

Planning Committee - Date: 21 March 2018

**Report of the Assistant Director of Environment, Housing and Regeneration
Directorate**

Ref: D2018/78694/3FR	WARD: D16 / WALLINGTON SOUTH	Time Taken: 9 weeks, 2 days
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Site: Wallington Public Hall And Public Car Park To The Rear, Stafford Road, Wallington, SM6 9AQ

Proposal: Demolition of Wallington Hall and the removal of 39 public parking spaces to allow for the erection of two buildings with both being part three, part four storeys in height. The proposal comprises a total of 31 self-contained flats (eight 1-bedroom, twenty one 2-bedroom and two 3-bedroom) and 132sqm of A1/A2 use commercial space together with 12 car parking spaces accessed from Woodcote Road and 54 cycle parking spaces, communal and private amenity space and refuse store.

Applicant: Sutton Living Limited

Agent: Mr Ben Stonebridge

Recommendation:

GRANT PLANNING PERMISSION

subject to the Completion of a s.106 legal agreement to be completed by midday on 17 April 2018, or such longer period as may be agreed in writing by the Strategic Director of Environment, Housing and Regeneration after which time the resolution to grant will be rescinded. Should a completed s.106 legal agreement not be forthcoming by the date and time specified above, the Planning Committee also agree to give delegated authority to the Strategic Director of Environment, Housing and Regeneration, to refuse permission on the basis that the proposal would fail to provide a series of infrastructure and environmental improvements.

Reason for Report to Committee: The application relates to publicly owned land and there is more than one objection.

Reason for Urgency: The report was delayed to allow for clarification on points of existing lawful planning use and its implications for CIL. The reason for the urgency is that the statutory expiry date for the application is the 17 April 2018, which is before the date of the next planning committee.

Summary of why the proposal is acceptable:

- The loss of the community facility, the 39 public parking spaces and two independently operated shops within Wallington District Centre is considered acceptable having regard to the hall's extended vacancy and the costs associated with its continued use for community purposes. Moreover, the development would incorporate a ground floor commercial unit fronting Stafford Road of an equivalent size to compensate for that which would be lost.
- The provision and mix of unit sizes is considered acceptable having regard to the site's location within Wallington District Centre and Wallington Area of Potential Intensification, and the provision of 11 affordable housing units (35.5%) is considered acceptable.
- The proposed scheme is considered to be of a good design quality, addressing Stafford Road with a strong frontage and providing a sense of continuity in built form. In addition, the bulk and massing of two detached, part three, part four-storey blocks arranged in a broadly linear layout is considered to be acceptable, having regard to the existing site circumstances. Moreover, the scheme proposes to retain the trees within or adjoining the site which are of local amenity value.
- The proposed scheme would not result in significant harm to any of the adjoining or nearby residential properties, and the harm identified to some properties in terms of loss of light and privacy would not warrant a reason for refusal, noting that affected windows serve rooms which are served by multiple windows.
- The quality of accommodation proposed would be of a good standard, ensuring an acceptable standard of living for the future occupiers, and the layout and orientation of windows, together with conditions requiring obscure glazing would ensure that all future properties benefit from an acceptable level of light and privacy.
- The combination of twelve parking spaces for the future use of the residents, and the commitment from the applicant to fully fund two car club spaces in the car park to the south for three years is considered to be an acceptable level of off-street parking provision which is unlikely to give rise to a significant increase in on-street parking in the area.
- The proposed development would make effective use of brownfield land, contributing to the borough's housing stock and would generally accord with the recommendations of the site allocation S12 and other relevant policies contained within Sutton's Local Plan 2018, and on this basis, the proposal is recommended for approval.

1.0 BACKGROUND**1.1 Site and Surroundings**

1.2 The application site is comprised of a flat-roofed, part two, part three-storey public hall with part of the ground floor space occupied by retail outlets to either side of the main entrance. The hall has a plain white rendered finish fronting Stafford

Road, and a clear horizontal emphasis with some horizontal banding and minimal fenestration above ground floor level. By reason of its height, form and adherence to art deco principles, the hall has a unique appearance within the streetscene, which is characterised by three-storey terraces with pitched roofs, all of which have ground floor commercial uses with residential uses above.

- 1.3 Within the application site, and to the rear of the public hall is a public car park, accessed from Woodcote Road to the west, part of which forms part of the application site. This car park is bordered by flatted developments to the west and predominantly two-storey suburban houses to the east on Onslow Gardens.
- 1.4 Stafford Road has a mixed townscape character with considerable variation in form, bulk and massing of built form along its length. Apart from more recent flatted developments to the east which are solely residential, Stafford Road is generally characterised by ground floor commercial properties with residential uses above. The two adjoining properties are relatively typical of the built form along Stafford Road, being three-storey and two-storey with a converted roofspace and commercial uses at ground floor to the east and west respectively.

1.5 **Site Specific Policy Designations**

- 1.6 The application site lies partly within Wallington District Centre, Wallington Area of Taller Building Potential and within a Secondary Shopping Frontage. The application site is located within the Wallington Area of Potential Intensification and is allocated as Site S12 within Sutton's Local Plan, as a site for mixed-use residential and retail development. The application site also lies immediately adjacent to Onslow Gardens Area of Special Local Character.

1.7 **Relevant Planning History**

- 1.8 The application site has a relatively long planning history, and was constructed in the mid-1930s. However, none of the planning history is of particular relevance to this application, although it is recognised that the building has been extended in the past.

2.0 **APPLICATION PROPOSAL**

- 2.1 The proposal is for the demolition of Wallington Public Hall, and the redevelopment of the site as a mixed-use residential and retail scheme, comprising of 31 residential units divided into two detached blocks, with 11 (35%) units proposed for social/affordable rent, and 132 sqm of commercial floorspace at ground floor in the building fronting Stafford Road (A1/A2 uses). The proposed development would occupy the space of the existing hall and would necessitate the loss of 39 existing car parking spaces to the south of the hall, with the retention of 43 spaces for continued public use.
- 2.2 The 31 residential units would comprise of eight 1-bedroom flats, twenty-one 2-bedroom flats and two 3-bedroom flats, divided into two blocks, with the northern

block fronting Stafford Road (Block A) and the southern block adjacent to the retained parking spaces (Block B) providing fourteen units and seventeen units respectively. Block B would be wholly residential, whereas Block A would provide 132 sqm of ground floor commercial space, fronting Stafford Road.

- 2.3 The application site is long and narrow, running north-south, and this is reflected in the linear form and layout of the proposed scheme, with the main thoroughfare through the site running along the eastern boundary of the site adjacent to the two blocks, connecting Stafford Road and the public car park to the south by way of a footpath. Vehicular access to the site would be achieved through utilising the existing access to the public car park, and a secondary means of pedestrian access would be provided from Woodcote Road to the west, located between Woodcote Court and Surrey Court.
- 2.4 Block A, fronting Stafford Road, would be four-storeys high with a ground floor retail element spanning the full width of the ground floor, excluding the retail refuse store and the pedestrian undercroft access, with residential uses above, and a pitched mansard fourth-storey level, with small terraces set into the roof slope. Block A steps down to three-storeys to the rear, with a flat roof incorporating a biodiverse sedum roof and photovoltaic (PV) array. The frontage would be broadly uniform, with consistency in the size and positioning of windows above ground floor level where there is a traditional glazed shopfront and fascia board, with a horizontal emphasis as a result of the banding above the windows, and red brick elsewhere. The frontage building incorporates a covered walkway providing access to the rear of the site, which would run the full length of the site.
- 2.5 Block B involves the loss of 39 spaces from the public car park and its design follows a broadly similar design approach to Block A, occupying part of the existing car park, using red brick with horizontal bands formed of a double-height soldier course above the windows, and brick banding at first and second floor. The fourth floor would be set back from the eastern and southern elevations, occupying approximately half of the footprint of the floors below, and would be finished in a light brown material. A mix of window sizes and shapes are proposed, with soft landscaping between the two blocks, and to the south and west of Block B, which includes planters and grassed areas as shown on the layout drawings.
- 2.6 12 off-street parking spaces are proposed for the proposed residential units, with 3 suitable for disabled access, and these 12 spaces would be separated from the adjoining public car park by way of a small landscaped verge, and through the use of contrasting paving materials. In addition, two car club spaces are proposed for the scheme, to be provided in the public car park to the south, to be funded for three years by the applicant. No parking is proposed for the ground floor commercial uses fronting Stafford Road.

3.0 **PUBLICITY**

- 3.1 329 adjoining neighbours were notified by way of letter on the 8 February 2018 and by press notice on the 15 February 2018. In addition, one site notice was displayed

to the front of the application site on Stafford Road and one site notice was displayed near the Woodcote Road entrance to the public car park on the 9 February 2018.

3.2 **Letters Received**

3.3 9 letters were received as a result of public consultation, with seven letters of objection, one letter in support and one letter neither objecting to, nor supporting the application. The letters of objection were received from 8 Onslow Gardens, 14 Onslow Gardens, Flat 4 Woodcote Court, 11 Avenue Road, 27 Hawthorn Road, Flat 4 Wendon Court, 9 Surrey Court, and the letter in support of the application was received from 6 Beech House.

3.4 **Summary of Material Representations:**

- Loss of privacy and natural light to properties on Onslow Gardens
- Loss of privacy and natural light to properties within Surrey Court
- Increase in noise once use of the development has commenced
- Insufficient parking provision
- Loss of existing car parking spaces
- Loss of outlook
- Loss of a community facility
- Proposal appears sympathetic to surrounding buildings
- Proposal would deliver new homes in the area

3.5 **Internal Consultations**

3.6 Sustainability Officer: No objection, subject to conditions, and a unilateral undertaking securing a contribution towards the carbon offsetting fund.

3.7 Housing Enabling Officer: No objection, subject to a unilateral undertaking securing the affordable housing provision.

3.8 Principal Biodiversity Officer: No objection, subject to conditions.

3.9 Principal Highways Engineer: No objection, subject to conditions and a unilateral undertaking to secure the provision of Car Club spaces, an S278 agreement, and a Travel Plan.

3.10 Environmental Protection Officer: No objection, subject to conditions.

3.11 Waste Management: No objection.

3.12 Interim Principal Tree Officer: No objection, subject to conditions.

3.13 Lead Local Flood Authority: No objection, subject to conditions.

3.14 Urban Design Officer: No objection, subject to conditions.

3.15 **External Consultation**

3.16 London Ambulance Service: Any response received to be reported to committee.

3.17 London Fire Brigade: No objection.

3.18 Environment Agency: No objection.

3.19 Thames Water: No objection.

3.20 Designing Out Crime Officer: No objection, subject to conditions.

3.21 **Councillor Representations**

3.22 None.

4.0 **MATERIAL PLANNING POLICES**

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 (as amended) 2016
- Sutton's Local Plan 2018

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- The London Housing SPG
- The Mayor's Affordable Housing and Viability SPG
- Human Rights Act 1998
- Equalities Act 2010
- The draft London Plan
- Draft National Planning Policy Framework (dNPPF)

4.3 London Plan

- 2.15 Town centres
- 3.3 Increasing housing supply
- 3.4 Optimising housing Potential
- 3.5 Quality and design of housing developments
- 3.7 Large residential developments
- 3.8 Housing choice

- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable homes
- 3.11 Affordable housing targets
- 3.13 Affordable housing thresholds
- 3.16 Protection and Enhancement of Social Infrastructure
- 4.7 Retail and town centre development
- 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
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 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
- 7.7 Location and design of tall and large buildings
- 7.19 Biodiversity and access to nature
- 8.3 Community infrastructure levy

4.4 Sutton's Local Plan 2018

- 1 Sustainable Growth
- 6 Distinctive District Centres
- 7 Housing Density
- 8 Affordable Housing
- 9 Housing Sizes
- 17 Town and Local Centre Development
- 18 Shopping Frontages
- 19 Local Centres and Isolated Shops
- 22 Social and Community Infrastructure, including Public Houses
- 26 Biodiversity
- 28 Character and Design
- 29 Protecting Amenity
- 30 Heritage

- 31 Carbon and Energy
- 32 Flood Risk and Sustainable Drainage
- 33 Climate Change Adaptation
- 34 Environmental Protection
- 36 Transport Impact
- 37 Parking
- 38 Infrastructure Delivery
- 40 Site Allocations

4.5 Supplementary Planning Documents

- SPD1 Designing Out Crime
- SPD4 The Design of Residential Extensions
- SPD5 Planning Obligations
- SPD6 Car Clubs
- SPD14 Sutton's Urban Design Guide

5.0 **PLANNING CONSIDERATIONS**

5.1 The principal planning considerations (including whether any material planning objections have been reasonably addressed) for this application are

- **Principle of Development**
- **Design Quality**
- **Trees and Landscaping**
- **Impact on Neighbours**
- **Living Conditions for Future Occupiers**
- **Parking and Highway Safety**
- **Affordable Housing Provision**
- **Flood Risk and SuDs**
- **Carbon Dioxide Reductions**
- **Biodiversity Impact and Enhancements**
- **Refuse Provision**
- **Public Sector Equality Duty (PSED) and Human Rights**
- **Financial Contributions**

5.2 **Principle of Development**

5.3 The National Planning Policy Framework (NPPF) sets out that at the heart of the planning system is the presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking. This means that development which accords with the development plan should be approved without delay, to allow the planning system to perform its role as a mechanism for economic, social and environmental improvements, and the NPPF requires local planning authorities to apply the presumption in favour of sustainable development when determining planning applications.

- 5.4 The NPPF further 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 Policy 3.3 of the London Plan sets out that the Mayor will seek to ensure that identified housing need is met particularly through provision consistent with at least an annual average of 42,000 net additional homes across London which will enhance the environment, improve housing choice and affordability and provide better quality accommodation for Londoners. Policy 3.3 further sets out that boroughs should seek to enable additional development capacity to be brought forward to supplement the borough's housing target, and this additional capacity can come from a wide range of sources including intensification, redevelopment schemes, conversions, and purpose built new residential dwellings.
- 5.6 In addition, Policy 4.7 states that the scale of retail and commercial development should be related to the size, role and function of the town centre it is located within, and Policy 2.15 of the London Plan requires local planning authorities to actively plan for and manage the redevelopment of district centres and secondary frontages to secure sustainable and viable retail facilities, and deliver significant higher density housing in town and district centre locations.
- 5.7 Policy 1 of Sutton's Local Plan 2018 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF and further states that the council will make provision for new homes to meet London's housing needs and local housing needs by aiming to deliver at least 6,045 new homes over the plan period (2016-2031), which equates to 427 additional homes per year.
- 5.8 In order to achieve this target, the council will allocate strategic sites for housing delivery and encourage the intensification of areas around Sutton Town Centre and the borough's District Centres where suitable. Policy 1 further sets out that 10% of the anticipated delivery of new housing within the borough is likely to be within Wallington District Centre and its surrounding Area of Potential Intensification (API), which will see the delivery of approximately 635 new homes over the plan period.
- 5.9 Policy 6 of Sutton's Local Plan 2018 seeks to support proposals for the redevelopment of Wallington Hall and sets out that any future redevelopment should include residential uses, town centre uses on the Stafford Road frontage and retain an element of public car parking, in accordance with Site Allocation S12.
- 5.10 Policy 40 of Sutton's Local Plan 2018 states that the council will grant planning permission for development in accordance with the land uses set out in the relevant site allocation, subject to the proposed development meeting the other policies in the Local Plan. The site allocation includes a number of

recommendations for the site, setting out reasonable expectations, but they are for guidance and not absolute prerequisites for an acceptable development. However, the NPPF clearly states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, and as such, the recommendations in a relevant site allocation should be given significant weight when assessing any application within the boundary of an allocated site.

- 5.11 The relevant policy in respect of Site Allocation S12, relating to Wallington Hall and Car Park, sets out that the site is allocated for a mixed-use residential and retail development, and the public car park to the rear (south) of the site should be retained for its existing use.
- 5.12 The allocation states that any new development should provide a mix of housing types, including family sized units, providing flatted accommodation with sufficient amenity space and should provide ground floor retail with an active frontage to Stafford Road. In addition, any new development should maintain the building line along Stafford Road, presenting a cohesive frontage, and planting within the site should be retained where possible, with particular regard for the mature and protected trees.
- 5.13 Policy 3.16 of The London Plan and Policy 22 of Sutton's Local Plan 2018 seek to resist the loss of social and community infrastructure, and the loss will only be acceptable if it can be demonstrated that the community facility is no longer required, either in its current form or for other community uses, and suitable alternative provision is available nearby. As such, proposals which involve the loss of community facilities will need to be accompanied by evidence which sets out that the site has been vacant for a continuous period of 12 months and that it has been marketed without success at a reasonable rate for this period, without any interest.
- 5.14 Policy 18 of Sutton's Local Plan 2018 is considered to reflect the intent of Policies 2.15 and 4.7 of the London Plan, and states that planning permission will be granted for new commercial development that is appropriate to the scale, role and function of the district centre, makes the optimum use of the site, provides an active frontage at ground floor level and is served by sustainable modes of transport.
- 5.15 The principle of development has two main elements; the loss of the existing community facility and retail units fronting Stafford Road, and the erection of a mixed-use residential and retail development within Wallington District Centre.
- 5.16 It is apparent that the intent of both Policy 3.16 of the London Plan and Policy 22 of Sutton's Local Plan is to prevent the loss of social and community facilities, within London and within the borough respectively. However, Policy 22 further sets out that the loss of community facilities can be acceptable if the facility is no longer required and has been vacant for a significant period of time.

- 5.17 Wallington Public Hall has not been in use since the 31 March 2015, due to the prohibitive costs of continued maintenance that impact on the economic viability of its continued operation, and it is set out by the applicants that refurbishment would not be cost-effective. Moreover, the facility was deemed surplus to requirements by the council, as confirmed by the decision of the Environment and Neighbourhood Committee on the 4 September 2014. As such, noting that the existing hall has been vacant for a number of years, and recognising that the site cannot be returned to its current use and remain commercially viable, it is considered that the loss of the existing community facility is acceptable. Furthermore, there are a number of facilities within Wallington which offer facilities for community use and it is therefore considered that there is suitable alternative provision available nearby.
- 5.18 In addition to the loss of the existing community facility, the demolition of Wallington Hall would involve the loss of two independently operated retail units which front Stafford Road, which have a combined floorspace of 132 sqm. The loss of retail floorspace within district centres is resisted by Policies 18 and 19 of Sutton's Local Plan 2018, and the loss of retail units would only be considered acceptable if suitable re-provision is made or an alternative suitable use is proposed. The scheme proposes 132 sqm of replacement commercial floorspace (A1 or A2 use), extending across the whole active frontage on Stafford Road which would make the space more attractive to prospective tenants. On the basis that there would be no net loss of commercial floorspace, and the proposal would represent the introduction of a more consolidated commercial frontage within a Secondary Shopping Frontage area, it is considered that the proposal is acceptable in this regard.
- 5.19 Furthermore, when considering the proposed redevelopment scheme, significant regard is to be had to the adopted site allocation, S12, which sets out that a mixed-use residential and retail scheme should occupy the site, provided some parking is retained.
- 5.20 The proposed scheme would provide 132 sqm of commercial floorspace fronting Stafford Road, with residential uses above and a wholly residential block to the rear. This proposal would be in accordance with the description in the site allocation, and is considered to be an appropriate use of the site having regard to the site's location within Wallington District Centre, within a parade of secondary shopping frontage on Stafford Road. It is therefore considered that the proposal would comply with Policies 2.15 and 4.7 of the London Plan and Policies 6 and 18 of Sutton's Local Plan, and would both improve the retail provision within a district centre, and provide residential uses in a highly sustainable location.
- 5.21 Furthermore, having regard to the NPPF and Policy 3.3 of the London Plan, which independently and cumulatively seek to make the most efficient use of brownfield land, and recognising that the London Plan seeks the provision of new residential development to come from a wide range of sources, including comprehensive redevelopment schemes, it is considered that the proposal makes efficient use of the land within the borough and supports the delivery of new homes within

Wallington and the borough, in accordance with Policy 1 of Sutton's Local Plan 2018.

- 5.22 As such, it is considered that the proposal is acceptable in principle in land use terms, subject to the consideration of all relevant policy guidance and material considerations. The development would make good use of the site, and would be of an appropriate scale and function for its location within Wallington District Centre.
- 5.23 **Design Quality**
- 5.24 Policy 7.4 of the London Plan states that new development should have regard to the pattern and grain of existing spaces in orientation, scale, proportion and mass and should contribute to a positive relationship between the built form and the natural features of a site. Policy 7.5 of the London Plan sets out that development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks as appropriate to help people find their way. Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.
- 5.25 Furthermore, Policy 7.6 of the London Plan states that new buildings should be of a high architectural quality, be of a proportion, composition, scale and orientation that enhances the public realm, and should include details that complement the local architectural palette.
- 5.26 Policy 28 of Sutton's Local Plan states that council will grant planning permission for new development provided that it is attractive, designed to the highest standard and uses high quality materials. In addition, new development should respect the local context and respond to local character, make a positive contribution to the streetscene, and respond to any natural and landscape features of the site.
- 5.27 Policy 7.7 of the London Plan sets out that the boroughs should develop a strategic approach to the location of tall buildings, and should identify areas where they are appropriate. Policy 7.7 goes on to state that tall buildings should be limited to areas of intensification and town centres, should relate well to the form, proportion and scale of surrounding buildings, and should improve the public realm, particular at ground floor level. Policy 28 of Sutton's Local Plan 2018 is considered to reflect the intent of the London plan in this regard, and sets out that taller buildings will be expected to make a positive contribution to the quality of the local and wider townscape, integrate well with the existing built form, include a mix of functions where practicable, ensure safe and attractive amenity/open spaces, and protect the setting of any nearby designated heritage assets.
- 5.28 In addition, Sutton's Urban Design Guide 'Creating Locally Distinctive Places' SPD (SPD14) seeks to ensure that development respects the positive features that contribute to the character and appearance of an area, which includes, among other features, boundary treatments and materials. As such, development will be

expected to respect the local character, by ensuring that the scale of development is appropriate and having regard to the existing characteristics of an area.

- 5.29 Policy 30 of Sutton's Local Plan states that the Council will preserve and, where practicable, enhance the borough's historic environment. As such, development that has an impact on a heritage asset will be expected to conserve and enhance its significance and new development will be expected to integrate into the historic environment and not have an adverse impact on the designated historic environment.
- 5.30 The proposed development comprises two detached blocks, with Block A fronting Stafford Road providing ground floor commercial floorspace with residential uses behind and above, and Block B to the rear being wholly residential. The two blocks would both be part three, part four-storeys in height, with maximum heights of the four storey elements of 12.4 metres and 12.1 metres, and maximum heights of the three-storey elements of 10.2 metres and 9.8 metres for Block A and Block B respectively.
- 5.31 The proposed scheme would adopt a broadly rectilinear approach, as a result of the constrained width of the application site, and would introduce three and four-storey elements onto a site that currently comprises of open hardstanding and a two-storey hall. This would substantially increase the built form in the area, notably projecting southwards. However, as the two detached blocks create reasonable separation with an area of soft landscaping between them, it is considered that the scheme would read as a proportionate addition to the area, reflecting the existing flatted developments to the west, notably Surrey Court and Woodcote Court which read as three and four-storey developments. Moreover, the perception of bulk is mitigated by the separation of the detached blocks, whilst the use of horizontal banding and soft landscaping further integrates the development with its surroundings.
- 5.32 The part of the application site that includes Wallington Public Hall is included within the Wallington Area of Taller Building Potential, with a recommended height level of between four and six storeys, although site allocation S12 suggests that the whole of the site is suitable for buildings of this height. The site is also within the Wallington API, identified in the London Plan as an area suitable for taller developments. The proposed development would be four-storeys in height, notably fronting Stafford Road, where the frontage is currently characterised by three-storey developments including a ground floor commercial element. However, whilst the proposed scheme would be four-storeys within a three-storey parade, the top floor recedes visually, and it is considered that the mansard-style roof with terraces inset into the slope would complement the adjoining properties, which have relatively steep roof slopes.
- 5.33 The proposed height of the Stafford Road elevation would be broadly similar to the adjoining properties, and in the context of the streetscene would contribute to a sense of continuity of built form, noting that the ground floor element would address Stafford Road with a strong frontage encouraging activity and vitality, and would

appear broadly similar to the commercial properties to the east. The shopfront design is considered to be acceptable and would generally comply with Policy 18 of Sutton's Local Plan 2018 and would encourage pedestrian activity and visual interest within the streetscene. It is further noted that a significant part of the four-storey element of Block B is within the taller building area with part of the fourth floor off set to the west and set back behind a small parapet wall to minimise its impact. This would be finished in a contrasting material to those materials below to reduce its visual impact as a whole. It is also noted that the massing of Block B has been broken into three sections by integrating setbacks into the design which help to better integrate the massing into the surrounding context, and this is considered to be acceptable

- 5.34 Furthermore, the design has regard to the properties on Onslow Gardens to the east of the site, which are generally large detached and semi-detached two-storey houses, set back comfortably from the public highway, and which lie within Onslow Gardens/Blenheim Gardens Area of Special Local Character (ASLC). This ASLC is mostly comprised of old late Victorian and early Edwardian semi-detached properties which give the area a strong suburban character. Most have deep front gardens, with mature shrubs, and there are a number of examples of mock Tudor timber detailing. Several of the roads are lined with mature trees of London Plane and Lime, and the majority of gardens include mature trees, conifers and shrubs.
- 5.35 These properties, and the surrounding area generally have a typically suburban character, adjacent to the more urban setting of Wallington District Centre, and this should be preserved. The proposed flatted development would contrast with the properties on Onslow Gardens, being part three and four storeys in height, with significantly less amenity space per unit. However, the local context is mixed, in terms of scale, design and function, and the properties on Stafford Road and Woodcote Road to the north and west respectively are typically of a higher density, consisting of three and four storey flatted developments, including flatted developments and offices in close proximity to the junction of Onslow Gardens and Stafford Road. It is therefore considered that the scale and bulk of the proposal would be appropriate for the site, and the development would respect the prevailing characteristics of its setting, and would not result in harm to the character and appearance of the ASLC as the proposed development is to the rear of the principal street elevation to Onslow Gardens and would be seen in the context of the more varied built form to the west.
- 5.36 Notwithstanding the above, the properties on Onslow Gardens would be separated from the proposed scheme by 35-50 metres of open garden land, and the eastern boundary of the application site is clearly identified and acts as a strong visual barrier. Moreover, at ground floor level, the outlook from Onslow Gardens would remain relatively unaltered, and it is considered that the proposed scheme would be read in relative isolation from these properties, with little impact on the established pattern of development within Onslow Gardens/Blenheim gardens ASLC.

- 5.37 As such, taking into account local context, it is considered that the proposal is acceptable in terms of its scale, massing and bulk, would complement the existing built form and would be respectful of its setting.
- 5.38 In addition to the above, it is considered that the siting and layout of the proposed blocks within the site is supported, and would allow for soft and hard landscaping to break up the massing. Moreover, it is considered that the scheme allows for good legibility throughout the site, with two means of pedestrian access and a clear north-south preference, with good sightlines along the length of the site. It is considered that the main pedestrian route through the site along the eastern boundary would provide an attractive and safe route through the site. It is further noted that there would be clear delineation between the proposed private parking spaces and the public car park to the south, further helping to create a sense of identity between private and public spaces.
- 5.39 The submissions indicate a palette of materials, and this is considered to be appropriate. The specific materials to be used will be secured by way of condition. The use of clay tiles and brick as illustrated in the supporting information would bring depth, texture and tone to the proposal, and add visual interest to the built form. However, whilst these elements are supported, to ensure the proposal will be completed to a high standard of finish, samples of the specific materials will be requested for approval prior to commencement and should include samples of all brick, mortar and clay tiles, and this would be secured by way of a condition.
- 5.40 Taking the above into account, it is considered that the proposal is acceptable in terms of its overall design quality, siting and relationship with the surrounding built form. It is therefore considered that the proposal would generally accord with Policies 7.4, 7.5, 7.6 and 7.7 of the London Plan, Policy 28 and 30 of Sutton's Local Plan and Sutton's Urban Design Guide SPD, and the scheme is acceptable in this regard.
- 5.41 **Trees and Landscaping**
- 5.42 Policy 28 of Sutton's Local Plan 2018 states that new development, where appropriate, should make suitable provision for new planting, trees, and boundary treatments and incorporate well-designed soft and hard landscaping as an intrinsic feature of any proposal. It further sets out that where trees are present on site, a landscaping scheme should be submitted with the application which makes provision for the retention of existing trees, especially those which are significant within the local landscape.
- 5.43 In addition, site allocation S12 sets out that any development scheme for the site should provide sufficient amenity/open space and effort should be made to retain the planting within and around the site, with particular regard to the mature and protected trees which are sited along the eastern and southern boundaries of the site.

- 5.44 In support of the application, an Arboricultural Report Impact Assessment (AIA), an Arboricultural Method Statement (AMS) and a Tree Protection Plan (TPP) have been submitted, together with layout plans showing the broad intention of the proposed landscaping scheme. Information contained within the Surface Water Management Strategy (SWMS) is also of relevance.
- 5.45 The Principal Tree Officer has reviewed the submitted information, and has concluded that the submissions are mostly satisfactory, with the retention of the mature and locally significant trees within the site, however some amendments and additions to the AIA and AMS are required to make the proposal acceptable.
- 5.46 The SWMS depicts a Cellular Storage system within the Root Protection Area (RPA) of T27 (horse chestnut), and this would result in excavation within the RPA of T27. As such, an amendment would be required to the current submitted AMS for these works, which have not been detailed. The SWMS further depicts Permeable Paving on 500mm open-graded sub-base within the RPA's of both on-site and off-site, trees to be retained, and this should also be reflected in the AMS. In addition, the Submitted TPP should be amended to include a revised fencing system which complies with the British Standard.
- 5.47 These amendments are considered to be relatively minor, and would not warrant a reason for refusal, having regard to the presumption in favour of sustainable development, and noting that the submissions are largely acceptable and the AIA has been completed to a good standard. As such, these amendments would be sought through the use of conditions, requiring an amended AMS and TPP to be submitted to the council for written approval prior to the commencement of the development.
- 5.48 Whilst some landscaping features have been detailed on the submitted drawings, limited information has been provided on the details of the species of trees and plants, their densities and their suitability having regard to soil depths and volumes. As such, whilst the proposed landscaping is considered to be broadly acceptable, and would provide a good level of open space both within the site and surrounding Block B, additional information is required in the form of a comprehensive scheme of landscaping, This information would be secured by way of a condition.
- 5.49 **Impact on Neighbours**
- 5.50 Policy 29 of Sutton's Local Plan states that the council will not grant planning permission for development if it adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties, or has an unacceptable impact on the residents of the surrounding area. As such, in assessing the impact of a proposed development, the council will take into consideration the impact on privacy, sunlight or daylight, noise and disturbance, sense of enclosure and outlook, together with effects on microclimate, odour, smoke fumes and dust.

- 5.51 In addition, the Design of Residential Extensions SPD (SPD4) sets out that due consideration should be given to the siting of developments, especially in tightly constrained plots, as unsympathetic developments can result in a significant loss of light and outlook to nearby residential properties, or can result in a loss of privacy to nearby residential properties. Whilst SPD4 generally relates to proposals for residential extensions, it provides a useful set of guidelines against which other forms of residential development can be assessed, and it sets out that developments should not result in a significant loss of privacy to main habitable rooms of nearby properties or gardens or patio areas.
- 5.52 The proposed development would introduce a development of three and four storeys onto a site currently occupied partly by a two-storey community hall, and partly occupied by hardstanding in use for parking spaces. The scheme would have mixed heights for its three and four-storey elements, and would be between 9.8 metres and 10.2 metres, and 12.1 metres and 12.4 metres respectively in this regard.
- 5.53 The scheme comprises of two blocks, with Block A projecting 14.0 metres beyond the rear elevation of the adjoining property to the west and 18.0 metres beyond the rear elevation of the adjoining property to the east on Stafford Road, at a height of three-storeys. The adjoining properties appear to be typical of the parade, and have ground floor commercial uses, with residential uses at first and second floor level.
- 5.54 Block B would be sited to the south of Block A and would have a length (north-south) of approximately 33 metres and a width (east-west) of approximately 18 metres. It would be sited between 35 and 50 metres from the rears of the properties on Onslow Gardens, 19-25 metres from the rears of the properties on South Parade, 21-24 metres from the rear of Langham House and Woodcote Court, 20-22 metres from the properties within Nos. 7-10 Surrey Court, and 11-18 metres from the properties within 5-8 Beech House.
- 5.55 In support of the application, a Daylight and Sunlight Assessment (DSA) has been submitted, which outlines the baseline conditions of the site and predicts the potential impacts of the development, quantifying the daylight and sunlight that will be available within the habitable rooms of the surrounding buildings and the proposed units. This report has been compiled in accordance with BRE guidance, and makes an assessment of the impact on living rooms, kitchens and bedrooms as sensitive receptors. The DSA further details that an assessment of habitable rooms has been made in respect of Nos 2-10 and 14-20 Onslow Gardens, Nos. 1 and 2 Stafford Road, Langham House, Woodcote Court, Nos. 1-10 Surrey Court, and Nos. 1-8 Beech House.
- 5.56 The results of the assessment of daylight impacts are detailed in the DSA and overall, it concludes that there would be a reduction in the amount of daylight reaching the buildings that surround the development site, with a negligible impact on the properties on Onslow Gardens. However, for the majority of rooms affected, this loss would be within the acceptable parameters set out within the BRE

guidelines. The DSA does, however, identify that there would be harm to approximately 5% of the affected windows, specifically four windows serving three separate rooms of 1 South Parade and three windows serving two separate rooms of Langham House, immediately adjacent to Block A. The DSA does however, set out that whilst there would be harm to a number of windows within these properties, the windows serve rooms with more than one source of light, and as such, this would not be sufficient ground to resist the development, as overall this represents a negligible impact on the amenity of these properties in terms of loss of daylight.

- 5.57 In addition, the DSA sets out that three separate test were conducted on the surrounding residential properties in respect of direct sunlight, where the BRE guidance states that there would not be a significant impact if only one of each of the tests is passed on each affected window. The results in the submitted DSA conclude that 37 out of the 40 tested windows passed at least one of the three sunlight tests, and the three windows that failed to pass one of the tests served rooms which would still be provided with an acceptable level of direct sunlight, by virtue of other unaffected windows.
- 5.58 From the above, it can therefore be concluded that the proposed development would accord with Policy 28 of Sutton's Local plan 2018, in that the scheme would not result in a significant loss of daylight or sunlight to any nearby residential properties.
- 5.59 In addition to the above, objections have been received on grounds of a loss of privacy to adjoining or nearby residential properties, particularly those on Onslow Gardens and within Woodcote Court to the east and west respectively.
- 5.60 Whilst SPD4 generally relates to proposals for residential extensions, it provides a useful set of guidelines against which other forms of residential developments can be assessed, and it sets out that developments should not result in a significant loss of privacy to main habitable rooms of nearby properties or gardens or patio areas. To achieve this, SPD4 recommends that separation distances between facing windows of at least 20 metres should be retained, and side windows looking directly into neighbours' properties should be avoided.
- 5.61 Block A would extend beyond the rear elevations of the adjoining properties by 14-18 metres, and includes windows serving main habitable rooms at first and second floor level facing east and west. It is recognised that this would result in facing windows less than the 20 metre separation distance recommended by SPD4, and less than side to rear elevation distances of 14 metres.
- 5.62 However, it is noted that the windows facing west would be positioned at oblique angles to the windows within the properties fronting Stafford Road, and the loss of privacy and the perception of overlooking would therefore be reduced. Moreover, noting the relatively high levels of flatted development in the area including Woodcote Court and Surrey Court to the west and south respectively, there is an existing level of mutual overlooking, which is a characteristic feature of such a

location within a District Shopping Centre, and as such, is not considered objectionable.

- 5.63 It is further noted that there would be a minimal increase in overlooking towards the east as a result of the proposed development. However, given the largely urban setting of the development, and the existing site circumstances where some level of mutual overlooking exists, it is considered that this is acceptable in this location. Moreover, the affected windows appear to serve rooms which are served by more than one window, and it is therefore considered that there is unlikely to be a significant loss of privacy to the properties to the east as a result of the proposed development. Notwithstanding this, having regard to the shorter separation distances, a condition is included which requires the east facing windows within Block A to be fitted with obscured glass and fixed shut up to a height of 1.7 metres above the internally finished floor levels, and the balconies/terraces facing east to be fitted with a privacy screen.
- 5.64 Block B would be sited between 35 and 50 metres from the rear of the properties on Onslow Gardens, 19-25 metres from the rears of the properties on South Parade, 21-24 metres from the rear of Langham House and Woodcote Court, 20-22 metres from the properties within Nos. 7-10 Surrey Court, and 11-18 metres from the properties within 5-8 Beech House.
- 5.65 Similarly to Block A, although the separation distances between the development and the windows of Nos. 5-8 Beech House and the south-west corner of Block B are less than 20 metres, it is recognised that the site lies within an urban setting, within Wallington API where greater separation distances are unlikely to be achieved whilst achieving higher density development. Moreover, the terrace in the south-west corner would include a privacy screen along its southern boundary, and windows would not directly face one another, sitting at oblique angles. It is further considered that the separation distances between Block B and the rears of the properties on Onslow Gardens, which range from 35 metres to 50 metres, would exceed the minimum recommended separation distances in SPD4 and the proposal would therefore be unlikely to result in significant harm to the occupiers of these properties in terms of a loss of amenity.
- 5.66 On this basis, it is considered that the proposal would not result in a significant loss of amenity to the neighbouring or nearby residential properties, and the proposal would generally accord with Policy 29 of Sutton's local Plan and the recommendations of SPD4.
- 5.67 **Living Conditions for Future Occupiers**
- 5.68 Policy 3.5 of the London Plan states that new developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. As such, to ensure that new developments provide a satisfactory standard of living accommodation, the minimum space standards set out in Table 3.3 of this policy should be adhered to.

- 5.69 Policy 9 of Sutton's Local Plan is considered to reflect the London Plan and states that planning permission will not be granted for new residential developments, including conversions, which do not meet the internal space standards set out in Policy 3.5 of the London Plan.
- 5.70 In addition, the council will not grant planning permission for new residential development that does not provide an adequate amount of private amenity space, which will be considered on a case by case basis, taking into account the guidance set out in Sutton's Urban Design Guide SPD, the Mayor's Housing SPG, and local character.
- 5.71 As such, unit sizes within the proposed scheme would be expected to have minimum Gross Internal Areas (GIAs) of 50 sqm for one-bedroom, two-person flats, 61 sqm for two-bedroom, three-person flats, 70 sqm for two-bedroom, four-person flats, 74 sqm for three-bedroom, four-person flats and 86 sqm for three-bedroom, five-person flats.
- 5.72 All 31 of the proposed flats would meet or exceed the minimum requirements set out above, and it is considered that the layout of each unit would allow for good internal circulation and provide an acceptable level of amenity. In addition, it is noted that the majority of units are dual aspect, and there are no single-aspect north facing units.
- 5.73 Notwithstanding this however, some concern is raised in respect of the facing windows and terraces above ground floor level between the southern elevation of Block A and the northern elevation of Block B. The separation distances between facing windows serving habitable rooms in this regard ranges from approximately 10 metres to 14 metres, which is below the recommendations of SPD, which seek distances of 20 metres, and whilst smaller distances can be acceptable in urban areas depending on site circumstances, the proposed separation is likely to result in overlooking unless there is appropriate mitigation.
- 5.74 As such, to reduce this identified harm, a condition is included which requires all windows in the northern elevation of Block B above ground floor level to be glazed with obscured glass and fixed shut to a height of 1.7 metres above floor level, and maintained as such, with the terraces including a privacy screen on their northern elevations. The affected habitable rooms within Block B are all dual aspect rooms with windows facing either east or west, which is where the majority of natural light and daylight would enter the room. In addition, to ensure the ground floor double bedroom of Flat B-G 0.4 maintains a sufficient level of privacy, and in accordance with guidance on designing out crime, the northern window serving this room shall similarly be obscure glazed and fixed shut, noting its location abutting the public domain and proximity to the proposed bin store.
- 5.75 Furthermore, it is noted that all of the proposed units would be provided with some level of private external amenity space, with two ground floor units being provided with private garden space. These terrace areas vary in size, and some do not provide 5 sqm of external private space in accordance with the Mayor's SPG.

However, some communal amenity space would be provided between the two blocks, and it is recognised that in urban and district centres, the provision of private external amenity space should be assessed with regard to local context and availability within the scheme.

- 5.76 As such, it is considered that through the combination of communal space and private amenity space, and the commitment shown to meet and exceed the Mayor's minimum internal space standards, the future occupants of the proposed units would benefit from a good standard of living, and the proposal would accord with Policy 3.5 of the London Plan and Policy 9 of Sutton's Local Plan 2018.
- 5.77 **Parking and Highway Safety**
- 5.78 Policy 6.13 of the London Plan sets out that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking provision, and seeks to encourage cycling, walking and public transport use in accordance with Policies 6.9, 6.10 and 6.11 of the London Plan respectively.
- 5.79 Policy 6.13 of the London Plan further sets out that new developments providing parking provision should ensure that 1 in 5 spaces provide an electrical charging point, provide parking for disabled people, meet the minimum cycle storage standards, provide the needs of business for delivery and servicing and commit to the production of a Travel Plan to reduce provision over time.
- 5.80 Policy 37 of Sutton's Local Plan states that new developments should provide the appropriate amount of car parking in accordance with the council's restraint based, maximum car parking standards, taking into account Public Transport Accessibility Levels (PTALs), existing publicly available parking provision and usage in the vicinity of the site, and the need to deter unnecessary car use while avoiding overspill parking problems.
- 5.81 In addition, Policy 37 sets out that in town and district centre locations, applications for developments proposing limited or no parking will be favourably considered, provided it can be demonstrated to the council's satisfaction that the development would not result in an increase in on-street parking which would adversely affect traffic flow, highway safety, residential amenity and the local environment. This policy seeks to ensure that sufficient off-street parking provision is included with any development up to a specific standard, but not to exceed it, and the number of spaces provided will normally be lower than the maximum in those areas most accessible by public transport in order to encourage the use of public transport and other forms of sustainable transport.
- 5.82 The application site comprises Wallington Public Hall and its car park, and part of the public car park to the south of the hall. As a result of the proposed development, 39 public car parking spaces would be lost, and the retention of at least 40 public car parking spaces. The loss of the 39 spaces has previously been discussed, and it was confirmed at the Environment and Neighbourhood

Committee on the 17 August 2015 that this loss would be acceptable, as the car park is underutilised and demand is unlikely to increase beyond remaining capacity as a result of the loss. This committee did however, resolve to retain at least 40 spaces in the car park to the south to meet current and future demand. As recommended, over 40 spaces would be retained in the car park to the south, and it is considered that this would be an acceptable level of spaces to retain without having a significant adverse impact on local parking stress.

- 5.83 The application site lies in an area with a 'good' PTAL of 4, and it is recognised that the site is well served by bus links, particularly on Stafford Road and Woodcote Road, and Wallington Railway Station is within walking distance of the proposed scheme. In addition, the site lies within Wallington District Centre and Wallington API, where it would be expected that development schemes seek to discourage a reliance on private car use, in favour of more sustainable modes of transport.
- 5.84 12 off-street parking spaces would be provided to the south of Block B, delineated from the public car park further to the south, which would retain 40 parking spaces for continued public use, and 3 of these spaces would be accessible for people with disabilities. The existing access to the car park on Woodcote Road would be used to access this parking area, and pedestrian access to the site would be achieved by way of a covered pathway fronting Stafford Road, which would run the length of the site, with a secondary means of access from Woodcote Road, between Surrey Court and Woodcote Court, which connects to the north-south access route through the site
- 5.85 A Transport Statement (TS) has been submitted in support of the application, which sets out that the proposed development would not lead to a material increase in traffic on the local highway network, by reason of an analysis of likely traffic/trip generation, and by reason of the good public transport links nearby.
- 5.86 The council's Principal Highways Engineer has set out that the maximum off-street parking provision would equate to 32 off-street parking spaces, and further states that the provision of 12 off-street parking spaces amounts to an underprovision of 20 spaces.
- 5.87 Whilst it is recognised that the intent of the London Plan and Policy 37 is to reduce the reliance on private car trips, and it is further recognised that the maximum provision set out in local policy should not be sought, having regard to the good PTAL and the existing and predicted car ownership in the area, it is considered that the development would have a significant increase in on-street parking. It has therefore been agreed between the applicants and the local planning authority that mitigation needs to be provided for the shortfall in off-street parking.
- 5.88 As such, to mitigate for this underprovision, the applicant has committed to providing two fully funded car club spaces within the public car park to the south, which would serve the future occupiers of the proposed development and the wider community. Car Clubs help to reduce a reliance on private car ownership, and it is set out in Policy 6.13 of the London Plan that each car club vehicle typically results

in members reducing their annual car mileage by more than 25 per cent, as car clubs encourage use of other more sustainable modes of transport. In addition, the Car Clubs SPD (SP6) sets out that both Wallington South and Wallington North are considered to be within areas of high priority for establishing car clubs, and are should be considered the priority area for car clubs excluding the areas around Sutton Town Centre.

- 5.89 The proposed two car club spaces have been assessed by the council's Principal Highways Engineer and the council's Sustainable Travel team, and it is considered that this would be an acceptable and necessary provision to ensure the proposal does not result in a significant increase in on-street parking in the area. These car club spaces would be funded by the applicant, either through a one-off payment or instalments, and the costs would include the establishment of the car club, the encouragement of its use, and the cost of using the public car park spaces. This commitment would be secured by way of a legal agreement linked to the planning permission, should it be granted.
- 5.90 In addition to the parking for the proposed residential use, the commercial/retail units are proposed without any dedicated parking spaces. However, there are on-street short term parking laybys in-front of the site, which appear to be utilised by the adjoining and nearby units for deliveries, and it is anticipated that this would be acceptable for the future tenants of these commercial spaces and would not give rise to any highways concerns.
- 5.91 The provision of 54 secure cycle parking spaces meets the Sutton minimum cycle parking standards, and is considered an acceptable level of provision which would encourage sustainable modes of transport. Full details of the cycle storage enclosures design and choice of materials will be secured by condition.
- 5.92 Taking all of the above into account, it is considered that despite the underprovision of off-street parking spaces within the site, appropriate mitigation has been proposed which would offset this and would result in a development which would generally comply with Policies 6.9, 6.10, 6.11 and 6.13 of the London Plan, and Policy 37 of Sutton's Local Plan, and the proposal is therefore considered acceptable in this regard.
- 5.93 **Affordable Housing Provision**
- 5.94 Policy 8 of Sutton's Local Plan 2018 sets out that the council will seek to maximise affordable housing from all sources, of which 75% should be for social/affordable rent and 25% intermediate, in accordance with the council's Strategic Housing Market Assessment (SHMA). Policy 8 further sets out that the threshold number of residential units within a scheme, at which point affordable housing will be sought as a requirement by the council, is 11 units. Schemes creating 11 or more units would be expected to provide a minimum of 35% affordable housing on-site, subject to an assessment of the deliverability of the scheme taking into account individual site costs, economic viability, the availability of public subsidy and any other scheme requirements.

- 5.95 The application also has regard to the Mayor's Viability Supplementary Planning Guidance (SPG) which confirms that any proposal on public land that achieves over 50% of affordable units without grant and meets the tenure mix, can benefit from the Fast Track Route which means there is no requirement to assess financial viability. For major developments on public land which cannot achieve the 50% threshold for affordable housing the proposed provision should be accompanied with supporting viability evidence, within a standardised format as prescribed within the SPG. The guidance also suggests that a review clause is inserted within any legal agreement securing affordable housing provision so that any surplus profit can provide further affordable housing.
- 5.96 The proposed scheme would provide 11 affordable units, out of a total of 31 flats, which equates to a provision of 35.5% and it is proposed that all of the affordable units are for affordable/social rent with no intermediate products. As such, having regard to the Mayor's Viability SPG, the submission of a viability assessment is a requirement, as the scheme relates to public land, where the threshold for benefiting from the 'fast-track' route is 50% provision.
- 5.97 A Viability Assessment has been submitted in support of the application, and has been independently assessed by Aspinall Verdi on behalf of the local planning authority. The full assessment provided by Aspinall Verdi is attached to the application file, however, they have concluded that the applicant's offer of 35.5% affordable housing provision is both reasonable and deliverable, and the scheme would accord with both Policy 8 of Sutton's Local Plan 2018 and the Mayor's Viability SPG.
- 5.98 Moreover, the council's Housing Enabling team have set out that the provision of 35.5 % affordable housing is welcomed, and would contribute to the borough's targets. They have further commented that the proposal to provide 100% rented units is welcomed as a preference over a tenure mix of 75% affordable rent and 25% intermediate housing, as this would help to offset other sites within the borough that offer a disproportionate amount of intermediate and shared ownership dwellings, to the detriment of the borough's provision of affordable rented units. In addition, the provision and mix of unit sizes is considered acceptable having regard to the site's location within Wallington District Centre and Wallington Area of Potential Intensification.
- 5.99 **Flood Risk and SuDs**
- 5.100 Policy 5.13 of the London Plan states that new development should utilise sustainable urban drainage systems (SuDs) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 5.101 Policy 32 of Sutton's Local Plan 2018 sets out that proposed developments should avoid or minimise all sources of flood risk to people and property, taking account of climate change, without increasing flood risk elsewhere by preparing site-specific

flood risk assessments (FRAs) in support of all proposals in Flood Zones 2 or 3, all major proposals in Flood Zone 1 over 1ha and any proposal in a critical drainage area. FRAs should assess all sources of flood risk to and from the development and show how these risks will be managed, taking climate change into account, in line with minimum requirements set out in national planning policy.

- 5.102 In addition, proposed developments should incorporate effective measures as part of the design and layout of the development in order to manage surface water run-off as close to its source as possible and achieve the minimum SuDs performance standards through the application of the Mayor's drainage hierarchy.
- 5.103 The proposed development would be a major development in Flood Zone 1, and as such, the applicants have submitted a Surface Water Drainage Strategy (SWDS), which includes an FRA, and sets out a number of SuDs including permeable surfacing, cellular storage, water butts and sedum roofs. It is set out that these would be used to store water on-site before it is discharged to the public sewer system. Whilst some concern is raised with regards to the proposed 'sedum' roof (discussed below at paras: 5.114 – 5.121), the proposed measures are considered broadly acceptable, and both Thames Water and the council's Flood Risk Officer raise no objection to the proposal, subject to conditions requiring the submission of a maintenance plan and compliance with the agreed proposals.
- 5.104 **Carbon Dioxide Reductions**
- 5.105 Policy 5.2 of the London Plan states that proposals should make the fullest contribution to minimising carbon dioxide emissions, and further sets out that proposals for major developments should include a detailed energy assessment to demonstrate how the targets for carbon dioxide (CO₂) emissions should be met. For the purpose of the London Plan and Sutton's Local Plan 2018, CO₂ emissions are expressed as a percentage improvement over Part L of the 2013 Building Regulations.
- 5.106 Policy 31 of Sutton's Local Plan 2018 is considered to reflect the requirements of the London Plan and requires all residential buildings forming part of a major development to achieve 'zero carbon' standards by achieving at least a 35% reduction in regulated CO₂ emissions on site and offsetting the remaining regulated emissions (to 100%), through the delivery of CO₂ reduction measures off-site through a legal agreement, payable to the council's carbon offset fund priced at £60 per tonne over 30 years. In addition, all major non-residential developments should achieve at least a 35% reduction in regulated CO₂ emissions on site.
- 5.107 Policy 31 further states that all planning applications for new dwellings or major non-residential developments should be supported by an Energy Statement incorporating 'as-designed' Building Regulations Part L outputs to demonstrate how the relevant targets for reducing CO₂ emissions will be met. The Energy Statement should include calculations of energy demand and emissions at each stage of the

Mayor's energy hierarchy for both regulated and non-regulated elements in line with GLA 'Guidance on Preparing Energy Assessments' as amended.

- 5.108 An Energy and Sustainability Statement has been submitted with the application, in accordance with the requirements of Policy 5.2 of the London Plan and Policy 31 of Sutton's Local Plan 2018, and this has been assessed by the council's Sustainability Officer.
- 5.109 The submitted Energy and Sustainability Statement sets out that the development scheme would deliver on-site CO2 savings of 35.2% compared to a Part L 2013 compliant scheme, consisting of 36.4% for the residential components and 25.8% for the non-residential components of the development. In addition, the development exceeds Part L compliance through energy efficiency measures alone.
- 5.110 These measures are all supported, and it is considered that the proposed development is generally compliant with the requirements of Local Plan Policy 31, London Plan Policy 5.2 and the Mayor's Guidance on preparing Energy Statements 2016.
- 5.111 The applicant has indicated that payment to the council's carbon offsetting fund would harm the delivery of affordable housing provision, and this payment cannot be made. In this instance, having regard to the financial viability appraisal submitted with the application, the provision of a payment towards the carbon offset fund has to be balanced with all other relevant policy guidance and the need to provide affordable housing in particular. It is the officer's recommendation that the priority to provide affordable housing should be given greater weight in the balance of considerations and a contribution is not sought on this basis.
- 5.112 It is further noted that 'as designed' SAP and BRUKL worksheets have been provided with the application, and these are considered acceptable evidence at this stage of the planning process. However, a condition would be included which requires the submission of 'as built' SAP and BRUKL worksheets to ensure compliance.
- 5.113 Based on the above, it is considered that the proposal is acceptable in terms of the proposed carbon dioxide reductions over the lifetime of the development, and the proposal would generally accord with Policy 5.2 of the London Plan and Policy 31 of Sutton's Local Plan 2018.
- 5.114 **Biodiversity Impact and Enhancements**
- 5.115 Policy 26 of Sutton's Local Plan 2018 states that major developments should result in no net loss of biodiversity value, and new developments will be expected to incorporate opportunities to enhance biodiversity wherever possible. Policy 26 reflects Policy 7.19 of the London Plan which sets out the new developments should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

- 5.116 An Ecological Assessment was submitted with the application, which states that no significant vegetated habitats will be lost as a result of the proposed development, with the main ecological features of the site being retained, in the form of the high quality mature trees which are located near to the boundaries of the site. In addition, the existing hall was assessed as having negligible bat roosting potential, and no features with the potential to support roosting bats would be lost.
- 5.117 The Ecological Assessment goes on to set out a number of small biodiversity enhancements which should be incorporated into the scheme, comprising the planting of 12 semi-mature trees within the site, fitting two integral or built-in bat roosting bricks into the new residential buildings, the installation of nest boxes, a small mounted bug hotel, and green walls and green roofs accommodating climbers.
- 5.118 The Ecological Assessment has been reviewed by the council's Senior Biodiversity Officer, and some concern is raised over the methodology used for the Phase 1 Walkover Survey, and no evidence of existing potential roost features for bats have been provided.
- 5.119 Notwithstanding these concerns however, the council's Senior Biodiversity Officer is satisfied with the overall conclusions and recommendations of the Ecological Assessment, based on the location of the application site and the relatively poor quality existing habitats therein, and therefore raises no objection to the proposed scheme.
- 5.120 However, it is considered that the recommendations within the Ecological Assessment do not provide sufficient clarity as to what will be delivered to benefit biodiversity, with little or no commitments to provide several of the enhancements listed above. Moreover, without a comprehensive landscaping strategy, it is difficult to determine the biodiversity gains within the development, as there is no information on the density, size, location and number of proposed flora. Further concern is raised with regards to the submitted Surface Water Management Strategy, which has failed to factor in the benefits of a biodiverse roof or urban greening opportunities, and the inclusion of a simple 'sedum' roof only would fail to provide real biodiversity gains on site.
- 5.121 As such, a condition would be included which requires the submission of a Biodiversity Enhancement and Management Plan (BEMP), for approval by the local planning authority, which shall include full details of extensive biosolar/biodiverse roofs on each building and other green infrastructure and soft landscaping, including trees, flowering lawn and herb planters, as well as nesting and roosting opportunities for birds, bats and invertebrates, and a strategy for delivering these improvements on site.

5.122 Refuse Provision

- 5.123 Policy 5.17 of the London Plan requires the provision of suitable waste and recycling storage facilities in all new developments. In addition, the London Housing SPG states that the provision and design of waste recycling facilities within residential developments should support and enable collection authorities to fulfil their role and states that the management of waste and recycling in flatted developments needs to be factored into the design of individual dwellings and buildings at an early stage with adequate, accessible and convenient waste and recycling storage and collection facilities provided. Furthermore, the London Housing SPG states that refuse and recycling stores within buildings should be located to limit the nuisance caused by noise and smells and maintained to a high hygiene standard and should be provided in accordance with local authority requirements and meeting at least British Standard BS5906:2005 Code of Practice for waste management in Buildings.
- 5.124 The proposed scheme would provide two areas dedicated to the storage of waste and refuse. The refuse storage area for Block A would be located to the south-west of Block A, near to the secondary pedestrian access from Woodcote Road, and it has been indicated that this secondary access be used on collection days by the waste collection provider. The refuse storage area for Block B would be located adjacent to the disabled parking bays within the proposed car park to the south of Block B, and the refuse would be collected utilising the existing access to the site from the public car park to the south.
- 5.125 The council's waste collection provider has been consulted on the proposal, and have set out that the proposed locations and size of the bin storage areas appears feasible, and would allow the council to collect waste from the site. Notwithstanding this however, a condition would be included requiring the submission of a waste collection and management scheme detailing how the waste would be stored and collected from within the site. In addition, a condition requiring further details on the size and facing materials of the proposed bin stores shall be submitted to the council for approval.
- 5.126 In addition to the refuse provision for the residential aspects of the scheme, refuse provision for the ground floor commercial element would be provided fronting Stafford Road. Whilst the provision of this refuse store within a shopping frontage is not ideal in terms of providing an active and interesting shopfront, it is recognised that the proposed store would be modest, and this location would provide easy and convenient access for any waste collection service, without dominating the appearance from the public realm.
- 5.127 Based on the above, it is considered that the proposal would be able to provide a satisfactory level of refuse provision within the site, subject to detailed conditions setting out the means of storage and method of collection from within the site.

5.128 Public Sector Equality Duty (PSED) and Human Rights

5.129 Under the Equalities Act 2010, the council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the PSED. The application proposals are not considered to conflict with the Duty.

5.130 The application has also been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report, is compatible with the Act.

5.131 Financial Contributions

5.132 The London Borough of Sutton introduced its Community Infrastructure Levy (CIL) charging schedule in April 2014. Any new build, that is a new building or an extension, is only liable for the levy if it has 100 square metres, or more, of gross internal floor space or creates an additional residential unit and is charged at a rate of £100 per sqm for residential floorspace and £120 per sqm for retail floorspace. 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).

5.133 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.

5.134 The proposed development would have a GIA of 2,808 sqm, of which 2,676 sqm would be residential floorspace and 132 sqm would be retail floorspace. The existing floorspace of Wallington Public Hall and the retail shops contained within it occupies 1,279 sqm, and this can be deducted from the proposed floorspace. As such, the net increase in floorspace would be 1,529 sqm, of which 1397 sqm would be residential floorspace and 132 sqm would be retail floorspace. The development would therefore be CIL liable in respect of £200, 876.32, with £165, 418.83 payable as Sutton's CIL and £35, 457.49 payable as Mayoral CIL for its residential floorspace. In addition, the development would be CIL liable in respect of £22, 106.46 with £18, 756.15 payable as Sutton's CIL and £3, 350.31 payable as Mayoral CIL for its retail floorspace.

5.135 The combined CIL payments therefore total £222, 982.78.

5.136 Any future deductions of CIL relating to affordable housing provision have not been included in these calculations, and it is set out that the scheme would provide 632 sqm of affordable housing and 167 sqm of communal space would serve the proposed affordable units.

6.0 CONCLUSIONS AND RECOMMENDATIONS

- 6.1 The loss of the community facility, the 39 public parking spaces and two independently operated shops within Wallington District Centre is considered acceptable having regard to the hall's extended vacancy and the costs associated with its continued use for community purposes. Moreover, the development would incorporate a ground floor commercial unit fronting Stafford Road of an equivalent size to compensate for that which would be lost.
- 6.2 The provision and mix of unit sizes is considered acceptable having regard to the site's location within Wallington District Centre and Wallington Area of Potential Intensification, and the provision of 11 affordable housing units (35.5%) is considered acceptable.
- 6.3 The proposed scheme is considered to be of a good design quality, addressing Stafford Road with a strong frontage and providing a sense of continuity in built form. In addition, the bulk and massing of two detached, part three, part four-storey blocks arranged in a broadly linear layout is considered to be acceptable, having regard to the existing site circumstances. Moreover, the scheme proposes to retain the trees within or adjoining the site which are of local amenity value.
- 6.4 The proposed scheme would not result in significant harm to any of the adjoining or nearby residential properties, and the harm identified to some properties in terms of loss of light and privacy would not warrant a reason for refusal, noting that affected windows serve rooms which are served by multiple windows.
- 6.5 The quality of accommodation proposed would be of a good standard, ensuring an acceptable standard of living for the future occupiers, and the layout and orientation of windows, together with conditions requiring obscure glazing would ensure that all future properties benefit from an acceptable level of light and privacy.
- 6.6 The combination of twelve parking spaces for the future use of the residents, and the commitment from the applicant to fully fund two car club spaces in the car park to the south for three years is considered to be an acceptable level of off-street parking provision which is unlikely to give rise to a significant increase in on-street parking in the area.
- 6.7 The proposed development would make effective use of brownfield land, contributing to the borough's housing stock and would generally accord with the recommendations of the site allocation S12 and other relevant policies contained within Sutton's Local Plan 2018, and on this basis, the proposal is recommended for approval.
- 6.8 For these reasons the proposal is considered acceptable and it is recommended that planning permission is granted, subject to conditions and a legal agreement.

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D2018/78694/3FR

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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

Wallington Public Hall And Public Car Park To The Rear, Stafford Road,
Wallington, SM6 9AQ

Demolition of Wallington Hall and the removal of 39 public parking spaces to allow for the erection of two buildings with both being part three, part four storeys in height. The proposal comprises a total of 31 self-contained flats (eight 1-bedroom, twenty one 2-bedroom and two 3-bedroom) and 132sqm of A1/A2 use commercial space together with 12 car parking spaces accessed from Woodcote Road and 54 cycle parking spaces, communal and private amenity space and refuse store.

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) Prior to the commencement of building works on site, including demolition and site clearance works, a Construction Logistics Plan (CLP) and Construction Management Plan (CMP), to include details of: (a) loading and unloading of plant and materials; (b) storage of plant and materials; (c) programme of works (including measures for traffic management); (d) provision of boundary hoarding, behind any visibility zones of construction traffic routing; (e) hours of operation; (f) means to prevent deposition of mud on the highway; (g) and means to control dust, noise and vibrations have been submitted, to and approved in writing 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, and to ensure the development process does not have a significant adverse impact on the amenities of nearby residential properties in accordance with Policies 34 and 37 of Sutton's Local Plan 2018.

(3) Prior to the commencement of any building work on site, including demolition and site clearance works, an Arboricultural Method Statement (AMS), prepared in accordance with the recommendations made within 'BS5837:2012 Section 6.1 Arboricultural method statement' and a Tree Protection Plan (TPP) prepared in accordance with the recommendations made within 'BS5837:2012 Section 5.5 Tree Protection Plan' shall be submitted to, and approved in writing by, the Local Planning Authority, and the approved details shall be implemented on site. All trees on and adjacent to the site, shown to be retained, shall be protected in accordance with the recommendations in 'British Standard BS 5837: Trees in Relation to Design, Demolition and Construction - Recommendations (2012)'. There will be no materials stored within Construction Exclusion Zone (CEZ), and the Tree Protection Fencing (TPF) and other measures shall only be removed on the completion of development.

Reason: To ensure trees significant in terms of their provision of local amenity are protected from construction damage, in accordance with best practice and Policy 28 of Sutton's Local Plan 2018.

(4) Prior to the commencement of building works on site, excluding demolition and site clearance works, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from contamination at 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 the remediation strategy 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 require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: For the protection of Controlled Waters. The site is located over a Principal Aquifer and within SPZ2 and it is understood that the site may be affected by historic contamination.

(5) Prior to the commencement of building works on site, excluding demolition and site clearance works, samples of the materials to be used on the exterior of the proposed buildings and a schedule of their locations, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details and thereafter permanently retained as such.

Reason: To ensure the development is implemented to a high standard in accordance with the principles of Policy 28 of Sutton's Local Plan 2018.

(6) Prior to the commencement of building works on site, excluding site investigations and demolition, the applicant must submit a final detailed drainage design including drawings to the Local Planning Authority for its review and written approval. This must include a detailed maintenance plan for the proposed drainage features and demonstrate whether small-scale above-ground SuDS features can be incorporated into the site, whilst achieving an off-site runoff rate restriction to greenfield levels including suitable climate change allowance. An updated version of the approved surface water drainage proposals (December 2017 Surface Water Management Strategy) must be submitted to reflect any material changes to the proposed drainage system.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy 5.13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Policy 32 of Sutton's Local 2018.

(7) Prior to the commencement of building work on site, excluding demolition and site clearance works, a completed GLA Overheating Checklist together with further details of all proposed measures for minimising the development's potential contribution to the urban heat island (UHI) effect and for avoiding overheating and excessive heat generation arising from future climate change must be submitted to the Local Planning Authority and approved in writing. The design, layout and ventilation strategy for the development should be based on the outcome of dynamic thermal modelling and demonstrate compliance with the Mayor's cooling hierarchy as set out in Policy 5.9 of the London Plan.

Reason: To comply with Policy 5.9 of the London Plan and Policy 33 of Sutton's Local Plan 2018.

(8) Prior to the commencement of building works on site, excluding demolition and site clearance works, a scheme of external lighting shall be submitted to, and approved in writing by, the Local Planning Authority, which shall include full details of the size, positioning and luminance of the proposed lights, and a strategy for their use across the site. The lighting scheme shall be implemented as approved and permanently retained thereafter.

Reason: To ensure the development is implemented in accordance with the principles of the Designing out Crime SPD and to ensure any external lighting scheme does not result in harm to near residential properties.

(9) Prior to the commencement of building works on site, excluding demolition and site clearance works, a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority and the Metropolitan Police SW Designing Out Crime Office, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities and to ensure the development is implemented in accordance with the principles of the Designing out Crime SPD.

(10) Prior to the first occupation of the development hereby approved, evidence (including photographs and installation contracts) shall be submitted to, and approved in writing by, the Local Planning Authority to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies 5.12 and 5.13) along with associated guidance to these policies and Policy 32 of Sutton's Local Plan 2018.

(11) Prior to the first occupation of the development hereby approved, 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, in writing, 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 identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

(12) Prior to the first occupation of the development hereby approved, full details of hard and soft landscaping shall be submitted to, and approved in writing by, the Local Planning Authority. All hard and soft landscaping and tree planting shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards (in particular BS 3882: Specifications for Topsoil. Recommendations (2015) and BS 8545: Trees from Nursery to Independence in the Landscape. Recommendations (2014) or other recognised codes of good practice. The works shall be carried out prior to the occupation of any part or relevant phase of the development or in accordance with the timetable agreed with the Local Planning Authority. Any tree(s) or plants that (within a period of five years after planting) are removed, die, or (in the opinion of the Local Planning Authority) are damaged or defective shall be replaced as soon as is reasonably practicable with others of a similar size/species/number as originally approved, unless the Local Planning Authority gives its consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policy 28 of Sutton's Local Plan 2018.

(13) Prior to the first occupation of the development hereby approved, a signage scheme shall be submitted to, and approved in writing by, the Local Planning Authority which details the public routes through the site, and which clearly states that the proposed twelve (12) parking spaces are for private use by the future residents only. The approved scheme shall be implemented on site and permanently retained as such thereafter.

Reason: To clearly separate the public and private parts of the development in accordance with the principles set out in Sutton's Urban Design Guide 'Creating Locally Distinctive Places' SPD and the Designing Out Crime SPD.

(14) Prior to the first occupation of the development hereby approved, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved, in writing, by the Local Planning Authority. The BEMP will include full details of extensive biosolar / biodiverse roofs on each building (including substrate information, such as particle size, chemical composition etc., cross sectional views, a full planting regime and management) and other green infrastructure, soft landscaping, including trees, flowering lawn and herb planters, as well as nesting and roosting opportunities for birds, bats and invertebrates. Full details of planting, provenance, numbers, species, aftercare, management and monitoring of all biodiversity enhancements will be provided, as well as reporting to back to the Local Planning Authority, will be included in the plan. Work shall be undertaken in accordance with the approved scheme and maintained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance with Policy 26 of Sutton's Local Plan 2018, which seeks to create, conserve or enhance biodiversity.

(15) Prior to the first occupation of the development hereby approved, full details of the position, design, materials and type of boundary treatments and means of enclosure for the cycle and refuse stores shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of the development and permanently retained as such thereafter.

Reason: In the interests of amenity for future and neighbouring occupiers, to ensure the development is built to a high standard, and to ensure that adequate refuse and cycle storage facilities are provided on site in accordance with Policies 28, 29 and 37 of Sutton's Local Plan.

(16) Prior to the first occupation of the development hereby approved, 'as-built' Building Regulations Part L outputs prepared under the Standard Assessment Procedure (SAP) and the Simplified Building Energy Model (SBEM) respectively 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 Energy & Sustainability Statement prepared by XCO2 consultants for Sutton Living Ltd on 8 January 2018. 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 31 of Sutton's Local Plan 2018.

(17) 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: To comply with Policy 33 of Sutton's Local Plan 2018.

(18) Prior to the first occupation of the development hereby approved, details of all installed domestic boilers shall be submitted to, and approved in writing by, the Local Planning Authority, demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not exceed 40 mg/kWh.

Reason: To protect local air quality in accordance with Policy 34 of Sutton's Local Plan 2018.

(19) For the northern elevation of the residential properties in Block A, a scheme of noise insulation/reduction shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development hereby approved, to ensure that the noise level of 35 dBL_{Aeq,16 hour} in living rooms and bedrooms during the daytime (0700 to 2300 hours) and 30 dBL_{Aeq,8 hour} and 45 dBL_{Lmax} during the night time (measured with F time-weighting and between 2300 and 0700 hours) in bedrooms in accordance with BS8233:2014 shall not be exceeded. Where these levels cannot be met with windows open appropriate acoustic ventilation should be provided so that the room can be sufficiently ventilated. The acoustic performance of any passive vent, variable speed mechanical air supply unit or whole block ventilation must be sufficient to ensure that the noise level standards given above are not compromised.

Reason: To protect the amenity of the future residents of the scheme in accordance with Policies 29 and 34 of Sutton's Local Plan 2018.

(20) Prior to the first occupation of the development hereby approved, a detailed Development Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall then be implemented, developed, monitored and enforced in accordance with the approved details.

Reason: In order to promote sustainable transport choices, encourage access by non-car modes and reduce the need to travel especially by car, in accordance with Policies 35 and 36 of Sutton's Local Plan.

(21) Prior to the first occupation of the development hereby approved, a full Delivery and Servicing Plan (DSP) shall be submitted to, and approved in writing by, the Local Planning Authority, and the approved details shall be implemented and permanently retained thereafter.

Reason: In the interest of road safety and to safeguard the amenity of nearby residential properties in accordance with Policies 29 and 37 of Sutton's Local Plan 2018.

(22) Prior to the first occupation of the development hereby approved, a detailed waste management scheme shall be submitted to and approved in writing by, the Local Planning Authority to show how refuse and recycling facilities will be stored and collected on/from the site. The development shall thereafter be carried out in accordance with the approved waste management scheme which shall be provided prior to the occupation of the development and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate arrangements are made for the storage and collection of refuse and recycling materials from all parts of this development in a manner that does not adversely affect the amenities of adjoining properties.

(23) The development shall not be occupied until details of the management and use of the parking have been submitted to, and agreed in writing by, the Local Planning Authority. This should include details of the enforcement, parking charges, and details of measures taken to ensure that there is a clear identification of private and public parking spaces. Only the approved details shall be implemented and thereafter permanently maintained.

Reason: To ensure that adequate off-street parking provisions is made to avoid danger and inconvenience to highway users and to meet sustainability objectives in accordance with Policy 37 of Sutton's Local Plan 2018.

(24) Twenty-eight (28) of the thirty-one (31) units hereby approved (90%) shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence from an approved building control inspector demonstrating compliance shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development hereby approved and the development shall be retained in accordance with these approved details thereafter.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements Policy 9 of Sutton's Local Plan 2018.

(25) Three (3) of the thirty-one (31) units hereby approved (10%) shall be designed and constructed in accordance with Building Regulations Part M4 (3). Evidence from an approved building control inspector demonstrating compliance shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development hereby approved and the development shall be retained in accordance with these approved details thereafter.

Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with Policy 9 of Sutton's Local Plan 2018.

(26) Notwithstanding the details hereby approved and prior to the occupation of the development, privacy screens to a minimum height of 1.7 metres shall be installed along the

northern elevations of the balconies/terraces serving Units B-1.01, B-2.01 and B-3.01, the eastern elevations of the balconies/terraces serving Units A-1.01, A-1.04, A-2.01, A-2.04 and A-3.01, and the western elevation of the balconies/terraces serving Units A-1.03, A-2.03 and A-3.02. The privacy screens shall thereafter be retained for the duration of the development.

Reason: To safeguard the current level of privacy enjoyed by the occupants of adjoining properties and to preserve the amenity of occupiers of the units hereby approved in accordance with Policy 29 of Sutton's Local Plan 2018.

(27) The windows on the northern elevation of Block B above ground floor level, the windows on the eastern elevation of Block A above ground floor level and the north-facing ground floor window of the double bedroom within Flat B-G 0.4 on the ground floor shall be glazed with obscured glass and fixed shut up to a height of 1.7 metres above the internally finished floor levels and permanently retained as such thereafter.

To protect the privacy of the future residents of Block A and Block B of the development hereby approved in accordance with Policy 29 of Sutton's Local Plan 2018 and the Design of Residential Extensions SPD.

(28) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

(29) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

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

(30) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

(31) The twelve (12) parking spaces shown on Drawing No. P0 010 (Rev. A) shall be implemented on site prior to the first occupation of the development hereby approved as shown and permanently retained as such for the sole use of the future residents of the development scheme. Two (2) of the twelve (12) spaces shall provide an electrical charging point.

Reason: To ensure the development provides an appropriate level of off-street parking in accordance with Policy 6.13 of the London Plan and Policy 37 of Sutton's Local Plan 2018.

(32) The development hereby approved shall provide a minimum of 54 cycle parking spaces for use by the future residents, and these spaces shall be permanently retained for this use only.

Reason: To ensure the development encourages sustainable modes of transport in accordance with Policy 6.9 of the London Plan and Policy 37 of Sutton's Local Plan 2018.

(33) Site construction works shall only be carried out between the hours of 0800 and 1800 hours Monday to Friday, 0800 and 1300 hours on Saturday and not at all on Sundays and Bank Holidays.

Reason: To protect neighbouring amenities in accordance with Policy 29 of Sutton's Local Plan 2018.

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