

**Appendix to Minutes:
Planning Committee
13 May 2015**

PLANNING CONDITIONS, REASONS AND INFORMATIVES

123 WESTMEAD ROAD, SUTTON - APPLICATION NO. C2015/71338/FUL

(1) The development must be begun not later than the expiration of three years beginning with the date hereof.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

P4080_198 Rev H, 01 Rev B, 02 Rev B, P4080_199 Rev B, P4080_200 Rev D, P4080_202 Rev B, P4080_203 Rev C, P4080_204 Rev B, P4080_301 Rev E, P4080_302 Rev E, P4080_304 Rev A, P4080_400 Rev D, 1224-E-002 Rev P3, 5L(5)500 Rev D, P4080 – Westmead Road, Sutton. External Materials & Finishes Rev A, Short form site feasibility study (dated April 2013), Marketing Report (dated 3rd February 2011), Statement of Community Involvement (dated January 2012), Care Home Report in support of Planning Application by Java Asset Management Limited for New Care Home, Planning Statement dated February 2015, Site set-up & Logistics Proposals, General Logistics Overview & Method Statement, Energy Statement dated May 2015, BREEAM 2011 New Construction Pre-Assessment Estimator, BREEAM Multi-Residential 2011, dated 1st May 2015, Pre-Assessment Report, dated 1st May 2015, Verification Report, dated 8th January 2015, Verification Plan, dated 24th October 2014, Report on Ground Investigation, dated September 2014 and Travel Plan, dated May 2015.

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) The appearance, type and treatment of the materials to be used on the buildings and gates shall be in accordance with the submitted document: 'P4080 – Westmead Road, Sutton. External Materials & Finishes Rev A' unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area.

(4) No development shall commence until an arboricultural method statement and tree protection plan is submitted to and approved in writing by the Local Planning Authority. The details shall include an appropriately scaled survey plan showing the position of trees affected by the development, construction details including depth and width of footings where they fall within the root protection areas of retained trees, and the means whereby trees will be protected in accordance with British Standard 5837:2012 (and should specifically include ground protection measures and trunk protection or hoarding where full RPA protection is not feasible). The development shall be carried out in strict accordance with the approved details.

Reason: To enable proper consideration be given to the impact of proposed development on existing trees.

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(5) The development shall be carried out in strict accordance with the landscaping and planting details submitted on 2nd May 2015. All soft landscaping and planting shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. All planting, seeding or turfing shown in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development. Any plants that (within a period of five years after planting) are removed, die, or become in the opinion of the Local Planning Authority seriously damaged or defective shall be replaced as soon as is reasonably practicable with others of species/size/number as originally approved, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure the provision, establishment, and maintenance of a reasonable standard of landscape in accordance with the approved designs.

(6) The development shall be carried out in strict accordance with the Travel Plan submitted on 2nd May 2015. The Travel Plan shall then be implemented, developed, monitored and enforced in accordance with the approved details for a minimum of 5 years.

Reason: To promote sustainable transport choices, encourage access by non-car modes and reduce the need to travel especially by car.

(7) The development shall not be occupied until the proposed accesses have been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall include pedestrian/vehicle visibility splays of 2 metres by 2 metres on either side of the proposed accesses. The development shall be carried out in accordance with the approved scheme. The visibility splays shall thereafter be permanently retained; no fence, wall or other obstruction to visibility exceeding 0.6 metres in height above the surface of the adjoining highway shall be erected within the area of such splays.

Reason: To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway.

(8) The development shall not be occupied until space has been laid out within the site in accordance with the approved plans for 29 cars to be parked (three of which to be to a disabled standard) and for improvement to the existing parking bay area on Cowper Avenue. The parking areas shall be used and permanently retained exclusively for their designated purpose.

Reason: To prevent obstruction and inconvenience to other highway users

(9) The development shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority to provide secure cycle parking for 8 bicycles. The approved details shall be implemented, and thereafter be permanently maintained.

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Reason: To encourage access by non-car modes.

(10) The development shall be carried out in strict accordance with the Construction Method Statement submitted on 6th May 2015. Only the approved details shall be implemented during the construction period.

Reason: To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway.

(11) The development shall be carried out in strict accordance with the details of the Site Investigation Report and Site Remediation Report, submitted on 30th April 2015.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy DM11 of the Site Development Policies (DPD2).

(12) If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the Local Planning Authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy DM11 of the Site Development Policies (DPD2).

(13) On completion of the agreed remediation works, a closure report and certificate of compliance, endorsed by the interested party/parties shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy DM11 of the Site Development Policies (DPD2).

(14) The development shall be carried out in strict accordance with the BREEAM pre-assessment estimator submitted on 1st May 2015. Within 3 months of work starting on site, a BREEAM Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE) or equivalent authorised body, must be submitted to the Local Planning Authority to show that a minimum 'Very Good' rating will be achieved.

Reason: To ensure that a satisfactory standard of development is provided in relation to the sustainability objectives of the Local Planning Authority.

(15) Prior to first occupation of the building, a BREEAM Final (Post-Construction) Certificate, issued by the BRE or equivalent authorised body, must be submitted to

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the Local Planning Authority to demonstrate that an 'Very Good' rating has been achieved. All the measures contributing to the assessed rating shall be retained for as long as the development is in existence.

Reason: To ensure that a satisfactory standard of development is provided in relation to the sustainability objectives of the Local Planning Authority.

(16) The development shall be carried out in strict accordance with the Energy Statement submitted on 6th May 2015. Prior to first occupation, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under the National Calculation Method) shall be submitted to demonstrate that the development has been carried out in accordance with the approved details.

Reason: To ensure that a satisfactory standard of development is provided in relation to the sustainability objectives of the Local Planning Authority.

(17) The scheme shall be implemented in accordance with the drainage strategy submitted on 6th May 2015 before the development is occupied and thereafter retained.

Reason: To comply with Policy DM7 of the Site Development Policies DPD.

(18) Notwithstanding the submitted document titled: 'P4080 – Westmead Road, Sutton. External Materials & Finishes Rev A', no development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme detailing the materials to be used in the proposed boundary treatments. The development shall be carried out in strict accordance with the agreed details and retained and maintained thereafter.

Reason: To safeguard, where applicable, the security, visual amenity and privacy of occupiers of future occupants and adjoining properties of the development hereby approved.

(19) The development shall be carried out in strict accordance with the external lighting plan submitted on 5th May 2015 and retained thereafter.

Reason: To safeguard residential amenities and prevent light spillage from the development.

(20) No demolition or construction works, including site excavation or any external site works, the operation of plant and machinery, the erection of scaffolding, the delivery of materials, the removal of materials and spoil from the site and the use of any sound amplification equipment, shall take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenity of the occupiers of adjacent premises and the area generally during the building construction process.

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(21) Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the use of obscure glazing to north and east facing elevation, at first, second and third floor level, including the balustrade on the proposed roof terrace. The obscure glazing shall be up to a height of 1.5 metres above finished floor level. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To protect the privacy of the adjoining occupiers.

(22) Notwithstanding the submitted plans and prior to the occupation of the development hereby approved, an additional plan shall first be submitted to and approved in writing by the Local Planning Authority detailing a revised location of the proposed refuse and recycling store, which shall also include an enclosed roof. The development hereby permitted shall not be occupied until the agreed refuse and recycling storage facilities have been provided. Such storage provision shall thereafter be kept for the use of the occupants of the development hereby approved.

Reason: To ensure compliance with Policy BP12 of the Core Planning Strategy DPD and Policy DM1 of the Site Development Policies DPD.

(23) The residential accommodation to be provided in the development shall only be used for purposes falling within Use Class C2 (Residential Institutions) of the Town and Country Planning (Use Classes) Order 1987 (as amended) as a Care Home providing residential accommodation and care to people in need of care and for no other purpose falling within Class C2 of the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any Statutory Instrument amending or revoking and re-enacting that Order.

Reason: To restrict the use of the premises to one compatible with the surrounding area, to enable the Local Planning Authority to maintain strict control over the nature of the use, in the interests of the living conditions of occupiers in the locality and to ensure adequate parking is provided.

INFORMATIVES.

(1) This approval only grants permission under Section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 6268 before proceeding with the work.

(2) The permission hereby granted confers no rights on the applicant to encroach upon, extend over or otherwise enter upon property not in his ownership for any purposes connected with the implementation of this planning permission.

(3) Landscaping means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which

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it is situated and includes screening by fences, walls or other means of enclosure; measures to screen the refuse provision; planting of trees, hedges, shrubs or grass; formation of banks, terraces or other earth works, laying out of gardens, paved areas or courts and other amenity features.

(4) This application has been assessed against the relevant policies of the Sutton Local Development Framework. The proposal is generally in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended) and for this reason planning permission is granted. Should you require details of the consideration of the application that has led to this decision, the file may be inspected under the provisions of the Local Government (Access to Information) Act 1985. An appointment can be made for this purpose by telephoning 020 8770-5070.

(5) The applicant's attention is drawn to the fact that the London Borough of Sutton monitors the implementation of permissions and in particular that conditions imposed are fully complied with. Should you have any queries with regard to the discharge of the conditions please telephone 020 8770 5070 for further information.

(6) Attention is drawn to the need to comply with the Equalities Act. The implementation of this planning permission does not over-ride the need to achieve full compliance with the Equalities Act.

(7) This permission creates one or more new units which will require a correct postal address. Contact the Street Naming and Numbering Section at 24 Denmark Road, Carshalton, Surrey SM5 2JG, telephone 020 8770 5070 or e-mail street.naming@sutton.gov.uk

- (8) The contaminated land assessment referred to in condition 11 shall include: -
- a desk top study detailing the history of the site's uses and proposing a site investigation strategy based on the relevant information discovered by the desk study all of which is to be submitted to the local planning authority for approval.
 - a site investigation, including relevant ground gas, surface and groundwater sampling, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology, Mcerts where applicable or UKAS.
 - a site investigation report, in accordance with BS 5930:1999 (Code of Practice for Site Investigations & BS10175: 2001 Code of Practice Investigation of Potentially Contaminated Sites) detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy.

All work should be in accordance with the NPPPG and the Environmental Protection Act 1990 (Part IIA), Statutory Guidance on Contaminated Land together with other relevant legislation and guidance as described in the Environment Agency and DEFRA Contaminated Land Research Reports, 'Model Procedures for the Management of Land Contamination CLR 11' (2004).

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(9) The works referred to in condition 11 shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters. All work should be in accordance with the HSE document "Protection of workers & the general public during the development of Contaminated Land".

(10) The decommissioning and removal of all redundant fuel storage tanks is to be in accordance with the Health and Safety Executives (HSE) Health and Safety Guidance Note 41– Petroleum Filling Stations Construction and Operation (1998). Also in accordance with the HSE's Guidance note CS 15 - The Cleaning and Gas Freeing of Tanks Containing Flammable Residues (1985).

(11) The closure report referred to in condition 13 shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean up criteria shall be included in the closure report together with the necessary "Duty of Care" documentation detailing what waste material have been removed from the site. The London Borough's 'Guide for Developers to Help Meet Planning Requirements', can be found on the Council's website or can be supplied upon request. It describes all the items that will need to be considered for inclusion in any submitted validation report, omission of relevant details may result in submitted reports being rejected.

(12) The applicant is advised that the scheme should achieve Secured by Design accreditation.

19 JUBILEE ROAD, CHEAM - APPLICATION NO. A2015/71249/HHA

(1) The development must be begun not later than the expiration of three years beginning with the date hereof.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 282-P14, 282-02, 282-P15, 282-P16, 282-01, 282-P11, 282-P12, 282-P13, 282-03, 282-04, 282-05

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) All external facing materials, treatments and finishes shall be similar to those of the original building. Where this is not possible the type and treatment of the materials to be used shall be agreed in writing by the Local Planning Authority prior to the development being carried out.

Reason: To ensure that the extension harmonises with the existing building.

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INFORMATIVES.

(1) This approval only grants permission under section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 6263 or 6325 before proceeding with the work.

(2) The permission hereby granted confers no rights on the applicant to encroach upon, extend over or otherwise enter upon property not in his ownership for any purposes connected with the implementation of this planning permission.

(3) The submitted application complied with the relevant planning policies and Sutton Council has accordingly granted planning permission.