

# Agenda Item 8

PLANNING APPLICATIONS COMMITTEE  
12<sup>th</sup> February 2015

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P3578	23/09/2014
<b>Address/Site</b>	Haydon Road Service Station, 298 Haydon's Road, South Wimbledon, SW19 8JZ	
<b>Ward</b>	Wimbledon Park	
<b>Proposal:</b>	Demolition of existing canopy and associated forecourt building. Redevelopment of site comprising the erection of a part 3 and part 4 storey, plus basement level, mixed use building comprising a ground floor retail unit with ancillary storage accommodation in the basement and residential use on the upper floors comprising nine (2 x 1 bed and 7 x 2 bed) flats. Provision of associated car and cycle parking and refuse storage facilities.	
<b>Drawing Nos</b>	2291_PL_001, 099E, 100H, 101J, 102J, 103G, 104, 110A, 400A, 401A, 402B, 403A, 500A, 501	
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)	

---

## RECOMMENDATION

**GRANT Planning Permission subject to S106 agreement and conditions.**

## CHECKLIST INFORMATION.

- Heads of agreement: - Permit Free Development
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted – No
- Press notice – No
- Site notice – Yes
- Design Review Panel consulted – Yes
- Number of neighbours consulted – 90
- External consultations – No
- Number of jobs created – Unknown

- PTAL score – 2
  - CPZ – 3F
- 

## 1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee in light of the number of objections received.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site is a prominent corner site situated at the junction between Haydon's Road and Haydon Park Road, Wimbledon. The site is occupied by a vacant petrol filling station dating from the late sixties/early seventies with a concrete front forecourt, petrol pumps and canopy at the front of the site and a single storey convenience store with a petrol pay window sitting behind and occupying all of the rear footprint of the site right up to the boundaries with adjoining properties. There is a vehicular access on each of the Haydon's Road and Haydon Park Road frontages.
- 2.2 To the immediate left hand side of the site, 284-296 Haydon's Road forms a designated neighbourhood parade within the Council's adopted Sites and Policies Plan. It is a Victorian 2 and a half storey terrace with commercial uses at ground floor and residential at first floor and within the roofspace at second floor served by front dormers. Opposite the site, on the other side of Haydon's Road, nos 319-335 is also a neighbourhood parade in the form of a two storey terrace with commercial at ground floor with residential above.
- 2.3 Haydon Park Road and streets parallel with Haydon's Road generally comprise traditional two storey terraced and semi-detached houses. The property directly adjacent to the application site in Haydon Park Road, known as 1 & 1 A Haydon Park Road, is a two storey detached building which has been split into two flats. Beyond 1 Haydon Park Road is a 1950/1960's three storey terrace.
- 2.4 On the opposite corner of Haydon Road and Haydon Park Road is a post-war block of flats which is a full three storeys in height with a pitched roof above. This block is set back from both roads by a grass strip and low brick wall.
- 2.5 The application site is not situated within a designated shopping area (although it does immediately adjoin the neighbourhood parade) and is not located within a conservation area.

### 3. CURRENT PROPOSAL

- 3.1.1 The proposal is for the removal of the existing canopy and associated forecourt retail building and petrol payment kiosk and the redevelopment of the site comprising the erection of a 3-storey building with a setback 4th storey, and recessed elements above the first floor where it adjoins neighbouring street frontage buildings. The ground floor would comprise a 290 sq m retail unit with 115 sq m basement storage below with residential use on the upper floors comprising 2 x 1 bed and 7 x 2 bed flats. The proposal also includes 7 parking bays, an electric car charging point and cycle parking provision for the residential units.
- 3.2 The entrance to the retail unit would be from Haydon's Road. The residential accommodation on the floors above would have a residential lobby entrance directly from the Haydon Park Road frontage and the car parking spaces at the rear of the building would be accessed via an undercroft entrance, also on the Haydon Park Road frontage, with a remote controlled gate. Secure storage for residential and retail waste and residential cycle storage is provided either side of the undercroft.
- 3.3 The building would take a modern design approach, using brickwork and stone facing materials and façade detailing and massing to integrate it within its site context. The proposed ground floor along the Haydon's Road frontage would comprise a glazed shopfront with a buff stone base and horizontal stone band above the shop unit for signage at the same height as the fascia on the adjoining shopping parade. The remaining building would be buff brick with a coloured glazed brick detailing to the balcony walls and residential entrance lobby adding interest to the façade. Two projecting bays at upper levels provide additional modelling and break the building down into units of similar scale to the adjoining terrace. Large window and door openings with a vertical emphasis also form part of the modern design approach. The top floor would be set well back from the front and sides of the building and would be of a standing seam metal sheet construction to reduce impact and provide contrast.
- 3.4 The floorspace of the individual residential units is as follows compared to London Plan standards:

Unit	Dwelling type (bedroom (b)/ persons-bedspaces (p))	GIA (sq m)	London Plan standard
Flat 1	2b4p	89	70
Flat 2	2b4p	78	70
Flat 3	2b3p	80	61
Flat 4	1b2p	52	50
Flat 5	2b4p	84	70
Flat 6	2b4p	78	70

Flat 7	2b3p	79	61
Flat 8	1b2p	52	50
Flat 9	2b4p	98	70

#### 4. **PLANNING HISTORY**

4.1 07/P1928 - New HSBC ATM housed in bastion pod, positioned/installed beside the station (near air/water pump) in place of existing trolley bay – Grant - 10/08/2007.

4.2 00/P0289 - Advertisement consent to retain a freestanding 6.5 metres high internally illuminated totem sign – Refused on 27/04/2000 for the following reason:

The size, location and means of illumination of the advertisement sign is detrimental to the amenities of neighbouring residential occupiers and the Haydons Road streescene, contrary to Policy EB.29 of the Adopted Unitary Development Plan (April 1996) and Policy BE.44 of the Deposit Draft Unitary Development Plan (September 1999).

4.3 00/P0335 - Advertisement consent for the retention of two externally illuminated and two internally illuminated fascia signs, two in house externally illuminated hoarding signs to the building and two internally illuminated double-sided spreader signs above the fuel dispensers (8 signs in total) – Grant - 27/04/2000

4.4 99/P1197 - Advertisement consent for the retention of two externally illuminated fascia signs, internally illuminated 6.5 m high free-standing totem sign and two internally illuminated double sided spreader signs above the fuel dispensers – Refused - 27/01/2000.

4.5 99/P0227 - Redevelopment of site of petrol filling station including the erection of new sales building and canopy together with underground storage tanks – Grant - 29/04/1999

4.6 98/P1158 - Erection of new sales building, forecourt canopy and installation of underground storage tanks, involving demolition of existing canopy and sales building – Refused on 07/01/1999 for the following reasons:

The proposal would result in an overintensive use of the site, leading to an undesirable increase in vehicular movements to and from the premises, detrimental to highway and pedestrian safety and residential amenity, contrary to M.29, M.43 and SE.1 of the

adopted Unitary Development Plan (April 1996).

The proposed building would, by way of its height and siting, would result in loss of light and increased enclosure to neighbouring residential occupiers, contrary to EB.17 and EB.18 of the adopted Unitary Development Plan (April 1996)

- 4.7 92/P0838 - Display of replacement internally illuminated canopy fascia shop fascia pole and petrol pump signs – Grant - 18/12/1992
- 4.8 86/P0966 - Continued use of petrol filling station but with removal of condition restricting hours of operation between 11.30 pm and 7.00 am as previously imposed on MER935/69 – Refused on 30/10/1986 for the following reason:

The proposal would result in the generation of unacceptable noise levels and nuisance between the hours of 11.30 pm and 7.00 am which would be detrimental to the residential amenities of the locality and adjoining occupiers. The proposal would result in the generation of unacceptable noise levels and nuisance between the hours of 11.30 pm and 7.00 am which would be detrimental to the residential amenities of the locality and adjoining occupiers.

- 4.9 MER1037/81 - Display of illuminated canopy signs – Grant - 11/01/1982
- 4.10 MER357/85 - Proposed installation of 12 000 gallon petrol tank underground – Grant - 13/08/1985
- 4.11 MER935/69 - Petrol station, shop and offices – Grant - 04/12/1969
- 4.12 MER308/69 - Erection of a petrol service station into flat area – Grant - 08/05/1969
- 4.13 MER682/69 - Revised detailed plans re erection of petrol filling station and flat over – Grant - 11/09/1969

No other relevant planning history

## 5. **CONSULTATION**

- 5.1 The application has been advertised by standard site notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.2 5 letters of objection from neighbours have been received and 2 letters of qualified support. Objectors had the following concerns:

- Impact of retail unit on local outlets without ability to compete with a national supermarket chain, no need for additional retail facility, loss of petrol station facility. Retail unit 50% bigger and will adversely impact Merton's designated shopping areas
- Out of scale and an overdevelopment of the site, building line too far forward on Haydon Park Road, will obscure views of the sky, out of keeping in terms of height and building design, top storey should be removed, fewer flats
- Construction will cause significant disruption at one of Merton's busiest road junctions
- Off site deliveries to the retail unit will cause unacceptable disruption and traffic obstruction, should be a loading bay on-site
- Need to ensure proposed service bay does not compromise residents' parking on Haydon Park Road.
- No customer parking provision for retail use is unacceptable and will adversely impact the locality, already parking congestion in the area and no capacity for retail customers, extra residents and their guests.
- Cumulative impact with other developments granted permission in the locality will create unacceptable traffic congestion and impact on scarce facilities such as local school places
- Unacceptable impact on traffic. Haydon Park Road already experiences heavy traffic using it as a short cut to try and bypass the intersection between Merton Road and Gap Road / Plough Lane. No analysis of extra traffic. Can phasing of traffic lights at Durnsford Road/Plough Lane be re-considered by TfL as this causes poor traffic flow on Haydon's Road
- Pre-application stated flats were cramped and badly configured with respect to sunlight and traffic noise – has this been addressed?
- Impact of basement

5.3.1 In addition to the above, the occupiers of The Ledge, 1E, Cromwell Road, had the following specific concerns as the neighbour sited directly to the south-west of the site: Not initially consulted on the application, such a high block means that they will be overlooked by a number of windows angled to look directly into their courtyard where they currently have complete privacy, will obscure views of sky, will be enclosing and block out daylight, will be hugely detrimental to quality of life and house value .

5.4 The 2 letters of qualified support welcomed the redevelopment and supported the design but were concerned about potential traffic and

parking issues, and the impact this could have on already limited metered parking in Haydon Park Road for visitors to local residents. Request that further metered spaces for residents be provided or residents parking hours be re-considered. Concerned that traffic would increase on Haydon Park Road, and ask for measures to reduce it by restricting use by heavy vehicles, using an entrance treatment to Haydon Park Road that reinforces that it is a residential street and not a cut through.

## 5.5 Design Review Panel (25<sup>th</sup> September 2014)

- 5.5.1 The Panel were very supportive of this proposal in almost all aspects. They welcomed the fact that units were dual aspect and exceeded space standards on what is a difficult site to develop to a good density. It was felt that the site was taking a lot of development but it still had a good feel about it and it had a nice fit to the site. The Panel felt that the open space was well considered and integrated well into the flats, although there were a few places this could be improved such as balconies and some window sizes and aspects.
- 5.5.2 The main point of concern the Panel had on balconies was the front ones in the projecting bays. They felt that they could be a bit dark and would benefit from either opening up a bit, or making more of integrated planting in their design. It was felt that there were also further opportunities to green the building with planting in incidental open spaces and using rain water harvesting.
- 5.5.3 The Panel discussed the approach to the shop-front on the architectural integrity of the building. They proposed that the horizontal banding above the glass be kept completely free of advertising and it kept wholly within the glazed part of the shop-front. Shutters should be see-through and on the inside of the glass.
- 5.5.4 The Panel were particularly complimentary on the architecture. The massing was considered to sit well on the site and could mark a positive entry point into Wimbledon. It had good urban form and was well modelled and considered – it could serve as a good balance to the laundry site development across the railway. The Panel felt that the brick choice was good but important to get this right. Something a bit better than standard stock brick was recommended. They also welcomed the green tiles.
- 5.5.5 As well as protecting the appearance of the building from poor shop-front advertising, the building should design balconies to avoid retrofitting with bamboo and control issues like washing and satellite dishes through good building management. It was also suggested that the design could be strengthened a bit more by finding a subtle theme to ‘Wimbledonise’ the building. Finally, the Panel felt that it was important to ensure the retail

use did not cause parking problems in the vicinity due to the intensified use of the site.

VERDICT: **GREEN**

5.6 Council' s Energy Officer

- 5.6.1 The Code for Sustainable Homes pre-assessment provided by the applicant indicates that the development should achieve an overall score of 68.66%, which meets the minimum requirements to achieve Code for Sustainable Homes Level 4.
- 5.6.2 The site has achieved three credits under ENE1, equivalent to a 19% improvement over Part L of the Building Regulations 2013 (broadly equates to a 25% improvement over Part L of the Buildings Regulations 2010). This is in accordance with requirements of Policy CS15 of Merton's Core Planning Strategy 2011 and Policy 5.2 of the London Plan 2011.
- 5.6.3 The pre-assessment indicates that the site will meet the mandatory elements of SUR1 with regard to site run-off. In addition the pre-assessment indicates that the site should achieve two credits under SUR2 and occupies a site deemed to be at low risk of flooding by the Environment Agency.
- 5.6.4 The scheme has achieved four credits under Hea4 Lifetime Homes , indicating that it will comply with all principles of the Lifetime Homes standard and Policy CS 8 of Merton's Core Planning Strategy (2011).
- 5.6.5 The total non-residential floorspace (A1 use class) for the development – as stated in the submitted application form – equates to 405m<sup>2</sup>. This falls below the 500m<sup>2</sup> threshold requirement under Policy CS15 part f) of Merton's Core Planning Strategy (2011) for applying the BREEAM Standard. As such the submitted BREEAM Report indicating that the development should achieve a BREEAM rating of 'Pass' is sufficient.

5.7 Planning Policy

No objections raised subject to suitable conditions being imposed.

5.8 Transport Planning

No objections subject to obligations and conditions.

5.9 Environmental Health

No objection subject to suitable conditions in respect of protection of noise from plant relating to the commercial use, protection of proposed flats from external road traffic noise and contamination conditions, given the previous petrol station use.



- 5.10 Metropolitan Police Designing Out Crime Officer  
Rear doors from retail unit should be alarmed, effective lighting and clear car park markings should be provided, and Secured by Design principles should be incorporated.

## 6. **POLICY CONTEXT**

### 6.1 Merton Core Planning Strategy (July 2011)

CS7 – Centres  
CS8 – Housing Choice  
CS9 – Housing Provision  
CS14 - Design  
CS15 – Climate Change  
CS18 – Active Transport  
CS19 – Public Transport  
CS20 - Parking, Servicing and Delivery

### 6.2 Adopted Merton Sites and Policies Plan (July 2014)

DM H2 Housing Mix  
DM H3 Support for affordable housing  
DM.D2 Design Considerations in All Developments  
DM.D4 Managing Heritage Assets  
DM.EP2 Reducing and Mitigating Noise  
DM T1 Support for sustainable transport and active travel  
DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DMR2 Development of town centre type uses outside town centres

### 6.3 London Plan (July 2011)

3.3 (Increasing Housing Supply),  
3.4 (Optimising Housing Potential),  
3.5 (Quality and Design of Housing Developments),  
3.8 (Housing Choice),  
5.1 (Climate Change Mitigation),  
5.3 (Sustainable Design and Construction).  
7.3 (Designing Out Crime)  
7.4 (Local Character)  
7.6 (Architecture)

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations relate to the principle of the development including the expanded retail use, design, impact on

neighbouring amenity, traffic and transport considerations including parking, traffic generation and servicing and standard of residential accommodation.

## 7.2 Principle of Redevelopment for Residential and Expanded Retail Use

### 7.2.1 Residential

The proposal seeks to retain and expand a retail use on the site and also provide 9 residential units. The London Plan and both the Council's adopted Core Planning Strategy (2011) and Sites and Policies Plan (2014) seek to increase housing provision where it can be shown that an acceptable standard of accommodation and a mix of dwelling types will be provided. The London Plan published in July 2011 sets Merton with a minimum ten year target of 3,200 dwellings within the borough between 2011 – 2021. The site already has an established commercial use and sits within a mixed commercial/residential section of Haydon's Road, whilst Haydon Park Road is residential in character. The principle of a residential use is considered to be acceptable, making a modest contribution towards meeting housing choice and housing targets.

### 7.2.2 Retail

The proposal is for the replacement of the existing convenience store retail unit with an expansion of gross retail floorspace from 266sqm up to 405sqm (a 139 sq m increase) but only a maximum of 290 sq m is net retail sales floorspace, the remainder being 115 sqm of storage within the basement. Only 24 sqm of the expanded floorspace is at ground floor level. Although the application site itself is not within a designated shopping parade as identified on the Council's Policies Map, it sits immediately adjacent to one and there is an existing convenience store on the site. The expansion of the existing convenience offer would need to be considered under the policy requirements set out in policy CS7: 'Centres' of the Core Planning Strategy, and policy DMR2: 'Development of town centre type uses outside town centres' of Merton's Sites and Policies plan (2014).

7.2.3 Planning policy CS7 seeks to protect and support the development of suitable facilities in accessible locations where they are not detrimental to the character and amenity of the area and planning policy DM R2 seeks to focus town centre type uses into the most sustainable locations whilst facilitating development of new small convenience local shops within walking distance of all residents to meet every day needs. Out of centre convenience store development is permitted subject to criteria set out at part c) of planning policy DM R2. In accordance with these requirements, the proposal would be a replacement for an existing convenience shop and the proposal would only exceed 280sqm net retail floorspace by 10 sq m. Overall, it is considered that the proposed retail use would not harm the

vitality and viability of Merton's town centres and would provide convenience shopping in an accessible location for surrounding residential properties, subject to conditions limiting its use to A1 convenience retail goods, limiting the gross floorspace and the amount of net retail sales floorspace, and is therefore acceptable in relation to the objectives of planning policies CS7 and DMR2.

### 7.3 Design

- 7.3.1 Sitting on the corner of a prominent road junction, the existing petrol station with its canopy and totem sign at the front of the site, and single storey shop have no architectural merit and forms a discordant and unattractive anomaly in the street scene, set between the blank gable ends of 296 Haydons Road and 1/1A Haydon Park Road. The site appears as a gaping hole which fragments a street scene otherwise contained and given legibility by parades and terraces. Redevelopment of the site offers an opportunity to repair this unsightly gap in the frontages with a building of an appropriate scale, siting and massing.
- 7.3.2 The three storey massing with a significantly recessed 4<sup>th</sup> floor that is set well away from front, side and rear elevations in a contrasting material is considered to be suitable height at this corner location and within the site context. It creates a continuation of the existing terrace on Haydon's Road on the same front building line, and on the same building line as the adjoining residential building on Haydon Park Road. The height steps down where it adjoins neighbouring buildings by the use of balconies to recess the second floor. Whilst the fourth storey is higher than adjoining development, the significant set backs on all sides and use of contrasting materials, as well as the building's corner location, are considered to ensure that it will sit comfortably within the streetscene, receding behind the main facade.
- 7.3.3 The retail entrance is on the Haydon's Road frontage, giving it a relationship to the adjoining commercial parade, whilst the residential entrance lobby is around the corner on Haydon Park Road, which is a residential road.
- 7.3.4 The proposed design and massing of the building is considered to complement and reinforce the existing urban grain and makes better use of the site, creating a well-defined focal point at this prominent corner location. The façade is well detailed, using good quality materials, including a contrasting coloured glazed brick for the recessed balconies and lobby and the two projecting bays break the building down into units of similar scale to the adjoining terrace. The horizontal stone band above the shop unit for signage is deliberately situated at the same height as the fascias on the adjoining shopping parade to provide visual continuity.

7.3.5 The Council's Design and Review Panel (DRP) were very supportive of this proposal and gave it a green verdict and were particularly complimentary about the architecture, with the massing considered to sit well on the site. They considered the building to have a good urban form, to be well modelled and considered. They were also welcoming in relation to the quality of the units. Points which they raise in relation to the details of signage, shutters, balcony screens and exact choice of brick are important in terms of ensuring the quality of the appearance of the finished building and can be adequately controlled through the imposition of suitable conditions and through future advertisement consent.

7.3.6 Overall it is considered that the proposal would create a high quality building that respects the context of the site and makes effective use of this corner plot along one of the main thoroughfares in Wimbledon.

#### 7.4 Standard of residential accommodation

7.4.1 It is considered that the proposed flats would provide a good standard of residential accommodation for future occupiers. They are served by a generous residential lobby directly from Haydon Park Road giving access to refuse, parking and cycle storage facilities. The proposed flats would all exceed the London Plan Gross Internal Area minimum standards set out in relation to Policy 3.5 as demonstrated at para 3.4 earlier in the report and would be designed to meet Lifetime Home standards.

7.4.2 The majority of flats are dual aspect and none are solely north facing. Each flat has a living room with at least one window within 90 degrees of due south, giving good access to sunlight and have good ratios of glazing to room area, maximizing daylight. Each flat would have its own private amenity space in the form of a balcony or balconies which are a minimum of 1.5m in depth and meet or exceed the Council's requirements in terms of area as set out in the justification to Policy DM D2 of the Sites and Policies Plan. The two flats with north facing balconies also have south facing ones to the rear.

#### 7.5 Impact on Neighbouring Properties

The majority of concerns expressed by neighbouring properties relate to parking, traffic and deliveries issues connected to the retail use and during the construction period. These are dealt with in the section on parking and transport issues later in the report. This section will concentrate on the impact of the development in terms of sunlight, daylight, privacy and outlook on neighbouring residential uses.

##### 7.5.1 Sunlight and Daylight

- 7.5.1 The applicant commissioned an independent daylight and sunlight report which undertook a formal technical assessment of the effect of the planning application scheme upon existing surrounding properties. Having regard to the preliminary 25 degree line test and orientation test recommended in the BRE report, the impact on properties at 292, 294, 296, 329, 331, 333, 335 and 337 Haydon's Road and 1/1A and 4 and 4a Haydon Park Road were assessed in relation to the recommendations in BRE Report *Site Layout Planning for Daylight and Sunlight: A guide to good practice* (second edition, 2011). The specialist report concludes that the impact on the vast majority of habitable rooms assessed will be fully BRE compliant with the exception of a small number of transgressions limited to 1 side facing first floor bedroom window at 296 Haydon's Road and to side facing ground floor windows at 1 Haydon Park Road, which currently benefit from uncharacteristically high levels of daylight over the low rise petrol station in contrast to the more typical pattern of development experienced by adjoining properties. The BRE guidance acknowledges that a higher degree of obstruction may be unavoidable if new development is to match the height and proportions of existing surrounding buildings, and the impact on daylight and sunlight on adjoining properties and the impact is considered to be acceptable.
- 7.5.2 Given its orientation (sitting to the south-west of the application site), distance from the development and the location of its windows in relation to BRE guidance, the property at The Ledge, 1E Cromwell Road was not considered to be affected by the daylight/sunlight consultants and therefore did not form part of their initial report. As the occupiers of this property have expressed concerns about impact on daylight and sunlight, an addendum clarifying its relationship to the BRE tests has been submitted for completeness which confirms that in relation to these tests, there is no significant impact in relation to daylight, sunlight or overshadowing given distances, heights and orientation.
- 7.5.3 Outlook and Privacy  
1/1a Haydon's Road - The staggered form of the building at the rear is considered to be acceptable in terms of outlook from 1/1A Haydon's Road, being inset 6.5m from its side boundary and 10m from the flank wall. The balconies to flats 1 and 5 have been amended to sit further away from this side boundary and will have an obscure glazed side screen. The small windows facing the boundary to flats 4 and 8 will also be obscure glazed. There would therefore be no unacceptable impact in terms of privacy.
- 7.5.4 296 Haydon's Road - This neighbouring property comprises a commercial at ground floor with residential above. Given the commercial nature of the ground floor there would be no undue loss of amenity from the ground floor element. The flank windows within the upper floors of the proposed

building have been designed to be angled away to prevent them looking directly into neighbouring windows at close proximity. The proposed building at the upper levels is set a minimum of 4.8m away from the boundary, slanting progressively further away. The impact on outlook and privacy is considered to be acceptable.

- 7.5.5 331 – 335 & 304 – 306 Haydon's Road - The proposed development would sit on the opposite side of Haydon's Road and Haydon Park Road respectively in relation to these properties and would be at a distance of at least 20m from No 304 – 306 and 18.5m from 331 – 335. Given the distance and separation by a public highway, the relationship to these properties is considered to be acceptable.
- 7.5.6 1 Cromwell Road & Mews development - 1 Cromwell Road is a two storey detached residential property which would be located over 50m away from the proposed building. Whilst some of the proposed rear balconies would be directed towards this property, the level of separation would ensure that there would be no undue overlooking. The buildings within the mews development comprise commercial uses at ground floor. Whilst some of the units at the entrance to the mews development have been extended with two storey buildings and converted to residential units on the upper floors, these units are situated at a right angle to the application and are well distanced away to ensure that there is no undue loss of amenity.
- 7.5.7 The Ledge 1E Cromwell Road) – this detached residential house is located to the southwest of the application site, and directly adjoins it on its eastern boundary. It has an L-shaped ground floor with accommodation within the roof space on one side of the L and the footprint runs along the north and west site boundaries. Its windows looking south and east into a central courtyard which is enclosed by a high boundary wall, forms the private amenity space and it is therefore orientated to either face away from or look at an oblique angle in the direction of the application site. In terms of separation distances, the corner of the proposed building at its closest point would be located 9.4m from the boundary. The section of the proposed building which is orientated towards this neighbouring property would be distanced 24m away from the boundary. In terms of window to window separation distances from the front elevation of this neighbouring property and the directly facing balcony of flat 3 and windows of flats 3 & 7, they would be located approximately 35m and 31m away respectively, and there is not therefore considered to be any unacceptable impact on privacy.
- 7.5.8 The house sits to the south of the proposed development and there is no unacceptable loss of daylight or sunlight. In terms of outlook, although it is acknowledged that the proposed building would be visible, the existing high boundary wall would partly screen the development from sight and in

any event, the separation distances are such that this is not considered to be grounds for refusal.

## 7.6 Transport, Highways, Parking and Deliveries

- 7.6.1 Concerns have been raised by a number of residents in relation to traffic generation, parking and deliveries associated with the new development which are addressed below. The site is located within Controlled Parking Zone 3E and has a PTAL of 2/3 although it is on a bus route and within walking distance of Haydon's Road train station. Haydon Park Road is classed as a Local Access Road accommodating local traffic in this residential area.
- 7.6.2 The applicant commissioned an independent Transport & Highways Consultant (Glanville) to produce a Transport Statement as requested by officers at pre-application stage. The Council's Transport Planning team has no objection to the scheme subject to planning conditions and a S106 agreement (permit free).

### Access

- 7.6.3 The access and egress into the car parking area is proposed to be taken from Haydon's Park Road using the existing vehicle crossover. A swept path analysis demonstrates that cars can manoeuvre within the car park and exit in forward gear. The other existing access point would be closed off with full height kerbs reinstated. This is considered to be acceptable by the Council's Transport Planning section, permanently removing a point of conflict from the principal highway network with a corresponding benefit to highway safety.

### Residential Car and Cycle Parking

- 7.6.4 Seven parking spaces are proposed to serve the 9 residential units in addition to 10 covered secure cycle parking spaces. All car parking spaces would be for the proposed residential units. One of the residential parking spaces would be of a size suitable for disabled use. In order to ensure that there is no increased pressure placed on the existing CPZ by the occupiers of the proposed flats, the proposed development would be required to be permit free, secured via a S106 agreement. The level of provision (0.77 spaces per unit) is considered to be acceptable subject to this requirement. The parking restrictions of the CPZ makes no allowance for visitor parking. The cycle parking provision meets London Plan standards.

### Retail Parking and Cycle Provision

- 7.6.5 In terms of the retail floor space provision, the relevant standard in the London Plan is a 'maximum' and would permit a maximum of 12 spaces. However the scale of proposed floor space is such that it is not considered

that the shop would be a primary destination in its own right and is therefore highly unlikely to attract single purpose car trips, but would attract predominantly foot borne custom from the local residential area.

7.6.6 Notwithstanding, there are a limited number of pay and display spaces on Haydons Park Road to the east of the site, as well as short stay spaces on Haydon's Road which could cater for pass-by car borne trips made to the shop. The site is located with a CPZ and therefore the retail element of the development would not give rise to additional pressure upon controlled on-street parking provision.

7.6.7 2 Sheffield type stands capable of accommodating 4 bicycles are proposed to be conveniently located for use by staff and customers of the retail shop, close to the store entrance.

#### Servicing Provision

7.6.8 Given the site constraints and residential car parking being provided on site, it is not possible to also accommodate servicing on-site for the following reasons:

- A service vehicle would block access to the car park, making it impossible to access or egress the car park at such time as a delivery was being made.
- The height of a ridged HGV is 3.95m and therefore allowing access to the rear would rise to architectural difficulties given the 'drive under' design proposed.

7.6.9 Options for servicing were discussed at pre-application stage, including both a formalised loading bay on-street with loading extended from 20 to 40 minutes or a layby. The preferred option was a formalised on-street loading bay with a minimum running lane width of 3m being maintained along Haydon's Road.

7.6.10 The application proposes the formation of an on-street loading bay within the existing highway extents. The loading bay would be 16.2 metres long and would terminate opposite the existing bays on the southern side of Haydon's Road. The provision of the bay would allow 3m wide running lanes to be maintained in both and east and westbound direction and thus larger vehicles would still be able to pass one another even if vehicles were occupying the bays on both sides of Haydon's Road. The applicant would require current loading times to be increased from 20 minutes to up 40 minutes, necessitating an amendment to the Traffic Regulation Order. This would require a S278 Highways Agreement and public consultation process as this would alter the public highway



#### Traffic Generation

7.6.11 Traffic generation figures for the petrol station have been estimated by the applicant's consultant and compared to the proposed retail and residential uses. The scale of the proposed retail development is such that the consultants do not consider that the shop will be a primary destination in its own right and would be highly unlikely to attract single purpose car trips. For this reason the traffic generation for the proposed retail shop has not been calculated. The proposed change of use from petrol filling station to residential units and retail is estimated to result in a significant reduction in traffic at peak times and over the course of a typical day and to therefore have a beneficial effect on the local highway network in terms of both capacity and safety.

#### Construction Vehicle Provision

7.6.12 The impact of construction traffic on the capacity of the local highway network is anticipated to be relatively small overall. The majority of HGV movements would occur throughout the day away from peak times and therefore would not affect congestion. In order to mitigate potential conflict with the highway network, it is considered appropriate to impose a planning condition requiring details of a Construction Traffic Management Plan (CTMP) to be submitted to the Council for approval prior to the commencement of the development. The consultants have indicated the type of measures that could be employed to mitigate the construction impacts which are as follows:

- Erection of clear signage indicating permitted and non-permitted routes.
- Scheduling of deliveries/collections away from peak hours, either before the AM peak or during the interpeak daytime period.
- Specifying and encouraging construction hours to avoid the AM and PM peak traffic periods for construction workers.
- Specifying that construction hours will avoid peak school start and finish times.
- On-site recycling of materials to reduce export and import vehicle movements, including crushing existing hardstanding material for engineering fill.
- Implementation of wheel washing facilities to prevent debris being deposited on the public highway.
- Implementation of appropriate traffic management to ensure that construction of the highway works do not give rise to undue disruption.

#### 7.6.13 Transport and Traffic Conclusions

Overall, the proposed development, due to its modest scale, is not considered to be likely to have any unacceptable impacts upon highway conditions in and around the site. To ensure that there is no increase

pressure on the existing CPZ, the proposed development would be subject to a permit free development which is secured via a S106 agreement, preventing occupiers of the new flats from obtaining car parking permits. A formalised servicing bay which retains 3m wide running lanes in each direction can be provided to ensure no obstruction to traffic.

## 7.7 Affordable Housing

- 7.7.1 As of 28 November 2014, the National Planning Policy Guidance (NPPG) was updated setting out that planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. The Council no longer seeks financial contributions from developments of 10 units or less and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal is for 9 units and the gross floorspace is 864sqm, therefore an affordable housing contribution is not required.

## 7.9 Local Financial Considerations

- 7.9.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1<sup>st</sup> April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

## 7.10 Noise

- 7.10.1 The applicant has commissioned an independent noise report (by Cole Jarman). The report, using results of the noise survey undertaken along with the normal local authority requirements, limits have been set for noise emissions from new mechanical services plant items, to apply at the nearest neighbouring residential windows.
- 7.10.2 The report states that an assessment of noise intrusion into dwellings has been carried out. Specifications have been provided for external building fabric elements including glazing and ventilation openings, in order to ensure an acceptable internal noise climate will be achieved.
- 7.10.3 The Councils Environmental Health section have confirmed that they have no objection to the proposal subject to suitable conditions.

8. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

8.1 The proposal is for minor householder development and an Environmental Impact Assessment is not required in this instance.

8.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission.

9. **CONCLUSION**

9.1 The principle of development is considered to be acceptable and the Council welcomes the improvements to the built form. The height and massing of the building is considered to respond to the existing pattern of development and corner plot. The architecture, materials and detailing are considered to create a high quality design. A retail use will be retained on the site that would meet local needs without harming the vitality and viability of Merton's town centres. The standard of residential accommodation proposed is considered to meet the needs of future occupiers, with an appropriate level of amenity space and room sizes with good levels of outlook and light. There would be no undue impact upon neighbouring amenity, trees, traffic or highway conditions. The proposal is in accordance with Adopted Unitary Development Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to S106 agreement and conditions.

**RECOMMENDATION**

**GRANT PLANNING PERMISSION**

Subject to the completion of a Section 106 Agreement covering the following heads of terms:-

1. Designation of the development as permit-free and that on-street parking permits would not be issued for future residents of the proposed development.
2. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A.1 **Commencement of Development**

2. A7 Approved Plans
3. B.1 Materials to be approved
4. B.4 Details of Surface Treatment
5. C.03 Before the development hereby permitted is first occupied, the side windows in flats 4 and 8 shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter.  
  
Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2011, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
6. C07 Refuse & Recycling (Implementation)
7. C08 No Use of Flat Roof
8. D10 The commercial use hereby permitted shall operate only between the hours of 07.00 to 23.00 on any day.  
  
Reason: 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 Policies Plan 2014.
9. D09 No External Lighting without prior approval, no light spillage outside the site
- 10 D11 Construction Times
- 11 Unless otherwise approved in writing by the local planning authority the use of retail unit hereby approved shall be limited to the sale of convenience retail A1 goods;  
  
Reason for condition: In order to protect the vitality and viability of Merton's town centres and to accord with policy CS.7 of Merton's adopted Core Planning Strategy (2011) and DM R2 of Merton's Sites and Policies plan (2014).

- 12 Unless otherwise approved in writing by the local planning authority the building shall not exceed 405 sqm gross floorspace;
- Reason for condition: In order to protect the vitality and viability of Merton's town centres and to accord with policy CS.7 of Merton's adopted core planning strategy (2011) and DM R2 of Merton's Sites and Policies Plan (2014).
- 13 Unless otherwise approved in writing by the local planning authority the net retail sales floorspace shall not exceed 290 sqm floorspace;
- Reason for condition: In order to protect the vitality and viability of Merton's town centres and to accord with policy CS.7 of Merton's adopted core planning strategy (2011) and DM R2 of Merton's Sites and Policies plan (2014).
- 14 Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial use shall not exceed LA90-10dB at the boundary with the closest residential property.
15. Full details of measures to mitigate the impact of road traffic noise on the proposed units with reference to recommendations set out in the Cole Jarman, Planning Noise Assessment Report 13/1671/R1//Revision 1 shall be submitted to and approved by the LPA and shall be implemented in accordance with the approved details prior to first occupation of the units and shall thereafter be retained.
- 16 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
- 17 Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to

human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 18 Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.
- 19 Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- 20 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

21. No development shall commence until details of the highway alterations, including the provision of an extended servicing bay on Haydons Road, and reinstatement of the redundant access point have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the alterations have been completed in accordance with the approved details.
22. H1 New Vehicle Access – Details to be submitted
23. H3 Redundant Crossovers

24. H4 Provision of Vehicle Parking
25. H7 Cycle Parking to be implemented
26. H10P Construction Traffic Management Plan
27. H14 The roller shutter or remote controlled gate hereby shall not open over the adjacent highway.
- 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.
28. B5 Details of walls/fences
29. L3 Code for Sustainable Homes - Pre-Occupation (New Build Residential)
30. Lifetime homes
31. C10 No development shall take place until a scheme of details of screening of the balconies has been submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.
- Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties, in the interests of visual amenity and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2011, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
32. H11 Parking Management Strategy

#### Planning Informative

- 1 Informative – Works to the Public Highway and works impacting upon a Controlled Parking Zone

You are advised that the proposed alterations to the public highway will require changes to an existing Traffic Management Order, which will be subject to a separate decision making process, including public consultation, and will also incur additional costs on behalf of the applicant. The Council's Highways team must be contacted before undertaking any works within the public highway in order to obtain the necessary approvals and/or licences. Works affecting a Controlled Parking Zone may incur further costs.

2. INF12 Works affecting the public highway

3. Met Police

Drawings 2291\_PL\_100H shows two rear doors leading from the ground floor retail unit into the rear residential parking undercroft area. There should be clear demarcation between residential space and shared retail/residential space. The doors should be alarmed so to sound when opened. This is to make staff aware that the door has been opened possibly by someone with criminal intent.

4. INF 01 Party Walls Act