
Ref: D2015/73381/FUL  WARD: D16 / WALLINGTON STH  Time Taken: 19 weeks, 2 days

Site:  31-35 Stafford Road, Wallington, SM6 9AP
Proposal:  Redevelopment to provide a three storey building and a four storey building comprising two retail Class A1 or A2 units (468 sq.m) and 29 one, two and three bedroom flats (9 x one-bed, 18 x two-bed and 2 x three-bed units) four of which are affordable units, with associated off-street parking spaces (20 residential and 8 commercial), cycle parking spaces (65 spaces) private and communal amenity space.

Applicant:  Mrs Jo Tasker
Agent:  Mrs J Tasker

Recommendation: GRANT PLANNING PERMISSION subject to the completion of a section 106 agreement by the 31st May 2016, or such longer period to be agreed in writing by the Executive Head of Economic Development, Planning & Sustainability, after which time the resolution to grant will be rescinded.

Reason for Report to Committee:  Major Application recommended for approval

Summary of why application proposals are acceptable:

- The proposed redevelopment of the site for 29 residential units and 2 commercial (A1 / A2) units is considered to be acceptable in land use terms.

- The design, form and architectural detailing of the proposed buildings is considered to relate positively to the street scene, and would not cause harm to the character of the surrounding area or the adjacent Area of Special Local Character. As such, the proposal is considered to be acceptable in design terms.

- The scale of the proposal and the separation distances from the closest properties would ensure that the development would not have a detrimental impact on the amenity of adjoining occupiers in terms of loss of daylight/sunlight, privacy and outlook, noise and disturbance.

- The quality of the proposed accommodation is acceptable and complies with current housing standards.

- Subject to conditions, it is considered that the proposed development would not have any undue transport / highway or parking impacts.

- The development would provide an enhanced landscaping scheme for the site which would provide an improvement to the visual amenity of the area.

- The provision of 4 affordable housing units is considered to be justified by the financial viability as set out by the applicant and assessed by an independent financial viability advisor on behalf of the Council.
1.0 BACKGROUND

1.1 Site and surroundings:

1.2 The application site is located on the southern side of Stafford Road, close to its junction with Blenheim Gardens and Charlotte Road. The site comprises a vacant plot of land.

1.3 The site was previously occupied by a large two storey warehouse building that was used for car repairs. Prior to that, the site contained a BP petrol station and car sales dealership.

1.4 To the east of the application site is the Windmill Public House (two storey plus roof accommodation), which has a frontage onto Stafford Road. The building comprises a pub use at ground floor level and has residential accommodation above. To the west of the site is no. 29 Stafford Road (two storeys plus roof accommodation) which comprises a shop at ground floor with residential units at first floor and roof level. The streets to the south, east and west of the site (Charlotte Road and Blenheim Gardens) comprise residential properties with some flatted development.

1.5 The site is located within Stafford Road Larger Local Centre which is characterised by ground floor shops and commercial uses with residential above. Properties on the opposite side of the road and further to the west are located within the Wallington District Centre.

1.6 Part of the south-west corner of the site is located within the Blenheim Gardens/Onslow Gardens Area of Special Local Character.

1.7 Site specific designation:

- Limit of Sustainable Residential Development
- Area of Taller Building Potential
- Stafford Road Larger Local Centre
- Blenheim Gardens/Onslow Gardens Area of Special Local Character
- Adjacent to Wallington District Centre

1.8 Relevant Planning History:

1.9 There have been a number of planning applications and advertisement applications submitted since 1957 the most relevant being:

1.10 BED.2303 - Petrol filling station and car show room. Permission granted 27 June 1957.

1.11 70/6827 - Conversion of existing petrol service station to self-service use, erection of canopy over forecourt and first floor extension to office and improvements to vehicle showroom. Permission granted 07 December 1970.

1.12 86/28839/FUL - Redevelopment to provide enlarged petrol filling station incorporating four new underground petrol storage tanks, pump islands with canopy over and a single storey retail building together with separate building at rear to provide car showroom, workshops and ancillary office accommodation and
provision of customer and staff parking facilities and floodlights on 6m poles. Permission granted 30 May 1986.

1.13 08/60196/FUL - Redevelopment of the site involving the erection of a three storey building comprising 550sqm of A3 floorspace and 660sqm of A1 floorspace with eight 1-bed, eight 2-bed and four 3-bed self contained flats on the first and second floor. Provision of refuse storage, thirty eight cycle spaces, two motorcycle spaces and twenty eight car parking spaces. The application was withdrawn in 2008.

1.14 13/67396/FUL - Erection of a detached two storey building for restaurant and take away use with associated drive thru, external seating area, customer order display and canopy together with forty four parking spaces, six cycle and three motorcycle spaces, refuse and recycling facilities and soft and hard landscaping. The application was refused on 23 October 2013 for the following reasons:

- The proposed development would adversely affect the amenities of adjoining occupiers by reason of noise and disturbance from the use of the site, including from the excessive hours of opening. The application is, therefore, contrary to policies DM2 and DM12 of the Site Development Policies Development Plan Document.
- The proposed development would adversely affect local highway and local on-street parking conditions by reason of the amount of traffic likely to be generated by the development. The application is, therefore, contrary to policies DM20 and DM22 of the Site Development Policies Development Plan Document.
- The proposed two storey restaurant building by reason of its bulk, design and materials would not respect the character of surrounding area, including that of the Blenheim Gardens/Onslow Gardens Area of Special Local Character. The application is, therefore, contrary to policy BP12 of the Core Planning Strategy and policies DM1, DM3 and DM4 of the Site Development Policies development Plan Document.

2.0 APPLICATION PROPOSALS

2.1 Details of Proposal:

2.2 The application seeks full planning permission for the comprehensive redevelopment of the site for a mixed use scheme comprising a three storey building and a four storey building to provide two commercial units (Class A1 / A2) and 29 residential units comprising one, two and three bedroom flats, four of which are affordable units, with associated off-street parking spaces, cycle parking spaces, private and communal amenity space.

2.3 The frontage building (Building A) would face onto Stafford Road and would be four storeys in height, stepping down to single storey along the boundary with Blenheim Gardens. The building would comprise two commercial Class A1 / A2 at ground floor level and 9 x two-bed flats on the upper floors. The two commercial units would have a combined floor space of 468 sqm.

2.4 The building to the rear of the site (Building B) would be three storeys in height and would comprise 20 flats; 9 x one-beds, 9 x two-beds and 2 x three-beds.
2.5 There will be 15% residential units provided as affordable housing, equating to 4 units. The applicant proposes to provide the following mix: 2 x three-bed wheelchair adaptable social rented units in Building B (Units G.4 and G.5) and 2 x 1-bed shared ownership units in Building B (Units 1.1 and 1.7).

2.6 There will be twenty eight car parking spaces provided on site, eight spaces to the front of the site to serve the commercial units and twenty spaces to the rear of Building A to serve the residential units of which five would be disabled parking spaces. Cycle parking spaces would also be provided for both the commercial and residential units.

2.7 Significant amendments to application since submitted:

2.8 The plans have been amended to remove/reconfigure a number of windows and balconies to address concerns relating to the impact on the amenities of neighbouring properties.

2.9 The four affordable housing units would all be shared ownership units.

3.0 PUBLICITY

3.1 Adjoining Occupiers Notified

3.2 Method of Notification:

3.3 Letters were delivered to 155 adjoining occupiers on 15 January 2016, a site notice was also displayed within the vicinity of the site and a notice was published in the local press.

3.4 Following the receipt of amended plans, re-consultation letters were sent to adjoining occupiers on 24 March 2016.

3.5 Number of Letters Received in response to the proposal:

3.6 Original Consultation

3.7 10 letters have been received from local residents, 2 letters of objection, 3 letters of support and 5 observations. Letters have been received from the following addresses:

- 2 Terry Court, Clyde Road;
- 17 Clyde Road;
- 6 and 15 Charlotte Road;
- 15 Stanley Gardens;
- 6 Blenheim Gardens;
- 10 Elgin Road;
- 30 Southway;
- 3 Cranley Gardens (on behalf of Onslow Gardens Residents’ Association);
- Stirling Way, Borehamwood, Herts, WD6 2HP (owner of 37 Stafford Road).
3.8 **Summary of material responses in objection to the proposal:**

- Design is out of keeping with the area;
- Amenity impacts (overlooking, loss of privacy, loss of light);
- Lack of car parking, confusing access, oversupply of cycle parking;

3.9 **Re-Consultation**

3.10 One letter of objection was received from no. 15 Charlotte Road as part of the re-consultation exercise.

3.11 **Summary of material responses in objection to the proposal:**

- Lack of car parking;

3.12 **Official Consultation:**

3.13 **Internal:**

3.14 **Senior Highways Engineer:**

3.15 No objection subject to conditions.

3.16 **Waste Management:**

3.17 No objection.

3.18 **Flood Risk Officer:**

3.19 No objection subject to condition.

3.20 **Tree Officer:**

3.21 No objection subject to condition.

3.22 **Sustainability Officer:**

3.23 No objection subject to condition.

3.24 **Biodiversity Officer:**

3.25 No objection subject to condition.

3.26 **Environmental Health:**

3.27 No objection subject to condition.

3.28 **Housing Enabling Officer:**

3.29 No objection.

3.30 **Designing Out Crime Officer:**

3.31 No objection subject to condition.
3.32 External:

3.33 Environment Agency:
3.34 No objection subject to condition.

3.35 Historic England (Archaeology):
3.36 No objection.

3.37 Transport for London:
3.38 No objection subject to condition.

3.39 Thames Water:
3.40 No objection.

3.41 Councillor Representation:
3.42 The local ward Councillors Cook and McCoy have submitted a joint letter of representation on the proposal. They welcome the application but do however raise concerns to the following:

- Contemporary design;
- Amenity impacts;
- Lack of affordable housing;
- Access / layout;
- Lack of car parking.

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 relevant policy documents comprise:

- National Planning Policy Framework
- National Planning Practice Guidance
- The London Plan
- The Core Planning Strategy DPD
- The Site Development Polices DPD
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.

Material Planning Policies Considered in Determining this Application:

4.2 The London Plan 2015:

- 2.5 Sub-regions
- 2.6 Outer London: vision and strategy
- 2.7 Outer London: economy
2.8 Outer London: transport  
3.1 Ensuring Equal Life Chances for All  
3.3 Increasing housing supply  
3.4 Optimising housing potential  
3.5 Quality and design of housing developments  
3.8 Housing Choice  
3.9 Mixed and Balanced Communities  
3.10 Definition of affordable Housing  
3.11 Affordable housing targets  
3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
3.13 Affordable housing Thresholds  
5.1 Climate change mitigation  
5.2 Minimising carbon dioxide emissions  
5.3 Sustainable design and construction  
5.7 Renewable energy  
5.9 Overheating and Cooling  
5.10 Urban Greening  
5.11 Green roofs and development site environs  
5.12 Flood risk management  
5.13 Sustainable drainage  
5.14 Water quality and wastewater infrastructure  
5.15 Water use and supplies  
5.16 Waste net self-sufficient  
5.17 Waste capacity  
5.18 Construction, excavation and demolition waste  
5.21 Contaminated land  
6.2 Providing public transport capacity and safeguarding land for transport  
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  
7.1 Lifetime neighbourhoods  
7.2 An inclusive environment  
7.3 Designing out crime  
7.4 Local character  
7.5 Public realm  
7.6 Architecture  
7.8 Heritage assets and Archaeology  
7.14 Improving Air Quality  
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscape  
7.19 Biodiversity and access to nature  
8.2 Planning obligations  
8.3 Community infrastructure Levy

4.3 Core Planning Strategy:
- BP1 Housing Density
- BP6 One Planet Living
- BP9 Enabling Smarter Travel Choices
• BP12 Good Urban Design and Heritage
• PMP1 Housing Provision
• PMP2 Suburban Heartlands
• DP2 Planning Obligations
• DP3 Infrastructure Requirements and Delivery

4.4 **Site Development Policies:**
- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Enhancing the Street Scene & Public Realm
- DM4 Historic Environment
- DM5 Sustainable Design and Construction
- DM6 Climate Change Mitigation
- DM7 Flood Risk
- DM8 Climate Change Adaption
- DM9 Water Supply, Water Quality and Sewerage Infrastructure
- DM11 Contaminated Land
- DM17 Biodiversity, Habitats and Species
- DM19 Promoting Sustainable transport and accessibility
- DM20 Assessing the Transport Impact of New Development
- DM21 New Development and the Highway Network
- DM22 Parking
- DM25 Maximising Affordable Housing Provision
- DM26 Housing Mix
- DM29 Housing Standards
- DM35 Development in Town and Local Centres
- DM38 Promoting Local Shopping Provision in Local Centres

4.5 **Supplementary Planning Guidance/Documents:**
- London Plan Housing SPG
- IPG11 Sustainable Design and Construction
- SPD1 Designing Out Crime
- SPD14 Creating Locally Distinctive Places

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 of Development**
  - Principle of Commercial Use (A1/A2)
  - Principle of Residential Development
  - Affordable Housing
- **Design Quality**
  - Heritage Considerations
- **Quality of Proposed Accommodation**
- **Impact on Neighbours**
- **Traffic & Parking**
- **Refuse/Recycling**
- **Trees and Landscaping**
- **Secure by Design**
Planning obligations and CIL
Other Material Considerations

5.2 **Principle of development:**

5.3 The application site is currently vacant however was previously used as a petrol station and car showroom / motor garage. Planning permission was granted for the use of the site to provide an enlarged petrol filling station, car showroom and workshop in 1986. The application included a large canopy at the front of the building and large warehouse type building at the rear. In addition, the proposal included 32 car parking spaces adjacent to the boundary with residential properties on Charlotte Road and Blenheim Gardens. Most recently the site was used by a car wash business and used car sales showroom.

5.4 The current proposal would result in a comprehensive redevelopment of the site for mixed use commercial and residential, comprising of 29 residential units and 2 commercial Class A1 / A2 units.

5.5 **Principle of Retail Use:**

5.6 The application site is located within Stafford Road Larger Local Centre and adjacent to Wallington District Centre. Stafford Road Larger Local Centre is characterised by restaurants, takeaways and convenience shops.

5.7 The NPPF states that Local Planning Authorities should promote competitive town centres that provide customer choice and a diverse retail offer and reflect the individuality of town centres. Policy DM35 of the Site Development Policies DPD states that within local centres the Council will grant planning permission for new development that is appropriate to the scale, role and function of the centre, provides an active frontage at ground floor level and incorporates improvements to the public realm.

5.8 Town Centres and Larger Local Centres are the preferred location for retail and related uses. The proposed development would maximise the use of an existing brownfield site and would provide a significant improvement to the public realm and street scene along this part of Stafford Road noting that the site has been vacant for a number of years. Furthermore, the addition of two commercial A1 / A2 units to the area would enhance the vitality and viability of the Stafford Road Larger Local Centre and the adjacent Wallington District Centre. The principle of a commercial A1 / A2 use on the site is therefore considered acceptable.

5.9 **Principle of Residential Development:**

5.10 Policy 3.3 of the London Plan supports the need for additional residential development within London. Policy 3.4 also encourages optimising the potential of brownfield sites for residential use.

5.11 Policy DM26 of the Site Development Policies DPD states that the Council will seek to achieve a balance in the mix of housing types and sizes in order to create a more mixed and balanced community. The current proposal would provide 29 self contained residential units comprising a mix of 9 x one-beds, 18 x two-beds and 2 x three-beds. It is considered that the proposed mix of units would be acceptable.

5.12 As such, the principle of redevelopment involving the creation of 29 residential units and two commercial units is considered to be appropriate and acceptable in...
land use terms, subject to compliance with other policies in terms of design, neighbouring amenity impact, the quality of the proposed accommodation provided and other highway considerations.

5.13 Affordable Housing:

5.14 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.

5.15 Policy 3.12 of the London Plan 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.”

5.16 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. Policy BP2 is reinforced by Policy DM25 of the Site Development Policies DPD which states that “planning permission will be granted for residential or mixed use developments on the basis that the development incorporates the maximum reasonable amount of affordable housing on site, having regard to the Borough-wide target, and the split between social rented and intermediate provision for all sites capable of achieving 10 units or more, as set out in Policy BP2.” The supporting text to the policy states that “The Council recognises that it may not be financially viable to provide 50% affordable housing on all individual sites. In considering proposed developments, the Council will take into account the economic viability of a scheme and the most effective use of public subsidy, as well as any particular costs associated with the development of the site. In such cases, the Council will request that the developer provides a financial appraisal of the scheme so that a fair contribution can be agreed.”

5.17 The applicant has submitted a Financial Viability Statement demonstrating that it would be unviable to provide the required 50% affordable housing on site. However, following negotiations with officers, the applicant has offered 4 family sized units within the scheme as affordable housing which would represent 15% affordable housing.

5.18 The Viability Statement and contribution offer has been assessed by an external independent financial viability consultant on behalf of the Council who concludes that the proposed contribution towards affordable housing would be the maximum contribution that the development could provide in order that the scheme remains financially viable. The affordable units would be secured by way of a legal agreement, if permission is granted.

5.19 In light of the viability assessment, a 15% (4 units) contribution towards affordable housing is considered to be acceptable and accords with the principles of the NPPF and the Development Plan.
5.20 **Design Quality:**

5.21 The NPPF states at paragraph 64 that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.” Policy BP12 of the Core Planning Strategy, Policy DM1 of the Site Development Polices 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.

5.22 The application site comprises a vacant plot of land that has been boarded up for a number of years. It is considered that the redevelopment of the site presents a significant opportunity to improve the streetscape along this part of Stafford Road.

5.23 **Scale, Mass and Height**

5.24 The application site is located within an area designated as having potential for taller buildings (ranging between 4 – 6 storeys in height).

5.25 The application site is surrounded by buildings of varying heights, ranging between 2 storeys and 3 storeys in height. Further along Stafford Road there are buildings ranging between 3 storeys and 4 storeys in height. The current proposal would involve the erection of two detached buildings within the site; a four storey building fronting Stafford and a three storey building to the rear of the site.

5.26 The proposed buildings would sit well within the site and would be set in from the boundaries with neighbouring properties. It is considered that the proposal would be of an acceptable scale noting the sites location within an area designated as having taller building potential.

5.27 The frontage building (Building A) would be four storeys in height, stepping down to single storey along the boundary closest to Blenheim Gardens. The building would be set back a minimum of 9.5 metres from Stafford Road to allow for forecourt parking for the commercial units and to respect the building line with the adjacent flats to the west. It is considered that the provision of the substantial set backs from the highway and neighbouring buildings would enable the bulk and mass of the building to sit easily in the street scene and not appear out of scale or proportion with its surroundings.

5.28 The proposed building to the rear of the site (Building B) would be three storeys in height. The building would be set in from the boundaries of the site and would be separated from neighbouring residential properties by intervening garden areas. Noting the location of Building B to the rear of the site it is considered that the building would not be readily visible from Stafford Road.

5.29 In addition, the site is located within a sustainable residential area where higher residential densities are permissible subject to good design and the provision of sufficient parking. These matters are considered in more detail below, but in terms of its overall height, scale and form, it is considered that the proposed development is acceptable in this context and would offer a significant improvement to the streetscape along this part of Stafford Road.
5.30 Appearance and Materials

The proposed buildings would have a distinctly contemporary architectural style, given their flat roof design, materials and detailed finish. The buildings would be finished in a subtle palette of ‘buff’ and ‘reddish brown’ coloured bricks. The different brick types would be used to emphasise different parts of the buildings. It is also proposed to use cast stone to most of the window surrounds and some areas of amber coloured cladding to emphasise the fenestration detail. It is therefore considered that the proposed materials would be acceptable and in keeping with the established character of the area. Whilst such contemporary nature may not be a characteristic feature in the area, given the variety of architectural styles of variable quality on Stafford Road it is considered that development would positively enhance the area complementing the mix of architecture in the area.

5.32 Should the application be approved a condition is recommended to ensure that full details and samples of materials for the proposed buildings (including windows, doors, porches and balconies) are provided for approval by the Council before the commencement of any works. This is to ensure that the buildings are finished to a high quality so they will integrate successfully with the surrounding area.

5.33 Overall, it is considered that the proposed development presents a high quality design that would complement the existing character of the area. The development would offer a significant visual improvement on the existing situation and as such the proposal is considered acceptable in design terms ad in accordance with the NPPF, the London Plan 2015 and the Site Development Policies DPD.

5.34 Heritage Considerations

5.35 Part of the south-west corner of the site is located within the Blenheim Gardens/Onslow Gardens Area of Special Local Character.

5.36 The Blenheim Gardens/Onslow Gardens Area of Special Local Character was designated for its mix of old late Victorian, early Edwardian semi detached properties and inter-war housing. The proposals would involve the redevelopment of the site to provide a mixed use, commercial and residential development.

5.37 There are a variety of different building styles and architectural designs within the surrounding area, in particular along Stafford Road. Given the nature of this development, which is on a site of considerable depth, it is seeking to respond to a number of contextual design challenges, which are not mutually exclusive. It is important that the development provides a positive response to the Stafford Road commercial frontage, and by seeking to maximise the use of the site, the building to the rear has been designed in a similar architectural style. The concerns about the impact on the ASLC are understood but it should be noted that the appreciation of the ASLC from principal street views (i.e. Blenheim Gardens) will not be diminished by this development, or more specifically Building B to the rear of the site. Given the set back nature of this part of the development site at 3 storeys, it is not of such scale or design that would materially harm the appreciation of the ASLC from public views.

5.38 It is considered that the proposed building has been sensitively and appropriately designed, including the sympathetic choice of materials, to respect the surrounding area. The proposals would ensure that the special character and appearance of the area is preserved.
5.39 Overall, it is considered that the proposals would present a high quality design that would complement the character and appearance of the site and adjoining area of special local character.

5.40 **Quality of the Proposed Accommodation:**

5.41 The proposed residential units are assessed against the guidance and standards set out in the London Plan. All of the proposed units would meet the minimum space standards. In addition, the floor areas of all the individual rooms would meet the minimum room sizes standard.

5.42 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 that a minimum of 25sqm of private garden space should be provided for flats. The London Plan requires a significantly lesser amount of 5 sqm private amenity space per unit.

5.43 There will be access to private amenity space for 23 of the 29 proposed units in the form of gardens or balconies. A communal amenity space would also be provided for all residents to the rear of Building B. The communal garden area would comprise an area of approximately 237 sqm. Overall, it is considered that the proposed development would provide an acceptable level of amenity space for future occupiers, noting the location of the site in a commercial centre. Should the application be approved, a condition is included requiring the submission of details of hard and soft landscaping for the site to ensure that the amenity spaces are designed to the highest standard and are seen as integral to the development.

5.44 The layout of the proposed units is considered acceptable; the plans indicate that rooms of similar uses would be stacked above and below each other. Within Building A, it is noted that the commercial A1 / A2 units would be positioned below a number of residential units. The proposal has been reviewed by the Council’s Environment Health Officer who has raised no objections subject to conditions. As such, it is recommended that a noise assessment report is secured by condition to ensure an acceptable living environment for future residential occupiers.

5.45 The rear building line of Building A would be set a minimum of 13 metres from the front elevation of Building B to the rear of the site. It is considered that this proposed distance of separation would be sufficient to ensure there will be no loss of privacy to the occupiers of the frontage building and the building to the rear.

5.46 As such, the proposal would provide good quality accommodation and living environment for its intended occupants.

5.47 **Accessibility**

5.48 Policy 3.8 of the London Plan states that London boroughs should ensure that all new housing is built to the ‘The Lifetime Homes’ standard and that ten per cent of new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

5.49 The proposed development includes 3 units which are capable of being adapted to accommodate residents with wheelchair requirements. These units are located at ground floor level within Building B and all have their own private entrance doors.
In addition, each of the 3 units has private amenity space which is accessible via level threshold.

5.50 The residential units within Building A and Building B can be accessed via a central lift core.

5.51 Overall, the proposal would comply with the requirements of Policy 3.8 of the London Plan.

5.52 **Neighbouring Amenity**

5.53 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.

5.54 The application proposes the redevelopment of the site involving the erection of a three storey building and a four storey building comprising two commercial Class A1 / A2 units and 29 one, two and three bedroom flats

5.55 **Frontage Building (Building A)**

5.56 The frontage building would be set in from the boundaries of the site by a minimum of 1.4 metres along the north-west side of the site and by a minimum of 5.2 metres from the north-east side of the site. Building A would also be set a minimum of 13 metres from Building B to the rear.

5.57 The building would have a flat roof with a maximum height of 14.4 metres stepping down to a height of 2 metres along the north-west boundary. Given the step down in height, the upper floors of the building would be set a minimum of 10.8 metres from the boundary with no. 29 Stafford Road.

5.58 The plans indicate that a window would be installed in the western flank elevation of the building at first, second and third floor levels. The proposed openings could generate overlooking into the neighbouring site at no. 29 Stafford Road however; the plans have been annotated to advise that the lower casements of each window would be fitted with obscured glazing. Therefore, should the application be approved a condition would be included to ensure that the side facing windows are obscure and non opening to a height of 1.7 metres above the finished floor level to prevent any undue overlooking into the neighbouring site. In addition, a condition would be included to ensure that the sides of the proposed balconies to the front and rear of the building are fitted with privacy screens to prevent any undue overlooking into the neighbouring site.

5.59 A window would also be located to the eastern flank of the building but noting its position at an angle it is considered that there would be no undue overlooking / loss of privacy to the occupiers of the neighbouring property at no. 37 Stafford Road.

5.60 The application has been accompanied by a Daylight & Sunlight report which demonstrates that there would be no unacceptable loss of light to the neighbouring residential properties.
5.61 **Rear Building (Building B):**

5.62 The proposed building would be set in from the side boundaries of the site by a minimum of 4 metres and would be a minimum of 5.2 metres from the rear boundary of the site at the narrowest point.

5.63 The building would be located to the east of no. 1 Blenheim Gardens is set a minimum of 19 metres from that property at its closest. The windows proposed within the north and west flank elevations of the building close to the boundary of no. 1 Blenheim Gardens could increase the perception of overlooking to 1 Blenheim Gardens. In order to ensure that the amenities of the adjoining property are safeguarded conditions are included to ensure that the side facing windows are obscured and non opening to a height of 1.7 metres above the finished floor level to prevent overlooking into that site. It is considered that the recommended conditions would address the concerns raised by neighbouring residents.

5.64 The application has been amended to remove balconies from the eastern elevation of the building to address concerns relating to the impact on the amenity of residents on Charlotte Road from overlooking. It is considered that the amendments have addressed the concerns raised and that there would be no unacceptable impact on the amenities of the residents of those properties from overlooking.

5.65 It is considered that noise, disturbance and potential inconvenience during the construction period can be adequately mitigated through planning conditions and as such should the application be approved conditions have been recommended to secure the submission of a Construction Management Plan to the Local Planning Authority for approval, prior to the commencement of development.

5.66 As such, it is considered that the proposal would not result in an unacceptable impact on the amenities of the adjoining occupiers and would comply with Site Development Policy DM2.

5.67 **Trees and Landscaping:**

5.68 Policy DM1 states that development should respect and retain, where possible, existing landforms and the natural features of the site including trees of amenity value, hedges and other landscape features, and make suitable provision for high quality additional landscaping.

5.69 There are several trees on the site located principally along the southern boundaries. The trees are not subject to a tree preservation order and therefore there are no objections raised to their loss noting that they are of low quality and suitable replacements will be planted as part of the landscaping scheme. Whilst the current suggestions for tree replacement species (including crab apple and field maple) are not resolved to the extent that would mitigate for the number of trees to be removed, the replanting scheme will be amended to ensure more appropriate tree species are included to achieve a greater degree of screening and amenity value. Therefore, should the application be approved, a condition would be included to secure further details of the replacement planting.

5.70 Areas of hard landscaping would be provided to the front and rear of the frontage building to provide car parking and access to the site. A communal garden area would be provided to the rear of Building B and all of the ground floor units within
Building B would each have a private garden. Both of the buildings would benefit from a green roof.

5.71 The proposals are considered to be generally acceptable. However, should the application be approved conditions would be included to secure further details of hard and soft landscaping including details of tree planting, (permeable) surface materials, play areas and equipment, planting proposals and maintenance.

5.72 **Highways:**

5.73 Policy DM20 of the Site Development Policies DPD states that the Council will assess all new development applications for their impact on the existing and proposed transport infrastructure and services, and the local environment.

5.74 The application site is located to the southern side of Stafford Road, close to the junctions with Charlotte Road and Blenheim Gardens and has a PTAL rating of 4 which indicates that the site has a good level of public transport accessibility.

**Access**

5.75 The site would be accessed via the two existing vehicular crossovers from Stafford Road. The Council’s Highways Engineer has reviewed the proposal and has commented that the use of the accesses would be substantially below that associated with the previous petrol filling station use.

**Car Parking**

5.76 Policy DM22 advises that a maximum of 1 car parking space should be provided for 1 / 2 bedroom units and 1.5 spaces for 3-bed units. Therefore, the overall maximum parking requirement for the residential part of the development would be thirty car parking spaces. The application proposes the provision of 20 residential car parking spaces at the site. The application has been accompanied by a Transport Assessment dated November 2015 which has been reviewed by the Council’s Highways Engineer who has raised no objections to the reduced parking provision on the site given the ‘good’ level of public transport availability and taking into account a parking stress survey undertaken by the applicant in April 2015.

5.77 The applicant has indicated that the on-site parking spaces will be allocated but has not provided any details as to how this allocation will be made. Should the application be approved it is recommended that conditions are included to secure the submission of a parking management plan. It is considered that a minimum of one space should be allocated for each of the two and three bed units.

5.78 To address the shortfall in parking spaces it is recommended that the applicant provides free membership to an existing or new car club for two years from first occupation of the units that have no parking. The provision of car club membership will be secured by S106 agreement and further details will be secured as part of a parking management plan.

5.79 Eight car parking spaces would be provided to the front of the site to serve the two commercial units. The proposed parking provision is considered to be sufficient and in line with the Council’s parking standards. The area to the front of the site would also be used for servicing / deliveries and should planning permission be granted it is recommended that a condition is included to secure the submission of servicing and delivery management plan to ensure that the development would not
unduly impact on the safe operation of the highway. It is anticipated that the applicant would agree servicing arrangements with the occupiers of the retail units to ensure that delivery vehicles do not obstruct the bus stopping area on Stafford Road.

5.80 Should the application be approved, conditions are also recommended to secure the proposed car parking and to secure the submission of a construction management plan to avoid hazard and obstruction being caused to users of the public highway.

5.81 Overall, it is considered that the proposed car parking provision would be acceptable given the good level of public transport accessibility and having regard to the recommended conditions.

**Cycle Storage**

5.82 The submitted plans indicate that dedicated cycle storage areas would be provided on site for both the commercial units and the residential units. The cycle parking spaces would be provided in accordance with the minimum London Plan standards and therefore the proposed provision is considered acceptable. The cycle stands would be stainless steel ‘Sheffield’ type stands. Should the application be approved it is recommended that a condition is included to secure the cycle storage.

5.83 Transport for London have been consulted and have raised no objections to the proposals subject to recommended conditions and informatives.

5.84 Overall, subject to conditions it is considered that the proposals would be acceptable on highways grounds.

5.85 **Refuse and Recycling:**

5.86 The submitted plans indicate that refuse and recycling bins would be provided at ground floor level to the rear of Building A. The proposal has been reviewed by the Council’s Waste Officer who confirmed that the location of the refuse and recycling storage area is acceptable and that it can be easily accessed by collection vehicles.

5.87 Should the application be approved a condition is recommended to request further information regarding the storage arrangements and details regarding collection arrangements for both the commercial and residential elements of the development. Therefore, subject to conditions it is considered that the proposals would be acceptable.

5.88 **Secure by Design:**

5.89 Policy 7.3 of the London Plan 2015 relates to designing out crime and advises that development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.

5.90 Noting that the proposal would provide a mixed use residential and commercial development it is recommended that a condition be included to secure further details from the applicant regarding proposals to ensure compliance with Policy 7.3 of the London Plan and to ensure that the development would provide a safe and secure environment for both retail and residential users.
The Council’s Designing Out Crime Officer has been consulted and has raised no objections subject to compliance with the Secured by Design New Commercial Development and New Homes documents.

**Flood Risk and Drainage:**

The application site is not located with a Flood Zone and it is therefore considered that the site is not at risk of flooding. The Council’s Flood Risk Officer has however raised concerns regarding surface water. As such, should the application be approved a condition is recommended to secure further details on the proposed drainage strategy for the site.

The Environment Agency has been consulted and has raised no objections to the proposals subject to conditions.

**Sustainability:**

Policy 5.2 of the London Plan 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’.

The submitted energy strategy proposes a range of energy efficient measures together with a 13 kWp array of roof-mounted solar PV covering an area of 260 sqm. The proposals are predicted to deliver a 19% reduction in regulated CO$_2$ emissions compared to the target emission rate (TER) based on Part L1A of the 2013 Building Regulations. However, the energy strategy falls short of the recommended requirements of Policy DM6 and London Plan Policy 5.2.

Should the application be approved, a condition would be included to ensure that a revised energy strategy is prepared and submitted to the Council together with amended BRUKL outputs in order to show that the targets set out in Policy DM6 and London Plan Policy 5.2 will be delivered in the completed development.

Policy DM9 of the Site Development Policies DPD requires all residential developments to be designed to achieve good practice standards of water efficiency by ensuring that internal potable water consumption is limited to 105 litres per person per day (l/p/d). As such, should the application be approved a condition would be included to secure the submission of a completed Water Efficiency Calculator for New Dwellings prior to the commencement of development.

The Council’s Sustainability Officer has been consulted and raises no objection subject to recommended conditions to secure the above.
5.101 **Contamination:**

5.102 Policy 5.21 (Contaminated land) of the London Plan 2015 states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination. Site Development Policy DM11 advises that the Council will permit development proposals on or near potentially contaminated sites, provided that a detailed site investigation is undertaken prior to the start of construction.

5.103 A site investigation study has been submitted in support of the application. The report outlines that the site was historically occupied by a petrol station.

5.104 The report indicates that the footprint of the former petrol garage has been remediated to an acceptable standard for residential land use. However, the development proposals extend past the footprint of the petrol garage and include private rear gardens which are to be located on a former car repairs garage. The site investigation has not assessed these areas to see if the land is suitable for this use type. Therefore, should the application be approved conditions would be included to ensure that the whole site has been investigated for the presence of contamination and this will include measure on how this is remedied.

5.105 Both the Environment Agency and the council’s Environment Protection Officer have been consulted and have raised no objections to the proposals subject to conditions.

5.106 On balance, it is considered that the proposed development would comply with Policy 5.21 of the London Plan 2015 and Policy DM11 of the Site Development Policies DPD.

5.107 **Planning Obligations and CIL:**

5.108 The proposed development would be liable for the London Borough of Sutton's Community Infrastructure Levy (CIL) as well as the Mayor of London’s CIL. All convenience retail developments and all residential developments are required to pay on any new floorspace.

5.109 The proposed retail units comprise an area of 468 sqm. The proposed development would equate to £11,500.63 for Mayoral CIL and £53,653.56 for Sutton CIL. The total payment required would be £65,154.18.

5.110 The proposed residential units would comprise an area of 2371 sqm. The proposed development would equate to £58,264.93 for Mayoral CIL and £271,821.76 for Sutton CIL. The total payment required would be £330,086.69.

5.111 A s106 legal agreement would secure the following:

- 4 shared ownership affordable housing units.
- The provision of free car club membership for residents for two years from first occupation.

5.112 It is noted that both Transport for London and the Council’s Highways Engineer have both sought payments towards the provision of a bus shelter outside the site. Officers consider that the requested payment would not meet all of the tests to secure a planning obligation. A bus shelter would not be necessary to make the development acceptable in planning terms, would not be directly related to the
proposed development and would not be fairly and reasonable related in scale and kind to the proposed development. Therefore, a payment will not be secured in this instance.

5.113 The legal agreement has not yet been finalised. However, officers envisage that it would be finalised by the time of the committee meeting. The officer recommendation allows for this.

6.0 CONCLUSION AND RECOMMENDATION

6.1 The proposed redevelopment of the site for 29 residential units and 2 commercial (A1 / A2) units is considered to be acceptable in land use terms.

6.2 The design, form and architectural detailing of the proposed buildings is considered to relate positively to the streetscene, and would not cause harm to the character of the surrounding area or the adjacent Area of Special Local Character. As such, the proposal is considered to be acceptable in design terms.

6.3 The scale of the proposal and the separation distances from the closest properties would ensure that the development would not have a detrimental impact on the amenity of adjoining occupiers in terms of loss of daylight/sunlight, privacy and outlook, noise and disturbance.

6.4 The quality of the proposed accommodation is be acceptable and complies with current housing standards.

6.5 Subject to conditions, it is considered that the proposed development would not have any undue transport / highway or parking impacts.

6.6 The development would provide an enhanced landscaping scheme for the site which would provide an improvement to the visual amenity of the area.

6.7 The provision of 4 affordable housing units is considered to be justified by the financial viability as set out by the applicant and assessed by an independent financial viability assessor on behalf of the Council.

6.8 It is therefore recommended that the application be approved, subject to the recommended conditions.

Background Papers: D2015/73381/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: D2015/73381
3) Click on Search and View Current Applications
4) Click on View Plans & Documents
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

31-35 STAFFORD ROAD  Wallington  SM6 9AP

Redevelopment to provide a three storey building and a four storey building comprising two retail Class A1 or A2 units (468 sq.m) and 29 one, two and three bedroom flats (9 x one-bed, 18 x two-bed and 2 x three-bed units) four of which are affordable units, with associated off-street parking spaces (20 residential and 8 commercial), cycle parking spaces (65 spaces) private and communal amenity space.

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 and documents:


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

(3) Prior to the commencement of the development hereby approved, full details including elevation and section drawings at 1:20 scale, samples and a schedule of materials to be used within the external elevations of the buildings including windows, doors, porches, privacy screens, balconies and shopfronts shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials.

Reason: To safeguard the visual amenities of the area in accordance with the London Plan, Policy BP12 of the Core Planning Strategy and Policies DM1 and DM3 of the Site Development Policies DPD.

(4) Prior to the installation of any boundary treatments including walls, railings and fences, full details including drawings, shall be submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the dwellings. The development shall thereafter be carried out in accordance with the approved details.

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 occupation of the development, full details of all hard and soft landscaping (including provision of green roofs, green walls, rain gardens, and water harvesting and attenuation schemes) and replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. All landscaping and replacement tree 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, paying particular attention to BS 3882:2015 ‘Specifications for Topsoil’ and BS 8545:2014 ‘Trees: From Nursery to Independence in the Landscape’. 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. Any trees or plants that (within a period of five years after planting) are removed, die, or are (in the opinion of the Local Planning Authority) damaged or defective shall be replaced as soon as is reasonably practicable with others of a similar size/species/number as originally approved, unless the Local Planning Authority gives its consent to any variation.

Reason: To ensure the provision, establishment, and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policies DM1 and DM7 of the Site Development Policies.
(6) Prior to occupation of the site, full details of play space provision shall be submitted to and approved in writing by the Local Planning Authority. The submissions shall include full details on the layout, surface treatment, boundary treatments, and equipment to be installed thereon and shall be designed to complement the wider landscaping scheme. The respective play area shall thereafter be maintained in accordance with the approved details, and in accordance with relevant Government guidance.

Reason: To ensure that adequate provision is made for children's recreation in the interests of new occupiers of the development and to ensure compliance with our Core Planning Strategy (DPD) PMP9 and London Plan Policy 3.6.

(7) Prior to the commencement of development or the storage of materials on site, a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The details secured therein shall be in line with the recommendations and guidelines in the relevant British Standard, BS 5837:2012. All trees described as being retained shall be protected in accordance with that Standard and tree protection measures shall be retained until the completion of all construction works hereby approved and all construction machinery and materials have been entirely removed from site.

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

(8) Notwithstanding the details hereby approved, all of the windows on the western flank elevations of Building A and Building B shall be fixed shut, non opening and obscure glazed to a height of 1.7 metres above the finished floor level and shall be maintained as such permanently.

Reason: To safeguard the current level of privacy enjoyed by the occupants of neighbouring properties.

(9) Notwithstanding the details hereby approved and prior to the occupation of the development, privacy screens to a minimum height of 1.7 metres shall be installed along the side elevations of all of the balconies serving the development. The approved privacy screens shall thereafter be retained for the duration of the development.

Reason: To safeguard the current level of privacy enjoyed by the occupants of adjoining properties and to preserve the amenity of occupiers of the units hereby approved.

(10) Prior to the commencement of the development hereby approved, full details of external lighting within the site shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out prior to the occupation of any part of the development and in accordance with the approved details.

Reason: To protect the amenities of neighbouring occupiers.
(11) No development shall take place until a Construction Management Plan which sets out details of how the construction of the development hereby permitted will be managed, have been submitted to, and approved in writing by, the Local Planning Authority.

The statement should 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) means to minimise dust pollution, air pollution and suppress noise and vibration in order to protect surrounding residential properties from any disturbance.
(h) means to prevent deposition of mud on the highway.
(i) means to manage and control construction traffic.
(j) Signing system for works traffic.
(k) Compliance with Sutton Council’s Code of Practice for the Control of Pollution and noise from Demolition and Construction Sites, May 2008.

Construction works shall take place solely in accordance with the approved details.

Reason: To avoid hazard and obstruction being caused to users of the public highway and in the interest of highway safety.

(12) No development shall take place until a Delivery and Servicing Plan which sets out details specifying the arrangements for deliveries to and from the site, has been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall thereafter be implemented and permanently maintained.

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

(13) Prior to the commencement of the development hereby approved, a parking management plan for the commercial parking area shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: to ensure that conflicts between alternative parking uses are avoided and that there are no adverse effects on the public highway caused by vehicles waiting to enter the parking areas.

(14) The development shall not be occupied until pedestrian / vehicle visibility splays of 2m by 2m have been provided on each side of both accesses, the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access and thereafter permanently retained; no fence, wall or other obstruction to visibility exceeding 0.6m in height above the surface of the adjoining highway shall be erected within the area of such splays. The visibility splays shall thereafter be permanently maintained.
Reason: To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway.

(15) All building operations in connection with the construction of external walls, roof, and foundations; demolition or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music or speech shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00 am and 1.00pm on Saturdays and not at all on Sundays, Public and Bank Holidays.

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

(16) The development shall not be occupied until space has been laid out within the site in accordance with the approved plans for 28 cars to be parked (20 residential and 8 commercial). The parking area shall be used and permanently retained exclusively for its designated purpose.

Reason: To prevent obstruction and inconvenience to other highway user.

(17) The development shall not be occupied until space has been laid out within the site in accordance with the approved plans for secure cycle parking. The cycle parking area shall be used and permanently retained exclusively for its designated purpose.

Reason: To encourage access by non-car modes.

(18) The development hereby permitted shall not be occupied until refuse storage facilities have been provided in accordance with a scheme which have been agreed in writing by the Local Planning Authority. The 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.

(19) Prior to the occupation of the development hereby approved, full details for 'Designing Out Crime' shall be submitted to and approved in writing by the Local Planning Authority. The details once approved in writing by the Local Planning Authority, shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure compliance with Policy 7.3 of the London Plan 2015.

(20) The development hereby approved shall not be implemented until a contaminated land assessment and associated remedial strategy, have been submitted to, and agreed in writing by the local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent harm to human health and pollution of the environment.
(21) 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.

(22) 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.

(23) 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 approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

(24) 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 groundwaters.

(25) Noise from the plant and machinery associated with the commercial units shall not exceed a level of 5dB(A) above the existing background level when measured in accordance with British Standard BS 4142 - 1997 at a distance of one metre externally from any residential window.

Reason: To protect the amenities of adjoining occupiers.

(26) Prior to the commencement of the development hereby approved, a Noise Assessment Report demonstrating that the residential units will comply with the noise criteria set out in BS8233:2014, Guidance on sound insulation and noise reduction for buildings, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall thereafter be installed prior to the occupation of the residential units and in strict accordance with the approved details.
Reason: To safeguard the amenity of adjoining properties and to protect the general environment.

(27) The commercial A1 / A2 units shall not be open for customers outside the following hours:

07.00 to 22.00 on Monday to Saturday; and
08:00 to 18:00 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of adjoining residential properties.

(28) Prior to the commencement of construction, details of the proposed biodiverse (bio-solar) roof, including substrate material, depth, species provenance, number and locale, creation and upkeep and details of PV panels, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the biodiverse roof is fit for purpose and will be maintained correctly in perpetuity, creating net gains for biodiversity, in accord with DM17 and the NPPF Paragraphs 109, 111 & 118.

(29) Prior to building work starting on site, an amended Energy Statement incorporating revised ‘as-designed’ BRUKL outputs prepared under the Standard Assessment Procedure (SAP) and the Simplified Building Energy Model (SBEM) must be submitted to the Local Planning Authority and approved in writing which demonstrates how the development as a whole will apply the Mayor’s energy hierarchy (use less energy, supply energy efficiently and use renewable energy) to secure at least a 35% reduction in CO2 emissions below the target emission rate (TER) based on Parts L1A and L2A of the 2013 Building Regulations and seek to achieve a 20% reduction in total emissions (regulated and unregulated) through on-site renewable energy generation.

Reason: To comply with Policy DM6 of Sutton’s Site Development Policies DPD.

(30) Prior to occupation of the development, ‘as-built’ BRUKL outputs prepared under the Standard Assessment Procedure (SAP) and the Simplified Building Energy Model (SBEM) should be submitted to the Local Planning Authority and approved in writing to demonstrate that the development has been carried out in accordance with the approved details. If the development is unable to meet the required reduction in CO2 emissions through the approved energy strategy, then any shortfall should be made up through the application of further sustainability measures unless otherwise approved by the Local Planning Authority in writing.

Reason: To comply with Policy DM6 of Sutton’s Site Development Policies DPD.

(31) Prior to building work starting on site, a completed Water Efficiency Calculator for New Dwellings must be submitted to the Local Planning Authority and approved in writing to show that internal potable water consumption for each of the dwellings will be limited to 110 litres per person per day (l/p/d) based on the Government’s national calculation method for water efficiency for the purpose of Part G of the
Building Regulations. The Water Efficiency Calculator should be accompanied by
details of the location and type of all appliances or fittings that use water, the
capacity or flow rate of any equipment and any rainwater or greywater collection
systems proposed as part of the development.

Reason: To comply with Policy DM9 of Sutton’s Site Development Policies DPD.

(32) Prior to building work starting on site, 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. The development shall thereafter be carried
out in accordance with the approved details.

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

(33) Notwithstanding the provisions of the Town and Country Planning (General
Permitted Development) Order 2015 (or any Order amending or revoking and re-
enacting that Order), planning permission shall be required in respect of
development falling within Part 3 of Schedule 2 of that order.

Reason: To ensure the vitality and viability of the Stafford Road Larger Local Area
Centre is protected.

(34) Notwithstanding the provisions of the Town and Country Planning (General
Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying
that Order), no part of the buildings shall be used as a house in multiple occupation
without planning permission from the local planning authority.

Reason: In order that the Local Planning Authority may exercise further control of
potential impacts from a house of multiple occupation and in the interests of highway
safety, the amenities of occupiers of nearby properties and the amenities of the
future occupiers of the buildings.

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 5000 before proceeding with the work.

(2) This application has been assessed against the relevant policies of the London
Plan 2015, Sutton’s Core Planning Strategy 2009 and the Site Development Policies
DPD 2012. The proposal is generally in accordance with Section 38(6) of the
Planning and Compulsory Purchase Act 2004 (as amended) and for this reason
planning permission is granted.
(3) The submitted application complied with the relevant planning policies and Sutton Council has accordingly granted planning permission.

(4) NAMING AND NUMBERING. This permission creates one or more new units which will require a correct postal address. Contact the Street Naming & Numbering Section at 24 Denmark Road, Carshalton, Surrey SM5 2JG, telephone 020 8770 6369 or e-mail street.naming@sutton.gov.uk.

(5) The Council consider that this permission is liable for a contribution under the Community Infrastructure Levy (CIL).

Please note that if you commence work without giving prior notice of the start date the CIL charge must be paid immediately.

(6) The applicant is advised of the following comments from the Environment Protection Officer:

The contaminated land assessment shall include:

- A site investigation, including relevant soil 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 to quantify the risks to the future users from the private public gardens.

- A site investigation report, in accordance with BS 5930:2015 (Code of Practice for Site Investigations & BS10175:2011 + A1 2013 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 the DEFRA documents Contaminated Land Research Reports, CLR Series.

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.

(7) The applicant is advised of the following comments from Thames Water:

Surface Water Drainage - 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

No 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. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

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.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wqqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.

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

(8) Any proposed signage or adverts on the shopfront will require the submission and approval of on an application for Advertisement Consent.