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London Borough Of Merton,
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TOWN & COUNTRY PLANNING ACT 1990

Planning Permission Decision Notice 16/P3738

The London Borough of Merton, as Local Planning Authority, hereby **GRANTS Planning Permission** for the works specified in the First Schedule below subject to the conditions specified in the Second Schedule below.

First Schedule - Particulars of application

Application Number: 16/P3738

Location: Land to the north and east of Marsh Court
Pincott Road
bound by High Path
Pincott Road
Nelson Grove Road and Rodney Place inclusive of garages
Marsh Court Play Area and The Old Lamp Works
25 High Path
London
SW19 2JL.

Proposal: DEMOLITION OF EXISTING STRUCTURES ASSOCIATED WITH THE OLD LAMP WORKS, ALL GARAGES (74 IN TOTAL) AND MARSH COURT PLAY AREA TO PROVIDE RESIDENTIAL ACCOMMODATION (134 UNITS - CLASS C3) IN BUILDINGS OF THREE - NINE STOREYS, PROVISION OF CAR PARKING (31 SPACES INCLUDING 5 DISABLED SPACES), CYCLE PARKING (249 SPACES), LANDSCAPING AND PUBLIC REALM WORKS TOGETHER WITH ASSOCIATED UTILITIES AND INFRASTRUCTURE.

Approved Plans: See Conditions 2 and 3

Second Schedule - Conditions

- 1 The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: [2000; 2001; 2010; 2011; 2012; 2013; 2014; 2015; 2016; 2017; 2018; 2019; 2020; 2021; 2022; 2023; 2024; 2050; 2100; 2101; 2102; 2103; 2104; 2105; 2106; 2107; 2108; 2109; 2120; 2121; 2122; 2123; 2124; 2125; 2126; 2130; 2131; 2200; 2201; 2202; 2203; 2204; 2205; 2206; 2207; 2220; 2221; 2222; 2225; 2230; 2231; 2232; 2300; 2301; 2302; 2303; 2310; 2311; 2312; 2313; 2314; 2315; 2316; 2320; 2321; 2330; 2331; 2332; 2340; 2341; 2342; 2350; 2351; 2352; 2353; 2610; 2611; 2612; 2613; 2614; 2615; 2616; 2617; 2001 - Indicative Landscape Plan - General Arrangement; 2002- Indicative Landscape Plan (Colour)] Condition 2 contd

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

3 Approved plan Condition 2 contd....

Design and access Statement (incorporating Landscaping Strategy); Biodiversity survey report September 2016; Ellis + Moore Clarification of Bio Retention Suds and Permeable Paving (2017 01 18); Sharps Redmore, Planning Noise Assessment Report dated September 2016.

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

4 No development above ground shall take place until detailed drawings, samples and a schedule of all materials to be used on all external faces (including roof) of Blocks A, B and D of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. 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 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.

5 Condition 5 Part One

No development above ground shall take place until drawings to a scale of not less than 1:20 and sample and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.

- i) metal, glass and wood work including private amenity spaces, balustrades to balconies showing glass to flats;
- ii) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths);
- iii) copings and soffits and junctions of external materials;

6 Condition 5 Part Two

- iv) rain water goods(including locations, fixings, material and colour)

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.

7 Prior to the commencement of landscaping works full details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall address the recommendations in paragraph 10.1 of the approved Biodiversity Survey Report (September 2016) and include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, lighting, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Dev

8 No development shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for 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 not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

9 No development shall commence until full details associated with the on-site carriageway and footway arrangements, including full construction details, materials, lighting and drainage arrangements, have been submitted to and approved in writing by the Local Planning Authority. The approved details should be fully implemented in accordance with the approved plans prior to first occupation of the development.

Reason. To ensure the safe operation of the carriageway and footway within the development and to comply with policy CS.20 of the Merton LDF Core Planning Strategy (2011).

10 Prior to first occupation of the development hereby approved the applicant shall have entered into and completed an agreement under the provisions of the Highways Act with the Local Highways Authority regarding associated footway and highway works. Such works as may be included within the agreement shall be completed before occupation of the development, unless otherwise agreed in writing.

Reason. To ensure the safe and efficient operation of the public highway in accordance with policies CS 20 of the Core Strategy 2011 and DM T2 of the Adopted Merton Sites and Policies Plan 2014.

11 No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Polices Plan 2014.

12 No development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

- 13** Prior to the occupation of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:
- (i) Targets for sustainable travel arrangements;
 - (ii) Effective measures for the on-going monitoring of the Plan;
 - (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
 - (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only on accordance with the approved Travel Plan.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2015, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

- 14** Development shall not commence until a Parking Management Strategy has been submitted in writing for approval to the Local Planning Authority. No works that is subject of this condition shall be carried out until this strategy has been approved, and the development shall not be occupied until this strategy has been approved and the measures as approved have been implemented. Those measures shall be maintained for the duration of the use unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

- 15** Unless otherwise agreed in writing with the Local Planning Authority, subject to completion of the approved energy strategy (i.e. standalone CHP or connection to masterplan heat network) evidence must be submitted to the Local Planning Authority confirming that the development has achieved not less than a 35% improvement on Part L regulations 2013 for CO2 performance.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

- 16** Unless agreed in writing by the Local Planning Authority internal water usage rates shall not be more than 105 litres per person per day.

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

- 17** No development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2015, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 18** Prior to installation details of external lighting are to be submitted, which clearly demonstrates how the lighting features to be installed meets the principles that are set out in paragraph 5.8 of the submitted Design and Access Statement dated September 2016.

Reason To protect and enhance biodiversity in accordance with policies 7.19 of the London Plan 2015 and CS 13 of the Merton Core Strategy 2011.

- 19** Piling or any other foundation design using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority, in liaison with the relevant utility providers, which may be given where it has been demonstrated that there is no resultant unacceptable risk to below ground utility infrastructure. The development shall be carried out in accordance with the approved details.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

Reason: To ensure that the piling design is protective of below ground utility infrastructure assets and controlled waters.

- 20** No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 21** 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 - In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

22 Condition 22 Part One

No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) Provide information about the design storm period and intensity and the method employed to attenuate flows to sewer at a discharge rate of no more than 10l/s. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;

23 Condition 22 Part Two

- ii) Include a timetable for its implementation;
- iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime;

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

24 Condition 24 Part One

No development, other than demolition and site clearance, approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority (including Ellis + Moore Clarification of Bio Retention Suds and Permeable Paving (2017 01 18) and in consultation with Thames Water. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) Provide information about the design storm period and intensity and the method employed to attenuate flows to sewer at a discharge rate of no more than 10l/s. Appropriate measures must be taken to prev

25 Condition 24 Part Two

- ii) Include a timetable for its implementation;
- iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

26 The development hereby permitted by this planning permission shall ensure that finished floor levels for all residential units shall be set no lower than +250mm above the external ground level.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's policies CS16, DM F1 and the London Plan policy 5.12.

- 27 The development hereby permitted shall not be occupied until such time as a Flood Warning and Evacuation plan and procedure is implemented and agreed in writing to the satisfaction of the Local Planning Authority. The Flood Warning and Evacuation Plan shall be implemented in accordance with the submitted Flood Risk Assessment document included and the procedures contained within the plan shall be reviewed annually for the lifetime of the development. Consultation of the plan shall take place with the Local Planning Authority and Emergency Services.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's CS16 and policy DM F1 and the London Plan policy 5.12.

- 28 Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery – including CHP plant - from the residential use shall not exceed LA90-10dB at the boundary with the closest residential property.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

- 29 Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the Sharps Redmore, Planning Noise Assessment Report dated September 2016 shall be implemented as a minimum standard of mitigation from external noise before occupation of any dwelling.

To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2.

- 30 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

- 31** Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

- 32** Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason for condition: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

- 33** In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination', CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason for condition: In order to protect controlled waters and the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

34 Condition 34 Part One

No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

- hours of operation
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative - displays and facilities for public viewing, where appropriate
- wheel washing facilities -measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction.

Reason for condition: To safeguard the amenities of the area and the occupiers of neighbour

35 Condition 34 Part Two

- wheel washing facilities -measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction.

Reason for condition: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

- 36 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.**

Reason for condition: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

37 No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological observation and recording in respect of any anticipated geotechnical site investigation, in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing. The applicant (or their heirs and successors in title) shall implement a programme of archaeological observation and recording in accordance with a Written Scheme of Investigation.

Reason for condition: In order to provide the opportunity to record the history of the site and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D4 of Merton's Sites

38 The development shall not be occupied until the site investigation and post-investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

– Reason for condition: In order to provide the opportunity to record the history of the site and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D4 of Merton's Sites and Policies Plan 2015.

39 Prior to occupation of the development hereby permitted, the applicant shall provide suitable plans to demonstrate 20% provision for charging electric vehicles in line with London Plan (March 2016) requirements, and hereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose.

Reason: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the London Plan.

40 Prior to first occupation of any part of the development details of the positioning and operational management of any on site security system shall be submitted to and approved in writing by the Local Planning Authority and be installed and operational and shall thereafter be retained and maintained.

Reason; To ensure a safe and secure layout in accordance with policy DM D2 of the Merton Adopted Sites and Policies Plan 2015

41 Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

42 Condition 44 Part One

a) Prior to the occupation of the development, details of the design of the playspace in the proposed courtyard and new play facility to the south of the site (as described in the approved Design and Access Statement September 2016 and identified on the approved Drawing No. 2002 Indicative Landscape Plan (Colour)), its delivery, maintenance and retention shall be submitted to and approved by the Local Planning Authority. Such details as may be approved shall be implemented before occupation, unless otherwise agreed in writing by the local planning authority, and the play space shall thereafter be retained and maintained in accordance with those details.

43 Condition 44 Part Two

b) Prior to the commencement of the development, details of improvements to the existing play space at the southern end of Dowman Close (identified as Site E in paragraph 5.13 of the approved Design & Access Statement September 2016), shall be submitted to and approved by the Local Planning Authority. Such details as may be approved shall be implemented before any existing play space area (forming part of the High Path Estate) is rendered unusable by reason of demolition or other such works as may make use of the play area unsafe, and the play space shall thereafter be retained and maintained in accordance with those details.

Reason; To ensure the provision and retention of suitable children's play space in accordance with the requirements of Merton's Core Planning Strategy policy CS 13 and The London Plan 2015 policy 3.6.

44 No development, other than any demolition works, shall be carried out until details of the proposed green/brown roofs (including: species, planting density, substrate, a section drawing at scale 1:20 demonstrating the adequate depth availability for a viable green/brown roof; and a maintenance plan), as confirmed in paragraphs 3.4 and 10.1 of the submitted Biodiversity Survey Report dated September 2016, are submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details and be permanently retained as such.

Reason: In order to conserve and enhance biodiversity and wildlife habitats in accordance with the provision of policy CS.13 of Merton's Core Planning Strategy 2011.

45 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and reenacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses hereby approved (identified as E Blocks in the submitted Design and Access Statement dated September 2016) shall be carried out without planning permission first being obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

46 No cables, wires, aerials, microwave antenna, pipe work (except any rainwater down pipes as may be shown on the approved drawings) meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the development and the visual amenities of the area and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

47 The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

48 INFORMATIVE

You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

49 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

50 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 Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

51 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

- 52** There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover.
- 53** There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- 54** Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 55** No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
- 56** The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
- 57** Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.
- 58** Demolition of buildings and vegetation clearance should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside act 1981. If bats are found, Natural England should be contacted for advice (tel: 020 7831 6922).

Signed [Handwritten Signature] 5/10/17.
For and on 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.

NOTES REGARDING RIGHTS OF APPEAL

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission of approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months from the date of this notice; **unless the application is for householder development, in which case the time limit is 12 weeks.** Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 HawkWing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. A copy of the appeals forms should also be forwarded simultaneously to the Chief Executive's Department, London Borough of Merton, 8th Floor, Civic Centre, London Road, Morden, Surrey SM4 5DX.
2. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or imposed by them, having regard to the statutory requirement (see note below), to the provisions of the development order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given to him.
3. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Local Planning Authority in which the land is situated a purchase notice requiring the authority to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.
4. In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted, subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

NOTE:

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 700(l) & 72(l) of the Act.

DECconea

Community Infrastructure Levy (CIL) Information for Applicants

The Community Infrastructure Levy is a charge introduced by the Government to pay for the infrastructure needed to support new development. It applies to most types of developments where a new dwelling or 100sqm of new build floorspace is proposed, and is charged per square metre of floorspace.

Developments would be liable for a CIL payment once planning permission is granted or on commencement if planning permission is not required.

The liability will be calculated according to the additional GIA produced by the development. If liable, you will be asked to complete and send to us the following forms, which can be downloaded from: www.planningportal.gov.uk/cil.

- o CIL Form 1 "Assumption of Liability" (if planning permission was granted)
- o CIL Form 5 "Notice of Chargeable Development" (if planning permission was not required)
- o CIL Form 6 "Commencement Notice"

As a collecting authority, Merton Council has a duty to ensure that Liability Notices (which tell you how much the charge is) are issued as soon as is reasonably practicable. To do this, we will need the above forms so that we know who to send the notice to. Any liability notice will provide details of the charge and any apportionment between liable parties. 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.

Please note that if an Assumption of Liability is not received then a land charge could be added to the property at a late date, with no right to appeal or request a review.

It is strongly recommended that the relevant forms are submitted before development commences, to avoid being penalized. Please contact us if you are unsure what to do or whether your development will be liable.

Current CIL Charges

Mayoral CIL - On 1st April 2012 the Mayor of London introduced a CIL charge to raise funds towards the delivery of Crossrail, setting a rate of £35 per square metre on all chargeable development, other than for health and education uses, in Merton.

Merton CIL - Since 1st April 2014 the London Borough of Merton's CIL charge has also been effect. The rates vary from £100-£220 per square metre, depending on the location and type of development. For more information on this please visit <http://www.merton.gov.uk/cil>.

For further information please visit www.planningportal.gov.uk/cil or email CILevy@merton.gov.uk.

Notes

1. Any permission granted, other than with respect to certain minor material amendments granted under s.73 of the Act will relate to the entire development, regardless of any references to amendments or previous permissions granted and as such the CIL liability will be calculated on the entire proposed development.
2. If any relief or exemption applies to this proposal and you are granted this prior to commencement of development, this may reduce the final amount you are required to pay. Information is available at www.planningportal.gov.uk/cil.