planting scheme (native species of local provenance should be used). ii) Details demonstrating how the river buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of a detailed management plan. iii) Details of the longer-term management of invasive non-native species should also be included in addition to details of long-term biodiversity management.

Reason; To minimise impacts on and providing net gains for biodiversity from any new proposed development in accordance with Paragraph 174 of the National Planning Policy Framework.

18. No part of the residential accommodation in phase 2 hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the residential development has achieved CO₂ reductions in accordance with those outlined in the energy statement addendum (dated 28th September 2022) and wholesome water consumption rates of no greater than 105 litres per person per day has been submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

19. Unless otherwise agreed in writing by the Local Planning Authority, no part of non-residential floorspace in phase 2 shall be used or occupied until evidence demonstrating that the development has achieved CO₂ reductions in accordance with those outlined in the energy statement addendum (dated 28th September 2022), has been submitted to and acknowledged in writing by the Local Planning Authority.'

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy SI2 of the London Plan 2021 and policy CS15 of Merton's Core Planning Strategy 2011.

20. No development other than demolition within phase 1 shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority evidence demonstrating that the development has been designed to enable connection of the site to an existing or future district heating network, in accordance with the Technical Standards of the London Heat Network Manual (2014).'

Reason: To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic), and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating, in accordance with London Plan policies SI2 and SI3.

21. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new owner, if applicable), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon (WLC) Assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk. The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI 2 of the London Plan.

22. The development shall be implemented in accordance with the recommendations of the Circular Economy Statement compiled by Stroma Ltd which sets out what measures would be incorporated at the site, through the design progression and demolition and construction phases to ensure that the principles of a circular economy are met.

Reason To support the goals of resource conservation, waste reduction, material re-use and recycling and reductions in waste in accordance with policy SI 7 of the London Plan 2021

23. Prior to the commencement of development, including demolition, a detailed Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include: a) An Air quality management plan b) Construction environmental management plan The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not raise local environment impacts and pollution in accordance with policy DM EP 4 of Merton's Sites and Policies Plan 2014.

Note original condition **DISCHARGED** - updated if application is approved by PAC

24. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the demolition, site preparation and construction

phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To manage and prevent further deterioration of existing low-quality air across London in accordance with London Plan policy SI 1.

25. No development, other than demolition, shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components: A site investigation scheme with a detailed risk assessment, an options appraisal & remediation strategy giving full details of the remediation measures required & how they are to be undertaken and in the case that remediation works are required, a verification plan to demonstrate that the works set out in the remediation strategy are complete. Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

26. Prior to any part of phase 2 being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation if required shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

27. If, during development either in phase 1 or 2, contamination not previously identified is found to be present at the site then no further development will continue or commence on that part of the site where the contamination has been identified (unless otherwise agreed in writing with the Local Planning Authority) until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

28. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by Waterman April 2021

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework and policy DM EP4 of Merton's Sites and Policies Plan 2014.

29. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework

30. The phased development shall be carried out in accordance with the submitted flood risk assessment (ref April 2021/WIE17026-100-R-2-3-1-FRA/Waterman Infrastructure & Environment Limited) and the following mitigation measures it details: Ground levels shall remain as detailed in paragraph 3.3, Setback shall be as detailed in paragraphs 3.5, 3.6, 3.7 Bridge shall be designed as detailed in paragraph 3.9 These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason To reduce the risk of flooding to the proposed development, future occupants and not to increase flood risk elsewhere in accordance with Paragraph 164 of the National Planning Policy Framework and policy DM F1 of Merton's Sites and Policies Plan 2014.

31. Due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the phase 2. The scheme is to include acoustic data for the glazing system and ventilation system. The internal noise levels shall meet those within B88233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and ProPG: Planning and Noise- Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 as a minimum. The approved scheme shall be implemented in accordance with the agreed details

Reason To protect resident amenity from noise in accordance with London Plan 2021 policy D14 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

32. 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, unless otherwise agreed in writing with the local planning authority.

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: policies D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Polices Plan 2014.

33. Original wording - No demolition within phase 1 shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and A. The programme and methodology of site investigation and recording and the Nomination of a competent person(s) or organisation to undertake the agreed works B. Where appropriate, details of a programme for delivering related positive public benefits C. The programme for post-investigation assessment and subsequent analysis, Publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI Reason: This pre-commencement condition is necessary to safeguard the archaeological interest on this site in accordance with London Plan 2021 policy HC1 and SPP policy DM D4. The works shall be undertaken in accordance with the requirements set out in the Historic England Application for Scheduled Monument Consent Letter Ref S00241496 dated July 2021.

Reason: To ensure the protection of the Scheduled Ancient Monument in accordance with the Ancient Monuments and Archaeological Areas Act 1979 (as amended); Section 2 control of works and with London Plan 2021 policy HC1 and SPP policy DM D4.

Note original condition **DISCHARGED** - updated if application is approved by PAC

34. A The development within phase 2 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 above ground works within phase 2 and shall be implemented in accordance with the approved details prior to occupation of uses within phase 2 B. Prior to occupation of phase 2 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 D.11 Safety, security, and resilience to emergency of the London Plan.

35. The approved development shall be carried out in phases. The phased redevelopment of the site shall comprise the following: Phase 1: demolition and removal from the site of all existing buildings and structures, above and below ground, and all waste materials; and Phase 2: provision of a mixed-use development comprising commercial floorspace (Class E) and residential apartments (Class C3) across two separate buildings together with associated car and cycle parking, hard and soft landscaping works and associated infrastructure including the construction of a footbridge.

Reason: To ensure that the development of the site proceeds in a coordinated manner that reduces the potential for impact on the amenities of the occupants, both business and residential, of the surrounding area, impact on the River Wandle, and impact on the operation of the surrounding highway network, in terms of dust, noise, and vehicle movements and the duration of those impacts and to comply with London Plan 2021 policies D14, SI1, SI16, SI17, T4, T7, Merton Sites and Policies Plan 2014 policies DM.EP2, DM.EP4, and DM.T2, Merton Local Development Framework 2011 policies CS.5, CS.13, and CS20 and to further the objectives of the Merton's Air Quality SPD 2021.

36. Informative, Whole Life-Cycle Carbon Assessment; The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used.
37. Informative, Demolition and Construction Environmental Management Plan The Air quality management plan should identify the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring. The Construction environmental management plan should identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.
38. Informative, The contamination strategy will include a site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The results of the site investigation and the detailed risk assessment should form an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. In the case that remediation works are required by the remediation strategy, a verification plan should provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identify any requirements for longer term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.