

PLANNING COMMITTEE - Date: 22 February 2017

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

Ref: B2016/75975/FUL	WARD: B05 / SUTTON NORTH	Time Taken: 12 weeks, 5 days
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Site: Southfields Court, 180 Sutton Common Road, Sutton, SM1 3JH.
 Proposal: Demolition of existing 22 garages and erection of a detached two storey building comprising eight 1-bedroomed self contained flats involving cycle and refuse stores and alterations to existing parking layout.
 Applicant: Woodgavil Properties Ltd
 Agent:

Recommendation:

GRANT PLANNING PERMISSION

Reason for Report to Committee: More than 10 objections contrary to Officer's recommendation.

Summary of why the proposal is acceptable:

- The design of the proposed development would be sympathetic to the surrounding area and would not harm the character of the surrounding area or street scene.
- The proposal would not result in significant harm to the amenity of the neighbouring occupiers.
- The layout and quality of the proposed living accommodation would be satisfactory and adequate.
- The proposal would provide adequate car parking in line with the Council's maximum standard.
- The proposal would result in addition landscaping of the site which would improve the biodiversity of the site.

1.0 BACKGROUND

1.1 Site and surroundings:

1.2 The site is Southfield Court, located on the east of Sutton Common Road, on the corner, south of Reigate Avenue. The site comprises of a three storey flatted development with roof accommodation. The building is set back from the road and has a L shape footprint, with the access to the site from Sutton Common Road. The access is to the south of the buildings, adjacent to 178 Sutton Common Road, and leads to a rear parking area which has a series of garages to the rear of the site. To the front of the site, fronting Sutton Common Road, are a number of significant trees, as well as some along the boundary with 178 Sutton Common Road.

1.3 The surrounding area is predominantly residential in nature. It is characterised by a

mixture of three storey flatted developments, and two-storey terraced or semi-detached dwellings.

1.4 Reigate Avenue is a Transport for London red route.

1.5 **Relevant Planning History:**

1.6 SUT 24794 – Demolition of existing building and erection of twelve flats with communal gardens was granted planning permission on 5 October 1960.

1.7 SUT 25785 'O' – Erection of a four storey block of 24 1-bed flats with garages and parking spaces was granted planning permission on 05 October 1961.

1.8 SUT. 26048 – Erection of a block of 24 flats on four floors and 21 lockup garages was refused planning permission on 21 August 1961.

1.9 SUT 26183 – Erection of a block of 24 flats, 12 with 2-bed and 12 with 1-bed and 21 garages was granted planning permission on 28 September 1961

1.10 07/58106/FUL – Conversion of roof space into three self-contained studio units and three 1-bed self-contained flats involving increase in height of staircase enclosures and roof lights on all elevation together with six additional car parking spaces was allowed at appeal on 28 April 2008.

1.11 16/74279/FUL - Demolition of existing 22 garages and erection of a detached two storey building comprising eight 1 bedroomed self-contained flats involving cycle and refuse stores and alterations to existing parking layout was refused planning permission on 24 June 2016.

1.12 The reason for refusal are as follows:

(1) The proposed development, by reason of the demolition of the existing garages would result in significant loss in car parking provision on the site for existing and future occupants and would result in an intensification of use on the site. As such the proposal would have an adverse impact on the public highway and increasing pressure to the on-street car parking within the surrounding area and would be contrary to policy BP10 of the Core Planning Strategy and policy DM22 of the Site Development Policies DPD.

1.13 **Site specific designation:**

- The site has no specific LDF designations.

2.0 **APPLICATION PROPOSALS**

2.1 **Details of Proposal:**

- 2.2 Planning permission is sought for the demolition of the existing 22 garages and erection of a detached two storey building comprising eight 1 bedroomed self-contained flats involving cycle and refuse stores and alterations to existing parking layout.
- 2.3 The proposed building would be two storeys in height, and would have a rectangular footprint measuring approximately 23.4 metres long and 10.8 metres deep, with two small recesses to the rear elevations. It would be located to the rear of the site where the existing garages are located. It would have a 1 metre separation from the southern boundary of the site, a minimum separation of 4.2 metre to the northern boundary of the site. A 4 metre separation would be retained to the eastern boundary of the site. It would be sited 29 metres away from the eastern elevation of the Southfield Court.
- 2.4 The proposed building would have an eaves height of 5 metres. The design of the roof would have three hipped elements connected with a dual pitch element. The tallest hipped element, located in the centre of the building, would be approximately 8.8 metres in height, with the two hipped elements either side would measure approximately 7.2 metres in height.
- 2.5 To the front elevation would be two small entrance porches, with dual pitch roofs over them. Above these would be a catslide roof with roof light within it. Eight windows are proposed to the front elevation, four at ground floor level and four at first floor level serving the living/dining rooms.
- 2.6 To the side elevations a window at both ground and first floor levels are proposed to serve kitchens, with a roof light within the larger hipped element of the roof, which would also serve the central flat's kitchens.
- 2.7 To the rear elevation 16 windows are proposed. Eight of these would serve bedrooms at both ground and first floor levels. Smaller windows are proposed at ground and first floor levels, within recesses of the rear elevation which would serve the bathrooms of the flats.
- 2.8 Each flat would have a gross internal floor space of 49.2m².
- 2.9 The proposal would result in the loss of 21 garages and would provide a total of 28 car parking spaces of which 2 would be disabled and 8 secure cycle space would be provided. The existing access to the site would be retained.
- 2.10 Refuse storage would be provided to the southern boundary of the site within the existing storage area.
- 2.11 It is proposed that the rest of the rear of the site beyond the courtyard for parking would be soft landscaped to provide communal gardens. The existing trees within the site would be retained.
- 2.12 **Significant amendments to application since submitted:**

2.13 None.

3.0 **PUBLICITY**

3.1 **Adjoining Occupiers Notified**

3.2 **Method of Notification:**

3.3 Letters were sent to 61 neighbouring occupiers dated 20 December 2016 and a site notice was posted within the vicinity of the site dated 20 December 2016.

3.4 **Number of Letters Received:**

3.5 12 letters were received from the occupiers from various addresses from Sutton Common Road, Reigate Avenue, Fairlands Avenue and Southfields Court.

3.6 The material objections raised are:

- Insufficient car parking.
- Overlooking and loss of privacy.
- Increased noise and disturbance.
- Loss of light.
- Loss of outlook.
- The proposal would harm the character of the area.

3.7 **Official Consultation:**

3.8 **Senior Highways Engineer:**

3.9 The Senior Highways Engineer was consulted and raised no objection to the parking provision subject to a condition securing a construction method statement. A condition securing the proposed cycle storage was also recommended.

3.10 **Environmental Health:**

3.11 Environmental Health raised no objection, but did acknowledge the potential presence of land contamination from the existing garages. A condition is recommended requiring a land contamination assessment and a remedial strategy if required. A condition is also recommended for construction method statement detailing dust control during construction.

3.12 **Sustainability:**

3.13 No objection was raised subject to appropriate conditions securing carbon dioxide emission reduction measures, flood risk management, water efficiency and urban heating reduction measures.

3.14 **Waste Management**

3.15 Waste Management raised no objection subject to pull out distances for the refuse bins.

3.16 **Principal Tree Officer**

3.17 Raised no objection.

3.18 **Biodiversity Officer**

3.19 Raised no objection subject to a condition securing landscaping and the provision of swift boxes and external house martin nests.

3.20 **Transport for London**

3.21 TfL raised no objection to the proposal subject to conditions securing electric vehicle charging points and a Construction Logistics Plan.

3.22 **Councillor Representation:**

3.23 No Councillor representations have been 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 2009
- The Site Development Policies DPD 2012

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework
- National Planning Policy Guidance
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.
- Human Rights Act 2008
- Equality Act 2010
- Draft Local Plan

4.3 **Material Planning Policies Considered**

4.4 **The London Plan Spatial Development Strategy for Greater London:**

- 3.3 Increasing Housing Supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing development (tables 3.2 & 3.3)
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 6.1 Strategic approach
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 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
- 7.19 Biodiversity and access to nature

4.5 **Core Planning Strategy:**

- PMP1 Housing Provision
- PMP2 Suburban Heartlands
- BP1 Housing Density
- BP9 Enabling Smarter Travel Choices an Area-based Approach
- BP10 Transport Strategic and Borough Wide Proposals
- BP12 Good Urban Design and Heritage

4.6 **Site Development Policies**

- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Enhancing the Street Scene & Public Realm
- DM6 Climate Change Mitigation
- DM7 Flood Risk
- DM8 Climate Change Adaption
- DM9 Water Supply, Water Quality and Sewerage Infrastructure
- DM11 Contaminated Land
- DM17 Biodiversity, Habitats and Species
- DM19 Promoting Sustainable Transport & Accessibility
- DM20 Assessing the Transport Impact of New Development
- DM22 Parking
- DM21 New Development and the Highway Network
- DM22 Parking
- DM26 Housing Mix

- DM29 Housing Standards

4.7 **Supplementary Planning Documents**

- SPD14 Creating Locally Distinctive Places 'Urban Design'

5.0 **PLANNING CONSIDERATIONS**

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

- **Use**
- **Design Quality**
- **Impact on Neighbours**
- **Layout**
- **Traffic & Parking**
- **Biodiversity**
- **Sustainability**
- **Contaminated Land**
- **Community Infrastructure Levy**

5.1 **Use:**

5.2 The National Planning Policy Framework (NPPF) states that "at the heart of the NPPF is a presumption in favour of sustainable development."

5.3 The NPPF requires the Council to make the most efficient use of land by maximising the re-use of previously developed land and the conversion of existing buildings.

5.4 The NPPF states that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. One of the 12 principles is that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high amenity value.

5.5 The London Plan outlines the need for residential development within London through Policy 3.3 Increasing Housing Supply, while Policy 3.14 states that loss of housing should be resisted. Policy 3.14 supports optimising housing potential subject to local context and character. The policy states development proposals which compromise this policy should be resisted.

5.6 In addition to regional and national policy, policy PMP1 of the Core Planning Strategy supports new housing in sustainable locations. Core policy BP1 states that the Council will ensure that new housing development will make the most efficient use of land in accordance with the London Plan having regard to, amongst other things, local character and transport accessibility.

5.7 This application seeks to increase the number of residential units within the site by

erecting a block of eight 1-bed flats to the rear of the site. The site as existing comprises of one block of 30 flats with communal surface car parking and garages to the rear. The proposal would result in 38 dwellings within the site.

- 5.8 The applicant has stated that the majority of the existing garages are not used, and the proposal would result in additional dwellings on land that is not used to its full potential. The principle of the development was considered to be acceptable during the consideration of a similar proposal under application ref. B2016/74279/FUL.
- 5.9 The proposal would be making more efficient use of the existing residential land by providing additional housing. For these reasons it is considered that the principle of the proposal is acceptable.
- 5.10 **Design Quality:**
- 5.11 Policy BP12 and PMP2 of the adopted Core Planning Strategy, policy DM1, DM3 of the Site Development Policies DPD and SPD14-Urban Design seek to ensure that proposals are sympathetic to the appearance of the existing building, and that all development complements and improves the character of the area and street scene.
- 5.12 The existing building on the site comprises an 'L' shaped three storey building, which fronts Sutton Common Road and Reigate Avenue. Originally the existing buildings had roof accommodation and have recently had an additional floor added within the roof space under planning application ref. 2007/58106/FUL.
- 5.13 The proposal would involve the demolition of the existing garages, which provide little visual amenity to the area and the erection of a two storey block of eight flats in their place.
- 5.14 The proposed building would be of a similar scale and mass as the two storey dwellings fronting Reigate Avenue, and Fairlands Avenue. The traditional design of the roof and architectural detailing is considered to be sympathetic to the surrounding area. Due to its location to the rear of the site, the proposal would not be readily visible from the public realm.
- 5.15 The proposal would also introduce a communal garden area to the rear of the site which would be landscaped, and would reduce the hardstanding and would improve what is a relatively functional back land area.
- 5.16 The design of the proposal is very similar to the previously refused application ref. B2016/74279/FUL, where no issues were raised in design terms.
- 5.17 For these reason above the proposal is considered to be acceptable in design terms and would not cause harm to the character of the surrounding area or street scene.
- 5.18 **Impact on Neighbours:**
- 5.19 One of the 12 principles stated within the NPPF is that planning should 'always seek to

secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings.'

- 5.20 Site Development Policy DM2 states that the Council will not grant planning permission for any development that adversely affects the privacy, outlook or daylight and sunlight of adjoining occupiers, or would unacceptably impact on the surrounding area.
- 5.21 The proposed building would be located approximately 29 metres from the rear elevation of the existing block of flats. The side facing windows on the northern elevation of the proposed building would be approximately 14 metres from the rear elevation of the dwellings fronting Reigate Avenue. The southern elevation of the proposed building would be approximately 32 metres from the rear elevation of the dwellings fronting Fairlands Avenue. The eastern elevation of the proposed building would be approximately 21 metres from 157a and 157b Reigate Avenue. SPD14 requires a separation of 14 metres between rear and side facing elevations and 20 metres back to back to prevent overlooking and loss of privacy. The side facing windows within the proposal would serve kitchens. The proposal would meet the guidance given within SPD14 on window to window separation distances.
- 5.22 The proposed first floor side window in the northern elevation is denoted as being obscure glazed to prevent overlooking. A condition is recommended to ensure the northern first floor flank windows are obscure glazed and fixed shut to a height of 1.7 metres to protect the amenity of these properties noting the limited depth of their gardens. It is considered that the proposal would not result in any significant overlooking or loss of privacy to the neighbouring occupiers over and above what is expected in a suburban setting.
- 5.23 Due to the separation distances and the modest height of the building, it is considered that the proposal would not harm the amenity of neighbouring occupiers in terms of loss of sunlight/daylight, or outlook.
- 5.24 The proposal would result in an intensification of the use of the site. Concern has been raised by objectors regarding this intensification, in respect of an increase in noise and disturbance. Taking into consideration the existing level of residential use on the site, it is considered that the addition of eight 1-bedroomed flats would not result in a significant increase in noise and disturbance, and would not adversely harm the amenity of the neighbouring occupiers.
- 5.25 The layout of the proposal is very similar to the previously refused application B2016/74279/FUL. It should be noted that impact on the amenity of neighbouring occupiers was not a reason for refusal of the previously refused application.
- 5.26 As such the proposal is considered acceptable and would not result in an adverse impact on the amenity of the neighbouring occupiers.
- 5.27 **Layout:**

- 5.28 Site Development Policy DM29 states that the Council will allow new residential developments if the development provides sufficient living space, amenity space. Detailed requirements and quantitative standards are further outlined in SPD14 and the London Plan table 3.3 and these should be exceeded where possible.
- 5.29 The London Plan requires that 1-bedroom 2 person dwellings achieve a gross internal floor space of 50m². The proposed flats would be uniform in their layout and would measure approximately 49.2m². This is marginally under the London Plan standard, but it is considered that this small shortfall would not result in significant harm to the future occupiers' amenity or the quality of the accommodation.
- 5.30 The layout of the flats would result in similar rooms being stacked above each other. This would reduce any impact in relation to noise transfer between the flats.
- 5.31 The application proposes that the use of the existing waste/recycling bins, which are stored on the southern boundary within the hard standing area to the rear of the existing blocks. This is considered an acceptable arrangement.
- 5.32 In terms of amenity space, SPD14 recommends that 25m² is provided for flats. The London Plan recommends 5m² per dwelling. The site as existing only has soft landscaping to the frontages facing Sutton Common Road and Reigate Avenue. The proposal would result in the demolition of the existing garages and provision of a soft landscaped communal garden to the north and rear of the proposed building. This would improve the existing situation in respect of private amenity space and biodiversity and as such is considered acceptable.
- 5.33 Therefore, it is considered that the proposal is acceptable in terms of its layout and private amenity space.
- 5.34 **Traffic & Parking:**
- 5.35 Site Development Policy DM22 and Core Policy BP10 state that new developments will be expected to provide the appropriate amount of car parking necessary in accordance with the Council's restraint-based maximum car and cycle parking standards, whilst the conversion of existing parking spaces to other uses should demonstrate that parking is surplus to requirements and would not result in additional on-street parking.
- 5.36 Application ref. B2016/74279/FUL was previously refused due to the loss in existing parking provision on the site. The previously refused application proposed the demolition of the existing garages and provision of 20 car parking spaces.
- 5.37 The applicant has submitted evidence with the application showing that the existing garages, are not sold with the existing flats, but are commercially let either to the residents of Southfields or non-residents of the site. The evidence shows that only three of the garages are used by the existing residents of Southfields for the car parking.

- 5.38 The Senior Highways Engineer considered the existing layout which has 17 spaces and included 3 of the garages which are currently being used by residents of the existing flats. Therefore there are a total of 20 spaces for the 30 existing flats, or 0.66 spaces per dwelling.
- 5.39 The proposal would provide 28 spaces. This would be 20 spaces for the existing flats keeping the existing level of car parking on site, with another 8 spaces for the proposed flats, keeping the additional car parking in line with the Councils 1 to 1 maximum parking standard.
- 5.40 As such the proposed car parking layout is considered to be acceptable and would comply with Site Development Policy DM22 and Core Policy BP10.
- 5.41 **Biodiversity**
- 5.42 The Council's Biodiversity Officer assessed the proposal and requested conditions regarding landscaping and the provision of swift boxes and external house martin nests. It is considered that provision of such facilities to provide nesting for these species is reasonable in this instance and not over onerous.
- 5.43 The proposal would result in an increase in soft landscaped area to the rear of the site. With the above condition recommended it is considered that the proposal would be acceptable in terms of its impact on biodiversity.
- 5.44 **Sustainability**
- 5.45 The Council's Sustainability Officer and raised no objection subject to conditions securing an energy statement to reduce carbon dioxide emissions, sustainable urban drainage systems (SUDS), water efficiency measures and measure to reduce urban heating.
- 5.46 Whilst the energy statement, SUDS, and water efficiency measure are standard conditions that are generally applied to most residential developments, the condition in respect to urban heating is not. The London Plan refers to the use of conditions relating to urban heating in relation to Major developments. As such it is considered that this condition would be over onerous in this instance and it is recommended that this condition is not appended to a decision notice should planning permission be granted.
- 5.47 As such the proposal is considered acceptable in respect to the sustainability of the development.
- 5.48 **Community Infrastructure Levy**
- 5.49 The London Borough of Sutton introduced its Community Infrastructure Levy (CIL) charging schedule in April 2014. New residential units are charged at a rate of £100 per sqm. This is in addition to the Mayor's CIL charged at £20 per sqm. CIL is charged on the total net additional floorspace created (measured as Gross Internal Area).

Furthermore, in accordance with the Regulations, any existing buildings on site in lawful use, which are proposed for a change of use as part of the chargeable development and have been in continuous use for six months of the previous 36 months on the day planning permission first permits the chargeable development, will not be charged CIL.

5.50 All Local Authorities are required to index the CIL charges to take account of price increases between the time when charging schedules setting out an authority's rate come into force, and the time at which planning permission is granted. In this instance the London Borough of Sutton's CIL has been indexed from its adoption in April 2014 and the Mayoral CIL indexed from its adoption in April 2012.

5.51 The proposal involves the demolition of existing garages, which when taken from the total floor space created and would result in a total of 241m² of additional floor space. This development would be liable for a levy of £5,857.49 for the Mayor's CIL and £27,326.78 for the London Borough of Sutton's CIL.

6.0 CONCLUSION AND RECOMMENDATION

6.1 The proposed building would be acceptable in principle and in terms of its design and impact on the amenity of neighbouring and future occupiers. The proposal would result in the in sufficient car parking provision in line with the Council's maximum standard. It would also improve the biodiversity of the site with additional landscaping and retention of existing trees.

6.2 For these reasons it is therefore recommended that the application be granted planning permission.

Background Papers: B2016/75975/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: **B2016/75975**
- 3) Click on Search and View Current Applications
- 4) Click on View Plans & Documents

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Woodgavil Properties Ltd
Crown House Mews10 Warren
HillChequers Lane
EpsomWalton on the hill
KT18 7BXKT20 7ST

B2016/75975/FUL

DRAFT

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

FIRST SCHEDULE

Southfields Court 180 SUTTON COMMON ROAD Sutton SM1 3JH

Demolition of existing 22 garages and erection of a detached two storey building comprising eight 1-bedroomed self contained flats involving cycle and refuse stores and alterations to existing parking layout.

SECOND SCHEDULE

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: L20 B 10, L20 B 11, L20 B 6 Rev. A, L20 B 7 Rev. A, L20 B 5 Rev. C, L20 B 1, L20 B 2, L20 B 3, L20 B 4, Design and Access Statement by Lawford Associates (Amendment A) and Arboricultural Development Statement dated November

2016.

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

(3) Prior to the commencement of the development hereby approved, a schedule of all external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. The agreed materials shall then be used in the construction of the development hereby approved.

Reason: To ensure that the development is finished to a high quality, and to ensure compliance with policy DM1 of the Site Development Policies DPD.

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

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

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

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

(5) Prior to occupation of the development hereby approved, details and means of the secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and permanently retained on site thereafter.

Reason: To ensure compliance with London Plan policy 6.9.

(6) Prior to commencement of the development hereby approved, a contaminated land assessment shall be submitted to and agreed in writing by the Local Planning Authority. The contaminated land assessment shall include:

(a) A desk top study detailing the history of the site's uses and proposing a site investigation strategy based on the relevant information discovered by the desk study all of which is to be submitted to the local planning authority for approval.

(b) A site investigation, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

(c) A site investigation report, in accordance with BS 5930:1999 (Code of Practice for Site Investigations & BS10175: 2001 Code of Practice Investigation of Potentially Contaminated Sites) detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remedial

strategy.

All work should generally be in accordance with the Environmental Protection Act 1990 (Part IIA), Statutory Guidance on Contaminated Land together with other relevant legislation and guidance as described in the DETR documents Contaminated Land Research Reports, CLR Series, 1994.

Reason: To prevent harm to human health and prevent pollution to the environment, and to comply with policy DM11 of the Site Development Policies DPD.

(7) Should remedial works be required, the remedial strategy shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of the development hereby approved and the remedial works. On completion of the agreed remedial works, a closure report and certificate of compliance endorsed by the interested party/parties, shall be submitted to and agreed in writing by the Local Planning Authority, prior to the occupation of the site by end users.

Reason: To prevent harm to human health and prevent pollution to the environment, and to comply with policy DM11 of the Site Development Policies DPD.

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

Reason: To prevent harm to human health and prevent pollution to the environment, and to comply with policy DM11 of the Site Development Policies DPD.

(9) Prior to building work starting on site, an Energy Statement incorporating 'as-designed' BRUKL outputs prepared under the Standard Assessment Procedure (SAP) must be submitted to the Local Planning Authority and approved in writing which demonstrates how each of the dwellings will apply the Mayor's energy hierarchy (use less energy, supply energy efficiently and use renewable energy) to secure at least a 19% reduction in CO2 emissions below the target emission rate (TER) based on Part L1A of the 2013 Building Regulations and seek to achieve a 10% reduction in total emissions (regulated and unregulated) through on-site renewable energy generation

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

(10) Prior to first occupation of the dwellings, 'as-built' BRUKL outputs prepared under the Standard Assessment Procedure (SAP) shall be submitted to the Local Planning Authority and approved in writing to demonstrate that the development has been carried out in accordance with the approved details. If the development is unable to meet the required reduction in CO2 emissions through the approved energy strategy, then any shortfall 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 Policy DM6 of Sutton's Site Development Policies DPD

(11) Prior to the commencement of the development hereby approved, a scheme for the management of surface water run-off must be submitted to the Local Planning Authority and approved in writing which identifies appropriate site drainage and flood risk management measures, including SuDS, in order to manage surface water run-off as close to its source as possible in accordance with the Mayor's drainage hierarchy. The proposed scheme shall ensure that the peak run-off rate for the 1 in 100 year 6-hour rainfall event (plus climate change) will be as close as reasonably practicable to and no more than 3 times the calculated greenfield run-off rate for the same event, and ensure a minimum discharge rate of 5 litres per second per outfall.

Reason: To comply with Policy DM7 of Sutton's Site Development Policies DPD

(12) Prior to the first occupation of the development hereby approved, 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 must be provided to show that the peak run-off rate for the 1 in 100 year 6-hour rainfall event (plus climate change) will be as close as reasonably practicable to and no more than 3 times the calculated greenfield run-off rate for the same event, and ensure a minimum discharge rate of 5 litres per second per outfall. All the measures implemented shall be retained for as long as the development is in existence

Reason: To comply with Policy DM7 of Sutton's Site Development Policies DPD

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

Reason:

(14) Prior to the first occupation of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show details and locations of the species of plants to be used. The agreed details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and 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 the development is of a high quality and to improve the biodiversity on site in accordance with DM17 of the Site Development Policies DPD.

(15) Prior to first occupation of the development hereby approved, details of 3 no. swift boxes and 3 no. external house martin nests shall be submitted to and approved by the Local Planning Authority. The agreed details shall be implemented and permanently retained on site.

Reason: To ensure an improvement of the biodiversity on site and to comply with policy DM17 of the Site Development Policies DPD.

(16) The first floor windows in the northern elevation of the development hereby approved shall be glazed with obscure glass and fixed shut unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall be permanently retained.

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

INFORMATIVES.

(1) This approval only grants permission under section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 5000 before proceeding with the work.

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

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

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

(4) This application has been assessed against the relevant policies of the London Plan 2016, Sutton's Core Planning Strategy 2009 and the Site Development Policies DPD 2012. The proposal is generally in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and for this reason planning permission is granted.

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

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