

**SUPPLEMENTARY AGENDA.
PLANNING APPLICATIONS COMMITTEE
26th March 2015**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P4222	03/12/14
Address:	Cavendish House, High Street Colliers Wood SW19.	
Ward:	Colliers Wood	
Proposal:	Erection of a part five, part six and part seven storey building to provide: 540 sq.m of library and community space, (Use within Class D1), and 270 sq.m of floorspace for uses within Class within A1 (Retail) Class A2 (Financial and professional services), and D1 (Non-residential institutions) at ground floor level and 54 residential units above with a detached three storey building to the rear to provide 6 additional residential units. Access to parking spaces (6 disabled bays) cycle parking, servicing and flats off Cavendish Road with a further pedestrian access off Valley Gardens.	
Drawing No's:	1438 - PL01 Site Location Plan 1438 - PL02 D Proposed Site Plan + Block Plan 1 1438 - PL03 C Ground Floor+ Library Plan 1438 - PL04 B First & Second Floor Plan 1438 - PL05 B Third & Fourth Floor Plan 1438 - PL06 B Fifth & Sixth Floor Plan 1438 - PL07 B Roof Plan 1438 - PL08 B Proposed NW + SW Elevations 1438 - PL09 B Proposed N + NE Elevations 1438 - PL10 B Proposed S + SE Elevations 1438 - PL11 B Elevations of Rear Block 1438 - PL12 B Sections A - A, B - B 1438 - PL13 A Sections C - C, D - D 1438 - PL14 A Street Context Elevations (3No.) + 3D Context Views Existing Survey Drawings CM/1460/T Topographical Survey CM/1460/Gnd Existing Ground Floor Plan CM/1460/1 st Existing First Floor Plan CM/1460/2 st Existing Second Floor Plan CM/1460/Elev1 Existing Elevations 1	

Design and Access Statement, prepared by LDA Architects;
Planning Statement, including a Heritage Statement, prepared by Indigo Planning;
Statement of Community Engagement, prepared by Indigo Planning;
Transport Assessment, prepared by iTransport LLP;
Flood Risk Assessment (including Foul and Surface Water Drainage Strategy), prepared by RPS;
Daylight/Sunlight Assessment, prepared by Point2;
Noise Impact Assessment; prepared by Sharps Redmore Acoustic Consultants;
Sustainability Assessment; prepared by MES;
Desktop Archaeology Report; prepared by LP Archaeology;
Air Quality Assessment; prepared by GEM;
Utilities Capacity Assessment; prepared by RPS
Ground Investigation Report; prepared by AP Geotechnics;
Engineers Report, prepared by Evolve.

Contact Officer: Jonathan Lewis (020 8545 3287)

**RECOMMENDATION: Grant planning permission subject to:
Planning conditions and a S106 legal agreement.**

CHECKLIST INFORMATION.

- S106: Affordable housing, permit free; cost to Council of all work in drafting S106 and monitoring the obligations; Legal costs.
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Is a Screening Opinion under the Environmental Impact Assessment Regulations required: No.
- Has a Screening opinion been issued: No.
- Press notice: Yes.
- Site notice: Yes.
- Design Review Panel consulted: Yes (pre application stage).
- Number of neighbours consulted: 208.
- External consultations: Transport for London, Environment Agency, Metropolitan Police, English Heritage (Archaeology).
- Conservation Area – Adjacent to Wandle Valley Conservation Area.

- Public Transport Accessibility Level [PTAL]: Level 6a TFL Information Database [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility]
 - Number of jobs created: Unknown at present.
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1. INTRODUCTION

- 1.1 This item is reported to Committee as an urgent item. The need to consider the application at the March Committee is considered vital in order that any delay does not impact adversely on the applicant's on-going commitment to work with the Council in delivering a new public library for Colliers Wood. Officers have secured support for the report to be considered as an urgent item by the Chair of the Planning Applications Committee.
- 1.2 This application is brought before the Planning Application's Committee given the level of local interest including objections.
- 1.2 Notification of the proposals were reported to the Council's Sustainable Communities Scrutiny and Overview Panel in February this year. The Head of Library Services annual report noted that the would provide an improved and sustainable library for future generations and that if the development were to go ahead then temporary library facilities would be provided in the local area using the Library Connect infrastructure.

2. SITE AND SURROUNDINGS

- 2.1 0.18 hectare site located on the south eastern side of Colliers Wood High Street (A24) in between junctions with Valley Gardens and Cavendish Road. The site is occupied by Cavendish House (public library with vacant offices on two floors above) fronting Colliers Wood High Street. The office accommodation on the first and second floors of the building has been vacant since 2010 having previously been occupied by the Job Centre. As well as a library it is used as a place for community meetings, classes and children activities.
- 2.2 To the rear of the building is an area of hardstanding that is currently used as a car park, although this is gated and not available to the public. Vehicular access to the car park is obtained from Cavendish Road (to the north of the site). The site has a relatively level frontage onto Colliers Wood High Street with the parking area rising to the rear. There are some small self-seeded trees towards the Cavendish Road side of the parking area.
- 2.3 The existing three storey building is clad in brick with a flat roof and an approximate total floorspace of 1,681 sqm (GIA) (Library space - 409 sq.m, Vacant offices - 1272 sq.m). The building includes a three storey concrete faced stair core addition on its northern elevation.
- 2.4 To the north and fronting the High Street is a terrace of two storey mixed use properties with commercial on the ground floor with

residential above. Adjoining to the east and fronting Cavendish Road is a block of flats on four floors with the top floor concealed behind a high parapet beyond which is a two storey residential property with a hardstanding and garages to the rear. Adjoining to the south east and fronting Valley Gardens are two storey houses which have been extended with roof additions while to the south and towards the rear of Cavendish House, is a small block of flats on three floors with a single storey car port.

- 2.5 Beyond to the south are single storey commercial buildings that form an extension to the Grade II listed Colliers Wood Underground station, which is single storey with a double height ticket hall.
- 2.6 Opposite to the south west is the Royal Standard PH (two storeys with a single storey front/side addition – locally listed), while to the west is a petrol filling station beyond which is Wandle Park.
- 2.7 Opposite and to the north is a grassed area behind which are two storey houses with blocks of five storey flats on Byegrove Road beyond.
- 2.8 Wandle Park, 182-190 High Street, The Royal Standard (180) and buildings beyond on the High Street, along with the Underground station and a terrace of commercial properties fronting Christchurch Road form part of the Wandle Valley Conservation Area.
- 2.9 The application site is on the boundary of Colliers Wood centre and is within an archaeological priority zone. The site is within a Controlled Parking Zone and has a Public Transport Accessibility Level [PTAL]: Level 6A (TFL Information Database [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility]). High Street Colliers Wood forms part of the Mayor's Strategic Road Network.

3. CURRENT PROPOSAL

- 3.1 The proposal involves the demolition of existing buildings on the application site that provide and the erection of a part five, part six, part seven storey building to provide 540sqm of library and community space (Use Class D1) and 270sqm of commercial space (Use Class A1/A2/B1/D1) at ground level and 54 residential units above along with a detached three storey building to provide six residential units.
- 3.2 The residential units would comprise a mix of 18 one bedroom units, 40 two bedroom units and 2 three bedroom units. 6 shared ownership units (10%) would provide the affordable housing component in the free standing block to the rear of the site.
- 3.3 The replacement building which makes up the majority of the proposed development on the site would be five storeys with a sixth and seventh floor set back from the building's elevations. The proposed building would be located on the same footprint as the

existing Cavendish House but would turn the corner to extend eastwards along Cavendish Road.

- 3.4 The proposed library would be set over three levels as a result of part of the building being located in a part-basement level and a mezzanine level. The entrance to the library would be located on the corner of the site, facing Cavendish Road and the High Street. It would be double height with a glazed automatic door and a canopied entrance. Overall the proposed library would provide 540 sqm of library / community space, a 131 sqm increase on the existing library facility.
- 3.5 The southern part of the ground floor of the building would be occupied by the commercial unit with a flexible A1 (retail), A2 (financial and professional services), B1 (offices), or D1 (non-residential institution) use. This unit would include a shop front facing on to the High Street.
- 3.6 For the residential part of the High Street frontage block, floors one – four will comprise a typical layout to include four x one-bedroom and seven x two-bedroom units, all of which will benefit from private amenity space in the form of balconies or winter gardens totalling between 5.8 and 8.0 sqm. The multiple stair / lift cores allow the majority of the units to have both south eastern and north western outlooks (i.e. dual aspect). Where this is not achieved, the single-aspect units are south facing and include side facing openings.
- 3.7 The upper fifth floor will be set back from the main building below and will provide one x one bedroom, four x two bedroom and one x three bedroom units. The sixth floor would be further setback to provide one x one -bedroom, two x two - bedroom and one x three – bedroom flat.
- 3.8 The proposed rear block will be located on the eastern boundary of the site and will be set down slightly from existing ground level. As such, whilst the building will be three - storeys in height, it will have a similar height to the ridge line of neighbouring two - storey dwellings on Cavendish Road and Valley Gardens.
- 3.9 The building will have a flat roof and will comprise facing brickwork with a lighter and darker bricks. The building will accommodate six flats comprising two - bedroom units. Each of the residential units in the upper levels will benefit from a private balcony providing 7.0 sqm of amenity space. The ground floor units would benefit private garden space.
- 3.10 In between the main building and the rear block will be a courtyard area that will serve as a disabled parking area, a courtyard and a servicing area. The courtyard will provide six disabled spaces

(to serve both the residential development and the library), 66 cycle parking spaces, a refuse area and a designated servicing space and turning area.

- 3.11 The courtyard will be landscaped to provide an increase in the level of green space and planting.
- 3.12 A table setting out the floorspace of each unit and the available amenity space comprises Appendix A at the end of this report.
- 3.13 While samples have not been provided, drawings show a building clad in contrasting light grey and buff bricks with the upper floors clad in zinc tiles an aluminium standing seam roof and aluminium sheeting for the canopy onto the High Street. Grey window frames are proposed along with random red, mustard, turquoise and pale grey side panels to window openings. The rear block would also be clad in similar contrasting brickwork.
- 3.14 The application is accompanied by a number of supporting documents including: a Design and Access Statement, a Planning Statement, including a Heritage Statement, a Statement of Community Engagement, a Transport Assessment, Flood Risk Assessment (including Foul and Surface Water Drainage Strategy, a Daylight/Sunlight Assessment, a Noise Impact Assessment; a Sustainability Assessment; a Desktop Archaeology Report, An Air Quality Assessment; a Utilities Capacity Assessment; a Ground Investigation Report; an Engineers Report, and an Affordable Housing Statement.
- 3.15 The applicant has also submitted a commercially sensitive and confidential viability appraisal which has been the subject of independent review.

4. PLANNING HISTORY.

- 4.1 2014 - The current application evolved following pre application discussions with the applicant during 2014 firstly of a scheme comprising alterations and extensions to the existing building to provide a new library and flats and latterly in the form of a new build scheme. The pre-submission proposals were considered on two occasions by the Council's Design Review Panel comments from which are set out in Section 5 of this report.
- 4.2 July 2014 - 14/P1894 Prior Approval granted in relation to the change of use of the first and second floors from office (Class B1) to residential (Class C3) to create 20 flats.
- 4.3 May 2014 - 14/P0858 Prior approval refused in relation to the change of use of the first and second floors of the existing building from office space (use within Class B1) to residential (use within Class C3).

Reasons for refusal: The applicant has failed to demonstrate that the development will not adversely affect on-street parking, and, in absence of a Unilateral Undertaking restricting the flats from benefitting from parking permits, the proposals would be likely to impact adversely on pressure for kerbside parking in the surrounding area to the detriment of the amenities of neighbouring occupiers. The proposals would be contrary to the objectives of policy CS.20 of the Merton LDF Core Planning Strategy (2011).

- 4.4 2013 – Non material amendment to planning permission for change of use of 1st and 2nd floor from B1 office to D1 health centre with the provision of a lift shaft and enclosure to rear.
- 4.5 2010 – 10/P3387 – Planning permission for change of use of 1st and 2nd floor from B1 office to D1 health centre with the provision of a lift shaft and enclosure to rear.
- 4.6 2007 – 06/P1982 – Planning permission granted subject to a S106 agreement – alterations and extensions including 2 additional floors (1000 square metres) for office use (Use Class B1), replacement stairwell and new canopy, new secure cycle store, refuse store and gates to car park and alterations to south facing elevation.
- 4.7 2005 – 04/P2798 – Resolution to grant planning permission subject to a S106 agreement – alterations and extensions including an additional floor to provide 8 x 1 bedroom flats, a 4 storey side extension to high street frontage to provide lift and stair access to the flats, 4 storey extension to valley gardens frontage to provide fire escape and alterations at entrance to car park including widening vehicle access, cycle store and automatic barrier. S106 agreement not completed and application withdrawn.
- 4.8 1977 MER 338/77 Use of ground floor as a public library and alterations to front and rear elevations.
- 4.9 1974 – MER9/74 Permission for the erection of a showroom, offices and flats.
- 4.10 Various historic decisions in connection with garage, showroom and workshop uses of site.

5. CONSULTATION

5.1 The planning application was publicised by means of site and press notices, together with individual letters to 208 nearby addresses. In response to this public consultation, 17 replies have been received 16 objecting to the proposals and 1 supporting the proposals.

5.2 **Objections – Height bulk and massing:**
Height and imposing nature of building.

Visually dominant and overbearing to both front and rear.
Number of units and density is excessive.
Recessed top floors do not do enough to reduce dominance of building.
Out of character with neighbouring properties.
Buildings locally rise to 3/4 storeys.
Three storey backland development inappropriate. The area should be left clear for residents' gardens, parking and servicing.
Would set a precedent.

- 5.3 **Objections – Design and impact on neighbour amenity.**
Choice of materials - need to avoid materials that turn grey due to dirt and pollution.
Building and balconies would overlook properties in Cavendish Road.
Loss of light and overshadowing to houses in Cavendish Road and North Gardens.
Noise and disturbance.
Dust and debris during construction.
- 5.4 **Objections – Parking and flood risk.**
Inadequate parking. Will increase pressure on parking in adjacent streets.
Site at risk from flooding.
- 5.5 **Objections – others.**
No master plan for the area so how can scheme be properly assessed.
Existing community centre site should be considered.
Would like to see redevelopment within structure of existing building.
Area needs local shops.
Will increase pressure on local services and infrastructure including drains.
Will cause subsidence to neighbouring property.
- 5.6 **Support.**
1 letter of support – No issues with height. Proposals will enhance the area.
- 5.7 Transport for London No objections but recommend an informative advising that the canopy overhang should not impeded the effectiveness of solar panels that may be installed as part of a new bus shelter on the High Street frontage. TfL supportive of a largely car free development. Use of parking will require careful management. Provision of Electric Vehicle Charging Point (EVCP) is supported as is exclusion from parking permits. Adequate internal enclosed cycle storage to be provided for commercial and library staff. TfL do not support external visitor stands for this purpose. Changing and shower facilities should be provided. Conditions requiring a delivery and servicing management plan and a construction logistics plan are supported.

- 5.8 London Underground. The applicant will need to demonstrate that the development will not have a detrimental effect on London Underground's tunnels and structures either in the short or long term; the design must be such that the loading imposed on the tunnels or structures is not increased or removed. Detailed condition requested requiring design and method statement for all foundations, basement and ground floor structures along with an associated informative prompting early discussion with London Underground.
- 5.9 Environment Agency No objection subject to conditions regarding assessment of site contamination and remediation, sustainable drainage, and piling so as not to give rise to risk to groundwater.
- 5.10 Metropolitan Police. The Designing out crime officer has met with the project architect to discuss Secured by Design (SBD) principles, the control of the access point into the site, the undercroft area parking, cycle storage and measures to prevent loitering. Security measures have been addressed in the applicant's Design and Access statement and there is potential for the scheme to achieve SBD accreditation by working together with the Metropolitan Police advisor.
- 5.11 Thames Water. There are public sewers crossing or close to the development. Approval from Thames water is required where extensions to existing buildings or underpinning work is proposed over a line of or come within 3m of a public sewer. Thames Water will normally refuse approval in respect of the erection of a new building. Piling method statement to be agreed with Thames Water.
- 5.12 Recommended that surface water storm flows are attenuated into the receiving network through on or off site storage. Permits from Thames Water required in the event ground water being discharged into public sewer. No objection in respect of water and sewerage infrastructure capacity.
- 5.13 English Heritage (Archaeology). The site lies within an area of high archaeological potential and recent investigations have revealed the potential for significant archaeological remains to survive from a range of periods. Recommends approval of applicant's desk top survey. If Underground tunnels were bored rather than cut and covered archaeological deposits that may have been present above the level of the tunnel will not have been impacted. Although the NPPF envisages evaluation being undertaken prior to determination in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that EH consider a condition could provide an acceptable safeguard. Recommends safeguarding condition to ensure archaeological evaluation and submission of post investigation assessment.

5.14 Future Merton (Transport/Policy) No specific concerns raised regarding social infrastructure provision. No objection to level of parking provision or access/servicing arrangements.

5.15 LBM Public Health.

5.16 The NPPF and Merton's local planning context takes into account and encourages planning decisions which promote residents' health and wellbeing.

5.17 The wider health and wellbeing implications of have not been explicitly considered in the application documents, and we would propose that the London Healthy Urban Development Unit tools (e.g. the short Healthy Urban Planning Checklist) are used by the developers to more fully and robustly screen and scope the health impacts of the proposed development to ensure that the development results in maximum improved health of the residents and of the local community.

5.18 Environmental Health.

5.19 No objections subject to conditions being attached regarding noise from any plant and machinery, noise attenuation measures to safeguard amenities of future occupiers, restrictions on use of non-residential floorspace, design and positioning of any external lighting, provision of a demolition and construction method statement.

5.20 Design Review Panel

Minutes from meeting on 24th July 2014.

The Panel welcomed the proposals as a potential improvement to the area and existing poor quality building. The scale and massing of the (new-build) building was considered broadly appropriate. However, there needed to be a wider assessment of the setting with drawings showing the scale of surrounding buildings including those opposite in order to provide a clear rationale for the height and the way the building stepped down in height.

It was felt that the ground floor height did not provide a good civic status to the library. Raynes Park was cited as a poor domestic scale space for a civic use. It was therefore suggested that this be a double-height space. Alternatively, the new-build option allowed for a higher ground floor ceiling, which should be appropriate for a civic use. The entrance to the library should be expressed architecturally without having to rely on a large sign - this simply showed the architecture was not working in this respect. The corner of the building needed better architectural expression.

It was felt that the applicant had a sensible and sound approach in terms of how they had arranged the architectural form, but there were issues with how this had been expressed in materials and detail. It was felt that this was currently reading as a generic, anonymous architectural approach. The building should be relevant to its place,

with an evidence-based rationale to guide its architectural development. It was felt that the building should not use too many materials.

The Panel were unanimous in their opposition to a layout based on single-aspect flats. This would lead to poor quality accommodation, whereas good quality dual-aspect flats could fetch a premium in an up and coming area like Colliers Wood. The Panel urged the applicant to follow the new build option. They felt that the ideas generated for this in a short time frame were a good start, but they should not discount a 3-core option.

It was felt that there was further work to be done exploring options for the positioning of cores and the mix of flat sizes. It was felt that this was a complex issue that shouldn't be rushed. A particular point was to establish high quality, safe and attractive entrances and routes to them.

The Panel also urged the applicant to consider introducing a lightweight canopy along the frontage, to provide weather protection on the busy pavement. The rear of the building was a very busy space and this needed to be made to work well and needed further development. Cycle parking needed further work and also clarity on parking spaces and the use of the space. It should not feel like a car park. It was also suggested that the crossover on Cavendish Road be raised to pavement level.

The Panel also raised the potential issue of overlooking for the rear building and amount of amenity space. It was suggested that this might be the best location for larger units, possibly in maisonette form, if suitable amenity space can be provided. Overall, the Panel felt that the new-build option was a good start and the verdict is based on this option.

VERDICT: AMBER (towards GREEN)

Minutes from meeting on 25th September 2014.

When the Panel reviewed the initial concept version of this proposal at its previous July meeting, it felt the ideas represented a potential scheme that could work on this site. The Panel distinctly felt that the proposals put forward at this September meeting represented potential unfulfilled and not fully justified.

Whilst the Panel were not critical of the architecture, and acknowledged that a lot of thought had gone into the design development, it felt that the balance of development intensity to public benefit was particularly imbalanced. The Panel felt that the applicant had taken the wrong approach to the site, that they had simply undertaken a stacking exercise to maximise development and just meet minimum standards.

A different approach was needed to the site, one that was based on architecture and good urban design, and which built itself around the idea of the library as a community hub and part of making Colliers Wood a town centre. The building should evolve out of these aims.

A number of points were raised to demonstrate this including the significant number of single aspect north(ish) facing flats despite having three cores, the relationship to neighbouring buildings, including actual and potential overlooking and proximity of building form and no clear justification for the increased height or development density in terms of giving something back to the community of Colliers Wood.

The Panel reiterated a point made in previous reviews of buildings in Colliers Wood, that there should be a master-plan for the area to inform new intensified development. They felt that this was necessary to offer a clear view on whether the building was of an appropriate height.

Regarding the library, the Panel still felt that it did not announce itself sufficiently as a public building or community hub – it did not look public and could simply be mistaken for a retail unit, notably at upper levels. It did not feel welcoming and had no energy or fun to it. It needs to help Colliers Wood become a town centre. Clapham Library was cited as a good example. There needed to be an aspirational feel to the building to reflect the changing demographics.

One way the applicant could give something back to the community was to provide a larger library, possibly by creating a basement (enlarging the 2m void required for the tube line) for it.

The Panel were particularly concerned about the single aspect units and lack of amenity space. The single aspect units were considered poor in design and large in number. The building was thus considered unsustainable in the long term as the quality of life in these units would be poor and people would not want to stay there. It was feared the building would therefore have a potentially short life span.

The rear courtyard was considered intensively used and a hostile place to locate residential units and the proposed rear block would not be pleasant to live in. Overall there was not much amenity space in the development and no communal space at all. This would also reduce the quality of the living environment. The Panel were clear that sustainable good quality homes were required to promote health and wellbeing and that the current proposal did not do this. The lack of communal amenity space was also important in that most of the flats could be occupied by families and there were probably too many 3-bed units for the dense, town-centre location.

The Panel felt that the proposals represented opportunities missed in the rush to maximise development. It felt that there was definitely a case to be made for a larger building on the site but that it had to give

something back to the community, provide good quality living space and improve its architecture significantly. Currently it did none of these.

VERDICT: AMBER (towards Red)

6. POLICY CONTEXT

National Planning Policy Framework [March 2012]

- 6.1 The National Planning Policy Framework was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is put forward as a key part of central government reforms ‘...to make the planning system less complex and more accessible, and to promote sustainable growth’.
- 6.2 The document reiterates 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, not to hinder or prevent development.
- 6.3 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 – looking 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.
- 6.4 Paragraph 17 of the NPPF sets out a number of ‘Core Planning Principles’. These include:
 - Not being simply about scrutiny, but be a creative exercise in finding ways to enhance and improve the place in which people live their lives;
 - To proactively drive and support sustainable economic development to deliver homes and businesses;
 - Always seek to secure high quality design;
 - Encourage effective use of land by reusing land that has been previously development (brownfield land) where it is not of high environmental value;
 - Promote mixed use developments, and encourage multiple benefits from the use of land in urban areas; and
 - To take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

- 6.5 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.
- 6.6 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.

Further alterations to the London Plan (2015) (FALP) Published March 2015.

- 6.7 The relevant policies in the FALP (2015) are:
 Policy 3.1 (Ensuring equal life chances for all), Policy 3.3 (Increasing housing supply), Policy 3.4 (Optimising housing potential) Policy 3.5 (Quality and design of housing developments), Policy 3.7 (Large residential developments), Policy 3.8 (Housing choice), Policies 3.10 and 3.11 (Affordable housing and affordable housing targets), Policy 3.12 (Negotiating affordable housing), Policy 3.13 (Affordable housing thresholds), Policy 3.16 (Protection and enhancement of social infrastructure), Policy 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.11 [Urban greening]; 5.12 [Flood risk management]; 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]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes] and 8.2 [Planning obligations].
- 6.8 Mayor of London Supplementary Planning Guidance.
 The following supplementary planning guidance is considered relevant to the proposals: Supplementary Planning Guidance on Housing (2012).
- Merton LDF Core Planning Strategy [2011]
- 6.9 The relevant policies within the Council's Adopted Core Strategy [July 2011] are CS 7 [Centres], CS.8 (Housing), CS.11 (Infrastructure), CS.12 [Economic development]; 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 (2014).

6.10 The relevant policies are follows: DM R1 –Development in town centres; DM.R6 –Culture, arts and tourism development; DM H2 – Housing mix; DM H3 – Support for affordable housing; DM C1 – Community facilities; DM E1 –Employment areas; DM E2 – Offices in town centres; DM D1 – Design and public realm; DM D2 – Design consideration; DM D4 – Heritage assets; DM D7 – Shop front design and signage; DM EP2 – Noise; DM F1 – Flooding; DM F2 – Drainage; DM T1 – Sustainable transport; and DM T3 – Car parking and servicing.

6.11 Merton Supplementary Planning Guidance.

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

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations include assessing the following:

- Loss of employment floorspace and protection of community infrastructure.
- Principle of mixed use development including provision of a new library, housing and delivery of affordable housing;
- Design and appearance;
- Standard of accommodation;
- Residential amenity;
- Transport, car parking, servicing, access, walking and cycling;
- Sustainable design and construction; and
- Technical issues including flooding, archaeology, underground, and utilities issues.

7.2 Employment.

7.3 The NPPF sets out that planning policy 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.

7.4 The applicant advises that the office accommodation on the upper floors has been vacant since 2010 following the departure of the Job Centre. Policy DM E2 seeks to protect existing offices in designated town centres for which there is a need. Research that informed the preparation of the Council's LDF indicated an oversupply of low quality

office accommodation within the Borough, with a focus of new office provision being around Wimbledon.

- 7.5 Furthermore the principle of the change of use of the existing office accommodation on the upper floors to residential has already been established through the extant Class J Prior Approval. Thus, were the existing buildings to remain, use of the upper floors for employment purposes could not be safeguarded.
- 7.6 The proposed library along with the ground floor commercial use has the potential to generate some employment creation compared to the currently vacant office space.
- 7.7 No objection is raised to redevelopment that would not deliver replacement office employment floorspace.
- 7.8 Protection of community infrastructure and re-provision of library and community space.
- 7.9 Policy 3.1 of the FALP states that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving loss of these facilities without adequate justification or provision for replacement should be resisted.
- 7.10 Policy 3.16 of the FALP states that Development proposals which provide high quality social infrastructure will be supported in light of local and strategic social infrastructure needs assessments. Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted. Facilities should be accessible to all sections of the community (including disabled and older people) and be located within easy reach by walking, cycling and public transport. Wherever possible, the multiple use of premises should be encouraged.
- 7.11 Policy CS.11 of the LDF seeks to resist the loss of and promote the provision of social infrastructure including libraries, and to require development to provide any necessary social infrastructure.
- 7.12 The libraries service is a statutory service under the Public Libraries and Museums Act 1964, where it is stated that the local authority should provide a “comprehensive and efficient service. A review of library provision was undertaken as part of the Infrastructure needs assessment that informed the development of policies in the Council’s Local Development Framework. The Council’s Community Infrastructure arrangements have identified the provision and improvement of library facilities amongst the areas to which CIL contributions may be directed. The re-provision of a library is a key requirement in terms of the successful mixed use redevelopment of this site.

- 7.13 Council officers including the Head of Library Services have been engaged with the applicant with regards to funding the delivery of a new library and the proposals have been developed from inception to include not only a library but space for a potential coffee bar within the library and rooms for hire/use by the wider community with floorspace increasing from 400sq.m to 540 sq.m.
- 7.14 The proposed redevelopment would therefore make provision for the replacement and improvement of existing social infrastructure for which there is a recognized need in accordance with both London wide and local planning objectives.
- 7.15 The provision of other uses at ground floor and housing.
- 7.16 Policy CS.1 of the LDF states for Colliers Wood that the Council will encourage a mix of unit sizes and an improved range of town centre uses especially financial and business services restaurants cafes and community facilities commensurate with its retail offer as a District Centre.
- 7.17 In addition to the library the proposals include a number of other uses at ground floor (A1 (retail), A2 (financial and professional services) and D1 (non-residential institutions - often referred to as community uses)). The uses would be both compatible with their location on the High Street and appropriate as part of the overall mixed use development of the site.
- 7.18 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.
- 7.19 Policy 3.3 of the FALP [March 2015] sets new minimum targets for housing delivery which in the case of Merton rises from 320 additional homes annually to 411 for the period 2015 to 2025, between 2011 and 2026. The adopted Core Strategy states that the Council will encourage residential accommodation in 'sustainable brownfield locations'.
- 7.20 The proposals would make a meaningful contribution towards meeting the Mayor's new increased housing targets for the Borough.
- 7.21 Density.
- 7.22 While density on its own is not an entirely reliable guide to determining whether a development is appropriate for a particular site the London Plan's Sustainable residential quality density matrix sets out indicative density ranges for the effective development of sites dependent upon setting (suburban, urban and central) and public transport accessibility.

- 7.23 The London Plan policy 3.4 identifies areas within district centres as urban locations for the purposes of identifying appropriate densities. The London Plan suggests for schemes delivering primarily smaller units a density of up to 700 hrph may be appropriate. Given the mix and number of units the scheme generates a density of 911 hrph (30% above the suggested maximum).
- 7.24 While exceeding London Plan guidelines a judgement is required as to whether this is appropriate given that the site also lies within the wider South Wimbledon/Colliers Wood area for intensification identified in the London Plan. Policy 2.13 states that development proposals within intensification areas should (b) seek to optimise residential and non-residential output and densities and (c) contribute towards meeting or where appropriate exceeding the minimum guidelines for housing. The Council's LDF aspires to facilitate this objectives noting at policy CS.1 that the Council seeks the designation of Colliers Wood as a district centre in the London Plan hierarchy and that it may be an appropriate location to accommodate higher density development.
- 7.25 Analysis of the quality of accommodation and the impact of the development on its surroundings can help inform this assessment and these matters are dealt with below.

Design, including scale and massing and impact on locality

- 7.26 FALP policy 7.4 requires, amongst other matters, that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including the following: that buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.
- 7.27 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.
- 7.28 The supporting text to Policy CS.1 of the Core strategy states that Colliers Wood may be an appropriate location to accommodate higher density development where exceptional design and architectural quality are proposed.
- 7.29 The Core Strategy therefore provides a policy basis for tall buildings in Colliers Wood. The London Plan defines tall buildings as those substantially taller than their surroundings, cause a significant change on the skyline or are larger than the threshold size for referral of

planning applications to the Mayor. While the proposals would not exceed the height threshold for referral to the Mayor, members may consider that the proposals, at 7 storeys, comprise a “tall building” for the purposes of assessment against adopted policy.

- 7.30 Merton’s Tall Building Background paper (2010) advises that tall buildings are generally not appropriate within the borough due to its predominantly suburban low rise character. Tall buildings may be suitable where all of the following factors are present:
- Good public transport accessibility (the site benefits from good public transport accessibility)
 - Existing higher building precedent (in addition to Brown and Root Tower to the south the Council has endorsed proposals for major development to the south of the Tower and which significantly exceed those of the suburban housing in the area.
 - Regeneration or change is envisaged (The Council is working with TfL in promoting public realm improvements in Colliers Wood, promoting regeneration of the site of Brown and Root Tower and Merton Priory Homes are carrying out consultation in relation to the regeneration of the nearby High Path estate).
- 7.31 Merton’s “tall buildings” paper states that new taller development should assist in bridging rather than increasing the gap between the Brown and Root Tower and the surrounding area. Thus, notwithstanding the DRP’s concerns of an absence of a masterplan for development in Colliers that could inform decision making about taller buildings a framework nevertheless exists.
- 7.32 While the DRP were critical of the scheme insofar as it was seen as an exercise in stacking to maximise development, it may be judged that the proposed building would achieve the above aim by creating a transition from the large tower that comprises the pinnacle of the centre to the surrounding lower level development, allowing for an intensification of development between the two.
- 7.33 The NPPF, London Plan and LDF policies focus on delivering high quality design while a higher test of exceptional design is set for higher density development.
- 7.34 The applicant reviewed and revised the external appearance following the second presentation to the DRP which had been critical of the design.
- 7.35 The DRP felt the library needed to have a civic status and the design should reflect this. The external design of the proposed building has been changed as a result of this request to create a distinct corner building that officers consider would announce the entrance to the town centre. In addition, provision of a generous height ground floor, together with the inclusion of basement space has delivered improved

library and community space both in quantitative and qualitative terms (540 sqm of library floorspace) which was an aspiration also raised by the DRP.

- 7.36 One of the key principles of urban design is to promote the continuity of street frontages and the enclosure of space by development which clearly defines private and public areas. It is considered that the proposals' curved frontage, incorporating the library entrance addresses the surrounding public space in an attractive and positive manner while the sub-division of the ground floor space, to introduce a further non-residential use/uses provides an opportunity for further connectivity with the street in a manner that promotes sound urban design principles.
- 7.37 In other respects the applicant has successfully broken down the bulk of the frontage building by the use of two contrasting bricks and by setting back from the edge of the building the upper two floors. An imaginative use of glazing materials and coloured infill panels could add interest to its overall appearance.
- 7.38 Along with details of facing materials, shopfront details appear somewhat schematic and it may be prudent to attach a condition requiring full details, including material samples before construction and installation in order to ensure a high standard of design and finish and to safeguard the appearance of the streetscene.

Design, context and heritage assets.

- 7.39 The Wandle Valley Conservation Area is located to the south of the application site and includes the grade II listed Colliers Wood Underground station and other heritage assets including the locally listed Royal Sovereign PH opposite to the south. The functional design of the existing red brick Cavendish House building along with a somewhat bleak concrete staircase structure provides both the backdrop to and forms part of the foreground onto part of the Conservation area.
- 7.40 It may reasonably be considered to detract from views of the conservation area and the adjacent listed building and mar the backcloth to the area. Replacement with a new building has the potential to remedy this negative impact.
- 7.41 It is considered that the site's location in the context of the Colliers Wood/South Wimbledon area for intensification juxtaposed with the proximity of the site to a part of the Wandle Valley Conservation area, characterised by lower rise buildings, may set up a tension in terms of delivering more intensive development while safeguarding views towards and forming the backdrop to heritage assets.

- 7.42 The local area surrounding the application site is characterised by the variety that is present in terms of the design, scale and appearance of buildings.
- 7.43 In terms of the grade II listed station the siting of the new building would not intrude into views of it when travelling south any more so than the existing building, while when viewed northwards it would add interest to the backdrop to the building. In terms of buildings on the opposite side of the road in the conservation area, including the Royal Sovereign, while the conservation area straddles the High Street the alignment of the road provides a strong linear break between the more modern buildings on the east side and a clutch of older buildings on the west side. In this respect redevelopment with modern taller building on the east side of the road would not detract from views of this part of the conservation area.

Design – safety and security.

- 7.44 FALP policy 7.3 aims to ensure that measures to design out crime are integral to development proposals and are considered early in the design process, taking into account the principles contained in Government guidance on ‘Safer Places’ and other guidance such as Secured by Design’ published by the Police. Development should reduce the opportunities for criminal and anti-social behaviour and contribute to a sense of security without being overbearing or intimidating. Places and buildings should incorporate well-designed security features as appropriate to their location.
- 7.45 The design has been the subject of discussion between the applicant and the Met Police’s local design advisor and the Design and Access statement sets out general principles for ensuring access to the site including vehicle and pedestrian access is secure. The Met Police are supportive of the proposals in this respect however Members may consider it prudent to require full details of security measures.

Neighbour amenity – loss of privacy and overlooking.

- 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, and privacy to adjoining gardens.
- 7.47 The scheme proposes a number of small balconies to serve the flats in the rear of the two blocks that would be in close proximity to site boundaries with neighbouring gardens. Separation distances from balconies that would be elevated above surrounding land and neighbouring dwellings such as those in North Gardens and at Rutherford Court would not retain adequate privacy having regard to the Council’s New Dwellings SPG.
- 7.48 So as to avoid overlooking conditions are recommended requiring the approval of details of privacy screens to balconies and the selective

use of obscured glazing to the windows of those flats nearest to site boundaries.

Neighbour amenity – loss daylight sunlight and visual intrusion.

- 7.49 In support of the application the applicants have conducted a detailed survey and submitted a report that considers the potential daylight, sunlight and overshadowing effects of the proposals on surrounding residential properties.
- 7.50 The analysis follows Building Research establishment guidelines. The daylighting assessment follows good practice recommended by the guidance. For sun lighting all windows facing within 90degrees of due south serving habitable rooms within properties surrounding the site have been assessed. A sun on ground analysis has also been undertaken to establish impact on overshadowing of garden spaces.
- 7.51 The daylighting assessment demonstrates that around 87% of the 98 windows assessed would continue to benefit from good levels of daylight and where there have been reductions in daylight the percentage decrease is less than the 20% reduction recommended by the BRE. The analysis identifies greater impacts on windows at 103 High Street and 2 Cavendish Road. For 103 High Street for the windows affected the kitchen's natural light would only be slightly below the BRE's recommended minimum while for the lounge the affected window does not appear to be the sole source of light to the room. For 2 Cavendish Road the principal impact is on windows that provide secondary sources of light to habitable rooms. Affected windows at Rutherford Court already have rear walkway projections which restrict natural light and the impact of the new blocks are calculated as likely to experience less than a 1% drop in natural light.
- 7.52 Notwithstanding that the proposals will change the shadows cast over surrounding land, a sunlight assessment of surrounding sites demonstrates that all of the windows within immediately surrounding buildings are able to satisfy the Annual Probable Sunlight Hours criteria following construction and that the impacts are therefore acceptable.
- 7.53 Notwithstanding the Council's recommended separation distances between windows of existing buildings, site boundaries and new buildings, officers acknowledge that assessment of whether a building would be visually intrusive is not a matter that can be readily quantified. Dwellings on the opposite side of the High Street are over 30 m from the frontage block and despite its height (24m) it is considered that this level of separation would ensure the building was not unduly intrusive.
- 7.54 Flats and houses along Cavendish Road are orientated to face south. The orientation of the smaller block of flats would result in a separation distance of between 11m and 17m from the rear of flats at 2 Cavendish and 17m from the rear of 4. To ensure adequate pedestrian access the

rear of the site would be re-graded with ground levels dropped by up to 2m towards the rear boundary with the smaller block appearing more like a two storey building from beyond the site boundary. Coupled with the presence of an existing and substantial garage to the rear of 2 it is considered that the block would not appear unduly intrusive in this context.

- 7.55 There are windows in the flank wall of the block of flats at 2 Cavendish that would face towards the development. While these serve habitable rooms both the bedrooms and living room/kitchens are dual aspect with therefore no interruption to light to windows facing forwards or rearwards.
- 7.56 To the south are flats firstly in Valley Gardens then house in North Gardens. As with Cavendish Road, the changes in levels place ground level of the houses in North Gardens at a high level than the proposed ground level at the base of the smaller block of flats. The part of the block of flats abutting the site boundary is designed with a windowless rear wall while the wing towards the boundary with North Gardens while 11m from the smaller block of flats, is orientated with its front doors and non-habitable rooms facing towards the application site and main habitable rooms facing the street.
- 7.57 A corner of the smaller block of flats would be 14m from the nearest house in North Gardens. Given the proposed orientation of the block it is considered that it would not intrude into the outlook from the rear of the house.

Standard of accommodation.

- 7.58 Policy DM.D2 of the Merton Sites and Policies Plan (2014) 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 CS 8, 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.
- 7.59 Policy 3.5 of the London Plan (2015) 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 in table 3.3 of the London Plan. The standards are expressed in terms of gross internal area.

Standard of accommodation – internal space.

- 7.60 The table at the end of the report (Appendix A) demonstrates that the proposed accommodation in all but one flat provides internal residential floor space in accordance with the London plan and in excess of minimum floor space standards. The modest shortfall for one unit would not be considered a basis to withhold permission.

- 7.61 Since commencing discussions on the redevelopment of the site officers have highlighted the need to provide dual aspect units, promoting opportunities for greater levels of sunlight and providing opportunities for units to have a quieter (courtyard) elevation. The plans have responded to both officer and DRP comments with around 70% of units being dual aspect and this is welcomed. Of those that may be considered single aspect half benefit from a southerly aspect while others are integrated into the curved units with outlooks in more than one direction.
- 7.62 While the height and massing of the larger block would impact on light and outlook to the flats in the rear block the internal layout of the rear orientates the main living rooms to the rear thereby facing away from the larger block with only the bedrooms facing the larger block which are designed to be dual aspect.
- 7.63 It is considered that the internal layout makes good and efficient use of space with satisfactory light and outlook to habitable rooms.
- 7.64 Adopted design guidance (New Residential Development Merton SPG 1999) recommends separation distance of a minimum of 20m between parallel windows in neighboring residential blocks. Between the front and rear blocks separation distances are in some instances only 10-11m. The careful orientation of windows has reduced the potential for direct overlooking between the blocks and could further be reduced by selective screening of balconies and the application of obscured glazing of various individual windows. A non-standard condition is recommended to address this issue.
- Standard of residential accommodation - external amenity space.
- 7.65 Sites and Policies Plan policy DM D2 states that developments will be expected to ensure appropriate provision of outdoor amenity space which accords with appropriate minimum standards and is compatible with the character of the surrounding area. The standard within the Sites and Policies Plan states that in accordance with the London Housing Design Guide 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.
- 7.66 The flats are provided with amenity space in a variety of forms including balconies, terraces and at ground level to the rear small courtyard type gardens. The table at the end of the report (Appendix A) demonstrates that the units would meet or exceed minimum space requirements and that where shortfalls arise these are so small as not to warrant refusal.
- 7.67 The applicant has sought to resolve how to effectively provide amenity space on the road side elevation by incorporating winter gardens into

the design and by providing dual aspect units, thereby enabling balconies to be provided on the quieter rear elevation to the main block. Where larger balconies are provided on the High Street frontage these are at higher level and more remote from the immediate impact of the activity at street level. Changes in levels across the site and the bulk mass and orientation of the larger block in relation to the siting of the smaller block would impact on sunlight penetration to the ground level amenity spaces.

- 7.68 While London Plan policy 3.6 seeks the provision of playspace on site this is dependent on a scheme having a child yield of 10 or more. Using the methodology in the London Plan SPG the development would generate a child yield of just over 5 children and therefore on site playspace would not be required.
- 7.69 Officers note that the site is in close proximity to both Wandle Park and colliers Wood Recreation Ground and that future occupiers would benefit from this as supplementing amenity space on site. Given the otherwise adequate amount of amenity space provided, it may be considered that the quality of these spaces is satisfactory and would meet the needs of future occupiers.
- 7.70 Standard of accommodation – noise and vibration.
- 7.71 London Plan policy 7.15 seeks to ensure that development proposals manage noise by avoiding significant adverse noise impacts on health and quality of life and mitigate and minimise the existing and potential adverse impacts of noise on, from, within , as a result of or in the vicinity of new development without placing undue restrictions on developments or adding unduly to costs; and where separation from noise sources is not possible then any potential adverse effects should be mitigated through the application of good design principles.
- 7.72 The applicant's noise assessment quantifies and acknowledges the levels of noise in the surrounding environment and recommends high performance glazing and acoustically attenuated ventilation on the road elevations of the scheme along with a heat recovery ventilation system along with the control of noise from plant and machinery. Non-standard conditions are recommended to address these matters.
- 7.73 Ground floor uses would be compatible with the prevailing non-residential mix of uses in the surrounding area and suitably conditioned to control hours of opening and regulate noise from plant and machinery would be unlikely to give rise to harmful levels of noise.
- 7.74 The proximity to the underground line has the potential to be a source of noise and vibration. The applicant's specialist advisors are engaged in discussion with TfL/London Underground on issues regarding building over part of the Northern Line. Non-standard conditions have been recommended by London Underground which would mitigate

against the transmission of noise and vibration and are also aimed at safeguarding infrastructure.

7.75 Standard of accommodation - site contamination

7.76 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.

7.77 In light of the former 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.

Standard of accommodation - Air quality.

7.78 The NPFF recognises reducing pollution as being one of its core planning principles. It further indicates that LPA's should focus on whether the development is an acceptable use of land, and the impact of the use.

7.79 London Plan Policy 7.14 provides strategic guidance specific to air quality. It seeks to minimise exposure to existing poor air quality and make provision to address local problems. This is reflected by local policy, whereby the Core Strategy identifies the strategy to reduce air pollution through Policies CS18-20. The entire borough has been declared as an Air Quality Management Area.

7.80 In support of the application a detailed analysis of air quality and potential impacts of existing and future traffic levels on the proposed development has been submitted. Impacts on air quality from both the demolition and construction phases and subsequent operational phase are also assessed.

7.81 The report's conclusions and recommendations note in terms of demolition and construction activity that impacts of "moderately adverse" may be reduced to "negligible" through appropriate mitigation measures.

7.82 The report identifies that mitigation measures to protect future residents from high levels of nitrogen dioxide must be considered and that the use of mechanical ventilation as a means of drawing air into rooms facing the High Street during periods of peak traffic flows should be considered.

7.83 London Plan policy 7.14 requires major developments to be at least air quality neutral and not lead to further deterioration of existing poor air quality, such as in Air Quality Management areas. Based on the comparison between total building emissions and Building Emissions

benchmarks the proposed development meets the air quality neutral requirements and no mitigation is required.

7.84 Officers recommend that permission is made conditional on the development not commencing until a method statement outlining the method of site preparation, and measures to prevent nuisance from dust and noise to the surrounding occupiers, based on the recommendation set out in the applicant's technical report, and a construction logistics plan has been submitted to and approved in writing to the Local Planning Authority for approval.

7.85 Standard of accommodation - Health and well being.

NPPF Paragraph 171 states that local planning authorities: "should work with public health leads and health organisations to understand and take account of health status and needs of the local population, including expected future changes, and any information about relevant barriers to improving health and well-being. Policy 3.2 of the London Plan 2015 part D states that 'New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce health inequalities'. Locally, the Council's core strategy outlines the vision for Colliers Wood to become a thriving District Centre, including reconfiguring the centre to create a focus and making the environment more attractive to town centre users, especially pedestrians.

7.85 Feedback from the Council's Public Health Team note that it is positive to see that the Building For Life and other relevant sustainability criteria have been referenced in the application, and that a number of key considerations regarding healthy urban design have been taken into account (e.g. the zero-car scheme, the provision of cycle parking and amenity space in line with or in excess of the London Plan requirements).

7.86 CIL contributions from the scheme may reasonably be directed towards social infrastructure needs in the locality including education and while concerns were raised by Public Health officers that the applicant's analysis had not set out impact on school and health care capacity locally it is considered, given the scale of the proposals, that it would be unreasonable to delay determination of the application on this basis.

Housing mix and affordable housing.

7.87 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.

7.88 The mix of units would be 66% 2 bedroom units 30% 1 bedroom units and 4% 3 bedroom units. Notwithstanding the Council's wider

objectives of providing a more balanced mix of family and non-family sized units this needs to be weighed against the location of the site, on a busy main road where family accommodation may not be appropriate, and in an area where side roads are typically characterised by family dwellings.

- 7.89 In conclusion it is considered that the proposed accommodation will increase the variety 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.
- 7.90 FALP policy 3.12 requires that in making planning decisions a maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Decision makers are required to have regard to factors including current and future requirements for affordable housing at local and regional levels; and affordable housing targets adopted in line with policy.
- 7.91 The London Plan requires that negotiation on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation and other scheme requirements.
- 7.92 Having regard to characteristics such as financial viability issues and other planning contributions Core Strategy policy CS 8 states that for developments providing 10 or more units 40% of the new units should meet this provision and be provided on site.
- 7.93 The Borough wide affordable housing target is equivalent to 1,920 affordable homes for the period 2011-2026 (40% of the London Plan (2011) target for Merton rolled forward to cover the 15 year plan period). The LDF notes that where a developer contests that it would not be appropriate to provide affordable housing on site or wishes to deviate from the affordable housing requirements set out in the policy, the onus would lie with the developer to demonstrate the maximum amount of affordable housing that could be achieved on the site viably.
- 7.94 The proposals would deliver only 10% affordable housing of which all would be shared ownership. The scheme therefore deviates from the affordable housing requirements. The applicant's financial appraisal has had to factor in the provision of the new public library and community facilities. It has been the subject of independent review. This has concluded that the scheme as set out in financial appraisal model with 6 shared ownership affordable homes in the rear block would deliver the maximum amount of affordable housing while still ensuring that the development was financially viable. A modest surplus, given the overall project costs may arise. However, it is

considered that it may be unreasonable to press for that surplus to be captured through an additional contribution beyond the 6 units as it would not require significant changes to either the financial inputs or outputs to remove that surplus.

Transport, car parking, servicing, access cycling and walking.

- 7.95 The application site is located on High Street Colliers Wood (A24) that forms part of the strategic road network where TfL is the highways authority.
- 7.96 The application site has a Public Transport Accessibility Level of 6a which indicates that it has good access to public transport services. The site is located within a Controlled Car Parking Zone.

Car parking.

- 7.97 Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.
- 7.98 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. The current maximum car parking standards are set out within the London Plan at table 6.2. The Plan states that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per residential unit. Having regard to Table 6.2, the plan promotes maximum parking standards on the basis of 1-2 bed residential units to aim for less than 1space per unit, and 3bed units to aim for 1-1.5 spaces per unit.
- 7.99 The current maximum car parking standards are set out within the London Plan at table 6.2. These standards state that developments in areas of good public transport accessibility should aim for significantly less than 1 space per residential unit for units of 1-2 bedrooms and a maximum of 1-1.5 spaces per dwelling for 3 bedroom units.
- 7.100 10% of these spaces should be suitable for upgrading to being a disabled space with 20% equipped to provide electric vehicle charging points.
- 7.101 For food retailing minimum cycle parking is one space per 125 sq.m for staff and visitors while for D1 uses one cycle parking space per 10 staff and one space per 10 visitors. In areas of high public transport accessibility car free developments should be promoted.
- 7.102 The development is designed to be car free with the exception of disabled parking and the applicant's transport statement indicates the space being made available for residents with two for the library and in

any event for persons with disabilities and a parking management plan condition is recommended.

7.103 In order to reduce carbon dioxide emissions and promote sustainable transport use, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan seek as part of new development on site facilities for charging electric vehicles. A planning condition is recommended to ensure that the development provides facilities for charging electric vehicles in line with the requirement of 20% within the London Plan.

7.104 The level of off street car parking proposed as part of the proposed development is in line with the maximum parking standards provided within the London Plan, has been the subject of no objection from TfL and is considered acceptable.

Impact on traffic, servicing and access.

7.105 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers 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.

7.106 The applicant's transport statement analysis of trip generation. The proposals are estimated to result in an increase of 20 vehicular trips during a typical weekday morning peak hour equating to one additional car every three minutes when compared to the extant use of the site. During a typical weekday evening peak hour the development is estimated to result in an increase of 4 vehicle trips or one car every 15 minutes. The proposal is therefore estimated to result in a de-minimis increase in vehicle trips when compared to the consented use of the site.

7.107 The applicant's transport statement is supplemented by swept path analyses demonstrating the capacity for the yard to the rear to accommodate delivery by vans and other light commercial vehicles while a draft Servicing Management Plan has also been prepared.

7.108 Refuse arrangements shown on the applicant's plans show bin stores within 10m of the carriageway edge meeting the Manual for Streets (2007) standards.

7.109 Neither TfL or the Council's Transport Planners have raised concerns regarding servicing or access but TfL have recommended a condition requiring servicing and delivery management plans.

Cycling and walking.

- 7.110 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 encouraging design that provides, attractive, safe, covered cycle storage.
- 7.111 The submitted application drawings show the provision of 66 secure cycle parking spaces at the rear of the development.
- 7.112 London Plan standards for cycle parking are one per 1-2 bedroom dwelling and 2 per three bedroom dwelling. The level of provision and location are considered satisfactory. In order to ensure that cycle parking is covered and of a suitable design a planning condition is recommended to ensure that it is suitably designed and provided before first occupation of the building.
- 7.113 The provision of further cycle parking for non-residential and visitor use outside the envelope of the building has not been endorsed by TfL and a condition is recommended to seek further details in order to resolve this issue before the development is occupied.

Flooding issues.

- 7.114 Merton's Sites and Policies Plan policies DM.F1 and DM.F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.115 The existing building on the site is within flood zones 2 and a Flood Risk assessment has been submitted in support of the application.
- 7.116 The applicant's Flood Risk Assessment considers the potential for the site to be impacted by flooding, the potential impacts of the development on flooding both on site and in the vicinity and measures to mitigate against identified risks.
- 7.117 The reports identifies measures that may be incorporated into the design including suitable floor levels, raised thresholds, waterproofing the semi basement area, green roofs, and permeable paving.
- 7.118 The development would be at low risk from flooding and no objections have been raised by the Environment Agency to the proposed levels for the semi-basement level accommodation for the library or for both the other non-residential uses and the residential accommodation.
- 7.119 The Environment Agency and Thames Water have however recommended that any permission be conditioned to address storm water flows, sustainable drainage and piling.

7.120 Archaeology

- 7.121 London Plan policy 7.8 and Policy DM D4 of the Sites and Policies Plan aims to conserve and where appropriate enhance Merton's heritage assets and distinctive character. The application site is located in an Archaeological Priority Area.
- 7.122 As the proposal has the potential 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 AND SUSTAINABILITY

Environmental Impact Assessment

- 8.1 The application site is less than 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 there is no requirement for an Environmental Impact Assessment as part of this planning application.

Sustainability

- 8.2 Policy CS 15 of the adopted Core Strategy [2011] states that proposals will be required to demonstrate how resources have been used effectively. Proposals would also need to demonstrate how they make the fullest contribution to minimising carbon dioxide emissions. Residential development should achieve Code for Sustainable Homes level 4 certification. Proposals should meet the CO2 reduction targets in line with the London Plan. Policy 5.2 of the London Plan [2015] states that development proposals should make the fullest contribution to minimising carbon dioxide emissions.
- 8.3 The applicant's energy and sustainability statement analyses the scope to achieve the relevant sustainable design and construction criteria relevant to achieving the Code for sustainable homes level 4 and BREEAM Very Good for the non-residential floorspace. The design approach combines improvements to building fabric along with a solar pv array at roof level on the main building.
- 8.4 The applicant's report commits to achieving CSH certification at level 4 and BREEAM very good and is accompanied by a pre-assessment report.
- 8.5 Planning conditions are recommended to seek the submission of post construction certification to show that Code for Sustainable Homes Level 4 is achieved for the residential flats and BRE 'Very Good' standard for the non-residential floorspace together with a minimum

25% improvement in the dwelling emissions rate in accordance with Policy 5.2 of the London Plan.

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.

9.2 The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. It is likely that the development will be liable for the Mayoral Community Infrastructure Levy that is calculated on the basis of £35 per square metre of new floor space.

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, and 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 applies to the housing elements. This levy is calculated on the basis of £220 per square metre of new floor space for residential floorspace with social housing relief available under Part 6 of the Regulations affordable housing being applicable to the affordable housing element of the scheme.

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.

- 9.8 In this instance the delivery of affordable housing would be secured via a S106 agreement. The proposals include the provision of a library with the costs of delivering a library having been factored into the ability of the scheme to deliver affordable housing while still remaining viable.
- 9.9 The developer would be expected to agree to meet the Council's costs of preparing and monitoring the Section 106 Obligations. S106 monitoring fees would be calculated on the basis of the advice in the Council's adopted Supplementary Planning Guidance (2006) and legal fees would need to be agreed at a later date.
- 9.10 Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by Merton's Community Infrastructure Levy. Merton's initial strategic community infrastructure list drawn up under the provisions of Regulation 123 includes the provision and refurbishment of libraries. Thus while CIL contributions may reasonably be used in association with funding the library part of the proposals it would be unreasonable to seek further contributions via a S106 planning agreement.
- 9.11 Members may consider that adequate safeguards, other than planning conditions, set out in the terms of any contract it enters into with the developer, may be sufficient to ensure the delivery of the new library.

10. CONCLUSION

- 10.1 It is considered that the proposals would meet the core planning principles as set out in the NPPF, being a development that has the potential to enhance and improve Colliers Wood that would deliver new homes, reuses brownfield land more intensively, improves community facilities to meet local needs and which members may judge as delivering a high quality design.
- 10.2 The proposals would introduce a building that could reasonably be considered tall having regard to the immediate local context within an area where the Council recognizes that tall buildings may be located. Officers acknowledge that it is a matter of judgement as to whether the bulk massing and design of the frontage building broadly fulfils the key policy tests for assessing the appropriateness or otherwise of tall buildings in terms of both the local and wider context. Nevertheless, the current scheme presents an opportunity to deliver an imaginative architectural solution on the site and it is considered appropriate in that local context and as the backdrop to both listed buildings and the Wandle Valley Conservation Area.

- 10.3 The development would provide an adequate environment for future occupiers notwithstanding the somewhat compact nature of the layout given it meets policy requirements around unit size and amenity space.
- 10.4 The location is suitable for a scheme with limited on-site parking. Suitably conditioned to address cycling and servicing arrangements it is considered that the proposals can be delivered in a manner that would not have a harmful impact on the overall functioning of the surrounding highway network.
- 10.5 The development would achieve a suitable level of sustainable design and construction meeting London Plan objectives. Accordingly, planning permission may be granted subject to the planning conditions and planning obligations set out below.

RECOMMENDATION: Grant planning permission subject to the completion of a S106 legal agreement and conditions.

S106 legal agreement:

1. The provision of 6 affordable housing units in the smaller of the two blocks;
2. To ensure that the flats would be “permit free”.
3. The developer agreeing to meet the Council’s costs of preparing [including legal fees] the Section 106 Obligations [to be agreed].
4. The developer agreeing to meet the Council’s costs of monitoring the Section 106 Obligations [to be agreed].

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 & 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: (Schedule of drawings and documents on Page 1 of PAC report to be inserted) 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 - Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or 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 policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

4. Site levels. No development, other than demolition of existing buildings, shall take place until details of the proposed finished floor levels of the development, together with proposed site levels, have been submitted to and approved in writing by the Local Planning Authority, and no development shall be carried out except in strict accordance with the approved levels and details. The finished floor levels shall be consistent with those set out in the Flood Risk Assessment by RPS submitted with the application. Reason: To safeguard the visual amenities of the area, to mitigate against flood risk and to comply with the following Development Plan policies for Merton: policy 7.6 and 5.12 of the London Plan 2015, policies CS14 and 15 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3, and DM.F1 and F.2 of Merton's Sites and Policies Plan 2014.
5. Site surface treatment. No development shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas, and footpaths, have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details. Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.
6. Amended 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 policy DM D2.
7. 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 dust, 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.

8. Standard Condition [Construction Logistics Plan to be Submitted] 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 be 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 Merton Core Planning Strategy 2011
9. Standard Condition [Delivery and Servicing Plan to be Submitted] Prior to the commencement of the use a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority with the approved measures outlined in the plan fully implemented and maintained for the lifetime of the development. Reason for condition: In the interests of the safety of pedestrians and vehicles and to comply with policy CS20 of the Merton Core Planning Strategy 2011.
10. (External materials) No development shall take place until details and samples of the materials to be used on all external faces of the development hereby permitted, (notwithstanding any generic materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason for condition. To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2_and D3 of Merton's Sites and Polices Plan 2014.
11. Noise attenuation. Details of measures to mitigate against the impact of noise in accordance with the recommendations set out in the Sharps Redmore report submitted by the applicant shall be submitted to and approved in writing by the local planning authority before the flats are occupied and shall be installed before their occupation and permanently retained. Reason. In order to safeguard the amenities of future occupiers from the impact of noise and to comply with London Plan policy 7.15.
12. Air quality. Details of measures to mitigate against the impact of poor air quality in accordance with the recommendations set out in the Gem Air Quality Ltd report submitted by the applicant shall be submitted to and approved in writing by the local planning authority before the flats

are occupied and shall be installed before their occupation and permanently retained. Reason. In order to safeguard the amenities of future occupiers from the impacts of poor air quality and to comply with London Plan policy 7.14.

13. Non-standard condition [Access to undercroft] Notwithstanding the details shown on the approved plans, prior to first occupation of the proposed new dwellings measures to restrict general access to the proposed undercroft area 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 these measures retained for the lifetime of the development. Reason for condition: To safeguard the amenities of the area and future occupiers and to ensure compliance with Sites and Policies policy DM D2 and policy CS14 of the Merton Core Planning Strategy 2011.
14. Screening to balconies. Flats shall not be occupied until details of privacy screening to 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 flats 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 and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
15. Partial obscured glazing. Before glazing is installed and the flats are occupied the applicant shall have submitted to and had approved details of those windows and parts of windows to be glazed with obscured glazing. Reason for condition. Separation distances between windows fail to meet the Council's adopted standards and the Council seeks to ensure the layout achieves satisfactory privacy between neighbouring residential units and to comply with Sites and Policies Plan policy DM.D2.
16. Notwithstanding the details shown on the approved drawings, full details of "shopfront" design for all units (A1, A2 and D1) facing High Street Colliers Wood shall be submitted to and approved by the local planning authority before the relevant unit is occupied. The development shall be implemented in accordance with such details as are approved. Reason. To ensure the satisfactory appearance of the building and to comply with Merton Sites and Policies Plan policy DM.D2.
17. Alterations to highway frontage. No cables, wires, aerials, pipe work (except any rainwater down pipes as may be shown on the approved drawings) meter boxes or flues shall be fixed to any elevation facing a

highway. Reason: To safeguard the appearance of the development and the visual amenities of the area and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

18. Standard condition [BREEAM - Pre-Occupation (New build non-residential)]
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 2015 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 2015 and CS 15 of the 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. Non standard condition [Refuse and recycling facilities] Prior to first occupation of the proposed new dwellings or the non-residential floor space refuse and recycling facilities shall be in place for the relevant

part of the development that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, or as may be shown on the approved plans, 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 Core Strategy [July 2011].

23. 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 the occupiers of neighbouring properties and to ensure compliance with Sites and policy DM D2 and CS14 of the Merton Core Planning Strategy 2011.
24. A) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.
- B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development commences the applicant (or their heirs and successors in title) shall 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.
- C) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (B).
- D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured. Reason. Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.
25. Non Standard Condition Noise from any new plant/machinery associated with the relevant non-residential floors space shall not increase the background noise level by more than 2dB [A] L 90 [5 minute measurement period] with no increase in any one-third octave band between 50 Hertz and 160Hertz. Reason for condition. To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with Development Plan policies:

policies 7.14 and 7.15 of the London Plan 2015, policy CS7 of Merton's Core Planning Strategy 2011 and policies DM EP2 and DM EP4 of Merton's Sites and Polices Plan 2014.

26. Non standard condition [Cycle storage and parking] Notwithstanding the details shown on the drawings of cycle parking outside the application site boundary, prior to first occupation of the proposed new dwellings or the non-residential floor space the cycle storage for occupiers or users and cycle parking for visitors for the relevant floor space shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, or as may be shown on the approved plans, 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].
27. (Car parking spaces] Prior to occupation of the development hereby permitted the car parking spaces shown on the approved drawing including an on-site facility for charging electric vehicles to serve the development shall be provided and thereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the London Plan.
28. The development hereby permitted shall not be occupied until a Parking Management Strategy has been submitted in writing for approval to the Local Planning Authority. The development shall not be occupied until this strategy has been approved and the development shall thereafter operate in accordance with such measures as are approved unless the prior written approval of the Local Planning Authority is obtained to any variation. 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.
29. Non-standard condition [Land contamination – site investigation] Prior to the commencement of development approved by this permission (or other such date or stage in development as may be agreed in writing with the Local Planning Authority) the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the local planning authority. 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 referred to in (2) 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. The scheme shall be implemented as approved. Reason for condition: For the protection of controlled waters. The site is over a secondary aquifer and within groundwater source protection zone SPZ1 and no information has been provided on the potential for contamination.

30. (Construction phase) If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for a remediation strategy detailing how this unspecified contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning authority. Reason. In order to protect the health of future occupiers of the site and adjoining areas in accordance with Sites and Policies plan policy DM.EP4 and to protect controlled waters.
31. [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 Policies policy DM EP4 and to protect controlled waters.
32. No infiltration of surface water drainage into the ground is permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. Reason. Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could cause pollution of groundwater.

33. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details. Reason. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying ground water.
34. The development shall be implemented in accordance with the Flood Risk Assessment by RPS November 2014 which states that all residential units will be placed above the 1 in 100 year plus climate change flood event of 11.95m above ordnance datum and that the ground floor and threshold of the semi-basement level will be above the 1 in 100 years plus climate change flood level including a 300mm freeboard allowance. Reason to ensure that the development would be safe, without increasing flood risk elsewhere.
35. The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures , or for any other structures below ground level, including piling (temporary and permanent) and load calculations have been submitted to and approved in writing by the local planning authority which:
- Provide details on all structures;
 - Accommodate the location of the existing London Underground structures and tunnels;
 - Accommodate ground movement arising from the construction thereof; and
 - Mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.
- The development thereafter shall be carried out in all respects in accordance with the approved design and method statements and all structures and works comprised with the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building is occupied.
36. Externally mounted plant and machinery shall be enclosed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Reason. To ensure the satisfactory appearance of the development and to comply with Sites and Policies Plan policy DM.D2.
37. Non-residential floorspace shall not be open to the public other than between the hours of 07.00 and 23.00 on any day. Reason. To

safeguard the amenities of neighbouring occupiers and to comply with policy 7.15 of the London Plan.

38. No development shall commence until details of the proposed vehicular access to serve the development have been submitted in writing for approval to the Local Planning Authority. No works that are subject of this condition shall be carried out until those details have been approved, and the development shall not be occupied until those details have been approved and completed in full. 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.
39. Prior to the first occupation of the development the applicant shall repave the footway areas adjacent to the site on High Street Colliers Wood, Cavendish Road and Valley Gardens in accordance with details which shall have first been agreed with the Highway Authority. Reason. To ensure the interface between the building and the adjoining public realm provides a high quality inclusive environment for pedestrians, achieves a satisfactory appearance to the setting of the development and to comply with policy 7.2 of the London Plan (2015) and policies DM.D2 and DM.T5 of the Merton Sites and Policies Plan (2014).

INFORMATIVES:

- a) The applicant is advised that details of Lifetime Homes standards can be found at www.lifetimehomes.org.uk
- b) The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods and load calculations.
- c) 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 be 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).
- d) Written schemes if investigation will need to be prepared and implemented by a suitable qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any p site development related activity occurs. It is recommended that archaeological fieldwork should comprise: geotechnical monitoring and evaluation. For further advice contact: English Heritage (Gillian King) quoting reference CLO15527.

- e) The applicant should contact Transport for London at the point at which samples of materials for the proposed canopy are submitted to the Council for approval to demonstrate that such materials would not materially inhibit the function of any solar panelling forming part of the adjacent bus shelter that is present at that time.
- f) 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.
- g) The applicant shall enter into an appropriate legal agreement with the Highway Authority to undertake the works to create the new vehicle access via Cavendish Road and repave the footway adjacent to the site boundary

Appendix A.

Floorspace and amenity space provision (Source: Indigo Planning).

Unit no.	Unit Type	Floor area (sqm)	London Plan Standard (sqm)	Compliance with standard	Amenity Space (balconies) (sqm)	Housing Design SPG (balconies) (sqm) (2012)	Compliance with standard
1.01	2b3p	62	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
1.02	2b4p	70	70	<input type="checkbox"/>	8	7	<input type="checkbox"/>
1.03	2b3p	67	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
1.04	2b3p	64	61	<input type="checkbox"/>	6.8	6	<input type="checkbox"/>
1.05	1b2p	50	50	<input type="checkbox"/>	7	5	<input type="checkbox"/>
1.06	2b4p	71	70	<input type="checkbox"/>	6.8	7	X
1.07	2b3p	63	61	<input type="checkbox"/>	7.4	6	<input type="checkbox"/>
1.08	1b2p	51	50	<input type="checkbox"/>	6.6	5	<input type="checkbox"/>
1.09	1b2p	51	50	<input type="checkbox"/>	5.8	5	<input type="checkbox"/>
1.10	2b4p	70	70	<input type="checkbox"/>	7	7	<input type="checkbox"/>
1.11	1b2p	50.5	50	<input type="checkbox"/>	5.9	5	<input type="checkbox"/>
2.01	2b3p	62	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
2.02	2b4p	70	70	<input type="checkbox"/>	8	7	<input type="checkbox"/>
2.03	2b3p	67	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
2.04	2b3p	64	61	<input type="checkbox"/>	6.8	6	<input type="checkbox"/>
2.05	1b2p	50	50	<input type="checkbox"/>	7	5	<input type="checkbox"/>
2.06	2b4p	71	70	<input type="checkbox"/>	6.8	7	X
2.07	2b3p	63	61	<input type="checkbox"/>	7.4	6	<input type="checkbox"/>
2.08	1b2p	51	50	<input type="checkbox"/>	6.6	5	<input type="checkbox"/>
2.09	1b2p	51	50	<input type="checkbox"/>	5.8	5	<input type="checkbox"/>
2.10	2b4p	70	70	<input type="checkbox"/>	7	7	<input type="checkbox"/>
2.11	1b2p	50.5	50	<input type="checkbox"/>	5.9	5	<input type="checkbox"/>
3.01	2b3p	62	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
3.02	2b4p	70	70	<input type="checkbox"/>	8	7	<input type="checkbox"/>
3.03	2b3p	67	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
3.04	2b3p	64	61	<input type="checkbox"/>	6.8	6	<input type="checkbox"/>
3.05	1b2p	50	50	<input type="checkbox"/>	7	5	<input type="checkbox"/>
3.06	2b4p	71	70	<input type="checkbox"/>	6.8	7	X
3.07	2b3p	63	61	<input type="checkbox"/>	7.4	6	<input type="checkbox"/>
3.08	1b2p	51	50	<input type="checkbox"/>	6.6	5	<input type="checkbox"/>
3.09	1b2p	51	50	<input type="checkbox"/>	5.8	5	<input type="checkbox"/>
3.10	2b4p	70	70	<input type="checkbox"/>	7	7	<input type="checkbox"/>
3.11	1b2p	50.5	50	<input type="checkbox"/>	5.9	5	<input type="checkbox"/>
4.01	2b3p	62	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>

4.02	2b4p	70	70	<input type="checkbox"/>	8	7	<input type="checkbox"/>
4.03	2b3p	67	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
4.04	2b3p	64	61	<input type="checkbox"/>	6.8	6	<input type="checkbox"/>
4.05	1b2p	50	50	<input type="checkbox"/>	7	5	<input type="checkbox"/>
4.06	2b4p	71	70	<input type="checkbox"/>	6.8	7	X
4.07	2b3p	63	61	<input type="checkbox"/>	7.4	6	<input type="checkbox"/>
4.08	1b2p	51	50	<input type="checkbox"/>	6.6	5	<input type="checkbox"/>
4.09	1b2p	51	50	<input type="checkbox"/>	5.8	5	<input type="checkbox"/>
4.10	2b4p	70	70	<input type="checkbox"/>	7	7	<input type="checkbox"/>
4.11	1b2p	50.5	50	<input type="checkbox"/>	5.9	5	<input type="checkbox"/>
5.01	2b4p	72	70	<input type="checkbox"/>	70	7	<input type="checkbox"/>
5.02	1b2p	50	50	<input type="checkbox"/>	14	6	<input type="checkbox"/>
5.03	2b3p	61	61	<input type="checkbox"/>	21	7	<input type="checkbox"/>
5.04	2b4p	70	70	<input type="checkbox"/>	24	7	<input type="checkbox"/>
5.05	2b4p	73	70	<input type="checkbox"/>	10	8	<input type="checkbox"/>
5.06	3b5p	81	86	X	37	8	<input type="checkbox"/>
6.01	2b4p	70	70	<input type="checkbox"/>	37	7	<input type="checkbox"/>
6.02	1b2p	50	50	<input type="checkbox"/>	15	5	<input type="checkbox"/>
6.03	2b4p	73	70	<input type="checkbox"/>	22	7	<input type="checkbox"/>
6.04	3b5p	86	86	<input type="checkbox"/>	82	8	<input type="checkbox"/>
R1.01	2b3p	63	61	<input type="checkbox"/>	44.7	6	<input type="checkbox"/>
R1.02	2b3p	63	61	<input type="checkbox"/>	84.9	6	<input type="checkbox"/>
R2.01	2b3p	63	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
R2.02	2b3p	63	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
R3.01	2b3p	63	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>
R3.02	2b3p	63	61	<input type="checkbox"/>	7	6	<input type="checkbox"/>

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