

PLANNING APPLICATIONS COMMITTEE 13 November 2014

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P2817	22/07/2014
Address:	Holt Lodge and Holt Cottage, London Road, Morden, SM4 5AN	
Ward:	Merton Park	
Proposal:	Application for planning permission for the demolition of the single storey building providing a car sales office [22 square metres], and the existing two storey buildings [that provide a three bedroom house, and 2 two bedroom flats] on land known as Holt Lodge and Holt Cottage [located between The Holt and 190-192 London Road] and the construction of two new buildings consisting of a vehicle repair workshop [Use Class B2 and 235 square metres] at the front of the site with a front yard using the existing vehicular access from London Road and a three storey building at the rear of the site providing 9 flats [6 two bedroom flats and 3 one bedroom flats] with pedestrian access to London Road.	
Drawing No's:	597/001 P1; 597/010 P2; 597/011 P2; 597/012 P2; 597/013 P1; 597/015 P1; 597/016 P1; 597/018 P2; 597/019 P1; Design and Access Statement [rev 24/10/14]; Sunlight and Daylight Report; Contaminated Land 'Desktop Study Report'.	
Contact Officer:	Tony Ryan [020 8545 3114]	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions.

CHECKLIST INFORMATION.

- S106: N/A
 - Has an Environmental Impact Assessment been submitted: No
 - Site notice: Yes
 - Design Review Panel consulted: No
 - Archaeological Priority Zone: Yes
 - Area at risk of flooding: No;
 - Controlled Parking Zone: No [Zone M1 located to the north and west of the site]
 - Conservation Area: No;
 - Trees: No protected trees [trees to the rear of 'The Holt' protected by a Tree Preservation Order]
 - Number of neighbours consulted: 107
 - Sites and Policies Plan: None [outside formal boundary of Morden Town Centre].
 - External consultations – Secure by Design Officer, Transport for London and English Heritage.
 - PTAL: 5 [TFL Planning Information Database];
 - Density – 500 habitable rooms per hectare [24HR 'residential site' area of 0.05H]
 - Number of jobs created: 1
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1. INTRODUCTION

- 1.1 This application is brought to the Planning Applications Committee for Members' consideration due the level of public interest shown in this proposal as a result of public consultation.

2. SITE AND SURROUNDINGS

- 2.1 The irregular shaped application site (0.08 hectares) is located on the north west side of London Road between Morden Town Centre and the London Road junction with Goodwood Close. London Road is a classified road [A24] which is part of the Transport for London Road Network (TLRN or 'Red Route') and carries a large quantity of traffic as a busy arterial thoroughfare running from Morden to Epsom and to the M25 motorway beyond.
- 2.2 The application site fronting London Road has a 'T' shape footprint extending 55 metres back from the front boundary but also extending behind the neighbouring two storey residential building to the south west at 190 and 192 London Road. The front part of the site is currently used for the display and sale of used motor vehicles with a dropped kerb providing vehicular access on to London Road.
- 2.3 A small single storey temporary building [9 metres long by 3 metres wide by 3 metres high] until recently provided on the application site was used as an office for the car sales use. This building was located adjacent to the side elevation of 190 and 192 London Road. This existing motor car sales business on the application site [Site A] and the nearby car repair use ['Crystal Autocare' Northolt Works, 176 London Road or 'Site B'] are both owned and operated by the applicant.
- 2.4 The rear part of the application site is occupied by two semi-detached residential buildings called Holt Cottage and Holt Lodge. These buildings have roof eaves at a height of 4 metres and a roof ridge height of 7 metres high. These pitched roofed buildings provide residential accommodation at ground floor level and within the building roof space and have external amenity areas provided to the rear. Holt Lodge provides a three bedroom house [that is occupied by the applicant], Holt Cottage originally provided a three bedroom house but this has divided into 2, rented two bedroom flats.
- 2.5 The existing pedestrian access to the residential accommodation on the application site is provided by a pathway that is located between the car sales use and the boundary with 190 and 192 London Road. This pathway is alongside a line of tall fir trees that are located on the boundary between 190-192 London Road and front part of the application site.
- 2.6 To the north east of the site is the three storey residential building called 'The Holt'; with this building providing 46 flats. The 50 metre long side elevation of 'The Holt' is separated from the application site by a private road providing vehicle access to a separate car parking area to the rear of the application site. A garage court associated with Hatherleigh House [three storey building providing 18 flats] and the two storey building at 190-192 London Road providing two maisonettes are located to the south west of the application site,

- 2.7 The site is located in an archaeological priority zone. The site is not located in an area at risk from flooding. The site is not in a conservation area and there are no buildings either on the site or nearby that are on the statutory or local list of historically important buildings. The site is not located in a controlled parking zone however areas to the north east in London Road and to the north west are in Zone M1.
- 2.8 A bus lane running pass the site operates between 7am to 10am Monday to Saturday. Single red line parking restrictions operate outside the application site between Monday and Saturday 7am to 7pm with a car parking bay for four cars allowing restricted parking after 10am. The site has a public transport accessibility level of 5 with Morden South mainline station located 290 metres to the south west and Morden Underground station 550 metres to the north east.

3. CURRENT PROPOSAL

- 3.1 The current submission is one of three connected planning applications that are linked with two separate development sites on London Road Morden. These two application sites are annotated on the submitted drawings as 'Site A' [Holt Lodge and Holt Cottage - existing car sales and residential use] and 'Site B' [Northolt Works, Crystal Autocare - existing motor vehicle repair use].
- 3.2 The three planning applications are only linked as they have been submitted by the same applicant and as the majority of the land on the two sites is also owned by the applicant. Whilst the applicant may require all three planning applications to be approved for this project to go ahead, the planning applications should be considered individually.
- 3.3 It is confirmed that there are no planning grounds to link the three planning applications together, there are no planning grounds that would require all three applications to proceed in order for them to be acceptable or no planning grounds that would require the same decision to be taken on all three of the planning applications.

First planning application under reference 14/p2917

- 3.4 The first application for outline planning permission has been submitted in relation to Northolt Works Crystal Autocare [Site B], this planning application is considered in a separate committee report.
- 3.5 Site B is located to the rear of the existing residential building called Homefield. In summary this planning application involves the demolition of the existing car repair workshop building and the redevelopment of the site for residential use. The development provides 12 flats [8 two bedroom, 3 one bedroom flats and 1 two bedroom maisonette] in a part two, part three storey building.

Second planning application under reference 14/p2817

- 3.6 This committee report considers the second submitted planning application which relates to Site A [Holt Lodge and Holt Cottage - existing car sales and residential use].
- 3.7 The planning application involves the removal of the existing car sales building on Site A and the demolition of the existing residential buildings. A new building providing a car repair workshop is proposed at the front of the site [car repair use is to be relocated from Site B to Site A] with a three storey building at the rear of the site providing 9 flats [6 two bedroom flats and 3 one bedroom flats] with pedestrian access to London Road.
- 3.8 The proposed workshop building is set back 12 metres from the front boundary of the application site. The front elevation of the proposed workshop building is located 4 metres behind the two storey projecting front bay on the adjacent residential building at 190 and 192 London Road but in line with the main front elevation of this adjacent building.
- 3.9 The proposed workshop building has a pitched roof, with a roof eaves height of 5.3 metres and a roof ridge height of 6 metres. The building provides a workshop area of 190 square metres with additional office and staff facilities and a mezzanine storage area of 17 square metres. The land to the front of the proposed workshop building provides a yard and a separate off street car parking space [designed for a person with disabilities] with vehicular access on to London Road. A further small external yard is provided to the rear of the workshop building.

Table 1: Gross Internal areas and amenity space provision

Unit	Floor	Bedrooms	Bedroom spaces	Floor area [Sq. M]	London Plan standard [Sq. M]	External amenity [Sq. M]		Sites and Policies Plan standard
						Garden	Balcony	
1	Ground	2	3	63	61	27	-	6
2	Ground	1	2	51	50	16	-	5
3	Ground	2	3	74	61	81	-	6
4	First	2	3	68	61	-	6	6
5	First	1	2	51	50	-	5	5
6	First	2	3	74	61	-	6	6
7	Second	2	3	68	61	-	6	6
8	Second	1	2	51	50	-	5	5
9	Second	2	3	74	61	-	6	6

- 3.10 The table above sets out information on the size of the proposed residential units at the rear of the site, the level of external amenity space provided for future occupants and the minimum standards set out in planning policy.
- 3.11 The proposal involves the demolition of the existing two storey residential pitched roof buildings at the rear of the application site known as Holt Lodge and Holt Cottage. These buildings currently provide a three bedroom house, and 2 two bedroom flats. A replacement three storey flat roof residential building at the rear of the site will provide 9 flats [6 two bedroom flats and 3 one bedroom flats]. The proposed residential building retains the existing access arrangements with a pedestrian pathway provided adjacent to 190-192 London Road.

Third planning application under reference 14/p2893

- 3.12 The third and final application is for advertisement consent to display an internally illuminated totem sign adjacent to London Road. This sign that is associated with the relocated car repair use measures 3.3 metres high by 1.1 metres wide and 0.4 metres thick. This sign and application for advertisement consent is considered in a separate committee report.

4. PLANNING HISTORY.

- 4.1 There is no relevant planning history.

5. CONSULTATION

- 5.1 Prior to the submission of the current planning application the applicant distributed letters to local addresses inviting residents to one of two pre-application consultation events. These events that were attended by the project architects and the applicant took place between 6pm and 8pm on the 26 and 31 March 2014 at the existing car workshop on Site B. A total of 28 people attended these sessions.
- 5.2 The applicant has reported that the following general comments were received as a result of this pre-application consultation with nearby residents.
- There are concerns about the possible impact of the proposals and ‘...any application in respect of the proposed works will be strongly opposed...’;
 - Apart from concerns about car parking there is support for the proposals;
 - There will be an increase in parking demand which may result in unlawful parking;
 - Concerns about overlooking;
 - The new location of the garage will change the character of the area;
 - Concern about noise levels from the garage;
 - Concern about the loss of daylight;
 - The proposals will improve the area and provide additional housing;
 - The proposals are appropriate for the setting.
- 5.3 The submitted planning application was publicised by means of a site notice, press notice and individual consultation letters sent to 107 neighbouring properties. As a result of this consultation sixteen letters have been received objecting to the proposal on the following grounds:

- Noise disturbance: the proposal will lead to noise disturbance for adjacent residents;
- Restriction on hours: If allowed there should be restrictions on the timing of hours of commercial operation;
- Restrictions on parking: If allowed there should be restrictions preventing future customers from parking on adjacent private land;
- Air pollution and chemical hazards: the proposal will cause air pollution for adjacent residents and possible chemical or hazardous waste issues;
- Parking: The proposal will increase the pressure on limited local parking provision and lead to illegal parking including on adjacent private land;
- Parking: There is insufficient parking provided for the repair use
- Traffic: The proposal will lead to an increase in local traffic;
- Obstruction to footpaths: The development is likely to lead to the obstruction of a footpath to Merton College.
- Impact on the neighbourhood: The proposal would attract strangers and vehicles damaging the character of the existing area;
- Impact on the neighbourhood: There is a concern about the impact of the proposal on the safety of children playing on adjacent residential land;
- Local character: The proposal is not considered in keeping with the local area and should be located in a 'designated commercial area'.
- Local character: The proposal will make the local area 'less inviting and 'less picturesque'.
- Site Size: The size of the site is too small for the proposal;
- Design: The design of the building is 'very harsh' and not in keeping with adjacent buildings;
- Property values: The development will lead to a fall in local property values;
- Footfall: there is a concern about the increased footfall from the proposal;
- Need: There is no information on the need for the relocation of the car repair use;
- Transport Statement: There is no transport statement or technical traffic information with the planning application;
- Design and Access Statement: The submitted statement is inadequate;
- Cumulative Impact: There is no evidence that the applicant has assessed the impact of both proposals;
- Quality of life: The proposal will damage the quality of life for adjacent residents;
- Loss of light: The proposal will lead to a loss of light to adjacent residents;
- Construction work: The construction work will be disruptive, in terms of noise and timing;
- Antisocial problems: The proposal will harm the efforts by local residents to deal with local issues of fly tipping and drug use;
- Loss of view and privacy. The feeling of privacy and views towards Morden Park will be lost;
- Future changes: There will be no control over future changes in the use of the commercial building.

- 5.4 One letter of received in support of the planning application from a resident of The Holt for the following reasons:
- The proposal will provide much needed housing;
 - The proposal will replace an out of date workshop that does not meet modern standards;
 - The proposal will provide a modern 'one-stop-shop';
 - The proposal will benefit the community with improvements to the environment and appearance.
- 5.5 Transport for London There is no objection to the planning application subject to the following points:
- safe passage is maintained for pedestrians and road users during the duration of construction works;
 - vehicles associated with the proposed development should meet existing on street restrictions;
 - No skips or construction materials should be kept on the pavement or the road;
 - A planning condition is used to secure a Construction Logistics Plan which should be subject to approval by Transport for London.
- 5.6 Transport for London welcome the fact that the development only provides one off street parking space and 12 cycle parking spaces. The cycle parking should be fully undercover.
- 5.7 With the small expected increase in traffic as a result of the proposed development and small number of collisions the existing road layout outside the site is considered acceptable and there are no plans to extend the existing central reservation past the application site.
- 5.8 Metropolitan Police Designing Out Crime Officer There is no objection to the proposal on the basis that the recommendations made to the applicant at the pre-application appear to have been implemented and on the basis that Secured by Design principles are incorporated into this development.
- 5.9 English Heritage [Archaeology] There is no objection to the proposal on the basis that planning conditions are used to preserve the archaeological interest that is expected to have survived on the application site.
- 5.10 LB Merton Transport Planning There is no objection to the development subject to adequate control of access arrangements, construction deliveries and cycle parking through planning conditions. Planning conditions are recommended requiring further details of the cycle parking, and for the submission of a Delivery and Servicing Plan and a Construction Logistics Plan.
- 5.11 LB Merton Environmental Health There is no objection to the development subject to planning conditions requesting an assessment of potential noise from the commercial use and the submission and approval of measures to protect adjacent occupiers from potential noise disturbance.

5.12 London Borough of Sutton There is no objection to the development.

6. POLICY CONTEXT

The London Plan [July 2011].

6.1 The relevant policies in the London Plan [July 2011] are 3.3 [Increasing housing supply]; 3.4 [Optimising housing potential]; 3.5 [Quality and design of housing developments]; 3.6 [Children and young people's play and informal recreation facilities]; 3.8 [Housing choice]; 3.9 [Mixed and balanced communities]; 3.11 [Affordable housing targets]; 4.1 [Developing London's Economy]; 4.4 [Managing industrial land and premises]; 5.1 [Climate change mitigation]; 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.10 [Urban greening]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.3 [Designing out crime]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.8 [Heritage assets and archaeology]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes]; 7.21 [Trees and woodlands] and 8.2 [Planning obligations].

Mayor of London Supplementary Planning Guidance

6.2 The following supplementary planning guidance is considered relevant to the proposals: Supplementary Planning Guidance on Housing (2012).

Merton Supplementary Planning Guidance

6.3 The key supplementary planning guidance relevant to the proposals includes New Residential Development [1999]; Design [2004] and Planning Obligations [2006].

Merton LDF Core Planning Strategy [adopted July 2011]

6.4 The relevant policies within the Council's Adopted Core Strategy [July 2011] are CS.8 [Housing choice]; CS.9 [Housing provision]; CS.13 [Open space; nature conservation; leisure and culture]; CS.14 [Design]; CS.15 [Climate change]; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

Merton Sites and Policies Plan [adopted July 2014]

6.5 The London Borough of Merton 'Sites and Policies Plan' was formally adopted by the Council on the 9 July 2014. The relevant policies within the Sites and Policies Plan are as follows: DMD1 [Urban Design and the Public Realm]; DMD2 [Design Considerations and the Public Realm]; DM D4 Managing heritage assets DME1 [Employment Areas in Merton]; DME3 [Protection of scattered employment sites]; DMEP2 [Reducing and mitigating against noise]; DMEP4 [Pollutants]; DM T1 [Support for sustainable travel and active travel]; DM T2 [Transport impacts from development]; and DMT3 [Car parking and servicing standards].

National Planning Policy Framework [March 2012]

6.6 The National Planning Policy Framework [NPPF] was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy

Guidance Notes and Planning Policy Statements. This document is a key part of central government reforms ‘...to make the planning system less complex and more accessible, and to promote sustainable growth’.

- 6.7 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.
- 6.8 The NPPF states that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 6.9 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities should look for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.
- 6.10 The National Planning Policy Framework [NPPF] urges local authorities to significantly boost the supply of housing. Local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed need for market and affordable housing in the housing market area, as far as is consistent with other policies set out in the NPPF. This process should include identifying key sites that are critical to the delivery of the housing strategy over the plan period.
- 6.11 The National Planning Policy Framework states that local authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing
- The principle of development in terms of the loss of the existing residential buildings at the rear of the application site; and the loss of the existing non-residential use at the front of the site;
 - The standard of the replacement residential floor space;

- Potential issues relating to building siting, layout, design, appearance and ground contamination;
- Potential Impact on the amenities of adjacent residential occupiers in terms of privacy, sunlight and daylight; and
- Potential issues relating to traffic generation, transport and car parking.

Existing and proposed land uses

Loss of the existing employment use

- 7.2 The existing motor vehicle sales use does not fall into any of the normal planning use classes [‘sui generis’ use] and adopted planning policies do not seek to protect such uses. The supporting text to policy DM E1 of the Sites and Policies Plan states that sui generis uses must be treated on their individual merits and considered on a site-by-site basis.
- 7.3 Policy DM E1 advises that the council will support proposals for the redevelopment of existing underused employment land. It is considered that land used for the car sales use is underused employment land and the current proposal involves the redevelopment of this land and will ensure that the land supports future employment. The proposal will allow more efficient use of the land on the application site that is located in a sustainable location with a high level of access to public transport.
- 7.4 The following table sets out existing and proposed employment land provision in terms of the current application site at Holt Cottage and Holt Lodge [Site A] and the nearby site of Northolt Works Crystal Autocare[Site B] that is considered in a separate planning application.

Table 2: Employment comparison

Site	Employment Floor space (square metres)	Site area		No. of jobs supported	
		Hectares	Square metres	Part Time	Full Time
Site A: existing	22*	0.08	848	0	0
Site A: proposed	235	0.08	848	1	5
Site B: existing	500	0.09	903	1	4
Site B: proposed	0	0.09	903	0	0

* The temporary car sales building [22 square metres] was recently removed from the site.

Loss of the existing residential use

- 7.5 Core Strategy policy CS9 states that the council will not support proposals that result in a net loss of residential units. The application site currently provides two residential buildings called Holt Cottage and Holt Lodge that

provide a three bedroom house, and 2 two bedroom flats. These buildings will be demolished as part of the proposed development.

- 7.6 The proposed development will increase the number of residential units provided on the current application site providing 9 flats [6 two bedroom flats and 3 one bedroom flats] and the development is considered in line with policy CS9. It is highlighted that Holt Lodge has building structure issues caused by a long standing damp problem that has meant that a room in the house is uninhabitable and others have visible damp marks.

Need for additional housing

- 7.7 The National Planning Policy Framework [March 2012] requires the Council to identify a supply of specific ‘deliverable’ sites sufficient to provide five years’ worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.8 Policy CS. 9 within the Council’s Adopted Core Strategy [July 2011] and policy 3.3 of the London Plan [July 2011] state that the Council will work with housing providers to provide a minimum of 4,800 additional homes [320 new dwellings annually] between 2011 and 2026. This minimum target that should be exceeded where possible including a minimum of 1450 to 1800 homes in the Morden sub area where the proposal site is located.

Table 3: Residential accommodation comparison

Site	Total number of units	Unit type and number of bedrooms			
		One bedroom flat	Two bedroom flat	Two bedroom maisonette	Three bedroom house
Site A: existing	3	0	2	0	1
Site A: proposed	9	3	6	0	0
Site B: existing	0	0	0	0	0
Site B: proposed	12	3	8	1	0
Totals	+18	+6	+12	+1	-1

- 7.9 The adopted Core Strategy states that the Council will encourage residential accommodation in ‘sustainable brownfield locations’. The application site is on brownfield land and in a sustainable location adjacent to other existing residential properties. The site benefits from good access to public transport and with Morden town centre and a number of railway stations located nearby and other local facilities that are accessible without the use of a car.

- 7.10 This site is considered suitable for additional housing provision and the proposed redevelopment will help meet the housing target set out in policy CS.9. In this context an increase in the development density on this site and the provision of residential development has “in principle” support subject to consideration of other matters such as the employment issues already set out above, design, bulk, scale and layout, the standard of accommodation and the impact on amenity.

Residential density

- 7.11 The London Plan states that in urban areas such as the application site with a Public Transport Accessibility Level of 5 the residential density should be within a range of 200 to 700 habitable rooms per hectare. The proposal includes a mixed use development of commercial and residential floor space. The whole site covers an area of 0.08 hectares and within this the residential part of the site covers 0.05 hectares.
- 7.12 With the residential part of the development providing a total of 24 habitable rooms the residential density of the development is 500 habitable rooms per hectare. This residential density is within the range of 200 to 700 habitable rooms per hectare set out in the London Plan and this is considered acceptable for this location.

Housing mix

- 7.13 Policy CS. 8 within the Council’s Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units. The application site is located in an area, where there is currently a mixture of housing types with terraced and semi-detached houses at the rear of the site and maisonettes and flats adjacent to the site in London Road. The current application provides 9 residential units consisting of 3 one bedroom flats and 6 two bedroom flats and this mix is considered appropriate in this location.
- 7.14 In conclusion, the proposal will increase the provision of residential accommodation available locally. It is considered that the current proposal will contribute towards the creation of a socially mixed and sustainable neighbourhood in accordance with Core Strategy policy CS8.

Proposed location of the car repair workshop

- 7.15 Whilst the area immediately surrounding the proposal site is predominantly residential in character there are various commercial uses operating nearby. On the south east side of London Road, the three storey flat roofed rendered building called Morden Court Parade provides commercial uses at ground floor level with residential accommodation above. These commercial uses include a motorcycle shop.
- 7.16 The entrance to the train depot that maintains Northern Line underground trains is located on the opposite side of London Road adjacent to the Mosque. The lawful use of the site at 166-168 London Road is as a Milk depot [Use Class B8]. The large site at 166 to 168 London Road [0.24 Hectares] is a

vacant commercial site with a two storey building fronting London Road that has a permitted use for storage and distribution [Milk depot – Use Class B8].

- 7.17 Northholt Works Crystal Autocare [Site B] is located nearby to the rear of the residential building called ‘Homefield’. This site currently provides a motor vehicle repair business with signage associated with this use provided at the entrance on to London Road. A hand car wash also currently occupies land adjacent to the London Road entrance to Northholt Works with various advertisements on the side and rear boundaries of this site.
- 7.18 The existing motor vehicle repair use is in a backland location that is surrounded by residential properties with no planning controls over matters such as hours of operation. The existing vehicle and pedestrian access to the site is also past a large number of residential properties.
- 7.19 The current proposal involves the relocation of the car repair use [Use Class B2] to the application site. The application site is currently in use as a car sales yard with the activity generated by this use and immediately next to a classified road [A24] London Road. London Road forms part of the Transport for London Road Network and carries a large quantity of traffic with associated existing noise and disturbance
- 7.20 Whilst it is highlighted that motor vehicle repair uses are commonly found in residential areas, the proposal provides an opportunity for the relocation of the use that is a long established local business providing local employment and service to a modern purpose built building. The relocation of the use into a purpose built building will also enable planning controls to be used to reduce any potential nuisance to neighbouring uses.
- 7.21 This new location is considered more appropriate for the motor use, both in terms of residential amenity and the long term viability of the business in relation to attracting more customers in this more visible location. With the presence of these existing commercial uses in the vicinity of the application site and the motor vehicle sales currently on the application site subject to other planning considerations the principle of relocating the motor vehicle workshop is considered acceptable.

Building siting, scale and appearance

- 7.22 The London Plan policy 7.4 requires buildings, streets and open spaces to provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in terms of orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including that they should be of the highest architectural quality, they should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and buildings should have details that complement, but not necessarily replicate the local architectural character.
- 7.23 Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and

contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings.

- 7.24 The application site is located on the section of London Road between Morden South Station and Morden Town Centre. On this part of London Road there is some existing variety in terms of the scale and appearance of buildings. On the opposite side of London Road there are several high density residential developments [four storey Morden House - 40 flats, three storey Grosvenor Court - 96 flats] and the Baitul Futuh Mosque [capacity of 10,000 worshippers with a 35 metre high minaret and a 23 metre high dome.
- 7.25 On the same side of the road as the application site there is the terrace of modest two storey properties at 120-136 London Road, the larger semi-detached two storey properties at 138 to 164 London Road. The three storey residential building called 'Homefield' provides 24 flats. The three storey building called 'The Holt' providing 46 flats is located adjacent to the north east of the application site. A number of two storey residential buildings providing maisonettes are to the south west of the application site.
- 7.26 The current application involves the demolition of the existing two storey pitched roof residential buildings [roof eaves height of 4 metres and roof ridge height of 7 metres high] and the construction of a new three storey residential building on this part of the site. The new residential building will be constructed with a concrete frame with facing brickwork. The proposed windows and doors will be aluminium and the roof will be a polymeric roofing membrane system. The proposed balconies will have glass balustrades and where necessary 1.8 metre high frosted glass screens.
- 7.27 The new residential building with a flat roof is located at the rear of the site and will be 9 metres high; this is the same height as the adjacent flat roof rear section of the adjacent building called The Holt. The front part of the adjacent building called The Holt has a pitched roof with a roof ridge height of 13 metres. The maisonettes at 190-192 London Road have a roof ridge height of 8 metres.
- 7.28 The proposed motor vehicle repair building at the front of the site has a pitched roof with the roof eaves at a height of 5.30 metres and the roof ridge at a height of 6 metres. Whilst the motor vehicle repair building will be 12 metres closer to London Road than the existing residential buildings, the new building will be separated from the road by a distance of 13 metres. The proposed motor vehicle repair building is in line with the main front elevation of the adjacent maisonettes at 190-192 London Road. The motor vehicle repair building will have a roof ridge height that is 0.8 metres below that of the residential building that is to be demolished as part of the development.
- 7.29 The proposed detached motor vehicle repair building will be constructed with a steel portal frame with columns and pitched roof beams. The side and rear elevations will have brickwork up to a height of 3.5 metres with steel cladding above. The front elevation consists of two roller shutter doors with glass

panels above and aluminium cladding and the roof will be constructed of a metal profiled sheet.

- 7.30 The design of the front elevation of the proposed building fronting London Road is considered appropriate in this location, the building respects the building lines of adjacent buildings and is of a scale that reflects nearby development. The building at the front of the site clearly has a commercial appearance; however it is not considered that this appearance would appear out of place with the existing commercial use on the application site and the presence of other commercial uses on nearby sites in this area with a mix of different land uses.
- 7.31 In conclusion the design, scale, layout and appearance of the proposed development complements the local context and respects the local pattern of development in accordance with policy CS14 of the Core Strategy and policy 3.5 of the London Plan.

Neighbour amenity - Privacy and overlooking

- 7.32 Policy DM D2 of the adopted Sites and Policies Plan states that proposals for development will be expected to ensure appropriate levels of privacy to adjoining gardens and quality of living conditions. To minimise the impact of new development on the privacy of existing adjacent residential occupiers the Council's Supplementary Planning Guidance sets out minimum separation distances, recommending a minimum separation distance of 20 metres between directly opposing habitable room windows located on the upper floor levels of residential accommodation.
- 7.33 To the north east of the application site is a three storey residential building called 'The Holt'; with this building providing 46 flats. The 50 metre long main side elevation of 'The Holt' is separated from the application site by a distance of 5.5 metres. The side elevation of The Holt includes a large number of habitable room windows and also a series of metre deep metal balconies. These balconies providing external amenity space for occupants. A distance of 8.5 metres currently separates a habitable room window at first floor level within Holt Lodge and the main side elevation of The Holt.
- 7.34 The side elevation of the proposed residential building is separated from the main side elevation of The Holt by a distance of 8.5 metres. The new building is also set back 2.5 metres from the side boundary of the application site. The submitted plans showing tree planting on the land separating the building from the boundary and a 2 metre high timber boundary fence. The side elevation of the new building in this location has eight windows [three bathroom windows, three bedroom windows and two staircase windows]. In order to avoid any loss of privacy to adjoining occupiers a planning condition is recommended to ensure that all these windows are fitted with obscured glazing and fixed shut below 1.8 metres from internal floor level.
- 7.35 A distance of 6.6 metres currently separates the closest part of the front elevation of the existing building called Holt Cottage from the rear elevation of 190-192 London Road. There is a separation distance of 10 metres from the

other section of the front elevation of Holt Cottage and this rear elevation. A distance of 9.4 metres would separate the front elevation [south east] of the replacement residential building from the rear elevation of 190-192 London Road. There is one window in the front elevation of the proposed building however this window has been angled to prevent views towards the neighbouring building. There are no windows on the side [south east] elevation of the new commercial building facing towards the side elevation of 190-192 London Road.

- 7.36 In order to ensure that the use of balconies to the side [southwest] elevation do not give rise to overlooking and loss of privacy the submitted plans show the use of 1.8 metre high frosted glass screens. A planning condition is recommended to ensure that this screening is in place prior to the occupation of the accommodation and maintained in perpetuity.

Neighbour amenity - Daylight, sunlight and visual intrusion.

- 7.37 Policy DM D2 of the adopted Sites and Policies Plan states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight and the quality of living conditions.
- 7.38 With the height of the proposed development, the separation from adjacent residential buildings [outlined in the previously in this report] and the proposed orientation of the buildings it is considered that the proposed development will not give rise to visual intrusion or a loss of daylight or sunlight to adjacent residential occupiers.
- 7.39 A 2.5 metre high single storey car sales building was until recently located on the application site and adjacent to the side elevation of 190 to 192 London Road. The proposed commercial building will be on land previously occupied by the car sales building and separated from the side elevation of 190 to 192 London Road by a distance of 4.4 metres.
- 7.40 A 2 metre high close boarded fence separates 190 to 192 London Road from the application site and the existing side elevation includes the access staircase to the upper maisonette in the adjacent building and windows to a bathroom and hallway. After considering the former building in his location and the nature of the proposed building and the building at 190 to 192 London Road it is considered that this relationship is acceptable.
- 7.41 In support of the application the applicant has conducted a detailed daylight and sunlight assessment following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'. The submitted assessment concludes that the proposed development is acceptable in terms of the potential impact on sunlight and daylight to nearby residential windows and external amenity areas.

Neighbour amenity – Noise and disturbance

- 7.42 Policy DM EP2 of the sites and policies plan states that development which would have a significant effect on existing or future occupiers or the local

amenity due to noise or vibration will not be permitted unless the potential noise problems can be overcome by suitable mitigation measures.

- 7.43 With the nature of the development proposed there is the potential for noise and disturbance to be caused through both the construction process and secondly the normal operation of the proposed commercial use. It is generally accepted that during the construction process there is likely to be unavoidable short term noise and disruption to adjoining occupiers. Planning conditions are recommended to ensure that this disruption is minimised with these conditions controlling matters such as hours of operation and the suppression of the dust generated as a result of the demolition process.
- 7.44 The proposed relocation of the motor vehicle repair workshop includes the construction of a modern purpose built building for this use. The applicant has confirmed that the new building will be constructed to include acoustic attenuation that will minimise the potential for any noise impact. A planning condition is recommended to seek the submission of a noise assessment and following this assessment the submission of measures to ensure that the commercial use does not cause nuisance to adjoining residential occupiers. With the imposition of this planning condition the Council's environmental Health Officer has no objection to the development and the development is considered in accordance with sites and policies plan policy DM EP2.
- 7.45 A concern has been expressed in consultation responses about general pollution and chemical hazards from the motor vehicle repair use. All the evidence that is available suggests that the existing motor vehicle repair use has operated from the existing older building without any issues concerning pollution. There is also no evidence to suggest that the relocated use would lead to any such issues and it is considered that the proposed purpose built modern building will reduce the likelihood of nuisance. Whilst it is unlikely that chemicals considered to be hazardous would be required as part of the business use, the storage of such chemicals are controlled under different legislation that is separate to the planning system.

Standard of residential accommodation.

- 7.46 Policy DM D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to adjoining gardens. Policies CS8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed.

Internal layout and room sizes

- 7.47 Policy 3.5 of the London Plan [July 2011] states that housing developments should be of the highest quality internally and externally. The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out as gross internal areas in table 3.3 of the London Plan.
- 7.48 The table provided in section 3 of this report set out the gross internal areas for the proposed residential accommodation. The tables show that the

proposed accommodation provides good levels of internal floor space that complies with the London Plan standards. All of the individual units are above minimum floor space requirements and this includes three units providing 13 square metres above the minimum requirements. The internal layout of the accommodation is considered to make good and efficient use of the space that is available with an appropriate internal layout and good provision of natural light to all habitable rooms.

External amenity space

- 7.49 Sites and Policies Plan policy DM D2 states that developments will be expected to ensure appropriate provision of outdoor amenity space which accords appropriate minimum standards and is compatible with the character of the surrounding area.
- 7.50 In accordance with the London Housing Design Guide the standard within the Sites and Policies Plan states that there should be 5 square metres of external space provided for one and two bedroom flats with an extra square metre provided for each additional bed space. The table provided in section 3 of this report set out the areas of external space provided for the proposed 9 residential units. The proposed three ground floor flats are each provided with private rear garden space that significantly exceeds these minimum standards. The amenity space for the flats on the upper levels are provided as balconies and these balconies meet minimum standards.

Lifetime Homes standards.

- 7.51 Policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards. As part of the planning application the applicant has confirmed that the development aims to meet Lifetime Home Standards.
- 7.52 A planning condition is recommended to ensure prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria.

Trip generation, car parking, servicing and access.

- 7.53 The site is located on London Road [A24] that forms part of the Transport for London Road Network [Red route] and as a result Transport for London act as the highways authority. Along the 'Red Route' no stopping is allowed between Monday and Saturday between 7am and 7pm. A parking bay outside 190 to 192 London Road allows parking Monday to Saturday between 10am and 7pm for 20 minutes and no return in 40 minutes.
- 7.54 The site has a public transport accessibility level [PTAL] of 5 [On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility. This PTAL level indicates that the site has a good level of access to public transport services, it is highlighted that the site is within a reasonable walking distance of Morden underground station and Morden South Rail Station and a bus lane running past the front of the site operates Monday to Saturday between 7am to 10am.

7.55 The application site also benefits from access to the day-to-day facilities in the Morden Town Centre including shops, places of employment and recreational areas and from the direct access to the strategic highway network. The site is not located in a controlled parking zone although CPZ Zone M1 is located to the north and west of the site.

Car parking

7.56 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling walking and public transport use. Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current 'maximum' car parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.

7.57 Car parking standards are set out within the London Plan at table 6.2 and require a 'maximum' of one of street space for dwellings with one or two bedrooms a 'maximum' of 1.5 spaces for three bedroom dwellings. The existing residential accommodation [2 two bedroom flats and a three bedroom house] is not provided with any off street car parking. The proposed development of 9 flats [6 two bedroom and 3 one bedroom] flats includes one off street car parking space that is accessed directly from London Road.

7.58 In this location with the proximity of Morden Town Centre and access to public transport it is considered that a development without any off street parking would be acceptable. The provision of one space is however in line with the 'maximum' car parking standards that are set out within the London Plan. With the site located outside the nearby controlled parking zone future residents of this development would not be entitled to on street car parking permits and there are red route parking restrictions operating outside the site in London Road.

7.59 In order to reduce carbon dioxide emissions and promote sustainable transport choices the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan states that new car parking provision should include facilities to charge electric vehicles [a requirement of 20% of total spaces]. The applicant has stated an intention to provide facilities to charge electric vehicles by annotating this on the submitted plan and a planning condition is recommended to ensure that these facilities are provided.

Trip generation and vehicle access

7.60 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect safety and traffic management; and to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to, and from the public highway.

7.61 In order to ensure that traffic and vehicles associated with the construction phase do not impact upon the public highway a planning condition is recommended seeking the submission of a Construction Logistics Plan. In terms of the operation of the use, in order to manage the function of the use and to avoid issues on the public highway a planning condition is recommended seeking the submission of a Delivery and Servicing Plan

7.62 The current proposal involves the relocation of an existing business from a nearby site. Whilst it is the intention of the relocated business to attract additional customers as a result of this relocation it is considered that these additional trips can be safely accommodated on the existing road network. With the small expected increase in traffic as a result of the proposed development and the small number of collisions Transport for London have confirmed that the existing road layout outside the site is acceptable and there are no plans to extend the existing central reservation past the application site.

Refuse storage and collection.

7.63 Policy CS20 of the Core Strategy [July 2011] states that the Council will require developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.

7.64 The submitted application drawings show marked refuse and recycling storage areas for the new flats and houses. These storage locations are considered acceptable in principle and a planning condition is recommended to seek further details of this storage and to ensure that these facilities are provided and retained for the benefit of future occupiers.

Cycling and pedestrian access

7.65 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities. Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect pedestrian and cycle movements.

7.66 The proposed development includes a cycle parking area for the residential accommodation providing 10 spaces and two parking spaces in the rear yard for the commercial floor space. A planning condition is recommended to seek further information on this parking and to ensure that these cycle parking spaces are provided and retained for the benefit of future residents and employees.

Trees and landscaping

7.67 Policy CS.13 within the Adopted Core Strategy [2011] states that development should seek to integrate new or enhanced habitat or design and landscaping

that encourages biodiversity. Sites and Policies Plan policy DM O2 states that development will not be permitted if it will damage or destroy any tree which is protected by a tree preservation order; is within a conservation area; or has significant amenity value unless the benefits of the development outweighs the tree's amenity value.

- 7.68 In terms of assessing overall quality, the guidance contained in British Standard 5837:2012 states that trees that have a trunk diameter of greater than 150mm should be considered for retention and trees below this size should not be considered a constraint on development. The applicant has surveyed the trees on the site and found that there are three trees with trunks more than 150 millimetres in diameter located in the rear garden of Holt Lodge. These trees include an Acer, Hazel and Holly. These trees have been assessed and found to be of 'mediocre' quality. These trees are not covered by a Tree Preservation Order and the site is not located in a conservation area.
- 7.69 Whilst these trees will be lost as part of the proposed development, it is considered that the overall benefit of the development outweighs the loss of these trees. In addition the submitted proposal includes replacement trees and landscaping including six new trees in a similar location.
- 7.70 A planning condition is recommended to seek the submission of further details of new landscaping for approval and for this landscaping to be in place prior to the occupation of the proposed new dwellings or the first planting season following occupation. A second planning condition is recommended to seek the replacement of the planting should any of it be lost within a five year period after planting.

Site contamination

- 7.71 The London Plan (Policy 5.21) indicates that the Mayor supports bringing contaminated land into beneficial use. Sites and Policies Plan policy Sites and Policies Plan policy DM EP4 states that developments should seek to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on human or environment health.
- 7.72 In light of the commercial uses on the application site there is a potential for the site to suffer from ground contamination. Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

Sustainable design and construction.

- 7.73 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions.
- 7.74 Policy CS15 states that all new development comprising the creation of new dwellings will be expected to achieve Code 4 Level for Sustainable Homes.

Planning conditions are recommended to seek the submission of a design stage assessment and post construction certification to show that that Code for Sustainable Homes Level 4 is achieved together with a minimum improvement in the dwelling emissions rate in accordance with current policy requirements.

- 7.75 Policy DM H4 of the Sites and policies plan advises that any proposal seeking to demolish an existing dwelling house to create a new dwelling house in its place will be required to demonstrate that they have exceeded the normal minimum sustainability requirements. In this case the proposal increases the number of residential units on the site and does not involve the demolition of a single existing house and provision of a replacement house and as a result it is considered that policy DM H4 does not apply.
- 7.76 Policy CS15 states that all new non domestic development over 500 square metres will be expected to be built to a minimum BREEAM [Building Research Establishment Assessment Method] standard of 'very good'. The proposed commercial unit provides floor space of 233 square metres and as a result there is no formal requirement to meet this standard. In terms of meeting the general sustainability requirements of policy CS15 the applicant has however confirmed that the commercial building will still meet a BREEAM 'very good' standard.

Archaeology

- 7.77 Policy DM D4 of the Sites and Policies Plan. Policy DM D4 aims to conserve and where appropriate enhance Merton's heritage assets and distinctive character. The application site is located in an Archaeological Priority Area as they are considered to be located on the route of the Roman road (Stane Street) that joined London and Chichester in Sussex. It is reported that in the Morden area the road was between 12 to 16 metres wide and constructed in the 1st century just after the invasion.
- 7.78 As the proposal is likely to impact upon archaeological remains, English Heritage have advised that planning conditions should be imposed to seek further archaeological work on the site. A planning condition is recommended that seeks the submission of a 'Written Scheme of Investigation' and for work to proceed in accordance with this document.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The application site is under 0.5 hectares in area and therefore falls outside the scope of Schedule 2 development under The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context a screening opinion and an Environmental Impact Assessment are not required.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Levy

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.

- 9.2 The Mayor of London Community Infrastructure Levy charge that would be payable for the proposed development would provisionally be £134,589 This is based on the charge of £35 per square metre and information provided by the applicant that states that there will be additional floor space of 3,845 square metres. This figure is also subject to future reassessment in terms of whether the floor space to be lost as part of this proposal has been in lawful use.

London Borough of Merton Community Infrastructure Levy

- 9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.

- 9.4 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, leisure and public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.

- 9.5 The London Borough of Merton Community Infrastructure Levy charge that would be payable for the proposed development would provisionally be £845,99. This is based on the charge of £220 per square metre and on the information provided by the applicant that states that there will be additional floor space of 3,845 square metres. This figure is also subject to future reassessment in terms of whether the floor space to be lost has been in lawful use.

Planning Obligations

- 9.6 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be: necessary to make the development acceptable in planning terms; directly related to the development; fairly and reasonably related in scale and kind to the development.

- 9.7 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

Provision of affordable housing

- 9.8 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector.

- 9.9 Having regard to characteristics such as site size, site suitability, financial viability issues and other planning contributions Core Strategy policy CS 8 states that affordable housing provision on developments of ten or more residential units should include a minimum of 40% of new units on the site as affordable housing. Within this affordable housing provision, 60% of the units should be provided as social/affordable rented and 40% as intermediate accommodation.
- 9.10 As part of the assessment of the current planning application the applicant has submitted a financial viability appraisal that concludes that the proposed development cannot provide affordable housing and remain financially viable. In accordance with Policy CS. 8 the submitted financial viability appraisal has been subject to scrutiny as part of an independent third party assessment. This third party assessment has also concluded that the development cannot support any affordable housing and remain viable.

10. CONCLUSION

- 10.1 The proposed development represents an effective use of this brownfield site in a sustainable location with good access to public transport providing additional residential units and a modern purpose built commercial unit.
- 10.2 Whilst uses within Planning Use Class B2, such as motor vehicle repairs, are normally directed towards the Council's industrial areas, this type of use provides a service primarily focused on a local catchment and is commonly found in residential areas. The current application involves the relocation of this motor vehicle repair use to the application site that is located on major road that carries a large quantity of traffic with the associated general noise and disturbance in this location. In this context and with general activity associated with existing car sales use it is considered on balance that the application site is acceptable for the proposed use.
- 10.3 The proposal will provide new improved premises for an established local business that provides local employment in a modern purpose built building with any impact on neighbour amenity minimised by planning conditions controlling matters such as sound insulation and hours of use. Accordingly, it is recommended that planning permission be granted subject to the planning conditions set out below.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to planning conditions.

And the following conditions:

1. Standard condition [Time period] The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. Reason for condition: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. Amended standard condition [Approved plans] The development hereby permitted shall be carried out in accordance with the following approved plans: 597/001 P1; 010 P1; 011 P1; 012 P1; 013 P1; 015 P1; 016 P1; 018 P1;

019 P1; Design and Access Statement; Sunlight and Daylight Report; Contaminated Land 'Desktop Study Report'. Reason for condition: For the avoidance of doubt and in the interests of proper planning.

3. Standard condition [Timing of construction work] No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays to Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays and not at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with Sites and Policies policy DM D2.
4. Non-standard condition [Demolition dust and noise] Prior to the commencement of development [including demolition] measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies Plan policy DM D2.
5. Amended standard condition [Construction phase impacts] Prior to the commencement of development [including demolition] a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
6. Amended standard condition [Construction Logistics Plan] Prior to the commencement of development [including demolition], a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority and all works shall take place in accordance with approved plan Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of local residents to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
7. Amended standard condition [Removal of PD - commercial building] Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the commercial building shall be carried out without planning permission first being obtained from the Local Planning Authority. Reason for condition: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any

future development to comply with the following Development Plan policies for Merton: DM D1, DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.

8. Amended standard condition [Removal of PD – change of use] The premises shall only be used for a motor vehicle repair workshop and for no other purpose, (including any other purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes Order) 1997), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. Reason for condition: The Local Planning Authority seeks to ensure that it maintains adequate control over alternative uses that could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and to comply with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011, and policies DM EP2 and DM T2 of Merton's Sites and Polices Plan 2014.
9. Non-standard condition [Restriction on paint spraying] The use hereby approved shall not include paint spraying. Reason for condition: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011 and policies DM EP2 and DM EP4 of Merton's Sites and Polices Plan 2014.
10. Amended standard condition [Hours of operation] The use hereby permitted shall operate only between the hours of 0800hrs to 1800hrs Monday to Friday, 0900hrs to 1730hrs on a Saturday and not at all on a Sunday or bank Holiday. Reason for condition: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
11. Standard condition [music or other amplified sound] No music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent residential building. Reason for condition: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
12. Amended standard condition [Archaeology - commencement] Prior to the commencement of development [including demolition] the applicant (or their heirs and successors in title) shall have secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing with the development only proceeding in accordance with the approved Written Scheme of Investigation Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2

13. Amended standard condition [Archaeology - occupation] Prior to first occupation of the proposed new dwellings the site investigation and post investigation assessment shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under the preceding planning condition and provision made for the analysis, publication and dissemination of the results and archive deposition secured. Reason for condition: In order to provide the opportunity to record the history of the site and to comply with Sites and Policies policy DM D2
14. Non-standard condition [Car parking spaces] Prior to first occupation of the proposed new dwellings details of how the car parking space is allocated to and details of electric vehicle charging points in accordance with the London Plan, shall be submitted to and approved in writing by the Local Planning Authority with the car parking space shown on the approved drawing to serve the development and the charging points provided and thereafter kept free from obstruction and retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.
15. Non-standard condition [Details of walls and fences] Prior to first occupation of the proposed new dwellings and notwithstanding what is shown on the submitted drawings walls and fences or other means of enclosure shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the walls and fences or other means of enclosure retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with Sites and Policies Plan policies DM D1, DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
16. Amended standard condition [Landscaping implementation] Prior to first occupation of the proposed new dwellings or the first planting season following occupation landscaping shall be in place that is in accordance with a landscaping scheme that has previously been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on a plan, full details of the size, species, spacing, quantities and location of plants, and measures to increase biodiversity together with any hard surfacing. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
17. Amended standard condition [Landscaping retention] Within a period of 5 years from planting if any trees that form of the approved landscape plan die, if they are removed, if they become seriously damaged or diseased or are dying, they shall be replaced in the next planting season with others of same approved specification, unless the Local Planning Authority gives written consent to any variation. Reason for condition: To enhance the appearance of

the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5 and 7.21 of the London Plan 2011, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

18. Amended standard condition [Storage on front yard] No goods, equipment, or other materials shall be stacked or stored upon the open areas of the front of the proposed building without the prior written approval of the Local Planning Authority. Reason for condition: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: DM D1, DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
19. Amended standard condition [Code for Sustainable Homes Pre-Commencement - New build residential] Prior to the commencement of development a copy of a letter shall be submitted to and approved in writing by the Local Planning Authority from a person that is licensed with the Building Research Establishment (BRE) or other equivalent assessors as a Code for Sustainable Homes assessor confirming that the development is registered with BRE or other equivalent assessors under Code For Sustainable Homes and a Design Stage Assessment Report shall be submitted demonstrating that the development will achieve not less than Code for Sustainable Homes Level 4 together with a minimum improvement in the dwelling emissions rate in accordance with the most up to date London Plan policy. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
20. Amended standard condition [Code for Sustainable Homes Pre-Occupation-New build residential] Prior to first occupation of the proposed new dwellings a Building Research Establishment or other equivalent assessors Final Code Certificate shall be submitted to, and acknowledged in writing by the Local Planning Authority providing confirmation that the development has achieved not less than a Code 4 level for Sustainable Homes together with confirmation that a minimum improvement in the dwelling emissions rate has been achieved in accordance with the most up to date London Plan policy. Reason for condition: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
21. Amended standard condition [Lifetime homes] Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy [July 2011].

22. Amended standard condition [Screening of external amenity areas] Prior to first occupation of the proposed new dwellings screening to the proposed external amenity areas above ground floor shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with the approved screening maintained permanently thereafter. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
23. Amended standard condition [Obscured glazing] Prior to first occupation of the proposed new dwellings the windows in the north east elevation facing towards The Holt above ground floor level shall be fitted with obscured glass and fixed shut above 1.8 metres from internal floor level and shall be permanently maintained as such thereafter. Reason for condition: To safeguard the privacy and amenities of the occupiers of neighbouring properties and to comply with Sites and Policies policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
24. Non-standard condition [Cycle storage and parking] Prior to first occupation of the proposed new dwellings cycle storage for occupiers and cycle parking for visitors shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage and parking retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy [July 2011].
25. Non-standard condition [Refuse and recycling facilities] Prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Adopted Core Strategy [July 2011].
26. Non-standard condition [External noise] Prior to occupation of the proposed residential accommodation, noise protection measures shall be place to protect existing and future adjacent residents from any noise emanating from the proposed commercial building with these measures in full accordance with those that were previously submitted to and approved in writing by the Local Planning Authority and which are guided by a completed noise assessment taking into account the methodology in BS4142:1997. Reason for condition In order to safeguard the amenities of future residential occupiers and to ensure compliance with policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.

27. Amended standard condition [External Lighting] Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition In order to safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy DM D2 and policy CS14 of the Adopted Merton Core Planning Strategy 2011.
28. Non-standard condition [Land contamination – site investigation] No development shall commence until a scheme to deal with the risks associated with contamination of the site has been submitted to and approved by the Local Planning Authority with agreed measures in place prior to first occupation of any residential unit. Reason for condition: In order to protect controlled waters as the site may be affected by historic contamination.
29. Non-standard condition [Land contamination – site investigation] The submitted scheme to deal with the risks associated with contamination of the site shall include 1) a preliminary risk assessment identifying all previous uses and potential contaminants, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination. 2) A site investigation scheme, based on 1 providing information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment including an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4 and to protect controlled waters as the site may be affected by historic contamination.
30. Non-standard condition [Land contamination – construction phase] If during development further contamination is encountered which has not previously been identified and considered the Council's Environmental Health Section shall be notified immediately and (unless otherwise agreed in writing with the Local Planning Authority) no further development shall take place until remediation proposals (detailing all investigative works and sampling, together with the results of analysis, risk assessment to any receptors and proposed remediation strategy detailing proposals for remediation) have been submitted to and approved by the Local Planning Authority and the approved remediation measures/treatments implemented in full. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4 and to protect controlled waters as the site may be affected by historic contamination.
31. Non-standard condition [Land contamination – validation] Prior to first occupation of the proposed new dwellings a verification report shall be submitted to and approved, in writing, by the local planning authority

demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation. 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved. Reason for condition: In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Polices policy DM EP4 and to protect controlled waters as the site may be affected by historic contamination.

INFORMATIVES:

- a) The applicant is advised that details of the Lifetime Homes standards can be found at www.lifetimehomes.org.uk.
- b) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside Act 1981. If bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).
- c) The applicant is advised that the written scheme of investigation in relation to archaeology will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.
- d) The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. . In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

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