

PLANNING COMMITTEE – Date 24 April 2019

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

Ref: B2017/77814/FUL	WARD: B09 / BELMONT	Time Taken: 81 Weeks 1 Day
----------------------	---------------------	-------------------------------

Site: Henderson Hospital, 2 Homeland Drive, Sutton, SM2 5LT

Proposal: Erection of mixed use development comprising the erection of a two storey doctors surgery (D1) with 25 parking spaces, refuse store and cycle parking and the erection of a terrace of three 4-bedroom houses (C3) with associated landscaping, three off street parking spaces and three visitor parking spaces with access off Hardegray Close.

Applicant: Mr S Gould

Agent: Samantha Gibbs

Recommendation:

**GRANT PLANNING PERMISSION SUBJECT TO THE COMPLETION OF THE DEED OF
VARIATION TO THE SECTION 106 AGREEMENT**

Completion of a s.106 legal agreement to be completed by midday on 31st May 2019, or such longer period as may be agreed in writing by the Strategic Director of Housing, Planning and Regeneration, after which time the resolution to grant will be rescinded. Should a completed S106 legal agreement not be forthcoming by the date and time specified above the Planning Committee also agree to give delegated authority to officers, should they wish, 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 has been de-delegated by Councillor Hicks and the application has received more than 10 letters of representation contrary to the Officer's recommendation.

Summary of reasons why proposal is acceptable:

- The proposal is acceptable in land use terms and would provide an up to date medical centre in accordance with the Sutton Clinical Commissioning Group (CGG) strategic need.
- The proposal would respect the local context of the site and would not result in harm to the character of the area.
- The proposal would not result in harm to the amenity of the neighbouring occupiers or future occupiers and would provide a satisfactory level of accommodation.
- The proposal would not result in harm to the protected trees on site and would provide satisfactory hard and soft landscaping.
- The proposal would not result in any adverse impact on the safe operation of the public highway nor would it result in overspill car parking.
- Therefore, it is recommended that the application is approved subject to the conditions.

1.0 INTRODUCTION

- 1.1 This application was reported to Planning Committee on 8 August 2018 when it was deferred because additional documentation requested by members relating to the s106 agreement, namely the confidential report from the council's independent financial viability advisers was provided on the day of the meeting, but did not give members time to consider the documentation further or received legal advice on any covenants which relate to the land of the application site. The deferral was agreed and the application was neither presented nor discussed at that meeting. On the matter of covenants, the Council's legal advisers have confirmed that covenants affecting the land are not relevant material planning considerations in the determination of this application.
- 1.2 Since the 8 August 2018 meeting, there have been further discussions between the respective financial viability advisers for Assura Medical and the council. It should be clarified that in the case officer's previous report to the August 2018 Planning Committee it was stated that the development applied for would not be viable by providing the requisite amount of affordable housing, and an off-site contribution in lieu of on-site affordable housing of £100k was reported as part of the recommendation to grant planning permission.
- 1.3 Members are advised that this was reported in error due to a misinterpretation of the council's independent financial adviser's conclusion. After further clarification the report should have advised that the development would be viable with the provision of 2 affordable housing units, the off-site contribution of £100k and CIL contributions as part of a policy compliant scheme.
- 1.4 Further submissions between the respective financial viability advisers have subsequently reviewed the assumptions that underpinned those conclusions. It has been agreed between the parties that the financial viability advice on which the report to Planning Committee on 8 August 2018 had been based, had not accounted for the uncertainty as to whether the Sutton Clinical Commissioning Group (SCCG) had discounted this site as a location for the Grove Road surgery, which formed part of the co-located scheme granted in 2013, but had been

removed from this scheme, which now shows a reduced size surgery which only absorbs the demand from the Station Approach practice.

- 1.5 The application is being reported back following lengthy and protracted discussions which have resulted in the respective financial viability advisers concurring with the developer's latest viability appraisal. The revised viability assessment has taken into account the existing use value of the extant planning permission ref: B2013/68157/FUL following representations from the SCCG that the site is still being considered for the consolidation of both the Belmont GP Surgery and Grove Road Practice to meet their strategic primary care needs in the borough.

2.0 **BACKGROUND**

2.1 **Site and Surroundings:**

- 2.2 The application site is situated within a corner location enclosed by Kingswood Drive to the east and Homeland Drive and Moore Way to the south. Sinclair Drive and Hardegray Close are located to the north and west of the site respectively. The site has been cleared and the former Henderson Hospital has been demolished as part of the previously approved and partially implemented planning permission ref: 13/68157/FUL. The site originally formed and operated as part of the former Belmont Hospital which was redeveloped for housing.

- 2.3 The site has a shared vehicle access with Hardegray Close from Moore Way, close to the junction with Homeland Drive. Independent pedestrian access is provided from Homeland Drive. A number of significant trees are located on the boundaries of the site and the front (southern) part of the site is subject to an area Tree Preservation Order. Land levels within the site slope from south to north and also from east to west.

- 2.4 To the north of the site are properties within Sinclair Drive comprising three storey terraced town houses and further to the north is Overton Park Recreational Ground. To the west of the site are properties within Courtenay Avenue which are also three storey terraced town houses.

- 2.5 The area is predominantly residential in character containing a mixture of flats, terraced, detached and semi-detached dwellings. The properties in the vicinity of the site are predominantly three storey terraced town houses although there are three storey blocks of flats to the south.

2.6 **Site Specific Designation:**

- Site Allocation S85
- Tree Preservation Order 145

2.7 **Relevant Planning History:**

- 2.8 The site has an extensive planning history dating back to 1957, the most recent and most relevant history is outlined below:

- 13/68157/FUL – Demolition of former hospital building and erection of a mixed development comprising a part two, part three storey Doctor's surgery (Class D1) with 45 car parking spaces and ten cycle spaces with refuse/recycling stores and nine 4 - bedroomed three storey houses each with integral garage and a parking space together with hard and soft landscaping and new access roads was granted planning permission on the 28 February 2014.
- 14/69590/DEM – Application to determine whether prior approval of the Local Planning Authority is required for the method of demolition of the former hospital building was granted approval on the 25 June 2014.
- 14/70157/FUL – Application for variation of conditions 2, 6, 12, 13, 14, 15, 21, 24, 25 & 27 of planning approval B2013/68157/FUL for Demolition of former hospital building and erection of a mixed development comprising a part two, part three storey Doctor's surgery (Class D1) with 45 car parking spaces and ten cycle spaces with refuse/recycling stores and nine 4 - bedroomed three storey houses each with integral garage and a parking space together with hard and soft landscaping and new access roads.(variations sought to give a clear distinction between conditions relating to the medical centre and those for the residential units as they were to be brought forward separately after the sale of the redundant land to a third party) was granted planning permission on 6 November 2014.
- 15/72131/FUL – Removal of condition 12 of planning approval 2014/70157/FUL (Code for sustainable homes) was granted on 2 October 2015.

3.0 **APPLICATION PROPOSALS**

3.1 **Details of Proposal:**

3.2 Planning Permission is sought for the erection of mixed use development comprising the erection of a two storey doctors surgery (D1) with 25 parking spaces, refuse store and cycle parking and the erection of a terrace of three 4-bedroom houses (C3) with associated landscaping, three off street parking spaces and three visitor parking spaces with access off Hardegray Close.

3.3 This development only relates to the eastern part of the site forming the area for the original application (13/68157/FUL), with the only common element to both being the vehicular access for Hardegray Close.

3.4 The proposed GP surgery would be sited to the northeast corner of the site and would provide 662m² of surgery space over two floors. The building would have a generally rectangular footprint with some small projections and would measure 26.2 metres in width at its widest and 17.9 metres in depth at its deepest point and would be orientated so that the front elevation faces west. The building would have an asymmetric dual pitched roof measuring 9 metres overall in height and 6 metres to the eaves.

3.5 The surgery would provide, at ground floor level, a reception and waiting room, toilets and baby changing room, 5 consultation rooms and two treatment rooms

along with other utility rooms. The first floor would provide administrative and office and storage rooms for the surgery.

- 3.6 The proposal would provide 25 car parking spaces along the shared boundary with Hardegray Close of which 4 spaces would be accessible spaces located by the front entrance to the surgery. Refuse storage would be provided adjacent to the northern boundary of the site adjacent to the proposed cycle storage area, which would accommodate up to 8 cycle spaces.
- 3.7 A terrace of three 4-bedroomed dwellings is proposed to the south of the GP Surgery. The proposed dwellings would be three storey with a hipped roof design. The terrace building would measure 16.5 metres wide and 9 metres in depth and would measure 10.8 metres in overall height 7.6 metres to the eaves.
- 3.8 The proposed dwellings would have a gross internal floor space of 128m² with the dwellings having a private amenity space of approximately 69.5m² for plot 1, 67 m² for plot 2, and 88.4 m² for plot 3. Each dwelling would be provided with one off-street car parking space, with provision of another 3 visitor spaces adjacent to the access to the site from Hardegray Close.
- 3.9 Access to the site would be provided from Hardegray Close with road calming measures to be provided at the junction. Pedestrian access will be provided from the existing pedestrian access on to Homeland Drive, and also along the same route as the vehicular access.
- 3.10 1.8 metre high close board fencing is proposed along the boundaries of the site.
- 3.11 **Amendments:**
- 3.12 An amended site location plan and site layout plan was submitted on the 3 October 2017 showing the proposed access to the site from the public highway.
- 3.13 An updated external lighting strategy was submitted on the 13 November 2017.
- 3.14 An updated energy statement in relation to the GP surgery was submitted on the 6 June 2018.
- 3.15 A further letter was submitted on behalf of the Sutton Clinical Commissioning Group (CCG) on the 19th September 2018. This letter explains that the Sutton CCG are considering all options now for the relocation of both the Belmont GP surgery and the Grove Road Practice, which includes the implementation of the extant planning permission 13/68157/FUL.

4.0 **PUBLICITY**

4.1 **Adjoining Occupiers Notified**

4.2 **Method of Notification:**

- 4.3 Letters were delivered to 52 adjoining occupiers dated 11th September 2017, a site notice was also erected within the vicinity of the site on the 11th September 2017.

4.4 The application was invalidated due to the site location plan being incorrect and not showing the access from the public highway to the site. Another neighbour notification was undertaken with the letters dated 6th October 2017 and a site notice was erected within the vicinity of the site on the 12th October 2017

4.5 **Number of Letters Received in response to the proposal:**

4.6 26 letters of representation were received from the following addresses;

- 1, 2, 3, 4, 5, 6, 7, 8, 9 Hardegray Close, Sutton
- 10, 129 Autumn Drive, Sutton
- 4 Moore Way, Sutton
- 1, 4, 8 Sinclair Drive, Sutton
- 11 Crossways, Sutton
- 36 DeLacy Court, Queens Road, Belmont
- 34 Courtenay Avenue, Sutton
- 26 York Road, Cheam
- 11 Brasted Close
- 5 Pelton Avenue, Belmont
- Belmont and South Cheam Residents Association

4.7 **Material Objections**

- The site is not suitable for a GP Surgery,
- Accessibility of the proposed surgery is poor,
- The proposal would result in an increase in traffic and car parking,
- The proposal would result in noise and disturbance,
- The proposed access would be hazardous to pedestrians,
- Lack of car parking resulting in overspill on-street car parking,
- The car parking layout would result in loss of amenity to existing dwellings on Hardegray Close,
- Increase in pollution for car movements,
- Lack of security lighting,
- The proposal would infringe article 1 of the Human Rights Act 1998,
- The proposal is out of character with the surrounding area,
- The proposal would result in anti-social behaviour and crime,
- The proposed vehicle access inadequate,
- The proposed energy statement does not achieve the CO₂ reductions and energy efficiencies required by policy,
- Inadequate refuse allocation,
- Overlooking and loss of privacy,
- Inadequate landscaping and boundary treatments,
- Loss of sunlight/daylight,
- The GP surgery is of an excessive bulk and mass,
- Noise and Disturbance and dust and fumes during construction.

4.8 **Official Consultation:**

4.9 **Internal:**

4.10 **Senior Highways Engineer:**

4.11 The Principal Highways Engineer raised no objection subject to the proposal subject to a condition securing a development travel plan, a construction management plan, and details of a sliding gate at the entrance of Hardegray Close.

4.12 **Waste Management**

4.13 Any response received will be reported orally to Planning Committee

4.14 **Sustainability Officer**

4.15 No objection subject to conditions securing carbon reduction measures, energy efficiency and water efficiency measures.

4.16 **Principal Tree Officer**

4.17 Raised no objection subject to conditions securing a hard and soft landscaping scheme, tree protection measures and drawing demonstrating the changes in land levels to the site.

4.18 **Environmental Health**

4.19 No objection to the proposal subject to conditions securing details of fencing along the western boundary of the site, enclosures and sound proofing of the associated plant in relation to the GP surgery, contaminated land, air quality and a construction management plan.

4.20 **Housing Enabling**

4.21 The Housing Enabling Team were consulted on the findings of the most recent viability assessment which required the applicant to provide a single shared ownership unit and a contribution of £23,524. In considering that the proposed shared ownership unit would be a 4-bedroomed dwelling the Housing Enabling Team did not consider that a Registered Provider would be interested in purchasing a 4-bedroomed unit for shared ownership purposes, commenting that shared ownership units are meant to be starter homes and are generally 1 or 2-bedroomed units.

4.22 **External:**

4.23 **Sutton Clinical Commissioning Group (CCG)**

4.24 Commented that there are a number of national and strategic drivers which led to Sutton CCG's Primary Care Commissioning Committee to approve the scheme in January 2017. The key issue is population growth and the expected growth in the residents over the age of 65 (19% increase) in Belmont and South Sutton. Expansion of the existing site at Station Approach was considered but this was not a possibility due to the constraints of the site. In addition to providing capacity for population growth, the proposal would also improve the facilities for patients and staff, be DDA compliant, provide a range of service closer to people's homes,

enhance new models of care, allow the practice to enhance its training practice status and improve recruitment of doctors and nurses to the area, enhance the sustainability of the practice and improve the environmental efficiency of the practice. The proposal would provide innovation and sustainability of healthcare service within the area.

4.25 As mentioned in paragraph 3.22 the Sutton CCG submitted a letter detailing their strategic plans for improving the GP's practices within Sutton. It was proposed following the granting of the extant planning permission (ref: 13/68157/FUL) that the Grove Road practice would relocate to an alternative location within central Sutton. This proposal has now been formally abandoned by the Sutton CCG, and all options including the relocation of both the Grove Road Practice and the Belmont GP Surgery to the Henderson Hospital Site under the extant planning permission (ref: 13/68157/FUL) are now being considered.

4.26 **Planning Policy**

4.27 No comments received.

4.28 **Councillor Representations**

4.29 The application was de-delegated by Councillor Hicks on the 6 November 2017 for the following reasons;

- Lack of sufficient onsite car parking which would lead to overspill car parking on already congested roads,
- Lack of public transport provision in close proximity of the application site,
- Inappropriate design and site layout adversely impacting on neighbouring and future occupiers amenity,
- Noise and disturbance from traffic and potential for anti-social behaviours from the unsecured car park,
- Impact on the safety of pedestrians in the area.

5.0 **MATERIAL PLANNING POLICIES**

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

- The London Plan 2016
- The Sutton Local Plan 2018

5.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (NPPF) 2019.
- National Planning Practice Guidance (NPPG)
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.
- Human Rights Act 1998
- Equality Act 2010

- Draft London Plan 2017
- The Mayors Homes for Londoners SPG 2017
- The Mayors Housing SPG 2016

5.3 **Public Sector Equality Duty (PSED) and Human Rights**

5.4 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.

5.5 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 and recommendation below, is compatible with the Act.

5.6 **Material Planning Policies in the Determination of this Application**

5.7 London Plan 2016 Policies:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.16 Protection and enhancement of social infrastructure
- 3.17 Health and social care facilities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.6 Architecture
- 7.14 Improving Air Quality

- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

5.8 Sutton Local Plan 2018 Policies:

- 1 Sustainable Growth
- 7 Housing Density
- 8 Affordable Housing
- 9 Housing Sizes and Standards
- 21 Health and Well-Being
- 28 Character and Design
- 29 Protecting Amenity
- 31 Carbon and Energy
- 32 Flood Risk and Sustainable Drainage
- 33 Climate Change Adaptation
- 34 Environmental Protection
- 36 Transport Impact
- 37 Parking
- 40 Site Allocations

5.9 Supplementary Planning Guidance/Documents:

- SPD5 Affordable Housing
- SPD14 Creating Locally Distinctive Places

6.0 **PLANNING CONSIDERATIONS**

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

- **Principle of Development**
- **Design Quality**
- **Impact on Neighbours**
- **Layout and Future Occupiers Amenity**
- **Highways and Parking**
- **Sustainability**
- **Trees and Landscaping**
- **Planning obligations and CIL**

6.2 **Principle of Development:**

6.3 The NPPF requires that planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

6.4 The site forms part of the site allocation S85 of the Sutton Local Plan 2018. The allocation is for a Health or Health and Residential use and states that developments should pay regard to;

- Planning permission B2013/68157/FUL for the doctors surgery,
- Providing a GP practice on site,
- High quality residential dwellings that respect the character and density of the surrounding area,
- Providing high quality design that respects the setting and character of the area,
- Respecting the amenity of the neighbouring residents,
- Ensuring traffic flow on Homeland Drive is not unduly affected by any increase in vehicular movements,
- Retaining the planting within and around the site, in particular the mature and protected trees,
- The sites location within a Critical Drainage Area and the need to provide flood risk assessment and appropriate Sustainable Urban Drainage System measures.

6.5 GP Surgery

6.6 Policy 3.17 of the London Plan states “Development proposals which provide high quality health and social care facilities will be supported in areas of identified need, particularly in places easily accessible by public transport, cycling and walking. Where local health services are being changed, the Mayor will expect to see replacement services operational before the facilities they replace are closed, unless there is adequate justification for the change.”

6.7 Policy 21 of the Sutton Local Plan states;
a The council will support the provision of new or improved healthcare facilities in the borough, in line with Sutton's Clinical Commissioning Group and NHS England requirements.

b In particular, the council will support new health facilities/improvements at the following locations in the borough:

- Robin Hood Lane, Sutton (Site Allocation STC30).
- Wrythe Green Lane, Carshalton.
- Felnex, London Road, Hackbridge (Site Allocation S1).
- Henderson Hospital, Belmont (Site Allocation S85).

6.8 The site is the subject of an extant planning permission ref: B2013/68157/FUL, which has been partially implemented by the construction of Hardegray Close and the 9 associated dwellings. The extant permission included a health centre and associated pharmacy on the site and involved the consolidation of both the Grove Road GP practice with the Belmont GP practice within a health centre of a larger footprint, scale and massing with more car parking.

6.9 This proposal is for a GP surgery and three residential dwellings, which would allow for the relocation of the existing Belmont GP surgery from the corner of Station Approach and Brighton Road. The proposed surgery would be 662m² which would be smaller than the health centre within the extant permission (ref: 13/68157/FUL), which would be 1,380m². The extant permission for the health centre which would allow for the consolidation of both the Belmont and Grove Road surgeries into a larger health centre providing primary care to a much larger catchment area of Belmont and South Sutton.

- 6.10 The proposed GP surgery would provide capacity to allow the surgery to meet the future demand within this area of the Borough as required by the strategic need of Sutton CCG. The proposal would be in accordance with the Council's development plan policy 21 and the site allocation S85.
- 6.11 The proposal would also allow for the continued functioning of the existing Belmont GP surgery, during the construction and fitting of the surgery allowing it to be operational before the closure of the existing surgery buildings, located on Station Approach, in accordance with the London Plan policy 3.17.
- 6.12 Some letters or representation have objected to the proposal claiming that the former Sutton Hospital site would be a better site for the relocation of the Belmont GP Surgery. The former Sutton Hospital site forms part of the larger site allocation LCH1 which is designated for "*Health, Medical Research and Development and Secondary School together with associated ancillary development...*" Whilst the designation is for a health use, the site allocation for LCH1 has an indicative phasing which does not include a provision for a GP surgery.
- 6.13 This issue was considered when the previous application was granted permission, but the previous site allocation for the Sutton Hospital site (Site BW6 of the Development Site Policies DPD) which included a health care facility (health centre of GP's practice) for the then intended use for housing has been replaced by the LCH1 designation in the Local Plan, which does not include a GP surgery within the site allocation.
- 6.14 As such it is considered that the proposed GP surgery is acceptable in land use terms.
- 6.15 Housing
- 6.16 The London Plan outlines the need for residential development within London through Policy 3.3 Increasing Housing Supply.
- 6.17 Policies 1 and 7 of the Sutton Local Plan 2018 acknowledge the NPPF's presumption in favour of sustainable development, but expect that the majority of housing to be provided within Sutton Town Centre and the other district centres and their surrounding Areas of Potential Intensification.
- 6.18 Paragraph b of policy 1 of the Sutton Local Plan 2018 states "The council will enable the delivery of at least 6,405 new homes over the plan period 2016-2031 (427 homes per annum), subject to any subsequent borough target approved by the Mayor of London." Paragraph d sets out where the plan expects these homes to be delivered with 10% (635 new homes) are to be located within the suburban heartlands.
- 6.19 The proposed GP surgery would result in a reduction of the footprint of the building when compared to the previously approved health centre. As such, the additional land released by the reduction in the footprint of the health use, is proposed to be developed to provide a terrace of three 4-bedroomed dwellings. The NPPF encourages the most efficient use of land and the site allocation makes provision

for both health and residential uses within the site. The proposal would also provide larger family sized dwellings for which there is a need within the Borough.

6.20 As such it is considered that the proposed housing would be acceptable in principle in land use terms.

6.21 Affordable Housing Provision

6.22 Policy 8 of the Sutton Local Plan States “Where schemes are brought forward for ten or fewer dwellings, the developer will need to satisfy the council that:

- (i) the proposal does not represent an underdevelopment of the site having regard to the character of the area, the level of public transport accessibility (PTAL rating) and the London Plan Density Matrix (see Policy 7 Housing Density).
- (ii) a large site is not brought forward in phases to avoid the threshold at each stage. In such circumstances, the council will apply the affordable housing target to subsequent phases based on the capacity of all phases, including those already permitted or built.”

6.23 The previously approved and partially implemented planning permission ref: 13/68157/FUL and the current proposal brings the number of dwellings built and proposed on the wider Henderson Hospital site to 12 units. This increases the number of residential units from 9 to 12 which is above the affordable housing threshold set by policy which seeks affordable housing on sites providing 11 or more new residential units. As such the applicant was requested to either offer affordable housing provision in accordance with the council’s affordable housing policy or submit a financial viability assessment to demonstrate why this would not be viable.

6.24 When the application was received, the applicant’s viability report stated at that time, that the proposed development would not be viable if affordable housing was provided. This report was assessed by the Council’s independent assessor, who questioned some of the assumptions and details in the viability report. Officers requested that the applicant address these discrepancies, considering the strategic need and benefits of the proposed GP surgery, which involved the applicant submitting two further supplements to the viability report.

6.25 Following the submission of the letter from the Sutton CCG on the 18 September 2018, which updated their position by not discounting the possibility of reverting to the larger health centre approved in 2013, this materially changed the assessment of viability. This had the effect of increasing the benchmark land value of the site. In view of this material change to the viability assessment, a further review of the financial viability of the scheme was submitted by the applicant on the 30th January 2019.

6.26 In calculate the viability of the site the applicant has submitted an assessments using the “Existing Use Value Plus Premium” method to determine the benchmark land value. The Mayor’s “Homes for Londoners Supplementary Planning states that this method in “determining the benchmark land value is based on the current use value of a site plus an appropriate premium. The principle of this approach is that a landowner should receive at least the value of the land in its ‘pre-permission’ use, which would normally be lost when bringing forward land for development. A

premium is usually added to provide the landowner with an additional incentive to release the site, having regard to site circumstances.”

- 6.27 The existing use of the application site has not changed and is still considered to fall within Class C1 (non-residential institutions). The site also benefits from the extant planning permission ref: B2013/68157, which would provide a larger medical centre. The CCG have confirmed that they are still considering the consolidation of the Grove Road Practice and the Belmont GP's surgery at the application site. As such, taking into account the above it is considered that the existing use value of the site should take into account the extant planning permission ref; B2013/68157.
- 6.28 This report was assessed by the council's independent financial viability advisers who concluded that the proposed development would provide a surplus of £23,524, whilst being able to provide a single shared ownership unit on site to meet policy expectations regarding affordable housing.
- 6.29 The Council's Housing Enabling Team were consulted in respect of the practicality of accepting a single shared ownership unit on site. Their advice was that, whilst there would be some registered providers interested in small sites such as this, they do not believe that any registered providers would be interested in a 4-bedroomed shared ownership property. Shared ownership properties are usually 1 or 2 bedroomed units intended for starter homes. Given that the proposed affordable unit is a 4-bedroomed house, the Housing Enabling Team considered that the developer would find it very hard to engage a registered provider regarding its sale and they would therefore recommend that a commuted sum is paid in lieu.
- 6.30 Given the above the Council's Independent viability assessor has calculated the proposed commuted sum in lieu of an on-site provision to be £124,335.79 taking into account inflation using the Retail Prices Inflation Index.
- 6.31 Considering the strategic need for the proposed GP Surgery, that the development makes the most effective use of the land by providing 4-bedroomed town houses and noting that a Registered Provider is unlikely to take up a 4-bedroomed shared ownership unit by a registered provider it is considered that there are exceptional circumstances in this instance to accept a financial contribution in lieu of on site affordable housing, which will be provided in an alternative location.
- 6.32 For the reasons above it is considered that the application accords with Local Plan policy 8.
- 6.33 **Design Quality:**
- 6.34 The NPPF states that planning authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policies 7.4 and 7.6 of The London Plan (2016) state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design. Policies 3.4 and 3.5 require new housing to respect local context and character.

- 6.35 Policy 28 of the Sutton Local Plan states The council will grant planning permission for new development, including new buildings, alterations and extensions, provided the new development:
- a Is attractive, designed to the highest standard, especially with regard to architectural detailing, and uses high-quality materials.
 - b Respects the local context and responds to local character and heritage assets.
 - c Is of a suitable scale, massing and height to the setting of the site and/or townscape.
 - d Seeks to improve an area of poor character.
 - e Makes a positive contribution to the street frontage, streetscene and / or public realm, such as using railings and low walls where practicable.
 - f Is inclusive and accessible for all and improves movement through areas with direct, accessible and easily recognisable routes.
 - g Is secure and designed to minimise crime and anti-social behaviour.
 - h Is robust and flexible in use.
 - i Responds to natural features and retains trees, hedges and other landscape features and spaces of amenity value, where possible.
 - j Is not dominated by car and cycle parking.
 - k Creates attractive, functional and clearly defined public and private space.
 - l Protects any important local views and creates new ones wherever possible.
- 6.36 The design of the proposed GP surgery involves the reduction in scale, mass and bulk when compared to the previously approved scheme ref: 13/68157/FUL. As now proposed the building would be two storeys in height and would be of a similar scale to the surrounding development within the area. The massing of the building would be broken up by the asymmetric design of the roof and the overall scale and massing would be similar to the residential town houses within the area. As such it is considered to be of an acceptable scale and massing.
- 6.37 The detailed design of the building is contemporary and somewhat functional in its appearance. The contemporary and asymmetric design is considered to give the building visual interest. Furthermore the design of the building would be similar to that previously approved under planning permission ref: 13/68157/FUL albeit reduced in height and massing. For these reasons it is considered that the design of the GP surgery is acceptable and would not result in harm to the character of the surrounding area or the local context.
- 6.38 The proposed dwellings would be 3-storeys in height and would be of a similar scale and massing to the other town house development within the surrounding area. The terraced building would have a hipped roof design and is of a similar architectural detailing to other residential properties in the surrounding area.
- 6.39 For the reasons above it is considered that the proposal would be acceptable in design terms and would not result in harm to the character of the area and would respect the local context of the site.
- 6.40 **Impact on Neighbours:**

- 6.41 Policy 29 of the Sutton Local Plan states that the Council will not grant planning permission for any development that adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties.
- 6.42 The proposed GP surgery would retain a separation of approximately 4.2 metres to the northern boundary of the site and 14.6 metres to the side elevation of the dwellings fronting Sinclair Drive. Whilst the development would be slightly elevated when compared to the dwellings on Sinclair Drive, it is considered that due to the separation distances and the lack of habitable windows on the side elevation of 8 Sinclair Drive that the proposal would not result in an unacceptable loss of outlook, loss of privacy or overlooking or a significant loss of sunlight/daylight to this dwelling to the neighbouring occupiers.
- 6.43 The proposed GP surgery would retain a minimum separation of 5.6 metres to the eastern boundary of the site and the second floor east facing windows of the proposed surgery would serve offices and shower rooms. The proposed GP surgery would retain separation distances of over 20 metres to the dwellings fronting Kingswood Drive and as such it is considered that the proposal would not result in a loss of outlook, overlooking or loss of privacy, or loss of sunlight/daylight to the neighbouring occupiers.
- 6.44 The proposed GP surgery would retain separation distances of 20.6 metres to the western boundary of the site, with the topography of the site resulting in the GP surgery being at a lower level than the dwellings fronting Hardegray Close. For these reasons it is considered that the GP surgery would not result in a loss of outlook, overlooking or loss of privacy or loss of sunlight/daylight to the neighbouring occupiers in the new Hardegray Close development.
- 6.45 The proposed dwellings would be separated by approximately 18.7 metres to the western boundary and a minimum of 10.4 metres to the eastern boundary. Due to these separation distances it is considered that the proposed dwellings would not result in result a loss of outlook, overlooking or loss of privacy or loss of sunlight/daylight to the neighbouring occupiers.
- 6.46 It is acknowledged that the site at the moment is unoccupied and was previously occupied by a hospital which catered for residential patients. The proposal would result in an increase in trips generated to and from the site and therefore an increase in the number of vehicular movements.
- 6.47 It should be noted that the site has an extant planning permission for a larger health centre and associated pharmacy, which would result in significantly more trips than the proposed GP surgery. The applicant has submitted data within the Transport Statement which shows that a significant proportion of trips to the existing surgery on Station Approach are by foot. The proposed site is located more centrally within the catchment area of the Belmont Surgery and it is therefore considered that a significant proportion of the trips to the site would still be on foot. The reduced size of proposed the surgery would result in less car trips when compared to the extant planning permission ref: 13/68157/FUL. Whilst this is the case Environmental Health have recommended a condition to secure acoustic fencing along the boundary with the dwellings fronting Hardegray Close to mitigate any noise and disturbance caused by vehicular movements within the proposed car park. With

this mitigation and the reduced number of trips in comparison to the extant permission, it is considered that the proposal would not result in significant noise and disturbance to the neighbouring occupiers to the detriment of the amenity.

- 6.48 Furthermore the applicant has suggested that the servicing of the surgery will be controlled by a delivery and servicing plan. A condition securing a delivery and servicing plan is recommended to control the servicing of the Surgery to ensure that deliveries, refuse and waste collections are controlled so that they are carried out at reasonable times in order not to inconvenience the neighbouring residents or result in noise and disturbance at unreasonable hours of the day. The applicant has indicated that there would be the following servicing trips to the site;
- 1 refuse collection per week,
 - 1 clinical waste collection per week,
 - 1 confidential waste collection per week,
 - 1 clinical supplies delivery per week,
 - 1 stationary delivery per fortnight.
- 6.49 There would be 4 servicing trips per week, which is not considered to result in significant noise and disturbance in terms of trips to and from the site, and is considered acceptable subject to a condition securing a servicing plan for the surgery.
- 6.50 A number of residents have also raised concern regarding the car park and its open nature and the likelihood of attracting anti-social behaviour. The access road and car park would be overlooked by the dwellings fronting Hardegray Close and the proposed dwellings, which would give natural surveillance and therefore it is considered that the proposal would not result in anti-social behaviour.
- 6.51 An external light plan has been submitted with the application. This has been assessed by Environmental Health who have raised no objection to the lighting scheme noting that there would be little or no overspill into the neighbouring dwellings.
- 6.52 Letters of representation have been received raising concern regarding noise and disturbance and dust during the construction of the proposal. A condition is recommended securing a construction method statement to ensure that noise and disturbance is kept to a minimum, and a condition controlling the hours of construction is also recommended considering the residential nature of the surrounding area.
- 6.53 It is noted that all of the owner/occupiers of the completed residential development that formed part of the originally approved scheme have raised objection on some or all of the grounds listed in paragraph 4.7, many of which seek to contest the suitability of the remaining part of the site for use as a doctor's surgery. It is material to note that those owner/occupiers would have purchased their properties in full knowledge that the remaining part of the site would be developed as a larger doctors surgery, and so the representations received from these addresses must be considered in that context. Whilst this development does not offer a direct comparison with that scheme as it includes three houses, it is notable that the reduced size of this surgery would not result in as much activity and impact

compared with the larger approved surgery in the original planning permission. As such, it is considered that the proposal with the recommended conditions would safeguard the amenity of the neighbouring occupiers and is considered to be acceptable.

6.54 Layout and Future Occupiers Amenity:

- 6.55 Policy 9 of the Sutton Local Plan requires that new residential development provide adequate levels of accommodation for future occupiers.
- 6.56 London Plan policy 3.5 requires all new development providing residential dwellings to achieve the internal floor space standards contained in table 3.3 of the London Plan. This requires that a 4-bedroomed 6-person 3-storey dwellings to achieve a floor space of 112m². The proposed dwellings would meet the London Plan internal floor space standards as set out above.
- 6.57 The London Plan Housing SPG require that 5m² of private amenity space if provided for a 1 person dwelling with an addition 1m² added for each additional person. The Councils SPD14 requires that the 3-bedroomed dwellings should be provided with at least 70m² of private amenity space.
- 6.58 Each dwelling would be provided with its own private amenity space with plot 1 having 69.5m², plot 2 having 67m² and plot 3 having 88.5m². Whilst two of the dwellings are marginally below the guidance given in SPD14, it should be noted that the site is in close proximity to Overton Park and as such the provision of private amenity space is considered to be acceptable in this instance.
- 6.59 The distance between the proposed GP surgery and the proposed dwellings is considered to be an acceptable arrangement. The GP surgery would retain a separation distance of 5.5 metres from the nearest dwelling, and would be set-back in comparison. It is noted that the side facing windows in the GP surgery would serve a WC and the landing area above the stairwell. It is considered that these windows could be reasonably obscure glazed to prevent any overlooking or loss of privacy to the proposed dwellings. In addition due to the separation distance and the siting of the surgery to the north of the dwellings it is considered to there would be no adverse impact on the future occupier's amenity in terms of loss of outlook or loss of sunlight/daylight.
- 6.60 Each dwelling would be provided with a front garden area and driveway. The refuse bins to be stored within the front garden area which in particular would need to be the case for the mid-terraced dwelling. Otherwise the end of terrace dwellings have side access to the rear garden where refuse bins could be stored, and pulled out for collection.
- 6.61 For the reasons above it is considered that the proposal would provide adequate accommodation in accordance with the London Plan gross internal floor space standards and would be in accordance with policies 9 of the Sutton Local Plan and policy 3.5 of the London Plan.
- 6.62 Highways and Parking:**

- 6.63 Policy 36 of the Sutton Local Plan states that the Council will assess all new development applications for their impact on the existing and proposed transport infrastructure and services, and the local environment. Policy 37 of the Sutton Local Plan states that 'new developments will be expected to provide car parking in accordance with the council's restraint based maximum car parking standards taking into account public transport accessibility levels, 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'.
- 6.64 GP Surgery
- 6.65 The site is located in an area with a Public Transport Accessibility Level (PTAL) of 1b. The site is located more than 300 metres from the nearest bus stop on the Brighton Road. The GP surgery includes the provision of 25 car parking spaces, with 10 spaces for staff and 15 spaces for patients, including 4 accessible spaces. The Council's maximum car parking standard requires doctor's surgeries to be assessed on an individual basis. The Principal Highways Engineer has assessed the proposed car parking provision and taking into consideration the poor PTAL considers the parking provision to be of an acceptable level to prevent overspill car parking within the wider area. Furthermore the Principal Highways Engineer recommends that a Development Travel Plan to monitor the surgery's car parking is secured by condition.
- 6.66 It is noted that a number of objections relate to the re-siting of the GP surgery from its current location on Station Approach in Belmont, which is served by both a train station and bus services in close proximity. The applicant has submitted evidence in respect to the travel modes of the patients to the Belmont Surgery. Of the 61 patients that responded to the survey, 19 drove to the surgery, 40 walked and 2 used public transport.
- 6.67 The data submitted shows that the use of the public transport provision at the current site is not a significantly important feature of its location. The proposed relocation of the surgery to this site which is more central within the surgery's catchment area, is likely to result in more patients walking to the site. In addition the existing location does not have any off-street car parking provision.
- 6.68 In addition the applicant has submitted a Car Park Management Plan (CPMP) which is recommended to be secured by condition. The CPMP states that staff will alert patients to the limited car parking provision for patients on site (15 spaces) when they book appointments, and will also ensure that cars are parked in the allocated spaces, by either staff checks or by a car park management company. Enforcement of car parking within the site will be by a car park management company which can issue parking tickets for vehicles which are incorrectly parked (in the wrong type of space) or inappropriately parked and liable to cause an obstruction.
- 6.69 The previously approved medical centre was an amalgamation of 2 GP surgeries (Belmont and Grove Road) and had a community transport facility secured by legal agreement. This was considered necessary and reasonable in relation to that particular application as the amalgamation of the 2 GP surgeries would result in a medical centre with a much wider catchment area. In this instance, noting that the

proposal is for the relocation of only one GP Surgery more centrally located within its catchment area, with more dwellings within walking distance of the site, it is considered that a community transport facility is no longer justified.

- 6.70 The Principal Highways Engineer has suggested that an electronic gate be erected across the entrance to Hardegray Close to prevent visitors to the surgery from obstructing parking for the existing residents. It is considered that this would be overly onerous and unnecessary considering that the applicant proposes to enforce any unauthorised or inconsiderate car parking on the site and on the access to the site.
- 6.71 It should also be noted that the applicant has confirmed that the provision of an electronic gate across the entrance of Hardegray Close is not feasible due to insufficient space between the junction of the access road to the site and the driveways to the dwellings within Hardegray Close.
- 6.72 Dwellings
- 6.73 The proposed dwellings would be provided with 1 car parking space each located on their front drive, with another 3 spaces provided as visitor spaces on the northern edge of the access road. The Principal Highways Engineer has raised no objection to the parking provision, requesting measures to monitor and control this parking for the benefit of the future occupier's to be included within the Development Travel Plan.
- 6.74 Construction
- 6.75 The Principal Highways Engineer and Environmental Health have requested that a construction management plan is secured by conditions to ensure that the construction of the proposal is well managed so as to minimise disturbance and harm to the neighbouring occupiers, in particular those in Hardegray Close. This would include the limiting of the hours of construction, an environmental method statement to prevent emission of dust and fumes from the site as well as controlling haulage logistics.
- 6.76 **Sustainability:**
- 6.77 The London Plan policies 5.1, 5.2, 5.3, 5.9, 5.12, 5.13 and the Sutton Local plan policies 31, 32, 33 and 34 require new developments to achieve reductions in CO₂ emissions, water efficiency and flood risk mitigation measures and the installation of Sustainable Urban Drainage Systems.
- 6.78 A site specific flood risk assessment (FRA) was submitted with the application. The Council's Sustainability Officer has assessed the FRA and welcomed the drainage strategy for the proposal, but noted that the further investigation of the site would be required to establish infiltration factors for the proposed soakaways. As such a condition is recommended to secure further details of the proposed drainage on the site to ensure that it meets the standards set out in the Sutton Local Plan.
- 6.79 An Energy Statement (ES) was also submitted and was assessed by the Council's sustainability officer. They are satisfied with the ES as submitted and it is

recommended that a condition securing the provisions of the energy statement are appended to any decision notice should planning permission be granted.

- 6.80 Otherwise the Sustainability Officer has raised no objection to the proposal and has recommended conditions to secure further details for drainage on the site and also water efficiency measures and as such the proposal is considered to be acceptable in sustainability terms.
- 6.81 **Trees and Landscaping:**
- 6.82 The applicant has submitted an indicative landscaping scheme, arboricultural report and method statement. The proposal would retain the existing protected trees on the site, whilst providing land to the east and north of the GP surgery for soft landscaping, similar to the extant planning permission ref: 13/68157/FUL. The landscaping plan is only indicative and the Principal Tree Officer has requested further details of the hard and soft landscaping of the site. This will include replacement tree planting for the trees lost as part of the implementation of the extant planning permission.
- 6.83 Conditions have been recommended to secure the tree protection measures submitted with the application as well as the hard and soft landscaping of the site, which is to include details of land levels to ensure that any regrading of the land adjacent to the protected trees is controlled so as not to result in harm to them.
- 6.84 As such it is considered that the proposal would retain the protected trees on the site whilst providing additional tree planting for trees lost during the partial implementation of the extant permission and is acceptable in terms of its impact on the protected trees and in terms of future landscaping of the site.
- 6.85 **Planning Obligations and CIL:**
- 6.86 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 and is charged at a rate of £100 per sqm. This is in addition to the Mayor's CIL charged at £25 per sqm. CIL is charged on the total net additional floor space created (measured as Gross Internal Area).
- 6.87 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.
- 6.88 The application was deferred at Planning Committee on the 8th August 2018, so that legal advice could be sought on the provisions of the S106 legal agreement secured under planning permission ref: 13/68157/FUL and whether these provisions were material to the current planning application. Advice has been sought from the SLLP on the effect of the provisions of the existing S106 on the current application.

The legal advice received from the SLLP is that each S106 legal agreement is unique and exclusive to the planning permission under which it was secured. The obligations under the legal agreement are not automatically carried over to any subsequent planning permission granted on the land. The reason for this is that the obligations secured under any legal agreement should only be sought if they are required to make the application acceptable in planning terms. In this case, the previous monetary contributions relating to the previous permission in 2013 have been paid and officers do not consider the requirement for a community transport facility is necessary.

6.89 As mentioned above the Council will seek to secure the contribution of a commuted sum in lieu of affordable housing of a total of £124,335.79.

6.90 The proposal would be CIL liable as the proposal is creating an additional residential units.

7.0 **CONCLUSION AND RECOMMENDATION**

7.1 The proposal would provide both an up to date medical surgery for the existing Belmont Surgery in accordance with Sutton CCG's strategic need and would be in accordance with the site allocation for the former Henderson Hospital Site in the Sutton Development Plan 2018. The applicant has agreed to pay a commuted sum in lieu of affordable housing which in this instance is considered to be acceptable. As such the proposal is considered acceptable in principle.

7.2 The design of the proposed surgery and housing would respect the local context of the site and would not result in harm to the character of the area.

7.3 The proposal, with the recommended conditions would not result in any significant adverse impacts to the amenity of the neighbouring occupiers, and the layout of the site and the quality of the proposed housing would not result in harm to the future occupier's amenity of the proposed dwellings.

7.4 The proposal with the recommended conditions would not result in an adverse impact on the safe operation of the public highway and would not result in over-spill car parking within the surrounding area.

7.5 The proposal would retain the protected trees on site, whilst providing replacement tree planting for the tree lost due to the partial implementation of the extant planning permission 13/68157/FUL.

7.6 As such it is recommended that the proposal is granted planning permission.

G

Samantha Gibbs
Savills
74 High Street
Sevenoaks
TN13 1JR

B2017/77814/FUL

DRAFT

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

FIRST SCHEDULE

Hnerson Hospital, 2 Homeland Drive, Sutton, SM2 5LT

Erection of mixed use development comprising the erection of a two storey doctors surgery (D1) with 25 parking spaces, refuse store and cycle parking and the erection of a terrace of three 4-bedroom houses (C3) with associated landscaping, three off street parking spaces and three visitor parking spaces with access off Hardegray Close.

SECOND SCHEDULE

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1603-P01(B), 1603-P02(A), 1603-P03, 1603-P04, 1603-P05, 1603-P06, 1603-P07, 1603-P08, 1603-P09, 4132-LLB-ZZ-XX-DR-L0002-S4 Rev. P03, 4132-LLB-ZZ-XX-DR-Ab-0001-S4-P01 Rev. P02, 4132-LLB-ZZ-XX-DR-Ab-0001-S4-P01 Rev. P02, 4132-LLB-ZZ-XX-DR-Ab-0002-S0-P01 Rev. P02, C12326-TH-00-XX-DR-C-1001, Desing and Access Statement dated July 2017 Rev. A, Planning Statement dated August 2017, Travel Plan ref: 618754-MLM-ZZ-XX-RP-TP-002, Transport Statement ref: 618754-MLM-ZZ-XX-RP-TP-001, Car Park Management Plan ref: 618754-MLM-ZZ-XX-RP-TP-003, OP74890-LD8399_01D, Outdoor Lighting Report dated 12 November 2017, Arboricultural Report ref: 4132-LLB-RP-AB-001-S4-P01, Arboricultural Impact Assessment ref: 4132-LLB-RP-AB-001-S4-P02, Stage 2 Sustainability and Energy Strategy for Residential Properties ref: PA1166 rev P2 dated July 2017, Stage 2 Energy Statement ref: PA1166 Rev. P2 dated December 2017, South Sutton Medical Centre Planning Pre-Assessment Report BREEAM NC 2014 Healthcare dated 1 August 2017 Rev. A.

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

(2) 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.

(3) Prior to the commencement of development (excluding demolition) the type and treatment of the materials, including samples, to be used on the exterior of the building(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the construction of the development hereby approved, completed prior to its occupation/use and retained thereafter.

Reason: To safeguard the visual amenities of the area and to ensure compliance with Policy 28 of the Sutton Local Plan 2018.

(4) No development shall begin, including demolition and site clearance works, until 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) and means to prevent deposition of mud on the highway 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.

(5) No development shall begin, including demolition and site clearance works, until a Construction Logistics Plan (CLP) and Construction Management Plan (CMP), to include details of: (a) hours of operation; (b) means to control dust and emissions to air; (c) means to control noise and vibration has 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 have a significant adverse impact on the amenities of nearby residential properties and to minimise the impacts on local air quality.

(6) 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.

(7) Prior to occupation of the development hereby approved, the car parking shall be laid out in accordance with the approved drawing no.1613/P02(A) and shall be retained thereafter for its designated purpose.

Reason: To ensure the development provides sufficient car parking in accordance with policy 37 of the Sutton Local Plan

(8) The enforcement and operation of the car parking for the surgery and residential dwellings hereby approved shall be carried out in accordance with the approved Car Park Management Plan ref: 618754-MLM-ZZ-XX-RP-TP-003 and Travel Plan ref: 618754-MLM-ZZ-XX-RP-TP-002 and retained thereafter for the life of the development. The Travel plan shall be reviewed in conjunction with the council's Sustainable Transport team, on a yearly basis.

Reason: To prevent over spill car parking in accordance with policy 37 of the Sutton Local Plan.

(9) Prior to the occupation of the development hereby approved, a Service and Delivery plan for the surgery shall be submitted to and approved in writing by the Local Planning Authority. The servicing of the surgery shall thereafter be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure that the servicing of the surgery will not adversely impact on neighbouring residential amenity or the safe and efficient operation of the public highway in accordance with policies 29 and 37 of the Sutton Local Plan.

(10) Prior to the commencement of residential dwellings hereby approved, an Energy Statement incorporating 'as-designed' Building Regulations Part L outputs prepared under the Standard Assessment Procedure (SAP) must be submitted to the Local Planning Authority and approved in writing which demonstrates how each of the proposed dwellings will apply the Mayor's energy hierarchy (use less energy, supply energy efficiently and use renewable energy) to secure at least a 35% reduction in CO2 emissions below the target emission rate (TER) based on Part L1A of the 2013 Building Regulations and achieve at least a 10% reduction in total emissions (regulated and unregulated) through on-site renewable energy generation. The development should exceed the minimum Part L1A emissions standards through passive design and energy efficiency measures alone. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason: To comply with London Plan Policy 5.2 and Sutton Local Plan Policy 31.

(11) Prior to the commencement of the GP surgery, a revised Energy Statement incorporating 'as-designed' Building Regulations Part L2A outputs prepared under the Simplified Building Energy Model (SBEM) must be submitted to the Local Planning Authority and approved in writing which demonstrates how the Medical Centre will achieve at least a 10% reduction in total emissions (regulated and unregulated) through on-site renewable energy generation. Details of all proposed renewable technologies should be provided, with consideration given to each technology which is potentially technically feasible.

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

(12) Prior to the occupation of the development hereby approved, 'as-built' Building Regulations Part L outputs prepared under the Standard Assessment Procedure (SAP) shall be submitted to the Local Planning Authority and approved in writing to demonstrate that the development has been carried out in accordance with the approved details. If the development is unable to meet the required reduction in CO₂ emissions through the approved energy strategy, then any shortfall shall be made up through the application of further sustainability measures unless otherwise approved by the Local Planning Authority in writing. The approved details should thereafter be retained.

Reason: To comply with London Plan Policy 5.2 and Local Plan Policy 31.

(13) Prior to first occupation of the GP Surgery, 'as-built' Building Regulations Part L outputs prepared under the Simplified Building Energy Model (SBEM) 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 Stage 2 Energy Statement ref: PA1166 Rev. P2 dated December 2017. 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 London Plan Policy 5.2 and Local Plan Policy 31.

(14) Prior to the commencement of the superstructure of the development hereby approved, a revised site specific Flood Risk Assessment (FRA) together with a finalised drainage design for the management of surface water run-off must be submitted to the Local Planning Authority and approved in writing which identifies appropriate site drainage and flood risk management measures, including SuDS, in order to manage surface water run-off as close to its source as possible in accordance with the Mayor's drainage hierarchy in London Plan Policy 5.13. The submitted scheme should:

- (i) provide details of the design storm period and intensity, proposed SuDS measures to delay and control the rate of surface water discharged from the site and proposed measures to prevent pollution of the receiving groundwater and/or surface waters;
- (ii) include revised calculations carried out by an appropriately qualified professional to show that the peak run-off rate for the 1 in 100 year 6-hour rainfall event (plus 30% for climate change) will be as close as reasonably practicable to the greenfield run-off rate for the same event;
- (iii) where greenfield run-off rates cannot be achieved, and methods of drainage include those lower down the Mayor's drainage hierarchy, evidence should be provided to justify the proposed measures and to demonstrate that the peak run-off rate for the 1 in 100 year 6-hour rainfall event (plus 30% for climate change) will be no more than 3 times the calculated greenfield run-off rate for the same event; and
- (iv) demonstrate that the 1 in 30 year rainfall event (plus 30% for climate change) can be contained without flooding; any flooding occurring between the 1 in 30 and 1 in 100 year event (plus 30% for climate change) will be safely contained on site; and that rainfall in excess of the 1 in 100 year event is managed to minimise risks.

Reason: To comply with London Plan Policy 5.13 and Policy 32 of the Sutton Local Plan.

(15) Prior to the occupation of the development hereby approved, written confirmation that the approved site drainage and flood risk management measures, including SuDS, have been implemented as part of the development as built must be submitted to the Local

Planning Authority and approved in writing. Where different from the approved details, further calculations carried out by an appropriately qualified professional must be provided to show that the peak run-off rate for the 1 in 100 year 6-hour rainfall event (plus 30% for climate change) will be as close as reasonably practicable to the calculated greenfield run-off rate for the same event and no more than 3 times the calculated greenfield run-off rate for the same event. All the measures implemented shall be retained for as long as the development is in existence.

Reason: To comply with London Plan Policy 5.13 and Policy 32 of the Sutton Local Plan.

(16) Prior to the occupation of the residential dwellings 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 Sutton Local Plan policy 33.

(17) Prior to 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 3882:2015 'Specifications for Topsoil' and BS 8545:2014 'Trees: From Nursery to Independence in the Landscape') 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 trees 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 the Sutton Local Plan.

(18) All trees on and adjacent to the site shown to be retained shall be protected in accordance with the recommendations in British Standard BS 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations and the approved drawing no. 4132-LLB-ZZ-XX-DR-Ab-0001-S4-P01 Rev. P02. No materials shall be stored within this fenced area, and the protective measures shall only be removed on completion of development and on completion of development, the applicant (their heirs or successors in title) shall submit photographic evidence of compliance with this standard.

Reason: To ensure trees significant in terms of their provision of local amenity are protected from construction damage, in accordance with best practice and local plan policy 28: Character & Design.

(19) Prior to the commencement of the development hereby approved, details of the finished land levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted drawings shall show the degree of retrograding of the land levels proposed in close proximity of the protected trees to the southern boundary of the site, in particular the relationship between the car parking spaces and the southernmost dwelling.

Reason: To ensure trees significant in terms of their provision of local amenity are protected from construction damage, in accordance with best practice and local plan policy 28: Character & Design

(20) Prior to the first occupation of the development hereby approved, details of the boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall show acoustic fencing along the western boundary of the site adjacent to the dwellings of Hardegray Close. The approved scheme shall be implemented prior to occupation of the site and thereafter retained for its purpose.

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 the Sutton Local Plan and to protect the amenity of the neighbouring occupiers.

(21) All plant and machinery associated with the surgery hereby approved shall be enclosed and soundproofed in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the occupation of the surgery and retained thereafter for its designated purpose.

Reason: To protect both neighbouring occupiers and future occupier's amenity in accordance with policy 29 of the Sutton Local Plan.

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

- a) a desk top study detailing the history of the site's uses and proposing a site investigation strategy based on the relevant information discovered by the desk study all of which is to be submitted to the local planning authority for approval.
- b) a site investigation, including relevant soil gas surface and groundwater sampling, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) a site investigation report, in accordance with BS 5930:1999 (Code of Practice for Site Investigations & BS10175: 2001 Code of Practice Investigation of Potentially Contaminated Sites) detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remedial strategy.
- d) All work should generally be in accordance with the Environmental Protection Act 1990 (Part IIA), Statutory Guidance on Contaminated Land together with other relevant legislation and guidance as described in the DETR documents Contaminated Land Research Reports, CLR Series, 1994.

Reason: To prevent harm to human health and pollution of the environment in accordance with Policy 34 of the Local Plan.

(23) Should remedial works be required, the remedial strategy shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of the development works and remedial works. On completion of the agreed remedial works, a closure report and certificate of compliance endorsed by the interested party/parties, shall be submitted to and agreed in writing by the Local Planning Authority, prior to the occupation of the site by end users. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

Reason: To prevent harm to human health and pollution of the environment in accordance with Policy 34 of the Local Plan.

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

Reason: To prevent harm to human health and pollution of the environment in accordance with Policy 34 of the Local Plan.

(25) Prior to first occupation of the development hereby approved, details of the NO_x emission rates for the gas-fired low NO_x boilers shall be submitted to and approved in writing by the local planning authority.

Reason: In accordance with Policy 34 of the Local Plan to support the implementation of Air Quality Action Plan measures within an area that has been designated an Air Quality Management Area.

(26) Prior to the occupation of the development hereby approved the approved external lighting scheme shall be implemented in accordance with the approved details OP74890-LD8399_01D, Outdoor Lighting Report dated 12 November 2017 shall be implemented and retained thereafter for its designated purpose.

Reason: To protect the amenity of the neighbouring and future occupiers in accordance with policy 29 of the Sutton Local Plan.

(27) The first floor side facing windows (north and south elevations) of the surgery shall be obscure glazed and retained thereafter.

Reason: To protect both neighbouring occupiers and future occupier's amenity in accordance with policy 29 of the Sutton Local Plan.

(28) Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is

required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with best practice and Policy 28 of the Sutton Local Plan 2018.

INFORMATIVES.

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

(2) The Council was able to negotiate successfully with the applicant to amend the application so that it complied with the relevant policies. Sutton Council has accordingly granted planning permission.

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

Before work commences there are certain forms which you must complete and return to planningobligations@sutton.gov.uk. Please note that penalty surcharges will be added to contributions should CIL regulations not be followed.

Further details of what to submit and timescales in relation to the Community Infrastructure Levy can be found online at - <https://www.gov.uk/guidance/community-infrastructure-levy>.

CIL forms can be found at -

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

(4) NAMING AND NUMBERING. This permission creates one or more new units which will require a correct postal address. Contact the Street Naming & Numbering Section by e-mail street.naming@sutton.gov.uk.

(5) The developer is reminded that under the Highways Act 1980 Sections 131, 148 and 149, it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and also to prosecute persistent offenders.

(6) This decision notice should be read in conjunction with the agreement or Unilateral Undertaking submitted under Section 106 of the Town and Country Planning Act 1990 dated xxx.

Before work commences there may be notices or payments due in relation to this agreement and the obligations contained within. Please send any notices or queries to planningobligations@sutton.gov.uk.

Please note that failure to follow the obligations as stated in the agreement could result in penalty charges being added.

This page is intentionally left blank