

PLANNING APPLICATIONS COMMITTEE
17th September 2015

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	Proposal A: 14/P4287	21/11/14
	Proposal B: 14/P4288	21/11/14

Address: **Rainbow Industrial Estate, Approach Road,
Grand Drive SW20.**

Ward: Raynes Park

Proposal A: REDEVELOPMENT INVOLVING DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 6 BLOCKS OF FLATS OF 5-7 STOREYS AND A TERRACE OF 9 HOUSES, PROVIDING 224 RESIDENTIAL UNITS (CLASS C3) PLUS 3,449 SQM OF COMMERCIAL FLOORSPACE FOR USES WITHIN CLASS B1 (BUSINESS) AND 264 SQ.M OF ANCILLARY COMMERCIAL FLOORSPACE FOR USES WITHIN CLASSES A1 (RETAIL), A2 (FINANCIAL AND PROFESSIONAL SERVICES) A3 (RESTAURANTS AND CAFES) AND D1 (NON--RESIDENTIAL INSTITUTIONS), AN ENERGY CENTRE, ASSOCIATED SURFACE LEVEL AND BASEMENT PARKING (126 - CARS, 10 LIGHT GOODS VEHICLES, 21 MOTORCYCLES, 33 DISABILITY SPACES) CYCLE STORAGE (274 SPACES) AND EXTERNAL AMENITY SPACE AND LANDSCAPING.

Proposal B: WORKS TO UPGRADE LAND ADJOINING TO THE SOUTH AND SOUTH WEST OF RAYNES PARK STATION INCLUDING ROAD WIDENING AND THE CREATION OF "KISS AND RIDE" (A PICKING UP AND DROPPING OFF AREA) FACILITY ADJACENT TO RAYNES PARK STATION

Drawing No's:

12002_A_(00)_P100 - P106
12002_A_(00)_P200 – P203
12002_B_(00)_P100 – P106 Rev P02
12002_B_(00)_P107 Rev P01
12002_B_(00)_P200 – P203
12002_C_(00)_P100, P103, P104, P105, P106
12002_C_(00)_P101 – P102 Rev P02
12002_C_(00)_P200 – P203
12002_D_(00)_P100 Rev P02

12002_D_(00)_P101 – P105
12002_D_(00)_P200 – P203
12002_E_(00)_P100 Rev P02
12002_E_(00)_P101 – P106
12002_E_(00)_P200 – P203
12002_F_(00)_P100 – P106
12002_F_(00)_P200 – P203
12002_I_(00)_P100 – P101
12002_I_(00)_P100m
12002_I_(00)_P200 – P203
12002_O_(00)_P100 – P104
12002_O_(00)_P100m
12002_O_(00)_P200 – P203
12002_T_(00)_P100 – P103
12002_T_(00)_P200 – P201
12002_T_(00)_P300
12002_X_(00)_P002, P004, P005
12002_X_(00)_P099, P107
12002_X_(00)_P100 – P106 Rev P02
12002_X_(00)_P200 – P201
12002_X_(00)_P300 – P302
12002_X_(00)_P002, P004, P005 Rev P02
12002_X_(01)_P002 – P005 Rev P02
12002_RESIDENTIAL AREA SCHEDULE
12002_PRIVATE AMENITY AREA SCHEDULE
12002_RESIDENTIAL AREA SCHEDULE_Wheelchair_Adaptable_Units
12002_RESIDENTIAL UNIT AREA SCHEDULE_150320

541-SK-009-B Areas of Communal Amenity Space (including rooftop allotment space).

Landscaping strategy 541-LS-001 Revision P2

Townscape and Visual Impact Assessment Tavernor Consultancy
Energy Assessment and updated statement Cundall
Sustainability Assessment including Code for Sustainable Homes –Cundall
Transport Statement Travel Plan and associated documents –TTP Consulting
Daylight and Sunlight Report – Waldrams
Flood Risk Assessment – prepared by Cundall
Historic Environment Assessment Report – prepared by Amec Environment & Infrastructure UK Limited
Statement of Community Involvement – prepared by Snapdragon Consulting
Geoenvironmental Phase 1 Desk Study – prepared Amec Environment & Infrastructure UK Limited
Extended Phase 1 Habitat Survey and Bat Survey – prepared by Amec Environment & Infrastructure UK Limited
Noise and Vibration Environment Impact Assessment – prepared by Cundall
Below Ground Drainage Statement – prepared by Cundall
Air Quality Report - prepared by Amec Environment & Infrastructure UK Limited

Contact Officer: Jonathan Lewis (020 8545 3287)

RECOMMENDATIONS:

Proposal A: Grant planning permission subject to any direction from the Mayor of London, planning conditions and a S106 legal agreement.

Proposal B: Grant planning permission subject to any direction from the Mayor of London and planning conditions.

CHECKLIST INFORMATION.

- S106: Affordable housing, permit free, car club funding, travel plan monitoring costs; 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: Yes.
 - Has a Screening opinion been issued: Yes.
 - Press notice: Yes.
 - Site notice: Yes.
 - Design Review Panel consulted: Yes
 - Number of neighbours consulted: 962 Proposal.106 Proposal B.
 - External consultations: Greater London Authority, Transport for London, Network Rail, London Fire and Emergency Planning Unit, Environment Agency, Metropolitan Police, Greater London Archaeological Advisory Service, Bat Conservation Trust, Thames Water Utilities, Natural England, Merton Chamber of Commerce.
 - Conservation Area – No.
 - Public Transport Accessibility Level [PTAL]: Level 4 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 These items are reported to Committee on the basis of both the number and scope of representations received and the scale and complexity of the proposals. For the time being, the decision of Merton's Planning Committee is not the final decision as the major application is required to be referred to the Mayor of London for any direction.

2. SITE AND SURROUNDINGS: Proposals A and B

- 2.1 The sites are 1.884 ha and 0.2676 ha respectively.
- 2.2 The Rainbow Industrial Estate is situated on land directly to the south west of Raynes Park railway station. The site is bounded by railway lines on all sides, thus meaning the site operates effectively as an island site. To the north are the elevated main London – Southampton line and the southbound platforms serving Raynes Park Station. To the west is the northbound Epsom – Waterloo/Raynes Park line. To the east is the southbound Epsom/Guildford – Waterloo/Raynes Park line, which gently rises up on an embankment as it progresses to the north.
- 2.3 The Rainbow Industrial Estate is designated in Merton’s Core Planning Strategy (Policy 12 - Economic Development) as a Locally Significant Industrial Area,
- 2.4 The site has a single point of access from Grand Drive (at its junction with Approach Road). The access passes beneath the south-bound railway line, and due to the falling gradient of the track, there is a vehicle height restriction of 4.1 metres at the rail underbridge.
- 2.5 The Industrial Estate (managed by the Workspace Group) contains approximately 17 plots/units which include a mix of open storage uses, light industrial space and ancillary office areas. The site is currently occupied by a range of low intensity types uses including scaffolding storage; car/van hire; coach parking/storage; skip hire; car repairs/re-spraying and architectural metal salvage and an office interiors strip-out company. In total the existing buildings contain 3,400m² of employment floorspace. The nature of the current accommodation is traffic generative, acting as a hub for businesses utilising heavy-goods vehicles.
- 2.6 The majority of the current buildings on-site consist of larger industrial ‘sheds’ (used for storage or industrial type uses), temporary/prefabricated storage areas and office structures. Employment levels at the site are currently low, with a total of 40-45 staff employed currently employed by the various occupiers/operators.
- 2.7 The site has good access to public transport, being located in close proximity to the Raynes Park Station and a number of bus routes. The Estate benefits from a PTAL rating of 4.
- 2.8 Network Rail also retains office and maintenance buildings within the north-west corner of the Estate. These buildings fall outside the site for the purposes of the application and are to be retained. Access to the Network Rail land is shared with the remainder of the Industrial Estate and any future development will need to maintain operational access to these buildings. The site is not located within a Conservation Area. The buildings on site are not statutory or locally listed. The site falls within Flood Zone 1.

- 2.9 The site is generally surrounded by residential accommodation developed mostly in the 1920's to 1960's. To the north of the site beyond the railway embankment is an area designated by the London Borough of Merton as a SINC (Site of Interest for Nature Conservation). To the north-west is the former Thames Water Depot and car park, which received approval for redevelopment to provide a part 5 storey building with a supermarket (Waitrose), cafe and 97 residential units, which has been completed. Coombe Lane further north provides a mix of convenient shopping and retail functions, as does Kingston Road to the east. Two storey terrace and semi-detached housing is situated along Firstway and Grand Drive to the east. To the south-east are the four storey Bushey Court Apartments, comprising of 97 residential flats, and on the opposite side of Bushey road is a former disused sports ground, which received approval at appeal for redevelopment to provide two blocks of three and four storey buildings comprising of 50 residential units. To the west beyond the railway and West Barnes Lane are predominantly residential buildings, with Raynes Park High School and West Wimbledon Primary School within close proximity.
- 2.10 The character of the surrounding area, particularly to the east and west, is predominantly residential. To the east of the site are Firstway and Grand Drive where the scale and height of properties is for two storey buildings and to the south east is Bushey Court, which forms three blocks of four storey residential apartments. To the west of the site on the opposite side of West Barnes Lane, is Farnham Gardens, which is largely characterised by uniform blocks of two and three storey residential buildings.
- 2.11 No.9 Grand Drive, located adjacent to the entrance of the site is also within the ownership of Workspace Group. This is a two-storey semi-detached house with gardens to the north side and rear (west) of the building. Situated to the west of the property of No.9 Grand Drive is an electrical sub-station, which is owned by Workspace Group and currently leased to EDF.
- 2.12 A signal control room building and transport depot (both owned and operated by Network Rail) are located within the northern section of the estate.
- 2.13 The Former Station House at the entrance to the site has had planning permission granted for the conversion of this property into three one-bedroom flats and three studio flats.

3. CURRENT PROPOSALS

- 3.1 The proposals comprise two interlinked applications.
- 3.2 Proposal A (the main application) comprises demolition of the existing building and redevelopment of the Rainbow Industrial Estate for a mixed use development comprising 224 residential units and 3,449 sq.m employment floorspace (B1) and 261 Sq.m commercial floorspace (A1/A2/A3 and D1). Proposals had originally been for 229 units with fewer family sized units and more smaller units.
- 3.3 Proposal B comprises upgrade works to site access including road widening and creation of “kiss and ride” facility adjacent to Raynes Park Station, in conjunction with the wider redevelopment of Rainbow Industrial Estate.

Proposal A.

- 3.4 The non-residential accommodation comprises the following:

Use	Floorspace GIAm ²	Floorspace GEAm ²
Light Industrial units (B1)	2050	2255
Offices (B1)	1135	1215
Flexible use (A1/A2/A3/D1)	264	288
TOTAL	3449	3758

- 3.5 The residential units, as amended would comprise a mix of units including one, two and three bedroom flats and town houses.

Proposed mix:

Type	Units	%
1 bed flats	79	35.3
2 bed flats	100	44.6
3 bed flats	36	16.1
Townhouses	9	4

- 3.6 Affordable housing would be provided as follows and follows negotiation with the applicant representing an improved offer reflecting independent analysis of commercial viability data:

Unit type	Tenure	Number of units
1 bed	Affordable rent	4
2 bed	Affordable rent	10
3 bed	Affordable rent	6
1 bed	Shared ownership	5
2 bed	Shared ownership	8
3 bed	Shared ownership	1

- 3.7 A table setting out the floorspace of each unit and the available amenity space comprises Appendix A at the end of this report.
- 3.8 The proposal includes 637 hr over 1.884ha (Main site – Proposal A), equating to 338hr/ha.
- 3.9 The development would take the form of 5-7 storey blocks for the residential element with the town houses in a terrace backing onto business unit and fronting the road leading into the development. The new residential units are a mixture of 4-storey townhouses and blocks of duplex homes and apartments. Cycle and vehicle parking will be in the basement level with the courtyard gardens located above. All of the units will meet and exceed London Housing Design Guide, Lifetime Homes and Code for Sustainable Homes Level 4.
- 3.10 The applicant’s Design and Access statement describes how the townhouses line the new residential access street providing new family homes. Each townhouse has a private front garden with street access and a roof terrace accessed from the hallway within the house. In terms of layout, applicant’s the kitchen, dining and living area are located on the ground floor to encourage natural surveillance of the street. and provide good level access to the garden. The apartment buildings are arranged as mansion blocks each with its own dedicated entrance and core. The number of apartments around each core has been kept within the London Housing Design Guide requirements. Dual and through aspect apartments have been prioritised in the layouts. All apartments are tenure blind.
- 3.11 Car parking for the development is principally in the form of a basement car park providing below the flats blocks and surface level parking for the commercial uses. Surface level and basement parking comprises 126 spaces for cars, 10 spaces for light goods vehicles, 21 spaces for motorcycles, 33 spaces for people with disabilities and storage for 274 cycles (proposals had originally been for 266 but were the subject of amendment following discussion with TfL).

- 3.12 The business element would be mainly in the form of workshop space and offices (3,449 sq.m – comprising 2050sq.m B1C light industrial and 1,135 sq.m of offices) with a further 264 sq.m for use within either Class A1 (Retail), A2 (Financial and professional services) A3 (restaurants and cafes) and D1 (Non residential institutions). Other ancillary floorspace would be occupied by an energy centre with a CHP.
- 3.13 While samples have not been provided, the Design and Access statement shows the following indicative facing materials. The statement suggests that the chosen material palette takes inspiration from the context. Brick is the main material with a variation in shade, coloured glass blocks are used to identify the cores.

Light Brick, Neutral brick - facing bricks to flats.

Dark Brick (office block)

White glazed Brick – detailing below projecting balconies

Clear glass blocks façade to part of elevations for offices

Glazed entrance screens

Entrances clad in clear glass blocks into residential lobbies

Windows - Double-glazed PPC metal windows within deep reveals.

Roof lights to commercial units - Double glazed roof lights

Curtain Walling to office - Anodized aluminium and timber thermally efficient curtain walling

Balconies - Projecting, precast balcony with brick and laminated glass balustrades.

Coloured soffit panels and terraces reveals

Brightly coloured render / insulated soffit panels and terraces reveals.

A unique palette of colours has been assigned to each building as part of way finding strategy.

Laminated glass balustrades recessed within balcony openings and window reveals.

Powder coated metal coping.

Post boxes - High quality post boxes mounted on walls, accessible from rear.

Coloured steel doors to commercial units.

Powder coated heavy duty steel doors.

Aluminium roller shutter doors.

- 3.14 The application is accompanied by a number of supporting statements including:
- Townscape and Visual Impact Assessment –Tavernor Consultancy
 - Energy Assessment and updated statement –Cundall
 - Sustainability Assessment including Code for Sustainable Homes – Cundall
 - Transport Statement Travel Plan and associated documents –TTP Consulting
 - Daylight and Sunlight Report – Waldrams
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- 3.15 The applicant has also submitted a commercially sensitive and confidential viability appraisal which has been the subject of independent reviews the most recent of which has informed the revised and improved affordable housing offer for the scheme.
- 3.16 On matters of sustainable design and construction the Design and Access statement states that the scheme is targeting Code for Sustainable Homes Level 4. The offices and community spaces are designed to achieve BREEAM excellent ratings. 10% wheelchair homes will be provided and parking spaces are prioritised to disabled users, electric vehicles and car club vehicles. Space will be provided for Cycle hire schemes on site. The buildings will connect to a CHP district heating network if possible.

Proposal B.

- 3.17 A mini-roundabout and formal Kiss and Ride facility will be provided as part of this application. At present, the access to the existing industrial estate is used as an informal pick-up / drop-off point for people travelling by train from Raynes Park Station. The applicant's Design and Access statement acknowledges that such activity will continue in the future and therefore, it is proposed that a mini-roundabout is implemented to allow vehicles to drop off rail passengers and then efficiently turnaround. Additionally, space is being allocated to allow vehicles to pick-up and drop-off rail passengers clear of the main carriageway.
- 3.18 The applicant's Design and Access statement notes that the opportunity to provide a formal Kiss and Ride and turning facility would alleviate existing congestion which is a consequence of rail passengers being dropped off at the station. The objective of these measures combined with the widened priority junction is to allow vehicles to safely enter and exit the site while minimising congestion on Grand Drive and Approach Drive.

4. PLANNING HISTORY.

- 4.1 2008-9 – 08/P0287/NEW Pre-application enquiry to redevelop site to provide a waste recycling and energy centre.
- 4.2 2012 – Preparation of draft planning brief to guide redevelopment of Rainbow Industrial Estate following adoption of Merton Local Development Framework – Core Planning Strategy in July 2011.
2013 - Adoption of final draft in August 2013.

5. CONSULTATION

- 5.1 The planning applications were publicised by means of site and press notices, together with individual letters to 962 nearby addresses for Proposal A and 106 for Proposal B. In response to this public consultation, 45 replies have been received making the following comments:

- 5.2 Objections - Loss of employment.

Representation were received expressing concern that the proposal was using land that had previously been designated for employment purposes and that this would take away an opportunity for local employment. Doubt was also expressed as to whether the commercial units proposed would be utilised given its location between the railway lines.

- 5.3 Objections - Housing mix.

Objections were raised around the appropriateness of using the area for residential purposes given the close proximity the railway lines and station.

- 5.4 Objections – Access, parking, traffic and highway safety.

Representations were received expressing concern about vehicle access, parking, traffic and highway safety. In particular responders were concerned about the single road access and that the proposal could exacerbate existing traffic issues in the area. It was noted that three bus routes use this road and that there is already regularly a 'bottleneck' of traffic along Approach Road and Grand Drive. Additional traffic concerns are that traffic along Bushey Road currently extends beyond the lights along Kingston Road during peak periods. The West Barnes Lane level crossing also causes a backlog of traffic which blocks the nearby slip road when closed.

Letters of representation also raised concerns about access to the site, including for residents, emergency vehicles, refuse collection trucks and machinery during construction.

Regarding highway safety, key points of concern included pedestrians (including school children) and cyclists. One suggestion was to amend the proposal to include safety railings and pedestrian pavements.

There was also concern that the proposal does not currently provide enough car parking spaces (126 car parking spaces for 229 units plus commercial units).

5.5 Objections – Height, bulk and massing:

Representations were received that considered the proposed development to be excessive and overbearing. It was also considered to be out of keeping with the urban landscape within Raynes Park, which is principally comprised of two storey houses. Concern was expressed that the proposal could set a precedent for similar applications in the future.

5.6 Objections – Design and impact on neighbour amenity.

Objections were received stating that the proposal is not in keeping with the character of Raynes Park and that it will cause a loss of natural light and overshadowing.

5.7 Objections - Environmental impacts including noise and air quality, flood risk and contamination.

Representations expressed concern that the proposal would impact negatively on air quality in the area, which could have health impacts particularly for asthma sufferers. Existing readings along Grand Drive show that air quality is currently an issue.

Concerns were expressed about dust, vibrations and noise from braking and passing by, engineering works being carried out and platform announcements.

The proposed 229 dwellings and commercial units will place a strain on the existing sewage and drainage systems, in particular the soak-aways which already struggle to prevent flooding during periods of heavy rainfall. Some also felt that the proposal does not adequately address the issue of surface water drainage and that the clay soil makes the area particularly vulnerable to flooding. Responders have requested a sustainable urban drainage scheme be put in place.

5.8 Objections - impact on infrastructure including schools, healthcare clinics and rail services.

A number of letters of representation expressed concern for the 'already stretched' local infrastructure and services, including childcare, schools, healthcare and public transport. Raynes Park train station is already subject to overcrowding and the proposal could make catching

a train at peak times dangerous. Concern was also expressed about waste collection and the potential for increased powercuts caused by increased strain on power supply.

5.9 Objections – Affordable housing

Concern was raised about the lack of affordable housing provided as part of the development and that it doesn't meet Merton Council's desired level of 40% affordable housing.

5.10 Objections – others.

Several letters of representation raised concern that the proposal was using space that should be designated for future railway usage and expansion (eg. Crossrail).

It was also raised that the consultation period occurred over Christmas, when some residents were away, it was requested that further consultation take place.

5.11 Objections - (specific to Proposals B - Park and Ride application)

A number of responders expressed concern about the workability of the proposed Park and Ride scheme. In particular, cars parking, crossing directly over the roundabout, performing U-turns and pedestrians crossing the road were raised as concerns, given the limited space. Additionally, concerns were raised that the proposal would add to the existing traffic issues and 'bottle neck' of traffic along Grand Drive and Approach Road, and block local through and turning traffic.

It was also noted that historic traffic flow assessments had been carried out during school holidays and hadn't captured the peak periods of traffic.

One responder requested that if the scheme went ahead that it should be made the subject of a s106 agreement to ensure that the construction programme has a suitable completion date.

5.12 Support.

Two responders supported the two proposals being dealt with as separate applications.

5.13 Raynes Park and West Barnes RA

Objections - the proposals fail to meet the requirements of Policy CS 12 and other Policies in Merton 's Sites and Policies DPD but in particular the proposals are NOT "employment led ". The huge quantum of proposed residential development in comparison to the very modest amount of additional business-type development clearly demonstrates that in overall terms the proposals are in reality residential led and therefore in significant conflict with adopted

Planning Guidance, including the conditions imposed by the Inspectorate.

The proposals are in conflict with Policies in the Sites and Policies DPD in that the site is a highly unsuitable LOCATION for any residential use due to the proximity to the Railway Station and Railway lines due to noise, dust, vibration, station announcements, etc and equally unsuitable due to the limitations and potential risk factors of the single entrance with no prospect of securing a second means of access.

If longer term considerations were taken into consideration, the site should be retained for its current restricted uses, in case the site was deemed essential to provide more important uses; possibly in connection with the proposals for Crossrail 2. If the proposals were implemented it would render it almost impossible to use the site for such needs and in that sense we submit that the proposals fail to represent Sustainable Development and are therefore in conflict with the National Policy Planning Framework.

Kiss and ride proposals – supports separate application and urges permission be time limited to ensure its completion.

Employment land – only 13% of developable land will be given to employment uses with 87% to residential. Fails to deliver on requirements of brief – does not deliver increased employment opportunities, transfers land to residential use, not an employment led development.

Massing – overbearing and out of keeping with urban landscape.

Development not limited to 4-5 storeys. Several storeys higher than other blocks in the vicinity such as Waitrose and Bushey Court.

Affordable housing – woefully short of Merton's planning policies.

Unsuitable for residential – noise and vibration from passing trains, engineering works and from operation of railway station. Omission of sustainable urban drainage (SUDS) and lack of commentary and analysis of capacity of local system. Single point of access inadequate.

5.14 Greater London Authority.

Principle of mixed use development.

Change from industrial to mixed use development endorses planning brief objectives which has been approved by Council and The Mayor. Enables promotion of high density residential development near to a transport node.

Housing mix of scheme (as initially submitted) an improvement on pre-application proposals but still needs more family sized units (Officers note that the applicant has addressed this by amending the scheme reducing the overall number of units and increasing the numbers of family units to 20% of the total).

Affordable housing offer (11%) appears very low and requires further justification (Officers note that the applicant has addressed this following further review of the viability data and amending the scheme to 15% affordable housing). Also sought to establish whether engagement with RSL's had taken place with regards to affordable

housing offer (The applicant is engaged with Thames Valley HA in respect of the revised affordable offer).

Provision of employment.

The approach to employment provision is consistent with the brief and offers the potential increase employment density.

Layout and urban form. Masterplan accommodate both residential and commercial uses in an intelligent manner. An improvement from earlier iterations in terms of improvements to quality of route leading to the residential area (a row of terraced houses defines the access route) and quality of entrance (an office block is located at the entrance).

Street form and public realm. Street landscaping profile from entrance to main residential development results in a well-defined route with a clear delineation between pedestrians and car users.

Housing quality – generally high avoiding looking directly onto railway infrastructure, high proportion are dual aspect and all meet London plan standards. Mitigation measures against noise and vibration acceptable.

Architecture – scheme considered to be of a high architectural quality with stimulating and good quality facade treatment.

Industrial and office units – architecture and layout supported and blends in with residential element of scheme.

Height scale massing – raises no concerns.

Playspace – applicant's child yield assessment provides for a suitable quantum of playspace.

Access – the proposals would deliver an inclusively designed development.

Transport – TfL is satisfied that the proposals are unlikely to have a negative impact on the operation of the strategic highway network.

Car parking - largely acceptable but would have liked a reduction.

Cycle parking - some shortfalls currently and should be made a condition to comply to provide further 8 cycle parking spaces.

Crossrail 2 – No objections raised in principle but Network Rail and TfL would welcome the opportunity to meet and discuss the proposal, and potential alignment of proposals for Rainbow and Crossrail 2 in more detail.

Kiss and Ride – recommended that the applicant undertakes further swept path analysis for refuse vehicles, fire tenders and vans doing similar manoeuvres to cars.

Travel plan – recommends that this be secured enforced and funded and monitored as part of a S106.

Construction logistics plan recommended.

Energy – further information required before carbon dioxide savings can be verified (Officers note that the applicant has since submitted a revised energy statement to address this and the Council's Climate Change officer has commented below).

Development should be designed so as to enable future connection to a district heating network and should be linked to a single energy centre. Green roofs and solar panels to be integrated into roofspace so as to increase carbon reductions.

Transport for London - Proposal A.

- 5.15 Initial comments. TfL analysed the submitted Transport Assessment and Travel Plan, and considered whether design changes or planning obligations/conditions would be required to mitigate the strategic transport impact of the development and its construction.
- 5.16 Further comments: The applicant has since provided a Transport Note (TN) produced by TPP which provides a response to TfL's comments. The TN includes the AM and PM peak hour vehicle movements as requested. The location of the visitor parking has been clarified and the TN also states that the applicant is willing to prepare and implement a Car Park Management plan, Construction and Logistics Plan, and Delivery and Serving Plan. The TN states that an additional 8 cycle parking spaces will be provided for the light industrial use and the location of the visitor parking has been clarified which is acceptable. I can also confirm that we meet with the applicant to discuss CR2 alignments. Therefore all outstanding issues have been addressed.

Proposal B:

- 5.17 Initial comments. A mini-roundabout and formal Kiss and Ride facility will be provided at the entrance to the site and adjacent to Raynes Park Station. The Kiss and Ride will include a shared surface at the entry to the site from Grand Drive / Station Approach as a traffic calming measure. The TA states that a minimum 2 metre wide footway will be provided to maintain separate pedestrian access. Drawing number 2011-1056-DWG-114 indicates that the footway reduces to just over 1 metre at a pinch point at the south west corner of Station house adjacent to the mini roundabout. The Kiss and Ride facility includes approximately 6 designated bays to enable pick up / drop off to take place. Whilst swept path analysis for the Kiss and Ride facility has been undertaken using a 10m rigid vehicle and large car; TfL would also recommend undertaking the swept path analysis for a refuse vehicle and fire tender and a van doing the same manoeuvres as the car. TfL would also recommend that a safety audit is undertaken.
- 5.18 The applicant has provided comments in response to these initial comments. The applicant has provided a Transport Note (TN) produced by TPP which provides a response to TfL's comments. Concerning the kiss and ride facility the TN states that space available within the applicant's ownership limits the size of the roundabout and therefore the vehicles which are able to turnaround. The TN goes on to state that on the infrequent occasion when a vehicle larger than a car needs to turnaround, it can do so by entering the planning application site and turning around internally. Signage maybe required to facilitate this. TfL does not believe the proposal would have an unacceptable impact on the Transport for London Road Network (TLRN) or Strategic Road Network (SRN), but would still suggest that an RSA is undertaken.

- 5.19 Given the location of the proposed 'Kiss and Ride' TfL does not believe the proposal would have an unacceptable impact on the Transport for London Road Network (TLRN) or Strategic Road Network (SRN).
- 5.20 Environment Agency
No objections subject to conditions regarding assessment and mitigation of site contamination.
- 5.21 London Fire and Emergency Planning Unit.
General safety advice regarding burning of materials in connection with site clearance.
- 5.22 Metropolitan Police.
The crime rate for the sub ward containing Rainbow Industrial Estate has a higher rate than the ward and the borough. Following a meeting with the applicant and their advisors the Met Police comment that Secured by Design has clearly been considered in the development. Recommended that full Secured by Design accreditation is sought.
- Concerns raised regarding pocket gardens as these areas about the windows of the ground floor units with no apparent defensible space.
- 5.21 Natural England.
Site not assessed for protected species. Standing advice on species protection to be followed.
Proposals provide opportunities for biodiversity enhancement.
Application may provide opportunities to enhance the character and local distinctiveness of surrounding natural environment through green space provision and access to nature.
- 5.22 Bat Conservation Trust.
Advice regarding status and protection of bats. If bats are discovered after planning permission is granted the planning permission is considered sterile and the developer must apply for a licence before undertaking any work which may disturb the bats. If bats are present on the site it is the developer's duty to ascertain the impacts of the proposals on protected species and to ensure that bats are affected by the development.
- 5.23 Network Rail.
Network Rail and TfL jointly developing Crossrail 2. Majority of additional infrastructure required in this area will be contained within the existing railway boundary. The additional infrastructure required for Cross Rail 2 in the Raynes Park area will however see the operational railway moving closer to the boundary with the proposed Rainbow Estate regardless of whether or not additional land is required. As the scheme is developed in more detail we will have a better understanding of all the infrastructure requirements and any additional land required. Due to the scale of the scheme the expectation is that the project will

obtain powers to facilitate the compulsory purchase of land which is identified as required.

Network Rail has a number of restrictive covenants for the protection of railway land. Network Rail has provided advice from their Asset Protection team relating to development in close proximity to the railway. Advice relates to construction works, maintenance, drainage, plant and materials, scaffolding, piling fencing lighting, noise and vibration and vehicle incursion on railway land (Officers note that the applicant has been in discussion with Network Rail regarding the advice and comments which have been forwarded).

5.24 Thames Water.

Comments awaited.

5.25 Future Merton (Transport/Policy)

The two applications are interlinked.

The Rainbow Industrial Estate is situated to the south west of Raynes Park Station and is bound on all sides by railway lines. The site currently has a vehicular and pedestrian access that connects to Grand Drive / Station Approach in the immediate vicinity of Raynes Park Station.

A transport assessment has been provided which clearly references the master plan for the area and the potential effects of the proposals on transport issues including sustainable travel, trip generation, the operation of the local highway network, access, parking and servicing of both applications.

It is proposed to use the existing access which runs from the junction with Approach Road/ Grand Drive.

It is recommended that the proposed table ends in line with the property line and the kiss and ride bay sits wholly within the private area. The purpose of this is for a visual differentiation between public and private land and the enforcement responsibilities.

The proposal includes a new roundabout, and traffic management arrangements between the end of the new raised table along the private street under the railway bridge. This includes signals to control vehicle movement under the bridge (recommended that as these will be managed by the landowner they are green for traffic coming from the public highway and react to exiting vehicles on demand.) There is also a footway proposed along one side of the private street.

The parking levels provided on the new development are in line with the approved master plan and will be secured by condition.

The same applies to cycle parking.

It is recommended that prior to occupation a conditioned traffic and parking management plan is agreed that will set out the method for managing the estate road network. What the signage for the management will look like and that it complies with current guidelines. Because of the complexity of this development this should be reviewed three years after 75% occupation of residential units. Allowing adjustments to be made to the plan before discharging the condition. Safety Audits stage 1-2 for the layout is required prior to commencement and a stage 3 audit prior to occupation.

A draft construction management plan has been submitted and being assessed by highways. A final version will be secured by condition.

There should be electric charging points for parking in line with the London Plan parking standards and recommend that the information on this is included in a relevant condition.

A servicing and delivery plan should also be conditioned.

5.26 Future Merton (Urban Design)

Application is in accordance with adopted brief with regards to site access public realm enhancements land use scale and massing.

No objections raised to scale of buildings - there are precedents for larger scale development in area.

Not considered unnecessarily high density.

Scheme has improved since consideration by design review panel.

Isolated nature of site provides opportunity for innovative contemporary architecture.

5.27 Housing Strategy team.

Revised affordable housing offer better meets known local needs for affordable housing. No objection.

5.28 LBM Public Health.

The NPPF, London Plan and Merton's local planning context takes into account and encourages planning decisions which promote resident's health and well-being.

A number of wider health and wellbeing implications of the development appear to have been considered e.g through active travel plans, landscaping etc although some aspects such as the impact of the number of residential units on local health and education services do not appear to have been considered.

Public health welcomes the vision that Rainbow should be a family friendly pedestrian priority, social community. Also welcomes aim to increase the attractiveness of the site to small and medium size enterprises and to expand its capacity to accommodate businesses

and new jobs as good quality work is a key contributing influence on an individual's health and well-being and that of family and community. Scheme appears to take into account key range of considerations regarding healthy urban design to meet London Housing Design Guide and CfSH level 4.

Health impact of the proposed development does not appear to have been considered more explicitly and comprehensively nor has promotion of healthy work environments and healthy food choices. Public Health recommends that the developer fully and robustly screens and scopes all aspects of the health impacts of the development, ensures links with existing health promotion programmes in the borough so as to ensure that the development is managed in ways that improve health and improve healthy lifestyles to help reduce health inequalities.

5.29 Children Schools and Families.

Adequate capacity within local schools to accommodate predicted child yield. When preparing the planning brief in 2012 and 2013, officers looked at the potential number of children arising from the site and local educational capacity. As part of this, officers looked at all the primary schools within a 2 mile radius from the Rainbow site,

The child yield calculation on the highest possible number of homes (250 homes), gave a primary school child yield of 39 children spread across the 7 years between aged 4 and 11 6 children per academic year. These will be accommodated within the 1890 spaces in local primary schools and will not warrant a school expansion.

The housing mix, and therefore child yield of the development is very similar to that advised earlier this year at pre-application stage.

It therefore remains the case that best calculations show that this development would produce an average of 4 children per year group in the primary phase, and about 2 per year group in the secondary phase. Given that schools are generally only expanded by 1 form of entry, which is 30 children per year group, no specific expansions would be linked to this development, but it will have a minor additional impact on demand for council officers to monitor alongside other demographic changes in the area, and there could be some requirement for used of CIL. It is still possible to expand schools in the local area if needed.

5.30 Environmental Health.

No objection subject to conditions being attached to any decision to address, noise including mitigating against noise from surrounding uses, vibration, deliveries, contamination, environmental impacts of demolition/construction and air quality.

5.31 Design Review Panel (January 2014)

The Panel acknowledged that this was a difficult site to successfully develop. Issues of access, relationship to the railway lines and the location and mix of uses were fundamental issues that had to be successfully resolved. If this was not done then the development ran the risk of becoming a very poor place to live. The Panel were concerned that these issues had not yet been successfully addressed, and that more emphasis had been given to the architecture and appearance of the buildings, rather than these broader site planning and urban design issues.

There was particular concern about the relative isolation of the site and the long distance (about 200m) to get to the housing, past potentially dead frontages of new industrial units. It was felt this could be fundamentally problematic and not enough work had been done – or shown to be done – to address this issue.

There was some discussion regarding the landscaping and interface with the railway lines to the east and west of the site. The Panel were not entirely convinced that the architects approach to mitigating against the train noise (the raised deck) was either appropriate, necessary or successful. It was felt that creating a raised deck caused some problems with the interface with the railway and the landscaping between it and the deck, and that it also caused new problems of getting up onto it – particularly for the disabled and cyclists. It was felt that there were many other ways of dealing with the train noise other than using a raised deck.

Irrespective of the architect stating the density was within London Plan standards, the Panel felt that for this particular site the proposed buildings and their height created a development that felt very dense, this being more a commentary on the chosen design, rather than the actual number of units proposed. There was also some concern about the internal quality of the flats and that the majority of them were essentially single aspect with a small side window and still accessed from a double loaded corridor. On the northern blocks, there were a large number of north facing flats that were essentially single aspect.

The density and access issues meant that the development easily had the potential to be a very poor place to live – a ghetto rather than an enclave. These were not issues that architecture or appearance could solve. The Panel were clear in their view that the applicant had not developed the design sufficiently to show that it was not going to be a poor place to live – how it was going to be an enclave rather than a ghetto. It was not clear what was being done to address this fundamental point.

The Panel did not really discuss the architecture as it was felt more fundamental issues needed resolving first, also that it was clear the architectural approach was generally of a good quality.

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 Paragraph 22 states that Planning policies should avoid the long terms protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocation should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 6.6 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.

London Plan (2015)

- 6.7 The relevant policies are:
 Policy 2.7 Outer London Economy, 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 4.1 Development of London's Economy, Policy 4.2 Offices, Policy 4.3 Mixed Use Development and Offices, Policy 4.4 Managing Industrial Land and Premises, Policy 5.1 Climate Mitigation, 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.4 Raynes Park Local Centre, CS 7 [Centres], CS.8 (Housing), CS.11 (Infrastructure), CS.12 [Economic development]; CS.14 [Design]; CS.15 [Climate change]; CS.16 Flood Risk Management, 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 H2 – Housing mix; DM H3 – Support for affordable housing; DM C1 – Community facilities; DM E1 –Employment areas; DM E2 – Offices in town centres; DM.E4 Local Employment Opportunities, DM.O2 Nature Conservation, DM D1 – Design and public realm; DM D2 –Design consideration; DM D7 – Shop front design and signage; DM.EP1 Opportunities for decentralised energy, DM EP2 – Noise; DM.EP3 allowable solutions, DM.EP4 Pollutants, DM F1 – Flooding; DM F2 – Drainage; DM T1 – Sustainable transport; DM T3 – Car parking and servicing, DM.T4 Transport infrastructure, DM.T5 Access to the Road network.
- 6.11 Rainbow Industrial Estate - Planning Brief August 2013 (SPD to Merton Core Planning Strategy).
- 6.12 The council undertook the production of the Rainbow planning brief which incorporated a series of community engagement and consultation events via the Raynes Park Community Forum in 2012.
- 6.13 The brief was adopted on 16 August 2013 as a supplementary planning document to Merton's Core Planning Strategy 2011. Its purpose is to inform the urban design, massing, density, access and quantum of development for any planning applications received for the site.
- 6.14 The brief sets out core objectives as follows:
- The objective for this site is to maintain viable and active employment floorspace compatible with the site circumstances of the Rainbow estate, supporting business and job opportunities and creating footfall to help support other shops and services in Raynes Park local centre during the working week.

The brief sets out key requirements that a planning application should meet:

- Redevelopment to deliver employment-led regeneration.

- As a minimum, the site is required to retain the same quantum of employment floorspace providing at least 3,400 square metres (c 36,500 square feet) or more of employment floorspace (workshop, studio and ancillary office) of a layout, format, design and standard that is usable by and attractive to SMEs and flexible enough to recognise the changing needs of small businesses over time (policy CS12).
- The employment floorspace should be located and laid out near the existing Network Rail buildings, laid out to help separate the rest of the site from employment activities
- Redevelopment of the site is required to provide a publicly accessible drop-off point for vehicles and their passengers at the entrance to the site, allowing set down and pick up from Raynes Park station (known as a “Kiss and Ride”) (policy CS4: Raynes Park; Raynes Park Enhancement Plan)
- The council will seek a consistent, cohesive approach of materials and tone for the paved areas (road and pavement) and landscaping between the entrance to Raynes Park station and the bridge entering the site, creating a well-managed, attractive and safe public realm that does not distinguish between different land ownerships and interests.
- A maximum of 250 new residential units built to design standards set out in the London Plan and associated documents (Mayor’s London Housing Design Guide, Mayor’s Housing SPG 2012). 80% of the apartments should be one and two bed in recognition of their accessible location.
- Residential buildings should be located predominantly to the southern end of the site with one residential building designed and positioned as a focal point at the entrance. All residential properties should be designed to the standards of the Mayor’s London Housing Design Guide, Mayor’s Housing SPG 2012: dual aspect, maximized solar gain, while minimizing overlooking.
- To create a sense of place and identity the whole development should create a high quality urban environment by using the site layout, form, scale and massing of buildings, landscaping, planting and other urban design considerations;
- Landscaping within the site should enhance and complement the Sites for Importance for Nature Conservation and green corridors found along the railway embankments.
- All car parking will be provided on site to the standards set out in the London Plan 2011. Parking should be provided at less than one space per dwelling for 1-2 bedroom residential properties with a maximum of 1.5 spaces for 3 bedroom properties. 20% of the car parking spaces should be unallocated to allow for flexibility and visitor parking. At least one parking space per property should be allocated to properties with three bedrooms or more.
- The development will be expected to provide secure parking for cycles in accordance with standards in the London Plan.

- The development will be expected to make effective use of resource and materials, minimising water use and CO2 emissions.
- All dwellings to be built to at least Code for Sustainable Homes level 4), proposals should investigate the feasibility of incorporating a combined heat and power system.

6.15 Merton's Economic Development Strategy 2010

Merton's Economic Development Strategy Part 2 "A New future: An Economic Development Prospectus for Merton" was adopted March 2010. The Core Objectives of the Strategy are as follows:

- To improve the average levels of productivity, gross value added and hence pay for jobs in Merton.
- To build on Merton's strengths in location, attractiveness, brand value and expertise to promote its economy.
- To promote economic resilience in Merton through a diverse local economic base, ensuring that there is no overreliance on any one sector for its continued success.
- To ensure that activity is delivered in a way that supports other values and objectives, notably addressing deprivation in the east of the Borough and protecting built heritage and the environment.

6.16 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:

- Principle of mixed use development;
- Housing mix and quality;
- Affordable housing;
- Employment provision;
- Urban design/Design and appearance;
- Standard of accommodation including provision of play space;
- Access;
- Transport;
- Sustainable design and construction and energy
- Technical issues including flooding, air quality, noise, and contamination.

7.2 Principle of a mixed use development.

7.3 The site had been identified in the Core Strategy as a locally significant industrial site. Notwithstanding this the Planning Inspector at the time of the examination of the Core Strategy noted that redevelopment of the site could provide opportunities to improve access to the site, and make more efficient use of the site and how it functions.

- 7.4 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.
- 7.5 London Plan policy 4.4 states release of surplus industrial land should as far as possible focus around transport nodes to enable higher density redevelopment especially for housing.
- 7.6 The brief that evolved promoted both the re-provision of the approximately 3,400 sq.m of business accommodation along with up to 250 dwellings thereby meeting the dual objectives on a highly accessible site of safeguarding employment opportunities and facilitating high density housing.
- 7.7 The proposals meet, and in the case of employment floorspace exceed the objectives of the adopted brief and would fulfil local, London plan and National Planning objectives and the mix of uses is supported by the GLA.

The provision of housing - quantum.

- 7.8 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.
- 7.9 Policy 3.3 of the London [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. The adopted Core Strategy states that the Council will encourage residential accommodation in 'sustainable brownfield locations'.
- 7.10 The planning brief indicates that the site could accommodate up to 250 dwellings as part of a mixed use development. The proposals are consistent with the objectives of the brief in terms of the quantum of accommodation and would make a significant contribution towards meeting the Mayor's new increased housing targets for the Borough.

The provision of housing – mix and tenure including affordable housing.

- 7.11 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.

- 7.12 The mix of units would provide both large and small units as noted above and at least 20% family sized units thereby meeting the GLA's earlier concerns.
- 7.13 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.
- 7.14 London Plan 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.
- 7.15 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.
- 7.16 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.
- 7.17 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.
- 7.18 While the proposals would deliver only 15% affordable housing (33 units - para 3.6 above) this has increased from 11% initially proposed and follows close scrutiny of the applicant viability data and subsequent negotiation with the applicant to make further improvements to the tenure mix and type of units being offered. Officers consider that the applicant's financial appraisal has been the subject of robust independent review and that the resulting mix now proposed represents the maximum amount of affordable housing that could be achieved on the site viably and therefore meets policy objectives. It

would prudent for a legal agreement to include suitable clawback provisions to capture any financial surplus that could not readily be converted into on –site provision of additional affordable housing. Officers recommend the use of a clawback mechanism on the basis of the stated purpose of London Plan policy 3.12 . Policy 3.12 of the London Plan 2015 supports the use of review mechanisms. It states that to take account of economic uncertainties, and in respect of schemes presently anticipated to deliver low levels of affordable housing, these provisions may be used to ensure that maximum public benefit is secured over the period of the development.

Employment

- 7.19 The proposals would replace low intensity commercial uses on the site with modern purpose built commercial floorspace. Existing uses including storage, van hire and a scaffolders yard and salvage companies and light industry currently generating around 40-45 jobs. It is considered that the new development would have the potential to generate 160 jobs in the same floorspace.
- 7.20 The low intensity uses would be replaced by purpose built two storey (Ground and mezzanine) units ((2,050 sq.m) flexible office space (1135 sq.m) and commercial floorspace completing the residential use (264 sq.m for use with Classes A1/A2 /A3 and D1).
- 7.21 The approach is consistent with the objectives of the brief, and provides opportunities for small and medium sized enterprises.
- 7.22 Given the objective of delivering employment opportunities as part of the mixed use development it may be considered prudent to attach a condition requiring completion of the employment floorspace before occupation of a percentage of the residential floorspace.

Design and density.

- 7.23 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.
- 7.24 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.
- 7.25 The proposal includes 637 hr over 1.884ha equating to 338hr/ha. This is in line with the density ranges in the London Plan, and importantly accords with the requirements of the Planning Brief which sets out that between 200 and 250 new homes could be accommodated on the site.

Design, including scale and massing and impact on locality

- 7.26 London Plan 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 application received is in accordance with the Council's adopted brief with regard to site access, public realm enhancement at Raynes Park Station, land-use (employment and residential) and scale and massing.
- 7.29 Whilst the development is larger than the predominantly suburban hinterland, the site is a very accessible location at the entrance to Raynes Park Station.
- 7.30 There are also precedents in the locality of larger scale developments including Langham Court (6 storeys) Trinity Place / Waitrose (5 storeys) Travelodge (6 storeys)
- 7.31 Height should not be confused with density. The scheme is, by its apartment nature, higher density than the immediate surroundings which are large family homes. However, for example, the Rainbow site is four times larger than the Trinity Place / Waitrose development (c100 units and a supermarket) yet Rainbow has almost 230 homes; in effect half the density of Trinity Place)
- 7.32 The Council's design team do not deem the Rainbow proposals unnecessarily high density for the sites isolated, yet high PTAL location in a local centre. There is also an increasing need for apartment living in London in local centres and public transport nodes.
- 7.33 Since the Design Review Panel, the proposals for Rainbow have improved by providing an active frontage of mixed residential and business space on the access road into the estate. The 'eyes on the street' help animate the space and increase passive surveillance.

- 7.34 The site, hemmed in by rail lines is, unavoidably, a large cul-de-sac. At the planning brief stage, additional access points, bridges and tunnels were considered and found unfeasible. However in the locality, there are examples of large cul-de-sac format estates, such as Carters Estate and Taunton Ave (both residential areas of 200-300 homes accessed by a single access point).
- 7.35 The site's isolated character lends itself to encouraging innovative and contemporary architecture. This is required to give the development its own distinct character and identity which is achieved by the varied elevations, deep-set balconies, lattice brickwork detailing and the building colour schemes. The office block provides a suitably prominent building to mark the entry to the developed part of the site. The bulk and scale of the proposed building relates well to the scale and character of the residential element of the development.
- 7.36 The spectrum of colours used to accent the building facades not only strengthens the association of 'Rainbow' to the estate name, but aids wayfinding and legibility, with each apartment block core having its own distinct colour and architectural identity.
- 7.37 Along with details of facing materials, shopfront details appear somewhat schematic and it may be prudent to attach a condition requiring full details before occupation of the unit, 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 – safety and security.

- 7.38 London Plan 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.
- 7.39 The Met Police are broadly supportive of the proposals and an informative regarding secured by Design accreditation is recommended.

Neighbour amenity – loss of privacy and overlooking.

- 7.40 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.

7.41 The blocks of flats are oriented so as to ensure the Council's recommended minimum separation distances are either met or exceeded in terms of neighbouring dwellings, namely the flats at Bushey Court to the south east fronting Bushey Road and dwellings to the west on the Carters Estate.

Neighbour amenity – loss daylight sunlight and visual intrusion.

- 7.42 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. The methodology used follows Building Research Establishment best practice guidance and examines a number of recognized factors including Vertical Sky Components and Average Daylight factors.
- 7.43 The report examines windows in Bushey Court and Farnham Gardens, the nearest dwellings on the Carters Estate. The analysis acknowledges that two ground floor windows in Farnham Gardens would suffer a measurable loss of light but further analysis reveals that that these do not serve habitable rooms being kitchen windows. The block analysed is the nearest to the proposed development and thus the development would have less impact on other blocks. The proposals are therefore considered to be compliant with BRE guidelines and hence planning policy on daylight and sunlight.
- 7.44 So as not to appear overbearing paragraph 3.43 of the Council's SPD recommended limiting the height of the residential development to 4-5 storeys and setting back upper floors from the building line. The proposed blocks would exceed this recommendation. The proposals comprise a number of residential blocks set over a podium which covers parking. The town houses are three storey while Block B is 7 storeys and sits over part of the podium below which is parking. Other blocks are 6 storeys and, other than Block A, also sit over the parking area. Allowing for some variations in levels across the site and allowing for the incorporation of walls to enclose the parking area the blocks rise between 19m and 22m above the podium.
- 7.45 Block (E) is not less than 24m from the rear of the closest block in Bushey Court. Other new blocks are between 25m and 30m from existing blocks in Bushey Court. Blocks C and D are between 40m and 50m from the nearest dwellings in Farnham Gardens. In the absence of infringements in terms of light and privacy on neighbouring dwellings, given the somewhat isolated nature of the site, being separated from its surroundings by the various railway lines, and the presence of other contemporary buildings in the locality rising to 6 and 7 storeys, it is a matter of judgement as to whether the Council's SPD should be applied slavishly in terms of regulating storey heights or whether, considering other aspects of the scheme, flexibility on this matter is appropriate.

- 7.46 The applicant has undertaken a wider analysis of the visual impact of the proposals on heritage assets including the Lambton Road and Durham Road conservation areas and listed buildings locally (St Saviours Church war memorial and Grand Drive Methodist Church). Distance from the site combined with local topography, not least of which is the large embankment carrying the main railway lines, lead officers to concur with the report's conclusions that the proposals would have a neutral impact on views towards and from nearby conservation areas and listed buildings and structures.

Standard of accommodation.

- 7.47 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.
- 7.48 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.

- 7.49 The table at the end of the report (Appendix A) demonstrates that the proposal provides internal residential floor space in accordance with the London plan and in excess of minimum floor space standards.

Standard of residential accommodation - external amenity space and play space.

- 7.50 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.
- 7.51 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. Merton's Core Planning Strategy policy CS 13 and The London Plan policy 3.6 require housing proposals to provide play spaces for the expected child population and the Mayor of London's 'Play and Informal Recreation' SPG 2012 provides detailed guidance on this matter.
- 7.52 The level of playspace proposed represents a sizeable overprovision.

The child yield is 39 based on the GLA's 2012 calculator while the amount of space provided is 740 sq.m.

- 7.53 Each residential unit within the scheme will be provided with private amenity space (in the form of balconies terraces or gardens) which in general meets and exceeds the London Plan standards. Additional substantial communal amenity space is also available at ground floor level throughout the site in the landscaped areas and through the provision of communal allotments and roof terraces at roof level on Blocks B and C.
- 7.54 Each of the townhouses would have a front garden, first floor balcony and second floor roof terrace totalling approximately 40m². The level of communal open space across the site, which is accessible to all residents, supplements private amenity space.
- 7.55 This aspect of the proposals is therefore acceptable but the submission of design details needs to be secured by means of a suitably worded planning condition.
- 7.56 Standard of accommodation – noise and vibration.
- 7.57 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.
- 7.58 An assessment of the potential noise and vibration impact of development proposals on existing noise sensitive receptors has been undertaken. In addition, the impact of potential noise and vibration from external sources on the development itself have been considered. Existing noise and vibration levels have been established. The effect of the surrounding noise environment on the development itself has been considered. The applicant's noise and vibration report notes that glazing and ventilation systems having specific acoustic attenuation properties will be required to meet design criteria. Detailed proposals for the specific glazing and ventilation attenuation to each room will need to be progressed at the detailed scheme design stage.
- 7.59 Noise levels across central amenity areas should be acceptable without the need for additional mitigation measures.
- 7.60 Noise from the proposed SME units to residential receptors within the development has been considered, and noise break-out from internal activity noise can be controlled by specifying suitable sound reduction

properties of the building envelope. Noise associated with delivery vehicles can be controlled by suitable conditions.

- 7.61 The applicant's report also highlights that the developer may wish to consider the application of anti-vibration measures to provide habitable rooms with additional comfort against instantaneous vibration levels.
- 7.62 The report has been reviewed by the Council's Environmental Health officers. No objections are raised and suitable conditions are attached as part of the recommendation to this report.
- 7.63 Standard of accommodation - site contamination
- 7.64 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.
- 7.65 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.

- 7.66 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.
- 7.67 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.
- 7.68 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.
- 7.69 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.

7.70 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.

7.71 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).

7.72 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 the proposals have been confirmed as not likely to generate significant additional pressure on local schools and include up to 264 sq.m of floorspace that could be let to healthcare uses and it would be unreasonable to delay determination of the application..

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

7.73 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.

7.74 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.

7.75 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.

- 7.76 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.
- 7.77 10% of these spaces should be suitable for upgrading to being a disabled space with 20% equipped to provide electric vehicle charging points.
- 7.78 No objection is raised to the proposed level of parking. The effective use of parking and servicing space would require proper management and a parking management plan condition is recommended. So as to achieve more effective use of available parking and to lessen reliance on individual households having exclusive access to a car the funding of car club membership is recommended as part of any S106 agreement.
- 7.79 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.
- 7.80 The level of off street car parking proposed as part of the proposed development is 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.

- 7.81 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. Sites and Policies Plan Policy DM T2'Transport impacts of development' seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Planning permission will therefore be granted for development proposals that do not adversely impact on the road or public transport networks. Policy DM T4'Transport infrastructure' is to protect existing public transport and to

ensure that new facilities are provided in support of economic growth, to increase social mobility and to provide alternatives to the private car.

- 7.82 Refuse vehicles are currently able to access the site and this will continue to be the case for the proposed development. Refuse vehicles will be able to access all parts of the development which have been designed to accommodate the appropriate vehicle types.
- 7.83 Refuse collection for the residential units to the south would be via a controlled access at podium level to prevent unauthorised parking/waiting activity from other vehicles. Refuse vehicles will be able to stop and collect waste from each residential block within the required distances from each bin store, with the exception of block B. Waste associated with block B will be transferred to a suitable point of collection by on-site management, who will also be responsible for overseeing the storage and collection of waste across the development as a whole.
- 7.84 The vehicle specification as provided by LBM states that the Council's current refuse vehicles are 3.5m in height. The height of the bridge at the site access is 3.9m and therefore provides sufficient clearance.
- 7.85 The servicing and access arrangements within the site have been reviewed by Council Transport officers. No objections have been raised although conditions are recommended to address effective parking management. TfL have also recommended a condition requiring servicing and delivery management plans.
- 7.87 The applicant's traffic assessment has developed the approach followed by the Council in preparing its planning brief. Rather than being based on an assumed quantum of development the assessment is based on the proposed development. A traffic generation assessment has shown that there would be a reduction in traffic associated with the site as a result of the proposals, particularly in terms of HGV movements, which is a significant benefit of the scheme.
- 7.88 Vehicle movements associated with the mixed use development have been quantified by the applicant. TfL conclude that the proposals would not have a harmful impact on the operation of the wider strategic road network and Council officers have not raised objections to its methodology or findings.
- 7.89 Whilst the access is well used by the existing site uses, it is informally arranged which can lead to congestion at the site entrance (particularly when Heavy Goods Vehicles – HGVs – enter and exit the site simultaneously). The site entrance also suffers from some ad hoc parking by commuters and those visiting the town centre.

Proposal B – Kiss and Ride

- 7.90 The provision of a formalised Kiss and Ride facility is integral to the planning Redevelopment of the site is required to provide a publicly accessible drop-off point for vehicles and their passengers at the entrance to the site, allowing set down and pick up from Raynes Park station (known as a “Kiss and Ride”) (policy CS4: Raynes Park; Raynes Park Enhancement Plan).
- 7.91 A mini-roundabout and formal Kiss and Ride facility will be provided at the entrance to the site and adjacent to Raynes Park Station. The Kiss and Ride will include a shared surface at the entry to the site from Grand Drive / Station Approach as a traffic calming measure. A minimum 2 metre wide footway will be provided to maintain separate pedestrian access reducing to just over 1 metre at a pinch point at the south west corner of Station house adjacent to the mini roundabout. The Kiss and Ride facility includes approximately 6 designated bays to enable pick up / drop off to take place.
- 7.92 While the design has raised some detailed concerns regarding the precise geometry and dimensions of the layout they have not elicited more fundamental concerns from TfL which has recommended further swept path analysis for larger vehicles and undertaking a road safety audit. Fragmented land ownership presents difficulties in brokering a planning agreement at this stage whereby land might otherwise be dedicated as highway enabling Council management of both the highway and parking.
- 7.93 Officers consider that road safety audits, parking management, along with the detailed specification of the works so as to enable the area to be considered for adoption may reasonably be dealt with by condition.
- 7.94 Failure to provide the Kiss and Ride facility would conflict with the wider objectives to comprehensively deliver the re-development of the Rainbow Industrial Estate. Officers recommend that occupation of the redeveloped Rainbow Industrial Estate is made conditional upon completion of the Kiss and Ride facility thereby linking the delivery of the two applications.

Cycling and walking.

- 7.95 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.
- 7.96 274 cycle parking spaces would be provided (266 were to be provided prior to further discussion with TfL).
- 7.97 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 now considered satisfactory. A planning condition is

recommended to ensure that cycle parking is suitably designed and provided before first occupation of each block within the development.

Flooding and contamination issues.

- 7.98 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.
- 7.99 The existing building on the site is within Flood Zone 1 and a Flood Risk assessment has been submitted in support of the application.
- 7.100 All forms of flood risk to and from the proposed development have been considered. These include tidal/ fluvial, existing sewers, proposed drainage, overland, infrastructure failure and groundwater. The primary risk of flooding to the site and other areas would be from the proposed drainage network. To mitigate this, the allowable surface water discharge from the site into the public sewer will be limited to equivalent greenfield run-off rates for the part of the site. Attenuation in the form of geocells is provided to accommodate excess surface water flows up to and including a 1 in 100 year event with an 20% allowance for climate change. Sustainable Drainage techniques have been investigated for the development. The SUDS techniques applicable to this site are green roofs, permeable paving, rainwater harvesting and a swale. Provided that the mitigation measures proposed are followed it is considered that the development is appropriate from a flood risk perspective.
- 7.101 The Environment Agency have not raised any issues regarding flooding. Officers recommend that any permission be conditioned to address surface water flows and sustainable drainage.

Biodiversity

- 7.102 The adopted (2013) Rainbow Industrial Estate Planning Brief recommends landscaping within the site should enhance and complement the Sites for Importance for Nature Conservation and green corridors found along the railway embankments. It also requires lighting to be installed and maintained to enhance the public realm, feeling of safety and security while minimising light pollution and adverse impacts on the fauna and flora of the adjoining green corridors.
- 7.103 The methodology, findings and recommendations in the submitted bat survey and Extended Phase1 Habitat Survey by AMEC, are acceptable.
- 7.104 The proposals present an opportunity to secure net gains in biodiversity on this brownfields site. A suitably worded planning condition should secure the delivery and retention of the green boundary corridors along the eastern and western edges of the site as recommended in

paragraph 5.2.1 of the Extended Phase1 Habitat Survey by AMEC, and described on page 20 and shown on page 4 of the submitted Landscape Strategy. A condition should secure the delivery of green and brown roofs as shown on page 23 of the submitted Landscape Strategy.

- 7.105 Officers also recommend conditions to secure the provision of a lighting strategy to avoid negative effects on nocturnal fauna, as recommended in paragraph 5.2.1 of the Extended Phase1 Habitat Survey by AMEC, to secure the provision of bat boxes and bird nesting features as recommended in paragraph 5.2.1 of the Extended Phase1 Habitat Survey by AMEC and to ensure the appropriate protection of reptiles in the area identified as Target Note 2 on Figure 3.1 and recommended in paragraph 5.2.4 of the Extended Phase1 Habitat Survey by AMEC. Finally, an informative which refers to the developer's responsibilities under the Wildlife and Countryside Act 1981 is also recommended.

8. ENVIRONMENTAL IMPACT ASSESSMENT AND SUSTAINABILITY

Environmental Impact Assessment

- 8.1 The application site is more than 1 hectare in area and therefore falls within the scope of Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. A Screening Opinion has been issued to the effect that the application does not need to be accompanied by a separate Environmental Statement.

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 report commits to achieving CSH certification at level 4 and BREEAM very good and is accompanied by a pre-assessment report.
- 8.4 The Rainbow Estate original Energy Statement first submitted with the application in December 2014 demonstrated that the development could achieve a 30% improvement over the 2013 Part L Building Regulations via passive design measures (e.g. triple glazing, additional insulation, green/brown roofs) to facilitate warmth in winter and cooling in summer, air source heat pumps for maintaining temperature (heating and cooling) and the installation of Combined Heat and Power to provide hot water and heating to the residential units and hot water to the commercial development. The applicant also examined the

feasibility of connecting the CHP to a district heat network and made provision for this, should a district heat network be developed in the future.

- 8.5 This overall approach is strongly welcomed and is in line with Merton's Core Planning Strategy 2011 CS15(a) / London Plan policies 5.2(a), 5.3 and 5.6.
- 8.6 However, in the original energy statement, the applicant acknowledged that this approach failed to meet fully the London Plan Policy 5.2 (b) policy requirements which is broadly equivalent to a 35% improvement over 2013 Part L of the Building Regulations. The applicant's original energy statement demonstrated a 30% improvement on 2013 Part L and sought to address the 5%-6% shortfall through a financial contribution.
- 8.7 Officers considered that the applicants should be able to fully achieve the additional 5%-6% improvement to hit the target of a 35% improvement on 2013 Building Regulations part L on site, in accordance with London Plan 2015 Policy 5.2(e) which says that financial contributions should only be sought if on-site measures are not feasible.
- 8.8 In 2015 the applicant revised their energy statement with amendments to the Combined Heat and Power to demonstrate that the development can achieve a 39% improvement over 2013 Part L of Building Regulations (i.e. 4% above target), thereby now exceeding policy requirements.
- 8.9 The applicant's energy statement (February 2015) states that the residential element of the development will be capable of achieving Code for Sustainable Homes Level 4. The council welcomes this as being in line with Merton's Core Planning Strategy Policy CS15 and encourages the applicant to continue to build to this standard.
- 8.10 Conditions are recommended to ensure the development accords with the revised energy assessment objectives (and thereby London Plan objectives) and for the development to be designed so as to enable future connection to a district heating network and linked to a single energy centre.

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 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, a permit free development, and funding for car club membership for each residential unit and for monitoring travel plans would be secured via a S106 agreement for Proposal A.
- 9.9 For proposal B paragraph 7.92 highlights the difficulty at this stage in entering into a S106 to secure dedication of land as highway with the potential for the Council to then maintain and manage parking on the land. Conditions are therefore recommended with the objective of

drafting them in such a way that were the applicant to subsequently seek adoption this would not give rise to further issues.

- 9.10 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.

10. CONCLUSION A:

- 10.1 It is considered that the proposals would meet planning principles set out in the NPPF, London Plan and Merton's Core Planning Strategy and the Council's SPD.
- 10.2 The development has the potential to deliver employment opportunities at a level consistent with the objectives of the planning brief, and in a location on this large site as recommended by the brief. The development would promote Core Planning Strategy objectives and deliver a mix of employment floorspace and unit types that could cater for small and medium sized businesses.
- 10.3 The number of units does not exceed the threshold recommended by the brief while the mix of units takes advantage of the site's accessible location while still achieving a blend of family and non-family housing.
- 10.4 The layout creates a distinct sense of place with the approach to more detailed design being of a suitable high standard. The massing layout and design of buildings would not give rise to a harmful impact on neighbouring properties.
- 10.5 The development would provide an acceptable environment for future occupiers and meets policy requirements around unit size, amenity space and playspace.
- 10.6 With a good PTAL score the location is suitable for a scheme with limited on-site parking and it is considered in this instance that a suitable balance has been struck and that impact on surrounding streets can be mitigated by an appropriate permit free S106 undertakings. 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. The applicant's quantitative analysis of traffic movements supports this position.
- 10.7 The development would achieve a suitable level of sustainable design and construction while the scale and mixed use character of the scheme provides opportunities for use of a CHP. Future proofing of the design of the scheme so as to enable connection in the event of district energy initiatives on the area would further meet Merton Core Strategy

and London Plan objectives. Accordingly, planning permission may be granted subject to the planning conditions and planning obligations set out below.

CONCLUSION B:

- 10.6 The proposals provide an opportunity to meaningfully restructure and remodel the southern approach to this busy commuter station in the interest of promoting improved drop off and pick up facilities while providing an improved highway layout to this major development site and would be consistent with the objectives of the Council's adopted Planning Brief.
- 10.7 So as to ensure the delivery of the Kiss and Rise facility, which is an integral objective of the Council's brief, conditions are proposed linking occupation of the main development to completion of the Kiss and Ride works. The application is recommended for approval subject to any direction from the Mayor and planning conditions.

RECOMMENDATION A: Grant planning permission subject to any direction from the Mayor of London the completion of a S106 legal agreement and conditions.

S106 legal agreement:

1. The provision of affordable housing with suitable time and/or phasing triggers in any agreement to enable review of viability;
2. To ensure that the flats would be "permit free".
3. To ensure funding for car club membership for each residential unit (5 years funding recommended).
4. To ensure funding for the monitoring of residential and workplace travel plans.
5. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [to be agreed].
6. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [to be agreed].

And the following conditions:

Pre-commencement/construction stage/environmental impacts.

1. 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. 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. 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 it is understood that the site may be affected by historic contamination.
4. 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.
5. 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.

6. 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.
7. 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.
8. Construction Logistics Plan. Prior to the commencement of development [including demolition], a Construction Logistics Plan, including times for demolition or construction work or ancillary activities such as deliveries, 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. 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.
10. Bat Survey. In the event that evidence of bats is found on the site, prior to the commencement of development details of the provisions to be made for appropriate mitigation measures including potential for artificial bat roosting sites/boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented in full before first occupation of any part of the development, unless otherwise agreed in writing by the LPA. Reason

for condition To ensure that bat species are protected and their habitat enhanced, in accordance with the Wildlife and Countryside Act 1981 as amended, the Conservation (Natural Habitats, &c.) Regulations 1994 and policy CS 13 within the Adopted Core Strategy [July 2011].

Design details.

11. 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.

12. Flood risk assessment. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and Below Ground drainage statement prepared by Cundall (Report Ref: CL R006 &RPT 0008 dated 07/11/14) in addition to the following mitigation measures:

The implementation of a SuDS strategy incorporating the measures recommended within the approved FRA and Below Ground Drainage Statement including: a) principles set out in Section 3.1.1 of the FRA and Section 1.3.2 of the Below Ground Drainage Statement SuDS report; b) Surface water to be restricted to a maximum discharge rate of 43.5l/s for all events up to and including the 1 in 100 year plus climate change critical duration storm event and: c) SuDS measures in the form of green roofs, rainwater harvesting (where practical considerations allow) areas of permeable paving and geocellular below ground storage as set out within Cundall FRA (Section 3.1.1) and Below Ground Drainage Statement (section 1.3.2). Reason. To reduce the impact of flooding on the proposed development, future occupants and to reduce the risk of flooding from the surface water drainage network.

13. 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.

14. On-site carriageway and footway arrangements. No development shall commence until full details associated with the on-site carriageway and footway arrangements, including full construction details, materials, lighting and drainage arrangements, have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be fully implemented in accordance with the approved plans prior to first occupation of the development. Reason. To ensure the safe operation of the carriageway and footway within the development and to comply with policy CS.20 of the Merton LDF Core Planning Strategy (2011).
15. Traffic signals. No part of the development shall be occupied until full details associated with the traffic signal arrangements, including design / specification, maintenance and fault repair have been submitted to and approved in writing by the Local Planning Authority. The approved details should be fully implemented in accordance with the approved plans prior to first occupation of the development. Reason. To ensure the safe movement of traffic into and out of the development, to avoid the potential for queueing vehicles to impact on the free flow of traffic and the safe operation of the adjoining public highway and to comply with policy CS.20 of Merton LDF Core Planning Strategy (2011).
16. Road safety audits. The applicant shall conduct Road Safety Audits in accordance with HD 19/15 "Road Safety Audits" as part of the design stage, at the end of construction and post-construction for the carriageway and footway to identify any road safety problems. Measures to eliminate or mitigate any concerns arising from such audits shall be agreed in writing with the Local Planning Authority and implemented within a timescale to have been agreed with the Local Planning Authority. Reason. To ensure the safe operation of the carriageway and footway and to comply with policy CS.20 of Merton LDF Core Planning Strategy (2011).
17. External materials. No development shall take place, other than demolition, 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 and documents), 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.

18. Noise attenuation. Details of measures to mitigate against the impact of noise and vibration, in accordance with the recommendations set out in the applicant's Noise and Vibration Assessment 1007035 Rev C dated 07/11/2014 shall be submitted to and approved in writing by the local planning authority before construction of the dwellings 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 vibration and to comply with London Plan policy 7.15.
19. 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, to safeguard potential wildlife habitats and to ensure compliance with Sites and policies DM D2 of Merton's Sites and Policies Plan 2014 and CS.13 and CS14 of the Merton Core Planning Strategy 2011.
20. Shopfront design. Notwithstanding the details shown on the approved drawings, full details of "shopfront" design for the non-residential accommodation in the 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.
21. 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.
22. No use within Class A3 shall commence until detailed plans and specifications of a kitchen ventilation system including details of sound attenuation for a kitchen extract system and odour control measures have been submitted to and approved by the local planning authority. The kitchen ventilation shall be installed in accordance with the approved plans and specifications before the use commences and shall be permanently retained thereafter. Reason. To safeguard neighbour amenity and to ensure compliance with policy PE.2 of the Merton UDP 2003.
23. Landscaping. Prior to first occupation of the proposed new dwellings or commercial floorspace landscaping shall be in place that is in accordance with a landscaping scheme that has previously been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on a plan, full details of the

size, species, spacing, quantities and location of plants, measures to increase biodiversity together with any hard surfacing and means of enclosure, and full details of playspaces. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011 and the London Plan Housing SPG (2012).

24. Landscape Management Plan. Prior to first occupation of the proposed new dwellings or commercial floorspace a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for open space within the site and all communal and incidental landscaped areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The landscape shall be managed in accordance with the approved management plan unless otherwise agreed in writing by the Local Planning Authority. Reason for condition To enhance the appearance of the development and the amenities of the area in accordance with policy CS13 of the Adopted Core Strategy (July 2011).

Sustainable design and construction.

25. 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].
26. Minimising carbon dioxide emissions. The development shall be constructed in accordance with the targets and objectives as set out in the applicant's Energy Statement as amended (February 2015). Reason. To ensure that the development delivers a sustainable form of development minimising carbon dioxide emissions in accordance with London Plan policy 5.2.
27. Green roofs. Prior to the occupation of any part of the development a green roof shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The green roof shall be maintained in accordance with the approved plan for the lifetime of the development. Reason for condition To improve opportunities for enhancing biodiversity and to improve the management of surface water runoff in accordance with policy CS13 of the Adopted Core Strategy (July 2011) and DM D1 and DM F2 of Merton's Sites and Policies Plan 2014.
28. Future proofing. Prior to any works commencing on site the applicant shall submit to and have secured written approval from the Local Planning Authority, detailed design drawings showing the CHP plant room and the site heat network linking all building uses and providing capacity for connections to any adjoining land connected to a district

heating network. Reason for condition: In order to demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic) and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating in accordance with London Plan policies 5.5 and 5.6.

29. CHP. The proposed CHP shall be installed before occupation of the development and shall be operational on occupation of any part of the development. The CHP shall thereafter remain in operation. Reason. To ensure that the development delivers a sustainable form of development minimising carbon dioxide emissions in accordance with London Plan policy 5.2.

Parking and servicing pre-occupation.

30. Delivery and Servicing Plan. Prior to the commencement of the use of any part of the development 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.
31. Parking Management Strategy. 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.
32. 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].
33. 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].

34. Car parking spaces. Prior to occupation of the development hereby permitted the car parking spaces shown on the approved drawings to serve the development shall be provided and shall include 20% provision for charging electric vehicles and 10% provision for persons with disabilities 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.
35. The residential part of the development hereby permitted, shall be implemented in accordance with the provisions of the applicant's Residential Travel Plan. Reason. To ensure that the development reduces reliance on the use of cars and to accord with Merton LDF Core Planning Strategy policy CS.19.
36. The non-residential part of the development hereby permitted, shall be implemented in accordance with the provisions of the Workplace Travel Plan. Reason. To ensure that the development reduces reliance on the use of cars and to accord with Merton LDF Core Planning Strategy policy CS.19.

Phasing.

37. The employment space shall be available for occupation not later than first the sale of or first occupation (whichever is the first to occur) of 50% of the residential units in the approved scheme. Reason. To ensure the delivery of employment floorspace as part of an employment led redevelopment of the site and so as to accord with the objectives of the Council's adopted Supplementary Planning Document, Merton's Economic Development Strategy, policies 4.1 and 4.2 of the London Plan, policies CS.4 and CS.12 of Merton's LDF Core Planning Strategy and policy DM.E4 of Merton's Sites and Policies Plan.
38. The Kiss and Ride scheme (Planning reference 14/P4288) shall be completed and ready for use before occupation of the development hereby approved. Reason. To ensure redevelopment of the Rainbow Industrial estate is undertaken in a comprehensive manner that delivers safe and appropriate access arrangements to the redeveloped site and fulfils the objectives of the Council's enhancement plans for Raynes Park, the Council's adopted SPD and policy CS.4 of Merton's LDF Core Planning Strategy.

Other on-going restrictions.

39. Non-residential floorspace other than the B1 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.
40. Noise from any new plant/machinery associated with the relevant non-residential floorspace 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.

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: AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with Network Rail to enable approval of detailed works. More information can be obtained from Network Rail's web site at www.networkrail.co.uk/asp/1538.aspx
- 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) 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 applicant was given the opportunity to amend the proposals. Planning Committee considered the application where the applicant/agent had the opportunity to speak to the committee and promote the application.

RECOMMENDATION B: Grant planning permission subject to any direction from the Mayor of London and 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. Before any part of the development is commenced details of the highway works to the access road, including surface treatment, drainage, lighting and safety measures, to the development including the area allocated for the temporary stopping of vehicles for the purpose of setting down and picking up passengers shall be agreed with the Council and no part of the development approved under planning permission 14/P4287 shall be occupied until the said highway works have been carried out to the Council's satisfaction. The said highway works shall thereafter be maintained and the area allocated for the temporary stopping of vehicles for purposes including setting down and picking up passengers, and shall be used for no other purpose. Reason. To ensure its satisfactory design and construction to provide a seamless access to the development approved under planning permission 14/P4287, to ensure the safety of those using the setting down and picking up area, to ensure its operation does not prejudice the free flow of traffic or safe functioning of the adjoining public highway and to comply with the objectives of the Council's adopted SPD.

3. Details of parking management arrangements and measures for their enforcement, including any associated signage displaying parking restrictions, for the setting down and picking up area shall be submitted to and approved in writing by the local planning authority before the area is first used. Such enforcement measures as are approved shall be implemented on commencement of the use of the area and shall be permanently maintained for so long as the setting down and picking up area remains. Reason. To ensure the operation and management of the setting down and picking up area does not prejudice access to the development approved under planning permission 15/P4287 or the prejudice the free flow of traffic or safe functioning of the adjoining public highway and to comply with policy CS.20 of Merton LDF Core Planning Strategy (2011).

4. The applicant shall conduct Road Safety Audits in accordance with HD 19/15 "Road Safety Audits" as part of the design stage, at the end of construction and post-construction for the setting down and picking up area, to identify any road safety problems. Measures to eliminate or mitigate any concerns arising from such audits shall be agreed in writing with the Local Planning Authority and implemented within a timescale to have been agreed with the Local Planning Authority. Reason. To ensure the safe operation of the setting down and picking up area and to comply with policy CS.20 of Merton LDF Core Planning Strategy (2011).

5. Demolition or construction work or ancillary activities such as deliveries shall take place during hours to have first been agreed in writing by the Local Planning Authority. 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.

Informatives.

- a) The applicant is advised to contact:
 AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with Network Rail to enable approval of detailed works. More information can be obtained from Network Rail's web site at www.networkrail.co.uk/asp/1538.aspx
- b) 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 applicant was given the opportunity to amend the proposals. Planning Committee considered the application where the applicant/agent had the opportunity to speak to the committee and promote the application.

Appendix A Floorspace and amenity space table.

Unit Number/type	GI Floorspace (sq.m)	London Plan Standards for X Person Unit	Amenity Space (sq.m)	London Plan Standard for X Person Unit
A.0.01/1B2P	59	50	83	5
A.0.02/3B5P duplex	114	96	55	8
A.0.03/3B5P duplex	114	96	54	8
A.0.04/3B5P duplex	115	96	55	8
A.1.01/2B4P	81	70	22	7
A.1.02/1B2P	56	50	11	5
A.2.01/2B4P	82	70	22	7
A.2.02/2B3P	71	61	11	6
A.2.03/2B3P	71	61	11	6
A.2.04/2B3P	71	61	11	6
A.2.05/1B2P	55	50	10	5
A.3.01/2B4P	81	70	22	7
A.3.02/2B3P	71	61	11	6
A.3.03/2B3P	71	61	11	6
A.3.04/2B3P	71	61	11	6
A.3.05/1B2P	56	50	11	5
A.4.01/2B4P	82	70	22	7
A.4.02/2B3P	71	61	11	6
A.4.03/2B3P	71	61	11	6
A.4.04/2B3P	71	61	11	6
A.4.05/2B4P duplex	95	83	26	7
A.5.01/2B4P	80	70	22	7

A.5.02/1B2P	59	50	17	5
A.5.03/1B2P	59	50	16	5
A.5.04/1B2P	59	50	16	5
B.0.01/2B4P	82	70	27	7
B.0.02/2B4P duplex	89	83	13	7
B.0.03/3B5P duplex	111	96	13	8
B.0.04/3B5P	115	86	31	8
B.1.01/2B4P	108	70	9	7
B.1.02/3B5P	104	86	12	8
B.1.03/2B3P	75	61	9	6
B.2.01/3B5P	92	86	10	8
B.2.02/1B2P	52	50	9	5
B.2.03/2B4P	75	70	20	7
B.2.04/1B2P	52	50	6	5
B.2.05/1B2P	52	50	6	5
B.2.06/2B4P	78	70	12	7
B.2.07/1B2P	53	50	6	5
B.2.08/3B5P	104	86	12	8
B.2.09/2B3P	75	61	9	6
B.3.01/3B5P	92	86	10	8
B.3.02/1B2P	53	50	9	5
B.3.03/2B3P	79	61	6	6
B.3.04/1B2P	53	50	6	5
B.3.05/1B2P	53	50	6	5
B.3.06/2B3P	74	61	7	6
B.3.07/1B2P	53	50	6	5
B.3.08/3B5P	104	86	12	8
B.3.09/1B2P	61	50	25	5
B.4.01/3B5P	92	86	10	8
B.4.02/1B2P	53	50	9	5
B.4.03/2B4P	74	70	7	7
B.4.04/1B2P	53	50	6	5
B.4.05/1B2P	55	50	16	5
B.4.06/2B3P	67	61	6	6
B.4.07/1B2P	53	50	6	5
B.4.08/2B4P	77	70	25	7
B.4.09/1B2P	65	50	19	5
B.5.01/3B5P	92	86	10	8
B.5.02/1B2P	53	50	20	5
B.5.03/1B2P	62	50	6	5
B.5.04/1B2P	62	50	5	5
B.5.05/1B2P	62	50	17	5
B.5.06/2B4P	74	70	37	7
B.5.07/1B2P	66	50	6	5
B.5.08/1B2P	56	50	20	5
B.6.01/3B5P	91	86	10	8
B.6.02/1B2P	59	50	5	5
B.6.03/2B3P	79	61	6	6
B.6.04/1B2P	57	50	7	5
B.6.05/3B5P	91	86	9	8
C.0.01/2B3P	70	61	13	6
C.0.02/1B2P	50	50	22	5
C.0.03/2B4P duplex	95	83	13	7
C.0.04/2B4P duplex	95	83	13	7
C.0.05/2B4P duplex	91	83	11	7

C.0.06/3B5P duplex	109	96	20	8
C.1.01/2B3P	83	61	6	6
C.1.02/1B2P	54	50	5	5
C.1.03/3B5P	93	86	8	8
C.1.04/2B4P	73	70	7	7
C.1.05/2B4P	85	70	7	7
C.1.06/2B4P	85	70	8	7
C.1.07/2B3P	77	61	6	6
C.2.01/2B3P	83	61	6	6
C.2.02/1B2P	54	50	5	5
C.2.03/3B5P	89	86	15	8
C.2.04/2B4P	81	70	9	7
C.2.05/2B4P	83	70	9	7
C.2.06/1B2P	57	50	6	5
C.2.07/1B2P	59	50	6	5
C.2.08/3B5P	107	86	15	8
C.2.09/2B4P	78	70	8	7
C.2.10/2B4P	77	70	6	7
C.3.01/2B4P	82	70	7	7
C.3.02/1B2P	54	50	5	5
C.3.03/3B5P	91	86	8	8
C.3.04/2B3P	68	61	14	6
C.3.05/2B4P	87	70	9	7
C.3.06/2B3P	71	61	15	6
C.3.07/3B5P	100	86	34	8
C.3.08/3B5P	114	86	9	8
C.3.09/2B4P	77	70	7	7
C.4.01/2B4P	75	70	19	7
C.4.02/1B2P	58	50	8	5
C.4.03/1B2P	52	50	6	5
C.4.04/2B4P	81	70	9	7
C.4.05/2B3P	66	61	24	6
C.4.06/2B4P	72	70	8	7
C.4.07/2B4P	85	70	28	7
C.4.08/3B5P	91	86	32	8
C.4.09/3B5P	105	86	8	8
C.5.01/1B2P	66	50	29	5
C.5.02/1B2P	67	50	8	5
C.5.03/2B4P	76	70	8	7
C.5.04/1B2P	52	50	7	5
C.5.05/1B2P	63	50	7	5
C.5.06/3B5P	99	86	36	8
C.5.07/1B2P	54	50	7	5
C.5.08/1B2P	64	50	16	5
C.5.09/1B2P	51	50	19	5
D.0.01/2B3P	67	61	18	6
D.0.02/1B2P	50	50	12	5
D.0.03/3B4P	95	74	18	7
D.0.04/3B4P	95	74	23	7
D.0.05/1B2P	53	50	15	5
D.1.01/3B5P	89	86	9	8
D.1.02/1B2P	51	50	5	5
D.1.03/1B2P	51	50	5	5
D.1.04/1B2P	57	50	9	5
D.1.05/2B3P	67	61	9	6

D.1.06/1B2P	53	50	5	5
D.2.01/3B5P	89	86	9	8
D.2.02/1B2P	51	50	5	5
D.2.03/1B2P	51	50	5	5
D.2.04/1B2P	57	50	9	5
D.2.05/2B3P	67	61	9	6
D.2.06/1B2P	53	50	5	5
D.3.01/2B3P	67	61	27	6
D.3.02/2B4P duplex	91	83	8	7
D.3.03/2B4P duplex	86	83	8	7
D.3.04/2B4P duplex	82	83	9	7
D.3.05/2B4P duplex	87	83	9	7
D.3.06/2B4P duplex	92	83	7	7
D.3.07/2B4P duplex	95	83	7	7
E.0.01/2B3P	65	61	18	6
E.0.02/1B2P	51	50	13	5
E.0.03/1B2P	51	50	12	5
E.0.04/1B2P	62	50	11	5
E.0.05/2B3P	65	61	23	6
E.0.06/1B2P	54	50	15	5
E.1.01/3B5P	89	86	9	8
E.1.02/1B2P	51	50	5	5
E.1.03/1B2P	51	50	5	5
E.1.04/1B2P	57	50	9	5
E.1.05/2B3P	67	61	9	6
E.1.06/1B2P	53	50	6	5
E.2.01/3B5P	89	86	9	8
E.2.02/1B2P	51	50	5	5
E.2.03/1B2P	51	50	5	5
E.2.04/1B2P	57	50	9	5
E.2.05/2B3P	67	61	9	6
E.2.06/1B2P	53	50	5	5
E.3.01/3B5P	89	86	9	8
E.3.02/1B2P	51	50	5	5
E.3.03/1B2P	51	50	5	5
E.3.04/1B2P	57	50	9	5
E.3.05/2B3P	67	61	9	6
E.3.06/1B2P	53	50	5	5
E.4.01/2B3P	67	61	27	6
E.4.02/2B4P duplex	91	83	8	7
E.4.03/2B4P duplex	86	83	8	7
E.4.04/2B4P duplex	82	83	9	7
E.4.05/2B4P duplex	86	83	9	7
E.4.06/2B4P duplex	92	83	7	7
E.4.07/2B4P duplex	94	83	7	7
F.0.01/1B2P	54	50	9	5
F.0.02/2B4P	80	70	8	7
F.0.03/2B4P	80	70	8	7
F.0.04/2B4P	70	70	8	7
F.0.05/1B2P	65	50	17	5
F.0.06/2B4P	76	70	16	7
F.0.07/1B2P	56	50	11	5
F.1.01/3B5P	92	86	9	8
F.1.02/2B4P	81	70	8	7
F.1.03/2B4P	81	70	8	7

F.1.04/2B4P	72	70	8	7
F.1.05/1B2P	65	50	15	5
F.1.06/2B4P	78	70	7	7
F.1.07/1B2P	53	50	5	5
F.2.01/3B5P	93	86	9	8
F.2.02/2B4P	81	70	8	7
F.2.03/2B4P	81	70	8	7
F.2.04/2B4P	72	70	22	7
F.2.05/1B2P	68	50	6	5
F.2.06/2B4P	78	70	8	7
F.2.07/1B2P	53	50	6	5
F.3.01/3B5P	92	86	9	8
F.3.02/2B4P	81	70	8	7
F.3.03/2B4P	81	70	8	7
F.3.04/2B4P	72	70	8	7
F.3.05/1B2P	65	50	15	5
F.3.06/2B4P	78	70	8	7
F.3.07/1B2P	53	50	6	5
F.4.01/2B3P	79	61	23	6
F.4.02/2B4P	81	70	8	7
F.4.03/2B3P	81	61	7	6
F.4.04/3B5P	109	86	61	8
F.4.05/2B4P	90	70	45	7
F.5.01/2B3P	70	61	7	6
F.5.02/2B4P	81	70	8	7
F.5.03/2B3P	81	61	7	6
F.5.04/3B5P	109	86	12	8
F.5.05/2B3P	73	61	20	6
T.0.01/Townhouse	138	111	40	9
T.0.02/Townhouse	138	111	40	9
T.0.03/Townhouse	138	111	40	9
T.0.04/Townhouse	138	111	40	9
T.0.05/Townhouse	138	111	40	9
T.0.06/Townhouse	138	111	40	9
T.0.07/Townhouse	138	111	40	9
T.0.08/Townhouse	138	111	40	9
T.0.09/Townhouse	138	111	40	9

