

SUSTAINABLE COMMUNITIES DIVISION

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Town and Country Planning Act 1990 Reserved Matters Decision Notice 22/P2199

The London Borough of Merton as Local Planning Authority hereby **APPROVES** the reserved matters for the development specified in the First Schedule below subject to the conditions specified in the Second Schedule below.

First Schedule – Particulars of application

Application Number: 22/P2199
Location: High Path Estate, South Wimbledon, SW19 2TG
Proposal: Application for approval of reserved matters (Access, Layout, Scale, Landscaping and Appearance) relating to Phase 3A of the High Path Estate regeneration. This phase of works comprises the demolition of the existing houses at 50-60 Pincott Road and the provision of a multi-use games court including associated landscaping, lighting and highways works.

Relating to the application for Variation of Condition 3 to Outline Planning Permission reference 22/P1740 relating to Phase 3 of the High Path Estate redevelopment (with all matters reserved, except in relation to parameter plans) for the comprehensive phased regeneration of High Path Estate comprising demolition of all existing buildings and structures; providing up to 1570 residential units (C3 Use Class); provision of up to 9,900 sqm of commercial and community floorspace (inc replacement and new floorspace, comprising: up to 2,700 sqm of Use Class A1 and/or A2, and/or A3 and/or A4 floorspace, up to 4,100 sqm of Use Class B1 (office) floorspace, up to 1,250 sqm of flexible work units (Use Class B1), up to 1,250 sqm of Use Class D1 (Community) floorspace; up to 600 sqm of Use Class D2 (Gym) floorspace); provision of new neighbourhood park and other communal amenity spaces, incl children's play space; public realm, landscaping, lighting; cycle parking (incl visitor cycle parking) and car parking (inc within ground level podiums), associated highways and utilities works.

Approved Plans: See condition 1

Second Schedule – Conditions

1 Approved plans - Development in accordance with approved drawings and documents.

The approved plans comprise the following drawing numbers:

L-02001(3A) P0 Existing Site Plan
L-02002(3A) P0 Proposed Site Layout Plan



L-02003(3A) P0 Existing & Proposed Elevation
L-02005(3A) P0 Levels Plan
L-02006(3A) P0 Proposed Interim Scheme
06602(3A) Phasing Strategy - Construction Phases
06601(3A) Phasing Strategy - Demolition Phases

- 2 Materials - No above ground works (other than Enabling Works) shall commence until details of particulars and samples of the materials to be used for the ball court (including ball court enclosure), have been submitted to and approved in writing by the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan
- 3 Surfacing - No above ground works (other than Enabling Works) shall commence until details and samples of the surfacing of all those parts of the site relating to soft and hard landscaping, including footpaths, public realm and ball court area (including temporary and permanent surfaces) have been submitted in writing for written approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 and D4 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2, D3 and G7 of Merton's Sites and Policies Plan 2014.
- 4 Permanent surfacing - Phase 6B of the High Path Development (as defined in the outline permission (22/P1740) or any other subsequent amendment or new application) shall not be occupied until the permanent surfacing details of the ball court area (phase 3a) have been fully installed in accordance with the approved details (approved details as required by condition 3 (Surfacing) of this planning approval).
Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 and D4 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2, D3 and G7 of Merton's Sites and Policies Plan 2014.
- 5 Informative - You are advised that all details for conditions attached to planning permission reference 22/P1740 are to be complied with and where necessary discharged at the appropriate time, including those relating to the following.
Time Limit
Drainage
Secured by Design
Play Space
Lighting
- 6 Informative - For the avoidance of doubt, the following matters are considered to be acceptable for phase 3a and carried out in accordance with the approved details (see condition 1 (Approved plans) of this permission).
Phasing Strategy (Condition 4 attached to 22/P1740)
Urban Design Strategy (Condition 7 attached to 22/P1740)
Accessibility Strategy (Condition 15 attached to 22/P1740)
Levels Plan (Condition 22 attached to 22/P1740)



However, you are reminded that the above conditions would need to be fully discharged in relation to all other relevant phases in the High Path estate Development.

- 7 Informative - Enabling Works: Means any works comprising of demolition, site clearance, ground investigation, archaeological investigation, construction of boundary fencing or hoardings for the demolition / construction phase, demolition / construction noise attenuation works, construction of temporary highways accesses, construction / demolition compound set up).
- 8 Informative - Note to applicant: In accordance with paragraph 38 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:
- i) Offering a pre-application advice and duty desk service.
 - ii) Where possible, suggesting solutions to secure a successful outcome.
 - iii) As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- i) The applicant/agent was provided with pre-application advice.
- ii) The application was acceptable as submitted and no further assistance was required.

Date of Decision:

Signed.....

Jonathan Berry – Interim Development Control Manager
For and behalf of the Head of Sustainable Communities.

Note: This approval confers permission under the Town and Country Planning Acts only. It does not confer consent or approval under any other statutory enactment; including the Building Regulations. Failure to obtain all necessary consents may result in enforcement action. It is emphasised that no variation from the deposited plans or particulars will be permitted unless previously authorised in writing by the London Borough of Merton

Please read attached notes.

Note regarding rights of Appeal



- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



Community Infrastructure Levy

If permission is granted for the development of any new dwelling(s) or at least 100 square metres of new-build gross internal area (GIA) (including replacement of existing GIA), into which people normally go, it will usually become liable for a Community Infrastructure Levy (CIL) payment under Merton and Mayor of London CIL charging schedules.

If your development is liable, you will be sent a liability notice that will provide details of the charge. This will be recorded to the register of Local Land Charges as a legal charge upon your property and will become payable upon commencement of development. Information on the payment process (including penalties) will be provided with the liability notice or upon request.

If your development is likely to be CIL liable and you have not already done so, please complete and return to us an additional information form, available at http://www.planningportal.gov.uk/uploads/1app/forms/cil_questions.pdf. Failure to do so will mean we will perform the calculation of the charge solely on the basis of the information already provided with the planning application which might result in you being overcharged.

This will affect planning applications which receive planning permission on or after the date the CIL charge comes into effect. For more information please visit <http://www.merton.gov.uk/cil> or email CILevy@merton.gov.uk

The Mayor of London has adopted an updated CIL charge of £60/sqm for developments in Merton, which is effective to developments granted planning permission from 1 April 2019. This is an increase from the £35/sqm charge on developments effective prior to 1 April 2019. For more information visit: www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy