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DM2020/01062

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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

Development Land North Side And Adjoining 1 To 12 Bishops Place, Sutton

Demolition of existing buildings onsite and erection of a three storey terrace comprising a mixture of dwellings and self contained flats totalling 9 units, including the provision of car parking and cycle parking, refuse storage and private amenity space.

SECOND SCHEDULE

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

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

2. The approved development shall be carried out in accordance with the following drawings/details: INC-SA-(20)-0002 PO1, INC-MA-(20)-0003 P00, INC-MA-(20)-0004 P00, INC-SA-(20)-0003 P00, INC-MA-(22)-0001 P02, INC-MA-(22)-0003 P05, INC-MA-(21)-0001 P07, INC-MA-(21)-0002 P01, INC-MA-(22)-0002 P03,

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INC-MA-(20)-0001 P09, INC-MA-(20)-0002 P10, INC-MA-(21)-0004 P01, INC-SA-(20)-0001 P03, INC-SA-(20)-0010 P12, Carbon Offset Calculation (received 15 July 2020), Biodiversity Net Gain Calculator (received 15 July 2020), Construction Phase Health and Safety Plan for Construction Works (received 15 July 2020), Drainage Strategy (received 15 July 2020), Energy and Sustainability Statement (received 15 July 2020), Preliminary Ecological Appraisal Report (J00441/Report Version V1.2) (dated 29 January 2021), Transport Technical Note (received 15 July 2020), Phase 1 Geoenvironmental Report (received 15 July 2020), SAP Design Summary (received 15 July 2020), Green Space Factor Assessment (received 14 September 2020), Thermal Comfort Analysis (received 14 September 2020), Water Consumption Calculations (received 14 September 2020), Air Quality Assessment (received 29 September 2020), Acoustic Report (22 October 2020), Bat Roost Inspection Report (received 03 March 2021).

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

3. Prior to the commencement of the development works, excluding demolition works, the type and treatment of the materials, including samples, to be used on the exterior of the building 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. This condition is required to be pre-commencement to ensure that materials are considered at an early stage of the construction process and it is important that details are agreed at this stage as this could potentially impact on construction methods.

4. No development shall begin, including demolition and site clearance works, until a Construction Logistics Plan (CLP), 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 in accordance with policies 29, 36 and 37 of the Sutton Local Plan.

5. No development shall commence, including demolition and site clearance works, until a Construction Management Plan (CMP), to include details of: (a) provision of boundary hoarding; (b) hours of operation; (c) means to control dust and emissions to air; (d) means to control noise and vibration has been submitted to, and approved in writing by, the Local Planning Authority. The CMP should be in accordance with the GLA's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The development shall be constructed in accordance with the approved statement.

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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. This condition is required to be pre-commencement as the Construction Management Plan needs to be in place before any works take place and to mitigate against the impacts of the demolition / construction process in accordance with policies 29 and 34 of the Sutton Local Plan.

6. Prior to the occupation of the development, the car parking provision shall be laid out in accordance with the approved drawing no. INC-SA-(20)-0010 P12 and shall be retained thereafter for the life of the development.

Reason: To ensure sufficient car parking provision is provided in accordance with Policy 37 of the Sutton Local Plan and Policy 6.13 of the London Plan.

7. Prior to the occupation of the development, the occupation of the development, the cycle and waste storage provisions shall be provided in accordance with the approved drawing no's: INC-SA 20 0010 P12, INC-MA-20-0003 P00 and INC-MA-20-0004 P00, and shall be retained thereafter for the life of the development.

Reason: To ensure sufficient cycle parking provision is provided in accordance with Policy 37 of the Sutton Local Plan.

8. Prior to the occupation of the development, 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 the Sutton Local Plan 2018.

9. Prior to the commencement of development, measures for the protection of all tree(s) shown to be retained shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be in accordance with the British Standard BS5837: Trees in relation to design, demolition and construction. Any works/development on site shall be carried out in strict accordance with the approved details and the protective measures shall only be removed on completion of the development.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the tree (s) to be retained will not be damaged during demolition or construction and to ensure tree(s) significant in terms of their provision

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of local amenity are protected from construction damage, in accordance with best practice and Policy 28 of the Sutton Local Plan 2018.

10. Prior to commencement of the development hereby permitted, excluding demolition works, a scheme for habitat protection, creation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. This will take the form of a Biodiversity Enhancement and Management Plan (BEMP) and include a No Net Loss and Net Gain evaluation, working to LBS' methodology and in general accordance with BS42020:2013 to provide a Net Gain on site, based on the submitted PEA / and Urban Green Space information. The BEMP will provide:

a) Sizes of each habitat area to be created and full details on how they will be created, how 5 years of aftercare and 25 years of management will be undertaken and the inclusion of 5 years of monitoring of habitats from creation;

b) Soft landscaping will detail biodiversity enhancement through planting schemes that provide nectar, pollen and fruit resources throughout the seasons, a variety of structural diversity and larval food plants, through no less than 60% native and local species by number and diversity. Substrate, provenance and numbers of all bulbs, seeds and plugs / whips / trees will be detailed, as will aftercare and ongoing management. Spring bulbs, flowering lawns and wildflower hedgerow buffer strips should be included wherever there is space available. Ornamental plants will not include any genera or species on Schedule 9 of the Wildlife and Countryside Act (1981) or the LISI list and should be on the RHS Perfect for Pollinators lists (or of documented wildlife value), to provide increased resource availability.

c) A timetable of delivery for each habitat, including soft landscaping and green infrastructure

d) A monitoring report shall be provided to the LPA on the 1st November of each year of monitoring (years 1-3 after creation and years 5), which will assess the condition of all habitats created and any and all necessary management or replacement / remediation measures required to deliver the agreed upon values.

e) details of the contingency methods for management and funding, should the monitoring identify changes are required to ensure the habitat(s) are in the appropriate condition to deliver the required biodiversity values Work shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

f) an updated BNG calculation, based on finalised landscaping proposals.

Reason: To enhance the biodiversity value of the land in accordance with Policy 26 of the Sutton Local Plan 2018. This condition is required to be pre-commencement to ensure that the biodiversity value of the land is fully assessed and is not harmed and / or mitigated for, prior to the demolition / construction process.

11. Prior to commencement of the development hereby permitted a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, in line with recommendations within the submitted PEA. The CEMP shall be in accordance with BS42020:2013 and include the following:

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- a) The qualifications, role and responsibilities of the appointed on site Ecological Clerk of Works (ECoW) or similarly competent person;
- b) seasonal timing of works to avoid affecting birds or other fauna;
- c) measures to prevent entrapment of mammals;
- d) measures to eradicate invasive non-native species (snowberry and Cotoneaster)
- e) Precautionary methods of working and pre-demolition surveys

All works carried out during the construction period shall be undertaken in accordance with the approved CEMP.

Reason: To enhance and protect the biodiversity value of the land in accordance with Policy 26 of the Sutton Local Plan 2018. This condition is required to be pre-commencement to ensure that protected species and the biodiversity value of the site are not harmed or, are mitigated for, prior to the demolition / construction process.

12. Prior to occupation of the development hereby permitted, a Statement of Conformity shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Conformity will be signed by a suitably qualified ecologist named within the Biodiversity Enhancement and Management Plan (BEMP) and include evidence in the form of full details on:
- a) starting and completion dates for each habitat creation / enhancement
 - b) general weather conditions for each habitat creation / enhancement
 - c) any limitations / impeding factors during each habitat creation / enhancement phase,
 - d) time stamped photographs of each habitat undergoing creation or enhancement
 - e) post completion photographs of each habitat / enhancement
 - f) Post installation photographs of each nesting / roosting feature agreed within the approved Wildlife and Nesting Features Scheme required.

This condition is to certify that the details for each habitat / feature, as approved under the BEMP, are in accord with the submitted information.

Reason: To enhance the biodiversity value of the development in accordance with Policy 26 of the Sutton Local Plan 2018.

13. The development hereby approved shall be constructed in accordance with the approved Energy Statement prepared by E&S Bristol (10 July 2020). Prior to first occupation, as-built' Standard Assessment Procedure (SAP) outputs must be submitted to the Local Planning Authority and approved in writing to demonstrate that the development has achieved the required reduction in CO2 emissions. All of the approved measures must thereafter be retained for as long as the development is in existence.

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Reason: To comply with Policy 31 of the Sutton Local Plan 2018

14. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), 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:
- A)) A site investigation scheme, based on the Phase 1 report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - B) The results of the site investigation and detailed risk assessment referred to in (1) 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.
 - C) 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 (2) 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: To ensure the protection of Controlled Waters in accordance with Policy 34 of the Sutton Local Plan, as the site is located over a Principal Aquifer & within SPZ1 and it is understood that the site may be affected by historic contamination.

15. Prior to occupation of the development, 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 in accordance with Policy 34 of the Sutton Local Plan.

16. 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.

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Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy 34 of the Sutton Local Plan 2018.

17. 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: To protect the underlying groundwater from the risk of pollution in accordance with Policy 34 of the Sutton Local Plan.

18. 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: Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters and piling activities will not be permitted where an unacceptable risk is posed to controlled waters, in accordance with Policy 34 of the Sutton Local Plan.

19. Prior to commencement of groundworks (excluding site investigations and demolition), the applicant must submit a final detailed drainage design including drawings and supporting calculations and updated Drainage Assessment Form to the Lead Local Flood Authority for review and approval, aligned with the July 2020 drainage Strategy and associated drawings. The final design must include every attempt to include rainwater harvesting as part of the strategy and demonstrate that exceedance flows will be suitably managed on site directed away from properties and neighbouring sites. Areas and storage volumes of all drainage features must be provided and calculations must include the entire site area. A detailed management plan confirming routine maintenance tasks and the owner for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including Policy 32 of the Sutton Local Plan and London Plan 2021 Policies SI 12 and SI 13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems.

20. No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted 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 for all of the proposed drainage components.

Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies SI 12 and SI 13) along with associated guidance to these policies and Sutton Council's Local Plan Policy 32

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21. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policies SI 1 and SI 2 of the London Plan, as well as Policy 31 and 34 of the Sutton Local Plan in relation to air quality.

22. Prior to the commencement of above ground works, a Dust Management Plan incorporating the recommendations of Appendix C of the September 2020 Air Quality Assessment must be submitted to and approved in writing by the Planning Authority.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policies SI 1 and SI 2 of the London Plan, as well as Policy 31 and 34 of the Sutton Local Plan in relation to air quality.

23. Prior to above ground works, details of the boilers hereby approved shall be submitted to and approved in writing by the local planning authority. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh. The boilers shall be installed and retained for the lifetime of the development in accordance with the approved details unless the prior written approval of the authority is given.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policies SI 1 and SI 2 of the London Plan, as well as Policy 31 and 34 of the Sutton Local Plan in relation to air quality.

24. Any works during the demolition / construction phase that generate noise beyond the site boundary shall be only carried out between the hours of 08.00 and 18.00 Mondays to Fridays and between 08.00 and 13.00 on Saturdays and at no time whatsoever on Bank Holidays and Sundays.

Reason: In accordance with Policies 29 and 34 of Local Plan and to safeguard the amenity of surrounding occupiers during the construction phase.

25. Prior to occupation a waste management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate how refuse and recycling collection shall operate on site. The measures contained within the approved management plan shall be implemented on site prior to occupation and shall be retained thereafter for the lifetime of the development.

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 in accordance with policies 28 and 29 of the Sutton Local Plan.

26. Prior to the occupation of the development hereby approved, a management plan for the access to the site from St Barnabas Road and the proposed parking and turning

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areas shall be submitted to and approved in writing by the Local Planning Authority. The access and parking areas shall be managed in accordance with the approved plan for the lifetime of the development.

Reason: To ensure the site is maintained in a good condition and to ensure the safe and effective continued use of the access and parking arrangements, in accordance with Policies 29, 36 and 37 of the Sutton Local Plan.

27. Prior to occupation of the development hereby approved, full details of the position, design, materials and type of boundary treatments/means of enclosure to be installed within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation of the development and retained thereafter.

Reason: In the interests of amenity for future and neighbouring occupiers in accordance with policy 29 of the Sutton Local Plan 2018.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or revoking and re-enacting that Order), planning permission shall be required in respect of development falling within Class(es) A-G of Schedule 2 to that Order.

Reason: To protect the amenity of neighbouring occupiers in accordance with Policies 28 and 29 of the Sutton Local Plan and to prevent overdevelopment of an already constrained site.

29. The development hereby approved shall be constructed in accordance with the recommendations set out within the agreed Environmental Noise Impact Assessment, prepared by Sound Advice Acoustics Ltd (Ref: SA - 6482).

Reason: To ensure that the development provides appropriate acoustic screening against noise associated with the adjacent light industrial uses and to provide an appropriate level of privacy for future occupiers when using their bathroom, in accordance with Policy 29 of the Sutton Local Plan.

30. The first floor and roof level windows within the north facing rear elevation of the dwelling identified as plot 1 on drawing no. INC-SA(20)0010 P12 shall be fixed shut, and the first floor bathroom window within the same elevation of the same dwelling shall also be glazed with obscure glass.

Reason: To ensure that the dwelling provides appropriate acoustic screening against noise associated with the adjacent light industrial uses and to provide an appropriate level of privacy for future occupiers when using their bathroom, in accordance with Policy 29 of the Sutton Local Plan.

INFROMATIVES

- (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,

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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 considers 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. CIL forms can be found at -

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

- (4) 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.
- (5) 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.

- (6) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Acts 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise the groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.