

PLANNING COMMITTEE - Date: 15 July 2015

Report of the Executive Head for Economic Development, Planning and Sustainability.

Ref: C2015/71897/FUL	WARD: C12 / THE WRYTHE	Time Taken: 7 weeks, 2 days
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Site: Part of Carshalton College fronting Denmark Road Carshalton SM5 2JA
 Proposal: Removal of condition 17 (submission, within 3 months of building work starting on site, a Code for Sustainable Homes Interim (Design Stage) Certificate), and condition 18 (submission, prior to first occupation of the building, a Code for Sustainable Homes Final (Post-Construction) Certificate) from previously approved app. no. C2014/70740/FUL for Demolition of existing buildings and erection of a part three, part three with roof accommodation, part four storey building to provide thirty eight 1 - bedroomed and nineteen 2 - bedroomed sheltered accommodation for the elderly with communal facilities and guest room together with refuse store, eighteen car parking spaces and scooter parking at rear, under croft driveway, new access road and associated soft and hard landscaping.
 Applicant: Mr Alex King
 Agent: Mr Alex King

GRANT PLANNING PERMISSION

subject to the

- 1. Completion of a s.106 deed of variation to be completed by 10 August 2015, or such longer period as may be agreed in writing by the Executive Head of Economic Development, Planning and Sustainability, after which time the resolution to grant will be rescinded.**

Reason for Report to Committee: Not within Approved Scheme of Delegation (variation of a major application recommended for approval).

Summary of why application proposals are acceptable:

- Since the original planning consent was resolved to grant by the Planning Committee on 18 March 2015, the Code for Sustainable Homes has been withdrawn by central government and there is no longer a policy basis, or requirement, to impose a condition to secure Code Level 4 on new residential developments. The imposition of such a condition would no longer meet the test of reasonableness required for planning conditions. The matter has now incorporated into the Building Regulations.

1.0 BACKGROUND**1.1 Site and Surroundings:**

1.2 The application site comprises an area of land (0.45 Ha) to the southern side of the Carshalton College site, fronting on to Denmark Road.

- 1.3 The north-western half of the site currently comprises single storey College buildings, which accommodate motor vehicle workshops, a carpentry workshop and a number of classrooms. The south-eastern half of the site comprises an area of grassed land adjacent to the highway (Denmark Road).
- 1.4 There is a row of mature trees adjacent to the highway along Denmark Road (protected by way of a Tree Preservation Order - TPO).
- 1.5 The surrounding area is a mix of uses, with residential flats and a primary school opposite (southeast), Carshalton College to the north, the part four storey Council Offices to the northeast and the Council owned car park to the southwest.
- 1.6 **Site Specific Designation:**
- 1.7 The site falls within an Area of Tall Building Potential and an Archaeological Priority Area. There is a line of mature trees to the frontage of the site, protected by way of a Tree Preservation Order (TPO).
- 1.8 **Relevant Planning History:**
- 1.9 The following is the most recent and relevant planning history.
- 1.10 73/11783 Erection of a three storey teaching block, a single storey motor vehicle workshop and a single storey students communal block. Granted 1 March 1974
- 1.11 96/40834/FUL Erection of a single storey extension for use in connection with relocated day nursery, construction of new pedestrian path to Denmark Road, and provision of car parking facilities. Granted 11 July 1996.
- 1.12 04/52933/FUL Erection of two temporary classrooms adjacent to engineering workshops fronting Denmark Road. Granted 15 October 2004.
- 1.13 14/70740/FUL Demolition of existing buildings and erection of a part three, part three with roof accommodation, part four storey building to provide thirty eight 1 - bedroomed and nineteen 2 - bedroomed sheltered accommodation for the elderly with communal facilities and guest room together with refuse store, eighteen car parking spaces and scooter parking at rear, under croft driveway, new access road and associated soft and hard landscaping. Granted 28 April 2015.

2.0 **APPLICATION PROPOSALS**

2.1 **Details of Proposal:**

- 2.2 The proposal is for the removal of Conditions 17 and 18 of approved application C2014/70740/FUL. The conditions state:

- (17) Within 3 months of building work starting on site, a Code for Sustainable Homes Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE) or equivalent authorizing body, must be submitted to the Local Planning Authority and approved in writing to show that a minimum Level 4 rating will be achieved for each of the residential units.
- (18) Prior to first occupation of the building, a Code for Sustainable Homes Final (Post-Construction) Certificate, issued by the BRE or equivalent authorizing body, must be submitted to the Local Planning Authority and approved in writing to demonstrate that Level 4 has been achieved for

each of the residential units. All the measures integrated shall be retained and maintained thereafter.

2.3 The variation is intended to remove this condition in its entirety.

2.4 **Significant amendments to application since submitted:**

2.5 None.

3.0 **PUBLICITY**

3.1 **Neighbour Notification:**

3.2 A site notice and press notice were displayed on 19 June 2015.

3.3 **Number of Letters Received:**

3.4 None

3.5 **Official Consultation:**

3.6 Internal

3.7 Sustainability Officer – No objection.

3.8 **Councillor Representation:**

3.9 None.

4.0 **MATERIAL PLANNING POLICIES**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the London Borough of Sutton comprises the following documents:

- The London Plan (2015)
- The Local Development Framework (LDF) which comprises two main documents:
 - (a) The Core Planning Strategy (CPS)
 - (b) The Site Development Policies Development Plan Document (DPD)

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.

4.3 **London Plan (2015):**

- 3.3 Increasing housing supply
- 3.5 Quality and design of housing
- 3.9 Mixed and Balanced communities
- 3.11 Affordable housing targets
- 4.1 Developing London's economy
- 5.1 Climate change mitigation

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and construction
- 5.7 Renewable Energy
- 5.13 Sustainable drainage
- 5.21 Contaminated Land
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.3 Designing out crime
- 7.8 Heritage Assets and archaeology
- 7.19 Biodiversity and access to nature

4.4 **Core Planning Strategy DPD:**

- PMP1 Housing Provision
- PMP2 Suburban Heartlands
- BP1 Housing Density
- BP6 One Planet Living
- BP12 Good Urban Design and Heritage
- BP13 Taller Buildings

4.5 **Site Development Policies DPD:**

- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Street Scene
- DM7 Flood Risk
- DM8 Climate Change Adaptation
- DM9 Water Supply, Water Quality and Sewerage Infrastructure
- DM11 Contaminated Land
- DM12 Noise and Vibration
- DM19 Promoting Sustainable Transport and Accessibility
- DM20 Assessing the Transport Impact of New Development
- DM21 New Development and the Highway Network
- DM5 Sustainable Design and Construction
- DM6 Climate Change Mitigation
- DM22 Parking
- DM25 Maximising Affordable Housing Provision
- DM27 Communal Accommodation
- DM29 Housing Standards
- DM31 Social and Community Infrastructure

4.6 **Supplementary Planning Documents:**

- SPD5 Planning Obligations
- SPD14 Creating Locally Distinctive Places
- SPD17 Carshalton College Planning Brief
- IPG11 Sustainable Design and Construction

5.0 **PLANNING CONSIDERATIONS**

5.1 The principal considerations (including whether any material planning objections have been reasonably addressed) in relation to this application are:

- **Principle/Use**
- **Design Quality**
- **Housing mix and density**

- **Standard of Accommodation**
- **Impact on Neighbours and future redevelopment of adjoining sites**
- **Crime and disorder**
- **Traffic & Parking**
- **Servicing and refuse collection arrangements**
- **Trees and Landscaping**
- **Biodiversity**
- **Archaeology**
- **Sustainability**
- **Flooding and drainage**
- **Land contamination issues**
- **Affordable Housing**
- **Community Infrastructure Levy**
- **Environmental Impact Regulations 2011**

5.2 **Principle/Use:**

5.3 The application is for the removal of conditions under section 73 of the Town and Country Planning Act 1990 (as amended). Therefore, any permission granted is a new, separate planning permission. The principle of the residential development for 57 retirement apartments has been established under the granting of the previous application, ref. C2014/70740/FUL. Therefore, the only aspect of this proposal to consider is the removal of the requirement to provide evidence that the building is constructed to Level 4 of the Code for Sustainable Homes.

5.4 Following the technical housing standards review, the government has issued a written ministerial statement withdrawing the code for sustainable homes. Details of the new approach to the setting of technical housing standards in England were announced on 27 March 2015 and a new set of streamlined national technical standards were published. The written ministerial statement was also published along with the announcement, which outlined the government's policy on the application of technical housing standards for plan making and decision-taking.

5.5 Therefore, the requirement to achieve Level 4 of the Code for Sustainable Homes has been withdrawn and there is now no policy basis upon which to impose a condition requiring that the development achieve Code Level 4. Elements of the code will now be incorporated into Building Regulations, which will be re-titled as "the new national technical standards" and set at the equivalent of a Code Level 4. On this basis, the proposal is considered to be acceptable in principle.

5.6 **Design Quality:**

5.7 Policy BP12 of the adopted Core Planning Strategy, Policy DM1 of the Site Development Policies DPD and SPD14 'Urban Design' requires development to respect or reinforce the character and identity of the area and avoid developments which do not integrate well into the surroundings.

5.8 The design of the proposed development has not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to design and layout.

5.9 **Housing mix and density:**

5.10 The London Plan Policy 3.3 states that "The Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford". Further to this,

Policy 3.4 states “Taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.1. Development proposals which compromise this policy should be resisted.” To this end, the London Plan includes a matrix which sets out recommended housing density in light of the public transport accessibility and townscape settings (central, urban and suburban). Core Policy BP1 seeks to make the most efficient use of sites and sets out how the Council will apply these settings to the Borough based on its Characterisation Study.

- 5.11 The layout of the proposed development has not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to housing mix and density.
- 5.12 **Standard of Accommodation:**
- 5.13 Policy DM1 of the Site Development Policies DPD aims to ensure that all new developments cater for the accessibility needs of disabled people. The scheme is designed to meet with the Lifetimes Homes standard and 10% of the dwellings are designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. In addition, there is sufficient internal space provided in order to achieve a satisfactory level of accommodation that meets minimum internal size standards for rooms and dwellings in line with the GLA’s ‘London Housing Design Guide’.
- 5.14 Policy DM29 outlines that amenity space provision should be in line with the provisions of the Urban Design SPD. SPD14 requires adequate provision of private amenity space advising a minimum of 25sqm of private garden space should be provided for flats. The London Plan requires a significantly lesser amount of 5sqm per unit, plus a further 1sqm per additional bedspace.
- 5.15 The layout of the proposed development has not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the proposed standard of accommodation.
- 5.16 **Impact on neighbours and future redevelopment of adjoining sites:**
- 5.17 Policy DM2 of the Site Development Policies DPD states that the Council will not grant planning permission for any development that adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties or has an unacceptable impact on the surrounding area.
- 5.18 The layout and form of the proposed development have not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the impact on neighbours.
- 5.19 The Planning Brief states that any new development should “ensure that any possible future redevelopment of Site B for residential development can be served from Denmark Road via Site C and this is taken into account in terms of the design of roads and footways on Site C and to consider the need for pedestrian and cycle connections between Site C and Site B (should this part of the site become available for housing) as well as the adjoining Council owned land (Sites LBS 1 and 2)”.
- 5.20 The previous application (ref. C2014/70740/FUL) was subject to a legal agreement to ensure that the construction of the access road to Site B would be to an adoptable standard and to ensure its transfer to the ownership of the College immediately

following construction. This access road is necessary to ensure the future redevelopment viability of adjoining sites.

5.21 Therefore, a deed of variation to the legal agreement submitted in relation to the previous application must be submitted in order to ensure that the proposal provides for the construction and retention of this access road.

5.22 Subject to the receipt of this deed of variation, it is considered that the proposal would be acceptable in terms of the future redevelopment of adjoining sites.

5.23 **Crime and disorder:**

5.24 S17(1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

5.25 The layout and form of the proposed development have not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the impact on crime and disorder.

5.26 **Traffic and Parking:**

5.27 Policy DM19 states that new developments should be accessible by, and make provision for sustainable modes of transport. Policy DM22 requires all new development to provide the appropriate amount of amount of car parking necessary in accordance with the Council's restraint-based maximum car parking standards taking into account public transport accessibility levels (PTALs), existing publicly available parking provision and usage in the vicinity of the site and need to deter unnecessary car use while avoiding over-spill parking problems. In addition, Policy DM22 states that planning permission will be granted for developments proposing limited or no parking providing the site is located in a high PTAL area.

5.28 The access and parking arrangements of the proposed development have not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the impact on traffic and parking.

5.29 **Servicing and refuse collection arrangements:**

5.30 Policy DM2 states that in assessing the impact of a proposed development, the Council will take refuse collection into consideration.

5.31 The servicing arrangements of the proposed development have not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the impact on servicing.

5.32 **Trees and Landscaping:**

5.33 Policy DM1 of the Site Development Policies DPD states that developments would be expected to respect and retain, where possible, existing landforms and the natural features of the site, including trees of amenity value and make suitable provision for high quality additional landscaping.

- 5.34 The layout of the proposed development has not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the impact on trees and landscaping.
- 5.35 **Biodiversity:**
- 5.36 Policy PMP9 of the Core Planning Strategy seeks to enhance the Borough's biodiversity and Policy DM17 of the Site Development Policies DPD states that the Council will grant permission for developments that create, conserve or enhance biodiversity and improve access to nature. The application is accompanied by an extended phase 1 ecological assessment.
- 5.37 The design and layout of the proposed development have not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the impact on biodiversity.
- 5.38 **Archaeology:**
- 5.39 The application site is located within an archaeological priority area. The layout of the proposed development has not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to archaeology.
- 5.40 **Sustainability:**
- 5.41 The London Plan 2015 Policy 5.2 requires developments to make the fullest contribution to the mitigation of, and adaptation to, climate change and to minimising carbon dioxide emissions according to the following hierarchy: use less energy through the use of passive design and energy efficiency measures, supply energy efficiently through the use of decentralised energy provision and generate renewable energy on-site. Further guidance is contained in the Council's IPG11 'Sustainable design and construction', Policy BP6 'One Planet Living' of the Core Planning Strategy DPD, and Policies DM5 and DM6 of the Site Development Policies DPD, which promote the highest standards of sustainable design and construction within the Borough in support of the Council's vision of 'Creating a sustainable suburb'.
- 5.42 Policy DM5 requires all residential developments to meet Code for Sustainable Homes Level 4 whilst Policy DM6 states that all new residential buildings should achieve a 40% reduction in carbon dioxide emissions.
- 5.43 Whilst Policy DM5 requires all residential developments to meet Code for Sustainable Homes Level 4, this requirement has now been superseded by the recent government announcement and written ministerial statement which has withdrawn the Code for Sustainable Homes. Notwithstanding the withdrawal of the code, there is still a requirement for a 40% reduction in carbon dioxide emissions and a condition is recommended to secure energy saving measures (previously Condition 19 of application ref. C2014/70740/FUL).
- 5.44 The application does not request the removal of Condition 18 of the previous application ref. C2014/70740/FUL, which required that a Code for Sustainable Homes Final (Post-Construction) Certificate, issued by the BRE or equivalent authorizing body, be submitted to the Local Planning Authority and approved in writing to demonstrate that Level 4 has been achieved for each of the residential units. However, having regard to the recent government announcement and written ministerial statement, it would not be reasonable to impose that condition on this current application.

- 5.45 The scheme proposes the use of air source heat pumps and a number of energy saving measures throughout the construction phase and operation of the building. The application is accompanied by an energy statement which sufficiently demonstrates that the measures proposed would meet with the necessary requirements.
- 5.46 The Council's Sustainability Officer has considered the proposed removal of conditions and raises no objection due to the recent withdrawal of the Code for Sustainable Homes.
- 5.47 **Flooding and drainage:**
- 5.48 The NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. The Technical Guidance which accompanies the NPPF outlines, in Table 1 that for sites in Flood Zone 1, development proposals comprising one hectare or above should take account of vulnerability to flooding from other sources as well as from river and sea flooding, and also the potential to increase flood risk elsewhere.
- 5.49 The layout and form of the proposed development have not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to the impact on flooding or drainage issues.
- 5.50 **Land contamination issues:**
- 5.51 Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 5.52 The layout and form of the proposed development have not altered since the previous approval ref. C2014/70740/FUL. Therefore, this matter is established and no objection is raised in relation to land contamination issues.
- 5.53 **Affordable housing:**
- 5.54 The NPPF outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified.
- 5.55 Policy 3.12 of the London Plan 2011 states that Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes having regard to the Council's affordable housing targets. The amplification to the policy states that to "expedite the planning process, developers should engage with an affordable housing provider prior to progressing a scheme, and provide development appraisals to demonstrate that each scheme maximises affordable housing output. Boroughs are encouraged to review and bring forward surplus land in their own ownership to maximise their contribution to affordable housing provision."
- 5.56 Policy BP2 of the Core Planning Strategy states that the Council will seek to meet an overall borough wide target that 50% of all new housing from all sources is affordable.

- 5.57 The previous application (ref. C2014/70740/FUL) established, through a financial viability exercise, that there would be £550,000 available towards off-site affordable housing. Therefore, a deed of variation to the legal agreement submitted in relation to the previous application must be submitted in order to ensure that the proposal provides for off-site affordable housing.
- 5.58 Subject to the receipt of this deed of variation, it is considered that the proposal would be acceptable in terms of affordable housing.
- 5.59 **CIL/Section 106:**
- 5.60 Policy DP2 of the Core Planning Strategy states that, where necessary, the Council can seek planning obligations from developers to provide community benefits necessary to facilitate implementation of an acceptable development scheme.
- 5.61 The proposed development requires financial contributions/CIL payments in accordance with the Council's Supplementary Planning Document 5 'Planning Obligations'. The Council requires all new residential development to pay £100 per square metre of new floorspace. In addition to the above the Mayoral CIL requires all developments (education and health purposes exempted) to pay £20 per sqm of floorspace.
- 5.62 The total amount of CIL payable would be approximately £307,532, of which approximately £51,255 would be payable to the Mayor and the remainder to the London Borough of Sutton, which would be approximately £256,276.
- 5.63 In addition, a deed of variation would secure the following:
- A commuted sum of £550,000 towards the provision of off-site affordable housing.
 - The construction of the access road to Site B to an adoptable standard and its transfer to the ownership of the College immediately following construction.
- 5.64 The reasonable legal and other professional costs of the Council incurred in completing the agreement.
- 5.65 The legal agreement has not yet been finalised. However, Officers envisage that it would be finalised by the time of the expiration of the application. The Officer recommendation allows for this.
- 5.66 **Environmental Impact Regulations 2011:**
- 5.67 The proposal is not considered to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2011 or a variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.
- 6.0 **CONCLUSION AND RECOMMENDATION**
- 6.1 The principle of development has been established by the previous permission ref. C2014/70740/FUL. The current application seeks to remove Conditions 17 and 18 (Code for Sustainable Homes) and no other aspect of the development would alter. Having regard to the recent government announcement and written ministerial statement, which has withdrawn the Code for Sustainable Homes, it is considered that it would not be reasonable to impose a condition to secure that the proposed development meets Code Level 4. Therefore, it is recommended that permission be

granted subject to conditions and variation to the s106 legal agreement under ref. C2014/70740/FUL.

Background Papers: C2015/71897/FUL

Drawings and other documents can be viewed on line –

- 1) Go to page: <http://gis.sutton.gov.uk/FASTWEB/welcome.asp>
- 2) Enter Planning Application Number: **C2015/71897**
- 3) Click on Search and View Current Applications
- 4) Click on View Plans & Documents



Mr Alex King
Millstream House
Parkside
Ringwood
BH243SG

C2015/71897/FUL

DRAFT

WARNING: It is in your interests to ensure you obtain the approval of the Local Planning Authority, where the conditions require that to occur. Failure to comply with the following conditions may lead to enforcement action to secure compliance.

FIRST SCHEDULE

Part of Carshalton College fronting Denmark Road, Carshalton, SM5 2JA

Removal of condition 17 (submission, within 3 months of building work starting on site, a Code for Sustainable Homes Interim (Design Stage) Certificate), and condition 18 (submission, prior to first occupation of the building, a Code for Sustainable Homes Final (Post-Construction) Certificate) from previously approved app. no. C2014/70740/FUL for Demolition of existing buildings and erection of a part three, part three with roof accommodation, part four storey building to provide thirty eight 1 - bedroomed and nineteen 2 - bedroomed sheltered accommodation for the elderly with communal facilities and guest room together with refuse store, eighteen car parking spaces and scooter parking at rear, under croft driveway, new access road and associated soft and hard landscaping.

SECOND SCHEDULE

(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: CS/, 14157-BT4, 20049CS P05 Rev A, 20049CS P06 Rev A, 20049CS P07 Rev B, 20049CS P14 Rev A, 20049CS P10, 20049CS P11, 20049CS P12 and 20049CS P13 (submitted in relation to application ref. C2014/70740/FUL).

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

(3) Prior to their installation, the type and treatment of the materials to be used on the exterior of the buildings and hard surfacing areas including samples of materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: To safeguard the visual amenity of the area and a high standard of design.

(4) Prior to their installation, the type and treatment of all boundary treatment and/or fences/walls within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details prior to the first occupation of the building to which it relates.

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

(5) Prior to the first occupation of any building, the approved refuse and recycling storage, as demonstrated on plan 20049CS P10, shall be completed and made available to residents and retained thereafter.

Reason: To ensure that this facility is provided in a manner which seeks to ensure that such facilities integrate with the overall form of development and to encourage the collection and recycling of appropriate materials for re-use.

(6) Prior to the first occupation of any building, the approved cycle/buggy storage, as demonstrated on plan 20049CS P10 (submitted in relation to application ref. C2014/70740/FUL), shall be provided and made available to residents and retained thereafter.

Reason: To ensure that cycle storage provision is made as part of new development.

(7) Prior to the first occupation the car park shall be provided in accordance with the approved details (submitted in relation to application ref. C2014/70740/FUL) and retained as such thereafter.

Reason: To ensure that adequate off-street parking provisions is made to avoid danger and inconvenience to highway users.

(8) No persons under the age of 60 years of age and or a partner of 55 years shall occupy any of the retirement living units hereby permitted with the exception of guests and / or warden(s), unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that sufficient parking is provided with the proposed development.

(9) The development shall not be occupied until the proposed vehicular accesses or modified accesses to Denmark Road have been constructed in accordance with the approved plans (submitted in relation to application ref. C2014/70740/FUL), and thereafter be permanently retained.

Reason: In the interest of road safety.

(10) The development shall not be occupied until details of the management and use of the proposed parking have been submitted to and agreed in writing by the Local Planning Authority. Only the approved details shall be implemented and thereafter be permanently maintained.

Reason: To reduce reliance on the private car and promote access by non-car modes and to ensure that the parking is accessible to all residents of the development.

(11) The development shall not begin until a Construction Method statement/Environmental Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding, behind any visibility zones
- (f) construction traffic routing.
- (g) hours of operation.
- (h) means to control dust.
- (i) means to control noise
- (j) means to prevent deposition of mud on the highway.

has been submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved statement.

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

(12) No machinery or plant shall be operated, no process carried out and no demolition/construction related deliveries taken at or dispatched from the site except between the hours of 08:00 to 18:00 Monday to Friday, 08.00 to 13.00 on Saturday, and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of adjoining residents.

(13) No development, other than demolition works, shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the existing and proposed ground levels of the site and proposed ground and finished floor levels of the building(s) hereby permitted. The development shall be carried out in strict accordance with the approved levels.

Reason: In order to ensure that the proposed development does not prejudice the amenities of neighbouring properties or the appearance of the locality.

(14) The development hereby permitted shall only be carried out in accordance with the approved arboricultural method statement accompanying the application and in accordance with British Standard 5837:2012.

Reason: In order to safeguard the retention of the existing trees on site that represent significant visual amenity, in accordance with Policy DM1.

(15) No development shall commence until a pre-construction tree pruning schedule is submitted to and approved in writing by the Council. The schedule will detail works to trees immediately adjacent to the existing structure and trees on/adjacent to the site that will require access facilitation pruning. Once approved, works shall be undertaken in accordance with British Standard BS 3998: 2010. Works shall be carried out prior to the implementation of tree protection measures as detailed in the Tree Protection Plan.

Reason: To ensure the continuity of amenity afforded by trees in accordance with Policy DM1.

(16) Prior to commencement of works, other than demolition works, full details of both hard and soft landscape proposals shall be submitted to and approved by the Local Planning Authority. All hard and soft landscape works 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. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Details of the size, species, and location of the

replacement trees shall be agreed with the Local Planning Authority in writing. All plants and trees shall be maintained at regular intervals to ensure successful establishment. Thereafter, any trees or 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 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.

(17) Prior to occupation of the development, evidence (e.g. 'as-built' SAP worksheets prepared under the Standard Assessment Procedure and details of any further proposed renewable technologies) should be submitted to the Local Planning Authority and approved in writing to demonstrate that the development will achieve at least a 40% reduction in CO₂ emissions below the target emission rate (TER) set in Part L1A of the 2010 Building Regulations (or equivalent percentage reduction below Part L1A 2013), and achieve at least a 20% reduction in total CO₂ emissions (regulated and unregulated) through on-site renewable energy generation.

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

(18) Prior to building work starting on site, other than demolition works, a scheme for the management of surface water run-off must be submitted to the Local Planning Authority and approved in writing which identifies appropriate site drainage and flood risk management measures, including SUDS, in order to manage surface water run-off as close to its source as possible, ensure that peak run-off rates and total volumes of run-off are less than previous conditions on the site for all storm events up to and including the 1 in 100 year 6-hour storm event (plus 30% for climate change) and achieve 'greenfield' run-off rates where possible.

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

(19) Prior to first occupation of the development, written confirmation that the approved site drainage and flood risk management measures, including SUDS, have been implemented as part of the development as built must be submitted to the Local Planning Authority and approved in writing. Where different from the approved details, further evidence should be provided to show that peak run-off rates and total volumes of run-off are less than previous conditions on the site for all storm events up to and including the 1 in 100 year 6-hour storm event (plus 30% for climate change). All the measures integrated shall be retained and maintained thereafter.

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

(20) a) No development other than demolition shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.

b) If heritage assets of archaeological interest are identified by the evaluation under Part a, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secure the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (b).

d) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

(21) a) Prior to construction on site, other than demolition works, a contaminated land assessment and associated remedial strategy, is to be submitted, and agreed in writing by the local Planning Authority.

b) The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment.

c) 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.

(22) Prior to the first occupation of the development noise levels of the proposed air source heat pumps shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: Having regard to the residential amenities of future occupants.

(23) 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 unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: There is possibility that not all contamination have been identified during the investigation. If contamination is discovered during the development this will need to managed appropriately to the satisfaction of the Council and the Environment Agency so that there are no remaining unacceptable risks to human health or the environment.

(24) No infiltration of surface water drainage into the ground is 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 controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Unless carefully managed surface water and foul water can enter and pollute controlled waters. There must be no direct discharge to groundwater or discharge through land affected by contamination.

(25) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

(26) Details of CCTV cameras shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The approved CCTV scheme shall be implemented and operational before first occupation of the scheme and shall be retained and maintained thereafter.

Reason: To ensure a safe and secure environment for the occupants of the site.

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) Attention is drawn to the need to comply with the Disability Discrimination Act. The granting of this planning permission does not over-ride the need to achieve full compliance with the Disability Discrimination Act.

(3) The applicant is encouraged to install a residential fire sprinkler system to reduce the potential consequences of a fire breaking out. Guidance is contained within British Standard DD251:2000 (contact Customer Services, BSI, tel: 020 8996 2001). Further information can be obtained from the residential Sprinkler Association (Tel: 0118 971 2322 or e-mail info@firesprinklers.org.uk).

(4) 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 6369 or e-mail street.naming@sutton.gov.uk.

(5) The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that under the Highways Act 1980, a licence must be obtained from the Head of Highways and Streetcare at 24 Denmark Road, Carshalton (tel. 020 8770 6061), before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. In the case of developer related S278 Highways Act 1980 highway improvement works, the S278 Agreement must be concluded before works can start on the public highway.

(6) Under (Section 163) Highways Act 1980 the surface water drainage of the site should be designed so as to prevent the discharge of water onto the public highway.

(7) The Highway Authority has no objection to the proposed development, subject to the conditions attached. However, if the applicant intends to offer any of the roadworks included in the application for adoption as maintainable highways, this permission under the Town and Country Planning Act shall not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980.

(8) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

(9) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority.

(10) This decision notice should be read in conjunction with the agreement under Section 106 of the Town and Country Planning Act 1990 as subsequently amended agreed in conjunction with this application.

(11) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

(12) Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

(13) With regard to water supply, this comes within the area of the Sutton & East Surrey Water Company. For your information the address to write to is -Sutton & East Surrey Water Company, London Road, Redhill, Surrey, RH1 1LJ Tel - (01737) 772000

(14) The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

(15) Any large diameter felled trees should be retained on site and partially buried in a semi-shade area to provide habitat for fungi and invertebrates that specialize in deadwood. In order to provide habitat for stag beetles and other fauna and fungi.

(16) Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

(17) The contaminated land assessment should include: -

- A site investigation, including relevant soil gas surface and groundwater sampling (where required), carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- A site investigation report, in accordance with BS 5930:1999 (Code of Practice for Site Investigations & BS10175: 2011 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 generally be in accordance with the Environmental Protection Act 1990 (Part IIA), Statutory Guidance on Contaminated Land together with other relevant legislation and guidance as described in all relevant DEFRA guidance documents.

(18) The approved remediation works 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.

(19) All work should be in accordance with the HSE document "Protection of workers & the general public during the development of Contaminated Land".

(20) The closure report 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 materials have been removed from the site.

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