DEVELOPMENT CONTROL COMMITTEE – Date 12 December 2012

Report of the Executive Head of Planning and Transportation

Ref: C2011/64918/FUL  WARD: C13 / CARSHALTON CENT  Time Taken: 58 weeks, 2 days

Site: 107 Westmead Road, Sutton, SM1 4JD

Proposal: Demolition of all the existing buildings on the site and the erection of four buildings comprising: a three storey block with retail (Class A1) or financial and professional service (Class A2) units on the ground floor and 6 two bedroom flats over (Block A); a three storey block comprising 6 two bedroom and 2 one bedroom flats (Block B); a terrace comprising 5 two storey three bedroom houses for occupation as social housing (Block C) and terrace of 11 two storey two bedroom houses; together with layout of a new access road, 42 car parking spaces, cycle and motor cycle storage, refuse storage and the resiting of an electricity substation.

Applicant: Birchal General Partner Ltd.
Agent: Mrs Ruth Dovey, Savills Planning

Recommendation:

GRANT PLANNING PERMISSION

subject to the prior written conclusion of a Section 106 Legal Agreement within a period of six months from the date of this resolution, or such longer period as may be agreed in writing by the Executive Head of Planning and Transportation, after which time the resolution to grant will be rescinded.

Reason for Report to Committee: The application is a major development of ten or more dwellings recommended for planning permission.

Summary of why application proposals are acceptable:

- The proposed development would be of an acceptable scale and design, would not adversely affect the character and appearance of the area and would not have an adverse impact on the amenities of adjoining occupiers. It would represent an acceptable mixed use development in accordance with Policy DM41 of the Site Development DPD and the site specific objectives set out in the DPD.

1.0 BACKGROUND

1.1 Site and surroundings:

1.2 The application concerns the whole of the Access Self Storage site in Carshalton. This is a rectangular plot of land, 0.54 hectares in area, that fronts onto Westmead Road and runs northwards from it. The main building on the site is a large two storey building occupying
approximately two thirds of the site that was originally a tram shed and is currently a self-
storage facility. This is set back from the frontage providing an open forecourt. On the eastern
side of this forecourt is a two storey building which is the offices for the self-storage facility.
On the western side is a single storey building housing an electricity substation.

1.3 This part of Westmead Road is characterised by two and three storey buildings with
commercial uses on the ground floor and residential or commercial space above. The roads
running back from Westmead Road both to the north and south are characterised by
residential terraces. The application site is bounded to the east, west and north by the rear
gardens of houses in Byron Avenue, Florian Avenue and Harold Road.

1.4 The eastern, western and northern boundaries of the site are marked by a palisade fence
two metres in height. The fence includes in its north eastern corner a gated access to the
rear of the houses in Florian Avenue.

1.5 Site Specific Designations

1.6 The application site is identified in the Site Development Policies DPD (wherein it is site
BW/26) for a mixed use development comprising residential, retail and offices. Policy DM41
of the Site Development Policies DPD states that the Council will resist the development of
any identified site except for the purposes stated.

1.7 The site is located within the Westmead local centre and an Archaeological Priority Area as
defined by the LDF.

1.8 Relevant Planning History:

1.9 There have been a number of applications between 1964 and to 2007 relating to changes of
use, extensions and advertisements.

1.10 Permission was granted in 1990 for the erection of a three storey building comprising retail
uses at ground floor levels and 2 self contained flats on the upper floors. This was not
implemented.

2.0 APPLICATION PROPOSALS

2.1 Background

2.2 The application arises from the proposed relocation of the self-storage business to the
Oldfields Trading Estate in the north of the borough. Permission was granted in 2010 for a
scheme at 92 Oldfields Road that includes light industrial and office floorspace as well as a
self-storage facility.

2.3 Details of Proposal

2.4 Planning permission is sought to demolish all the existing buildings on the site and to erectour blocks as follows:

- A three storey frontage building comprising three retail (Class A1) or financial
  and professional service (Class A2) units on the ground floor with 6 two
  bedroom apartments over (Block A)
x A three storey block comprising 6 two bedroom and 2 one bedroom apartments (Block B) and, behind that,
x A terrace located in the centre of the site of 11 two storey 2 bedroom houses
x A two storey terrace at the rear of the site comprising 5 three bedroom houses (Block C).

All of the units in Block C will be social rented affordable accommodation.

2.5 The access into the site will be on the right hand (eastern) side of the Westmead Road frontage. The electricity substation that presently stands here will be relocated to the rear of Block A. The access road will then turn in front of Block B to run up the left hand (western) side of the site. 42 car parking spaces will line the access road.

2.6 Private gardens for the 16 houses will abut the eastern and northern site boundaries. Communal outdoor space for the 14 apartments in Blocks A and B will be provided to the rear of these blocks. All of the apartments will also have access to a balcony.

2.7 The front elevation of Block A will be stepped to align with the curvature of the road at this point. The building will have a hipped roof profile with two front projecting gables on its eastern and western sides. The top floor will be set partially in the roof space with dormer windows in the front and rear roof slopes.

2.8 Block B, which will be partially visible from Westmead Road, will have a flat roofed recessed top floor. The 11 houses within the two storey terrace behind this will have alternate saw-tooth and flat roof profiles. The south facing slopes of the former will have small solar water heating or photovoltaic panels whilst the latter will be green roofs. Block C at the rear of the site will have a conventional pitched roof.

2.9 The submitted drawings show the building faced in a mixture of brick, render and cladding.

2.10 **Significant amendments to application since submitted**

2.11 Block C was originally proposed to comprise 2 four bedroom houses and 2 three bedroom maisonettes. This was amended in March 2012 to the five houses now proposed. A number of mainly minor changes to the design of the other blocks were made at the same time.

3.0 **PUBLICITY**

3.1 **Adjoining Occupiers Notified:**

3.2 Method of Notification: 119 letters were delivered to surrounding occupiers/owners. A site notice was placed outside the site and a press notice was published in the local press.

3.3 Number of letters received: 4

3.4 Addresses of letters: 29 Byron Avenue and 10, 34 & 40 Harold Road.

3.5 **Summary of material responses**

x Loss of privacy to properties in Harold Road arising from second floor balconies in Block B and rear windows in Block A
x Inadequate car parking and additional traffic
x Reduced path width along rear boundaries of houses in Harold Road
x Concern about privacy and security if no wall of a sufficient height is built rear of the houses in Harold Road
x Lack of landscaping/buffer zone between parking bays and the rear of 38 & 40 Harold Road
x Request a full survey to ensure no contamination or harmful substances
x Guarantees sought to ensure noise, disruption and disturbance to residents is minimised during building works
x Concern to ensure preservation of items of historic interest

3.6 Non-Material Responses

x Indemnities sought against any damage caused to neighbouring properties as a result of development works
There should be no rights of way for the occupiers of the new development to the path rear of properties in Byron Avenue.

In addition, the applicants held a public exhibition to publicise their proposals prior to the submission of the application. Local residents, businesses and councillors were invited to the exhibition, which was held on 17 February 2011. Details of the comments received and how these influenced the scheme are set out in the applicant’s Statement of Community Involvement submitted with the application.

3.8 Official Consultation

3.9 Internal:

3.10 Senior Transport Engineer: Considers there are unlikely to be any adverse traffic implications bearing in mind the nature of the existing use. No objection subject to appropriate conditions.

3.11 Environmental Protection: Note that the site has been in light industrial use. Recommend conditions to address possible ground contaminated and to secure appropriate remediation.

3.12 Waste Manager: No response to date - any response received will be reported verbally to Committee.

3.13 Sustainability consultant: Notes that Code level 4 is targeted, which is welcomed. No objection, subject to a condition to secure a revised energy assessment to confirm the number and capacity of the proposed solar photovoltaic panels.

3.14 Biodiversity Unit: Note there is no evidence of protected species at the site. Recommend a condition to require the preparation of a scheme for biodiversity improvements.

3.15 Housing: Notes that the affordable housing element is substantially less than the 50% normally sought and that there is no mention of a registered provider having been consulted. (NB: The applicants have prepared a viability report to justify the reduced affordable element and this has been subject to independent appraisal. This is addressed in 5.14 below.)

3.16 External:

3.17 Environment Agency: Recommends a number of conditions to address possible ground contamination and to require the preparation of a remediation strategy should any be found.

3.18 Met Police Crime Prevention Officer: Comments on need to control access to shared entrances to flats and for well designed lighting scheme. Recommends condition to achieve ‘Secured by Design’ accreditation.

3.19 English Heritage Archaeology Team: Does not wish to comment on the scheme.

3.20 Thames Water: Notes that it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. Storm flows should be attenuated or regulated into the receiving public network through on or off site storage.
3.21 Councillor representations: Cllr Jill Whitehead forwarded a number of enquiries from local residents regarding the number of social housing units, the number of parking spaces and changes to the terrace of houses in the centre of the site.

4.0 MATERIAL PLANNING POLICIES

4.1 Section 38(C) 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:

1) The London Plan July 2011
2) The Local Development Framework (LDF) which, at present, comprises two main documents:

(a) The Core Planning Strategy (CPS) which sets out the Council’s long term vision, spatial strategy and core policies for shaping the future development in the Borough and managing change over the next 15 years in line with the principles of sustainable development. Following public consultation and a formal public examination by Government Inspectors the final version of the CPS was adopted by the Full Council on 7 December 2009.
(b) The Site Development Policies Development Plan Document (DPD) which identifies sites for future development (outside Sutton Town Centre) and sets out detailed development management policies to be used to help decide planning applications. The DPD was adopted on 5 March 2012 following public consultation and examination by the Planning Inspectorate.

4.2 Also material considerations in determining planning applications are:

(a) National planning guidance in the form of the National Planning Policy Framework March 2012 and any other national policy statements and guidance
(b) Adopted London Borough of Sutton Supplementary Planning Guidance/Documents.

4.3 Relevant London Plan policies are:

- 3.4 Optimising housing potential
- 3.5 Quality and design of housing development
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.21 Contaminated land
- 6.1 Integrating transport and development – strategic approach
- 6.9 Cycling
x 6.13 Parking
x 7.1 Building London’s neighbourhoods and communities
x 7.2 An inclusive environment
x 7.3 Secured by design
x 7.4 Local character
x 7.6 Architecture
4.4 Relevant LDF Core Planning Strategy policies are:

- PMP1 Provision for residential development
- PMP8 Other district centres and local centres
- BP1 Housing density
- BP2 Affordable housing
- BP6 One planet living
- BP12 Good urban design and heritage
- DP2 Planning obligations

4.5 Relevant Site Development Policies DPD are:

- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Enhancing the Street Scene & Public Realm
- DM5 Sustainable Design and Construction
- DM11 Contaminated Land
- DM20 Assessing the Transport Impact of New Development
- DM22 Parking
- DM29 Housing Standards
- DM34 Other Land In Industrial Use
- DM35 Development in Town and Local Centres

4.6 Relevant Supplementary Planning Guidance/Documents include:

- SPD1 Designing Out Crime
- SPD5 Planning Obligations
- SPD10 Education Contributions from Residential Development
- SPD14 Creating Locally Distinctive Places
- IPG11 Sustainable Design and Construction

5.0 PLANNING CONSIDERATIONS

5.1 The principal considerations (including whether any material planning objections have been reasonably addressed) are considered to be:

- Land use policy
- Layout and design quality
- Impact on neighbours
- Traffic & car parking
- Affordable housing

5.2 Land use policy
5.3 The proposed redevelopment is broadly compliant with the Council’s Site Development DPD wherein the site is allocated for a mixed use development comprising residential, retail and office uses. The site appears as Site BW23 in the Schedule to the DPD. In accordance with the entry for Site BW23, any redevelopment of the site is required to:

- Provide an active frontage on Westmead Road with office and/or retail provision to strengthen the vitality and viability of the local centre;
- Ensure safe access from Westmead Road;
x Ensure traffic flow on Westmead Road is not unduly affected by any increase in vehicular movements;

x Provide appropriate circulation within the site

5.4 The entry for the site in the DPD anticipates that approximately one fifth of the site area will be allocated to commercial uses and that the remaining area available for residential use will have an indicative capacity of 20 units based on the London Plan density matrix for a suburban setting.

5.5 Whilst the level of commercial floorspace proposed is less than that envisaged in the DPD, the development will provide an active frontage to Westmead Road that should enhance the local shopping centre in accordance with Core Planning Strategy PMP8. The applicants anticipate that the new commercial space will support 10 new jobs, which compares favourably with the three generated by the current self-storage business.

5.6 Whilst the 30 residential units proposed would exceed the number anticipated in the DPD, the overall density of development is not considered excessive. The scheme would achieve a residential density of 59 dwellings per hectare which would be within the range of 35 to 65 dwellings per hectare recommended for suburban areas in the London Plan. In this respect the development would not be out of character with the surrounding residential area.

5.7 Layout and design quality

5.8 The scheme places the larger three storey buildings at the front of the site and the smaller two storey terraces to the rear. In this respect the scheme mirrors the broad pattern of development in the area. The applicant has prepared a Design and Access Statement that provides a descriptive assessment of the built character of the area and how the scheme responds to this.

5.9 The scheme will provide safe access from Westmead Road and satisfactory circulation around the site in accordance with the site specific requirements set out in the DPD. The distribution of open car parking across the site is considered generally satisfactory although there is some concern that the final appearance of the scheme will be dominated by the access road and open parking areas. Adequate landscaping to ameliorate this will need to be secured by planning conditions.

5.10 The submitted drawings indicate a mix of brick, render and cladding which it is considered will give the scheme an acceptable contemporary appearance in keeping with the character of the area generally. The final choice of facing materials will be controlled by planning condition.

5.11 All of the houses and the majority of the apartments will exceed the minimum internal space standards set out in the London Plan. The exceptions are the 3 two bedroom flats on the second floor of Block A which, at 57 square metres, fall short of the Mayor’s standards by just 4 square metres. This reflects their location within the roof space of Block A. This small deficiency is considered acceptable on balance given the desire to limit the height and prominence of Block A in views along Westmead Road.
5.12 Each three bedroom house will have a rear garden substantially in excess of the Council’s own standards for external amenity space. The rear gardens of the 11 two storey houses, at 37 square metres each, will fall short of the standard by 3 square metres. However, this is a function of the limited width of the site and the need to accommodate the main access road and car parking in front of the houses. This small deficiency is considered acceptable in the circumstances. Overall, the development should provide a good standard of accommodation.

5.13 Impact on neighbours

5.14 The application is supported by a daylight and sunlight assessment which demonstrates that the proposal would not cause any harm in this respect to neighbours, indeed some neighbours would see improvements as a result of the removal of the existing structures on site. The distances between proposed windows and those within existing properties backing onto the site mainly range between 22 and 25 metres which will be sufficient to avoid any loss of privacy through overlooking.

5.15 Traffic and car parking

5.16 The scheme includes a total of 42 parking spaces, 33 of which will be reserved for the exclusive use of residents. 4 of the remaining spaces, located immediately to the rear of Block A near the front of the site, will be allocated for the commercial units but will be made available for communal/visitor use outside of office hours. The other 5 spaces, again located near the front of the site, are for communal/visitor use throughout the day. This level of parking provision, to serve 30 residential units and the 3 commercial units, is considered acceptable. The scheme includes an area dedicated to servicing and deliveries to the rear of Block A. The scheme also includes satisfactory provision for the storage of cycles and motor cycles.

5.17 The transport assessment that accompanied the application demonstrates that whilst there would be a small increase in peak period vehicle trips to the site, this would not have any material impact on the local highway network. The number of HGVs visiting the site would fall.

5.18 Affordable housing

5.19 The five houses in Block C will all be social rented affordable housing. At 16% of the total number of units this is substantially less than the Council’s borough-wide target that 50% of all new housing from all sources should be affordable. However, the applicants have submitted a Viability Report and Affordable Housing Statement and Toolkit to explain and justify this level of provision. This has been assessed by independent consultants appointed by the Council who are content that the scheme, in the present market conditions and given the existing site value, would not support a larger affordable element in addition to the other planning obligations to be secured through a legal agreement (see 5.19 & 5.20 below). On this basis, the affordable housing element is considered acceptable.

5.20 Other considerations
5.21 Part of the site has a history of industrial use and both the Environment Agency and the Council’s Environmental Health team have recommended conditions to secure a full contaminated land assessment and any necessary mitigation works.

5.22 Although the site falls within an Archaeological Priority Area, English Heritage’s Archaeological Advisory Service has advised that the scheme is unlikely to affect archaeology and they do not wish to comment further.

5.23 The Council’s Crime Prevention Officer has reviewed the scheme and advised that the development should achieve ‘Secured by Design’ accreditation. A condition is recommended to secure this.
5.24 The applicant has prepared an energy statement that confirms the Code for Sustainable Homes code level 4 (excellent) is to be targeted. It also indicates that the provision of solar photovoltaic panels on the roofs of six of the houses ought to reducing CO2 emissions by 15% in line with the London Plan and Policy BP6 of the Council’s Core Strategy. A condition is recommended to require the preparation and submission of a full Code for Sustainable Homes Pre-Assessment report prior to the commencement of work on site.

5.25 Planning obligations

5.26 It is considered appropriate in this instance to seek financial contributions towards a) sustainable transport improvements, b) education and c) sports and recreation in line with Policy DP2 of the Core Planning Strategy and SPD5, Planning Obligations. The applicants have confirmed their agreement to enter into a planning obligation to make payments of £39,400, £26,876 and £5,000 respectively towards these purposes, plus a monitoring fee of £1,782, to be secured by a legal agreement. It is intended that the sports contribution should go towards improvements to the Westcroft Leisure Centre. The contributions would be compliant with the Community Infrastructure Levy Regulations 2010 that require planning obligations to meet the following tests in order to be lawful:

- necessary to make the development acceptable in planning terms
- directly related to the development, and
- fairly and reasonable related in scale and kind to the development

5.27 The viability report that accompanied the application confirms that appropriateness of this level of provision combined with the level of affordable housing provision described in 5.14 above.

6.0 CONCLUSION AND RECOMMENDATION

6.1 In conclusion, it is considered the proposal represents an acceptable mixed use development in compliance with the requirements for the site set out in the Site Development DPD. The development would be of an acceptable scale and design, would not adversely affect the character and appearance of the area and would not have an adverse impact on the amenities of adjoining occupiers. The commercial element facing Westmead Road would enhance the local shopping centre while the housing to the rear would provide welcome additional residential accommodation.

6.2 The reduced amount of affordable housing proposed is considered acceptable given the prevailing market conditions. The applicant’s viability appraisal has been assessed by independent consultants who confirm that the development would not support a larger number of affordable units.

6.3 It is recommended that the application be approved subject to the conditions set out in the agenda and the Section 106 legal agreement relating to the matters specified in paragraph 5.19 above.

Background Papers: C2011/64918/FUL
Drawings and other documents can be viewed online –

1) Go to page: http://82.43.4.135/FASTWEB/welcome.asp
2) Enter Planning Application Number: C2011/64918
3) Click on Search and View Current Applications
4) Click on View Plans & Documents
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

107 WESTMEAD ROAD   Sutton Surrey SM1 4JD

Demolition of all the existing buildings on the site and the erection of four buildings comprising: a three storey block with retail (Class A1) or financial and professional service (Class A2) units on the ground floor and 6 two bedroom flats over (Block A); a three storey block comprising 6 two bedroom and 2 one bedroom flats (Block B); a two storey terrace comprising 5 three bedroom houses for occupation as social housing (Block C) and a terrace of 11 two storey two bedroom houses; together with layout of a new access road, 42 car parking spaces, cycle and motor cycle storage, refuse storage and the resiting of an electricity substation.

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 type and treatment of the materials to be used on the exterior of the buildings shall be approved in writing by the local planning authority prior to the development being carried out. Each part of the development shall be completed in accordance with the details thus approved prior to its occupation.

Reason: To safeguard the visual amenities of the area and to ensure compliance with Policy BP12 of the Sutton Core Planning Strategy and Policy DM1 of the Site Development DPD which seek to ensure proposals are compatible with the existing townscape and offer of a high standard of design.

(3) No development shall take place until there has been submitted to and approved by the local planning authority a scheme of both hard and soft landscaping. The soft landscaping shall include the numbers and species of new trees and shrubs to be planted and details of any existing trees and hedgerows to be retained. The hard landscaping
shall include the materials to be used to surface the access road, footpaths and car parking bays.

Reason: To ensure compliance with Policy BP12 of the Sutton Core Planning Strategy and Policy DM1 of the Site Development DPD which seek to ensure proposals are compatible with the existing townscape and offer of a high standard of design.

(4) All planting, seeding or turfing shown in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure, where applicable, compliance with Policy BP12 of the Core Planning Strategy and Policy DM1 of the Site Development Policies DPD, which require landscaping schemes to provide a satisfactory townscape incorporating hard and soft landscaping.

(5) No development shall take place until details to indicate the position, design and type of boundary treatment both between individual housing plots and, where applicable, at the boundaries of the site, have been submitted to and approved by the local planning authority. The boundary treatment shall be installed in full accordance with the approved details prior to occupation of the relevant part of the development and shall be retained thereafter.

Reason: To safeguard the security, visual amenity and privacy of the occupiers of the development and of adjoining properties in compliance with Policies DM1 and DM2 of the Site Development DPD.

(6) The development hereby permitted shall not be occupied until 42 car parking spaces have been provided in accordance with drawing no. ac34_p_006K. The spaces shall thereafter be kept available for the use of the occupants of or visitors to the development as indicted on the drawing.

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

(7) The development shall not be occupied until provision for the storage for cycles and motor cycles space has been provided in accordance with drawing no. ac34_p_006K. Such provision shall thereafter be kept for the use of the occupants of the development hereby approved.
Reason: To accord with PPG13 sustainability objectives - to encourage access by non-car modes and facilitate integration between sustainable forms of transport.

(8) Prior to building work commencing, a revised energy assessment shall be submitted to the local planning authority providing the following information for each roof area: a) a roof plan indicating the number and location of solar photovoltaic panels; b) the total capacity (kWp) of the panels; c) the total energy generated and 4) the total CO2 offset.

Reason: To comply with Core Policy BP6, Interim Planning Guidance IPG 11 (Sustainable Design and Construction) Guideline SDC2 and to ensure the overall environmental sustainability of the development.

(9) Prior to occupation of any part of the development, evidence (e.g. photographs, copies of installation contracts and as built SAP worksheets) shall be submitted to demonstrate that the development has been carried out in accordance with the approved details. If the development is unable to meet the required 25% reduction in CO2 emissions through the approved energy strategy, then any shortfall shall be made up through the application of further sustainability measures unless otherwise approved by the local planning authority in writing.

Reason: To comply with Core Policy BP6, Interim Planning Guidance IPG 11 (Sustainable Design and Construction) Guideline SDC2 and to ensure the overall environmental sustainability of the development.

(10) Within 3 months of work starting on site, a Code for Sustainable Homes Interim (Design Stage) Certificate, issued by the Building Research Establishment, must be submitted to the local planning authority to show that a Level 4 rating will be achieved.

Reason: To comply with Core Policy BP6, Interim Planning Guidance IPG 11 (Sustainable Design and Construction) Guideline SDC2 and to ensure the overall environmental sustainability of the development.

(11) Prior to first occupation of the building, a Code for Sustainable Homes Final (Post-Construction) Certificate, issued by the Building Research Establishment, must be submitted to the local planning authority to demonstrate that Level 4 has been achieved. All the measures integrated shall be retained for as long as the development is in existence.

Reason: To comply with Core Policy BP6, Interim Planning Guidance IPG 11 (Sustainable Design and Construction) Guideline SDC2 and to ensure the overall environmental sustainability of the development.

(12) Prior to the commencement of the development, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and agreed in writing by the local planning authority:

(1) A preliminary risk assessment which has identified:
  x all previous risks;
  x potential contaminants associated with those uses;
  x a conceptual model of the site indicating sources, pathways and receptors;
  x potentially unacceptable risks arising from contamination of the site.
(2) A site investigation scheme based on (1) to provide information for a detailed
assessment of the risk to all receptors that may be affected, including those off site.
(3) The results of the site investigation and detailed risk assessment referred to in (2)
and, based on these, an options appraisal and remediation strategy giving full details
of the remediation measures required and how they are to be undertaken.
(4) A verification plan providing details of the data that will be collected in order to
demonstrate that the works set out in (3) are complete and identifying any
requirements for longer term monitoring of pollutant linkages, maintenance and
arrangements for contingency action. Any changes to these components shall require
the express consent of the local planning authority.

The scheme shall be implemented as approved.

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

(13) Prior to occupation, a verification report demonstrating completion of the works set out in
the approved remediation strategy and the effectiveness of the remediation shall be submitted
to and approved by the local planning authority. The report shall include results of sampling and
monitoring carried out in accordance with the approved verification plan to demonstrate that the
site remediation criteria have been met. It
shall also include any plan (a long term monitoring and maintenance plan) for longer term
monitoring of pollutant linkages, maintenance and arrangements for contingency action, as
indicated in the verification plan, and for the reporting of this to the local planning authority.
The long term monitoring and maintenance plan shall be implemented as approved.
Reason: To ensure that all remediation works have been completed successfully. (14)
If during implementation of the development contamination not previously
identified is found to be present on site, 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
occupation of the development hereby approved.

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

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

(16) Piling or any other foundation designs using penetrative measures 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.

Reason: To protect the underlying groundwater from potential pollution.

(17) No development shall take place until details of a scheme to meet the specific security needs of the development sufficient to achieve Secured by Design accreditation have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details which shall be in place before any of the dwellings hereby permitted are occupied.

Reason: In order to deter crime and reduce the fear of crime in accordance with Policy BE8 of the Unitary Development Plan.

(18) Each part of the development shall not be occupied until that part of the service road which provides access to it has been constructed in accordance with the details to be submitted to and approved in writing by the local planning authority. The road shall thereafter be permanently maintained.

Reason: In the interest of road safety.

(19) Details of all street lighting and other external lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the details approved.

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

(20) The development shall not begin until a Construction Method Statement has been submitted to and approved by the local planning authority. The statement shall 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) hours of operation
(g) means to prevent deposition of mud on the highway.

The development shall be constructed in full accordance with the approved statement.

Reason: To ensure that the proposed development is carried out in a manner that is not to the detriment of neighbouring residents nor interferes with the free flow of traffic and public safety on the public highway.

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

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

(22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or revoking and reenacting that Order), planning permission shall be required in respect of development falling within Class(es) A, B, D and E of Part 1 to Schedule 2 to that Order.

Reason: To ensure that the impacts of further development on nearby properties and the streetscene can be formally assessed by the Council.

(23) The development hereby permitted shall be carried out in accordance with the following approved plans: ac34_p_006K, 010C, 011B, 012B, 013, 014B, 032E, 033C, 034D & 40A

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

INFORMATIVES.

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

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

(3) The applicant was provided with pre-application advice. As the submitted application accorded with that advice and complied with the relevant policies Sutton Council has accordingly granted planning permission.

(4) Conditions 12 to 16 have been imposed at the request of the Environment Agency. In respect of Condition 12, the Agency notes that the site lies on the Hackney Gravel Formation which lies over the Lambeth Formation. These formations are classed as secondary aquifers in terms of the amount of water they can yield for supply and the national position for the protection of groundwater. The site also lies within the catchment area of a Source Protection Zone of a public water supply boreholes. The aquifer may be vulnerable to pollution from any contaminants present at the site. Your Phase1 Ground Condition Assessment Report has identified past activities associated with the site which may have caused contamination and recommends intrusive investigation.
(5) Regarding condition 15, the Agency notes that unless carefully managed, surface water and foul water can enter and pollute controlled waters. For example, percolating surface water drainage from a soakaway may open up pore spaces reducing the attenuation capacity to remove dissolved contaminants in the drainage percolating through the unsaturated zone. For this reason there must be no direct discharge to groundwater.

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

(7) In addition to the drawings listed in Condition 22, the following documents have been taken into account in the consideration of the application:

- Survey drawings ac34_p_002A, 003, 004, 030 & 031;
- Sections ac34_p_041, 042 & 043;
- Revised Design and Access Statement prepared by MAA Architects, July 2012;
- Contaminated Land Report by Precis Management Services, December 2011;
- Sustainability and Energy Statement prepared by SRE Ltd, 24 August 2011;
- Affordable Housing Statement prepared by Bray Fox Smith, November 2011;
- Archaeological Desk Based assessment prepared by CgMs, July 2011