PLANNING COMMITTEE - Date: 11 January 2017

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

Ref: C2011/64918/FUL  WARD: C13 / CARSHALTON CENT  Time Taken: 268 weeks, 2 days.

Site:  107 Westmead Road, Sutton, Surrey SM1 4JD
Proposal: Demolition of all existing buildings on the site and the erection of four buildings comprising: a three storey block with retail or financial and professional service (Class A1 or 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 three bedroom houses for occupation as social housing (Block C) and a two storey terrace of 11 two storey two bedroom house (Block D), together with layout of a new access road, 43 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

Recommendation:

GRANT PLANNING PERMISSION

subject to the completion of a s.106 legal agreement prior to the 28 February 2017 or such longer period as may be agreed in writing by the Executive Head for Economic Development, Planning and Sustainability, after which time the resolution to grant will be rescinded and the application will instead be refused for the following reason: The application is considered to be unacceptable as it would not provide sufficient planning obligations (as described under Section 106 of the Town and Country Planning Act 1990, as amended) to mitigate the negative aspects of the proposed development.

Reason for Report to Committee: Major development recommended for approval.

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 amenities of adjoining occupiers.

- It would represent an acceptable mixed use development in accordance with local, regional and national policy objectives.

1.0 BACKGROUND
The planning application was presented to Planning Committee 12 December 2012 and the Committee resolved to approve the application, subject to the completion of a Section 106 agreement. This agreement was negotiated but, for a number of reasons, the permission was not signed or issued. A copy of the 12 December 2012 committee report is attached as Appendix A.

The applicant is now seeking to have the planning application determined and submitted an updated planning statement and financial viability report. The application is now being reported back to Planning Committee for consideration.

Site and surroundings:

The application site comprises the Access Self Storage site located on the northern side of Westmead Road. 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 self-storage. This building 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 sub-station.

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. Further to the east is the recently constructed three storey case home at 123 Westmead Road.

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.

Site specific UDP designation:

The application site is identified in the Site development Polices DPD (site BW26) for a mixed use development comprising residential, retail and offices. The site also lies within the Westmead Local Centre and an Archaeological Priority Area.

The site is identified in the Local Plan Issues and Preferred Options (February 2016) for a mixed use development comprising residential, retail and offices.

Relevant Planning History:

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

APPLICATION PROPOSALS

Details of Proposal:
2.2 Planning permission is sought to demolish all the existing buildings on site and erect four blocks as follows:

- A three storey frontage building comprising three retail (Class A1) or financial and professional services (Class A2) units on the ground floor with six two-bedroom apartments above (Block A).
- A three storey block comprising six two-bedroom and two one-bedroom apartments (block B)
- A terrace located within the centre of the site comprising 11 two storey two-bedroom houses (Block C)
- A two storey terrace at the rear of the site comprising five three bedroom houses (Block D).

2.3 All of the units within Block C will be social rented affordable units.

2.4 The access to the site will be on the eastern side of the site from Westmead Road. The electricity sub-station 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 western side of the site. 43 car parking spaces will line the access road.

2.5 Private gardens for the houses will abut the eastern and northern site boundaries. Communal outdoor space for the apartments in Block A and B will be provided to the rear of these block. All of the apartments will have access to a balcony.

2.6 Significant amendments to application since submitted:

2.7 None.

3.0 PUBLICITY

3.1 Adjoining Occupiers Notified

3.2 Method of Notification:

3.3 As part of the original submission letters were sent to 119 adjoining occupiers. A site notice was placed outside the site and a press notice was published in the local press. Four letters of objection were received and a summary of material responses can be found in paragraph 3.2 of the 2012 committee report (appendix one).

3.4 A second round of neighbour consultation was undertaken upon receiving the updated planning statement and drawings. A total of 117 letters were delivered on 19 August 2016.

3.5 This application has been advertised as a departure as the proposal in not fully in accordance with the site allocation BW26. A further round of notification took place on 08 December 2016.
3.6 **Number of Letters Received:**

3.7 Nine letters of objection, one letter of support and one letter offering observations were received.

3.8 Summary of material considerations:

- Loss of privacy
- Noise and disturbance
- Loss of daylight and sunlight
- Tree planting along Harold Road boundary would cause a nuisance
- Inappropriate layout with road behind the properties on Harold Road.
- Fumes and noise disturbance from car parking area
- Lack of car parking and increase in on street parking from residents and during construction.
- Proximity of bins store to Harold Road
- Increase traffic and highway safety.

3.9 Non material considerations:

- Right of access during building.

3.10 Summary of comments made in support of the application:

- Would help with the shortage of housing in the borough
- Tasteful development of an industrial site.

3.11 **Official Consultation:**

3.12 A number of internal and external departments were consulted prior to the application being reported to committee in December 2012. A summary of responses received can be found in paragraphs 3.5 to 3.14 of the 2012 committee report (appendix one).

3.13 A further round of consultations has been carried out and the following comments received:

3.14 **Highways:** No objection subject to conditions.

3.15 **Local Lead Flood Officer:** No objection subject to conditions regarding SUDS.

3.16 **Councillor Representation:**

3.17 There have been no Councillor representations made on this application.

4.0 **MATERIAL PLANNING POLICIES**

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

The London Plan 2016
The Core Planning Strategy December 2009
The Site Development Policies DPD March 2012

4.2 Also a material consideration in determining planning applications are:
National Planning Policy Framework.
Adopted London Borough of Sutton Supplementary Planning Guidance documents.
Draft Local Plan December 2016
Human Rights Act 1998
Equality Act 2010

London Plan:
2.5 - Sub-regions
2.6 - Outer London: vision and strategy
2.7 - Outer London: economy
2.8 - Outer London: transport
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
4.1 - Developing London's Economy
5.1 - Climate change mitigation
5.2 - Minimising carbon dioxide emissions
5.3 - Sustainable design and construction
5.7 - Renewable energy
5.13 - Sustainable drainage
5.21 Contaminated land
6.2 - Providing public transport capacity and safeguarding land for transport
6.3 - Assessing effects of development on transport capacity.
6.7 - Better streets and surface transport.
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
7.14 - Improving Air Quality
7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
7.19 - Biodiversity and Access to Nature
8.2 - Planning obligations
8.3 - Community infrastructure Levy

Core Planning Strategy
PMP1 - Housing Provision
PMP2 - Suburban Heartlands
BP6 - One Planet Living
BP9 - Enabling Smarter Travel Choices – An Area – Based Approach
BP10 - Transport – Strategic and Borough Wide Proposals
BP12 - Good Urban Design and Heritage
DP2 - Planning Obligations
DP3 - Infrastructure Requirements and Delivery

Site Development Polices DPD
DM1 - Character and design
DM2 - Protecting Amenity
DM3 - Enhancing the Street Scene and Public Realm
DM5 - Sustainable Design and Construction
DM6 - Climate Change Mitigation
DM7 - Flood Risk
DM8 - Climate Change Adaptation
DM9 - Water Supply, Water Quality and Sewerage Infrastructure
DM11 - Contaminated Land
DM12 - Noise and Vibration
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
DM26 - Housing Mix
DM29 - Housing Standards
DM30 - Housing and Back Garden Land
DM31 - Social and Community Infrastructure
DM34 - Other Land in Industrial Use

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 use
- Design Quality
- Impact on neighbours
- Highways
5.2 In December 2012, the application was assessed against the London Plan 2011 and the Local Development Framework which comprised the Core Planning Strategy (2009) and the Site Development Policies DPD (March 2012). In addition, the National Planning Policy Framework (NPPF) (March 2012) and adopted Council supplementary Planning Guidance/Documents were also considered in the assessment of the application proposals.

5.3 The Development Plan now comprises the documents prepared by the Council, together with the London Plan 2016. Whilst the London Plan has changes, the latest, is not considered to contain any polices that have a materially different impact upon the application proposals. The Mayor of London has published a Housing SPG (2015) since the December 2012 Committee, and the unit layout and sizes have been assessed against this guidance.

5.4 In addition, the Council adopted their Community Infrastructure Levy in April 2014.

5.5 **Principle of use:**

5.6 Government guidance requires Local Authorities to make the best use of urban land within the Borough while safeguarding the quality of the surrounding environment and the amenity of neighbouring residents. This guidance is reflected in the Council’s Development Plan Policy. The National Planning Policy Framework states that local authorities should actively promote sustainable development attaching significant weight to the benefits of social and economic growth.

5.7 **Land use:**

5.8 The application has arisen from the relocation of access self-storage business to the Oldfields Road trading Estate in the north of the Borough. Planning permission is sought to demolish the existing building on the site and erect four blocks comprising three commercial units (fronting Westmead Road) and 29 residential units.

5.9 The site is allocated as BW26: Land to the rear of 107 Westmead Road within the Site Development Polices DPD for mixed use residential, retail and offices. The allocation states that any redevelopment should pay particular regard to:

- Providing an active frontage onto Westmead Road
- Ensuring safe access to the site from Westmead Road
- Traffic flow on Westmead Road is not unduly affected
- Providing appropriate circulation within the site.

5.10 The allocation provides an indicative housing capacity of 20 units.
5.11 This proposal provides a suitable mix of uses and meets the objectives of national and local planning policy in providing an acceptable balance of residential and commercial uses. These issues are considered in more detail below.

5.12 **Residential and Commercial development:**

5.13 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. The London Plan, which sets housing targets for London Boroughs, has recently been updated, with a strong emphasis on the need to deliver more homes. The minimum 10 year supply target for Sutton has been increased from 2,100 (2011-2021) to 3,626 (2015-2025) or, annually, from 210 to 363.

5.14 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 application would provide 25 apartments and five houses comprising, 2 x 1 bed, 23 x 2 beds and 5 x 3 beds which is considered acceptable.

5.15 Whilst the 30 units proposed would exceed the number anticipated in the DPD, the overall density of the 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 area.

5.16 As such, the principle of redevelopment involving the creation of 30 residential units is considered to be appropriate and acceptable. The application site lies within the Westmead Road Local Centre. As such, the provision of three commercial units at the front of the site is considered acceptable in landuse 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. Whilst this application does not provide office accommodation and is, therefore, a departure from the site designation it is considered that the site does provide replacement employment commercial uses and makes best use of this site noting the context of the surrounding residential area.

5.17 **Affordable Housing:**

5.18 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.

5.19 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.”

5.20 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.”

5.21 The five units in Block D will be social rented affordable housing. At 16% of the total number of units this is less than the Council’s borough-wide target of 50% of all new housing should be affordable. The applicant has submitted an updated Financial Viability Statement demonstrating that it would be unviable to provide more than five affordable rent units.

5.22 The Viability Statement 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 number of units that the development could provide in order to be financially viable. Therefore, the proposed five affordable units would be secured by way of a legal agreement, if permission is granted.

5.23 The provision of five affordable housing is considered to be justified and accords with the principles of the NPPF, the London Plan policies and local policies.

5.24 **Design Quality:**

5.25 Policy BP12 of the adopted Core Planning Strategy, policy DM1 of the Site Development Policies DPD and SPD14 ‘Urban Design’ along with London Plan and National policy, requires development to respect or reinforce the character and identity of the area and avoid developments which do not integrate well into the surroundings.
5.26 The application site is dominated by hardstandings, a two storey frontage building and a large two storey warehouse building that occupies the majority of the rear part of the site. The proposal seeks to demolish the existing buildings and replace them with a development that is more domestic in scale that is in keeping with the low level residential character of the area.

5.27 The front elevation of Block A will be stepped to align with the curve of the road at this point. The building will have a hipped roof 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.

5.28 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 will have alternate saw-tooth and flat roof profiles. The south facing slopes of the former will have small solar water heating or photovoltaics panels whilst the latter will be green roofs. Block D at the rear of the site would two storey with roof accommodation and have a conventional pitched roof.

5.29 The submitted drawings show that buildings faced in a mixture of brick, render and cladding. The final choice of materials is to be secured by condition.

5.30 On this basis, it is considered that no objection can be raised to the proposed design, scale, height and bulk of the development as it would not cause harm to the character of the streetscene or area. Therefore, the proposal would accord with national and local policy guidance.

5.31 **Impact on neighbours:**

5.32 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.

5.33 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 and it is noted that in some cases that neighbours would see an improvement as a result of the removal of existing structures on site. The distance between proposed windows and those within existing properties backing onto the site range between 22m and 25m which is sufficient to avoid any loss of privacy or loss of outlook.

5.34 Therefore, it is considered that the proposal would not result in an unacceptable loss of light, outlook or privacy to neighbouring occupiers in accordance with policy DM2.

5.35 In terms of noise and disturbance created during the course of construction it is noted that the proposed work could be intensive for a relatively short period of time. Therefore, to ensure there is no significant disturbance to surrounding properties and
the road network a condition is included requiring the submission of a construction management plan for approval prior to the commencement of development.

5.36 It is acknowledged that it would be unlikely that a redevelopment scheme of this size/nature would have no impact on adjoining properties. With conditions in place requiring details of the construction management plan and external lighting, it is considered that the proposal would not detract from the amenities of neighbouring properties.

5.37 **Highways:**

5.38 The site is currently occupied by a series of two storey buildings used by Access Self Storage. The proposed development will comprise 29 units with 25 one and two bedroom houses/apartments, two three-bedroom flats and two four-bedroom houses. The scheme provides a total of 43 parking spaces.

5.39 The Sutton maximum parking standards for residential dwellings are 1 space per 1-2 bedroom dwelling and 1.5 spaces for 3 bed dwellings. For the proposed quantum of residential development this would equate to 32 spaces. 33 of the spaces will be reserved for the exclusive use of residents, four of the remaining spaces, located to 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 working hours. The other 5 spaces, will be used for communal/visitor use throughout the day. The scheme also includes six spaces for motorcycles and secure cycle storage.

5.40 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. In addition, the number of HGVs to the site associated with the existing industrial use, would fall.

5.41 Therefore, it is considered that the proposal would not result in an unacceptable increase in on-street parking or vehicle movements to and from the site in accordance with policy DM22.

5.42 **Layout:**

5.43 The Mayor of London has published a Housing SPG (2015) since the December 2012 committee. The size of the proposed dwellings has been assessed against the minimum space standards stipulated within the London Plan. The dwellings would meet the minimum floorspace standards of the London Plan and it is clear that the proposed houses and the flats would function as intended family houses and flattened units. It is therefore considered that the standard of accommodation is acceptable.

5.44 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. Each of the proposed dwellings would have access
to private secure amenity space in form of private rear gardens with each flat having access to a balcony/terrace or communal garden.

5.45 Overall, it is considered that the proposed development would provide an acceptable level of amenity space for future occupiers. As such, subject to conditions to secure details of hard and soft landscaping, the proposal would be acceptable in terms of its layout and amenity of future occupiers.

5.46 **Land Contamination:**

5.47 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.

5.48 A Phase 1 Contamination Assessment has been submitted in support of the application. The report concludes that further intrusive investigation is required to determine the extent and nature if any ground contamination and this is to be secured by condition.

5.49 **Sustainability:**

5.50 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'.

5.51 Should the application be approved, a condition would be included to ensure that an energy strategy is prepared and submitted to the Council in order to demonstrate that the targets set out in Policy DM6 and London Plan Policy 5.2 will be delivered in the completed development.

5.52 From 1 October 2016, the London Housing SPG requires residential development to be 'Zero Carbon'. The Housing SPG defines 'Zero Carbon' homes as homes forming part of major development applications where the residential element if the application achieves at least a 35% reduction in regulated carbon dioxide emissions (beyond part L 2013) on-site. The remaining regulated carbon dioxide emissions, to 100%, are to be off-set through a cash in lieu contribution to the relevant borough. In this case it is not reasonable to seek any contributions noting that the Council does
not have any costed schemes in place and the provision of affordable housing is a priority for the Council.

5.53 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.

5.54 Policy DM7 of the Site Development Policies DPD, London Plan Policy 5.13 and the Mayor’s Sustainable Design and Construction SPG require all proposed developments to:

- use SuDS unless there are practical reasons for not doing so and aim to achieve greenfield run-off rates by managing surface water run-off as close to its source as possible in line with the Mayor’s drainage hierarchy;
- ensure that the runoff rate at peak times is no more than three times the calculated greenfield rate;
- as a minimum, achieve at least 50% attenuation of the site’s surface water runoff at peak times compared to previous conditions on the site (i.e. prior to redevelopment); and
- ensure a minimum discharge rate of 5 litres per second per outfall; and
- give consideration to green roofs, walls or site planting measures where feasible.

5.55 Should the application be approved, a condition would be included to ensure full details of a SUDs scheme is submitted to the Council for approval.

Planning obligations and CIL:

5.57 The Council's SPD5 (revised) and Policy DP2 of the Core Planning Strategy require the Council to seek planning obligations from the applicant to be secured through a Section 106 legal agreement.

5.58 Since December 2012 the Council has adopted its Community Infrastructure Levy (CIL) (April 2014). As the existing floorspace exceeds that of the proposed development there is no CIL to pay. This is based on the fact that CIL regulation (407) allows existing floorspace to be deducted from the CIL calculation providing that the existing floorspace has been in continuous use for a period of 6 months in the 3 year period preceding the development being permitted.

5.59 The applicant has offered a s106 package which is consistent with that put before Committee in December 2012. Contributions include:

- £39,400 Sustainable transport
- £26,876 Education
• £5000 Sport and recreation
• £1,782 Monitoring fee.

5.60 In addition, the S106 agreement will secure the five affordable units.

6.0 CONCLUSION AND RECOMMENDATION

6.1 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 amenities of adjoining occupiers. It would represent an acceptable mixed use development in accordance with local, regional and national policy objectives.

Background Papers: C2011/64918/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: C2011/64918
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

107 WESTMEAD ROAD  Sutton Surrey SM1 4JD

Demolition of all existing buildings on the site and the erection of four buildings comprising: a three storey block with retail or financial and professional service (Class A1 or 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 three bedroom houses for occupation as social housing (Block C) and a two storey terrace of 11 two storey two bedroom house (Block D) together with layout of a new access road, 43 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) Prior to occupation a scheme of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. 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) Prior to installation the 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 43 car parking spaces have been provided in accordance with drawing ac34_p_007. The spaces shall thereafter be kept available for the use of the occupants of or visitors to the development as indicated on the drawing.

Reason: To ensure adequate off-street parking provision 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_007. Such provision shall thereafter be kept for the use of the occupants of the development hereby approved.

Reason: 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) Prior to building work starting on site, a detailed 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 in line with the Mayor’s drainage hierarchy contained in London Plan Policy 5.13. The submitted site drainage/SuDS scheme should:

(i) provide details of the design storm period and intensity, proposed SuDS measures to delay (attenuate) and control the rate of surface water discharged from the site and proposed measures to prevent pollution of the receiving groundwater and/or surface waters;
(ii) provide calculations carried out by an appropriately qualified professional to show that peak run-off rates for the 1 in 100 year 6-hour storm event (plus 30% for climate change) will
be as close to the greenfield rate as possible and will ensure a minimum discharge rate of 5 litres per second per outfall;
(iii) where greenfield rates cannot be achieved and methods of drainage include those lower down the Mayor’s drainage hierarchy, evidence should be provided to justify the designs;
(iv) demonstrate that no flooding will occur on site for the 1 in 30 year rainfall event, there will be no flooding of buildings for the 1 in 100 year rainfall event and that rainfall in excess of the 1 in 100 year event is managed to minimise risks.
(v) include a timetable for its implementation; and
(vi) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To comply with Policy DM7 of the Site Development Policies DPD and London Plan Policy 5.13

(11) Prior to first occupation of the dwelling written confirmation that the approved site drainage and Flood Risk Management measures including SuDS have been implemented as part of the development as built must be submitted to the Local Planning Authority and approved in writing. Where different from the approved details further evidence should be provided to show that peak run-off rates and total volumes of runoff 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 a 30% consideration for climate change. All the measures integrated shall be retained for as long as the development is in existence.

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

(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:
   • all previous risks;
   • potential contaminants associated with those uses;
   • a conceptual model of the site indicating sources, pathways and receptors;
   • 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.
(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 DM1 of the Site Development Policies DPD.

(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 2015 (or any Order amending or revoking and re-enacting that Order), planning permission shall be required in respect of development falling within Class(as) 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.

Reason:

(23) The development hereby permitted shall be carried out in accordance with the following approved plans: ac34_p_002O, ac34_p_003Oac34_p_004O, ac34_p_005O, ac34_p_006O, ac34_p_007O, ac34_p_008O, ac34_p_010O, ac34_p_011O, ac34_p_012O, ac34_p_013O, ac34_p_030O, ac34_p_031O, ac34_p_032O, ac34_p_033O, ac34_p_034O, ac34_p_035O,

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

(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 Phase 1 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 23, 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 B & 043B;
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
Supplementary Planning Statement 2016
Motion Transport Statement