

SUSTAINABLE COMMUNITIES DIVISION

Head of Sustainable Communities - James McGinlay



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Town and Country Planning Act 1990 Reserved Matters Decision Notice 21/P4430

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: 21/P4430

Location: Eastfields Estate, Mitcham, Surrey

Proposal: Application for Reserved Matters (Phases 1A, 1B, 1C, 1D & 1E) following Outline Planning Permission 17/P1717 (as amended by Section 73 application reference 21/P4078) relating to the Outline Planning Application (with all matters reserved, except in relation to parameter plans) for the comprehensive regeneration of the Eastfields Estate comprising the demolition of all existing buildings and structures; erection of new buildings providing up to 800 residential units (C3 Use Class); provision of up to 275 sqm of non-residential floorspace (flexible use Classes A1 and/or A2 and/or A3 and/or A4 and/or B1 and/or D1 and/or D2) provision of new public open space and communal amenity spaces including children's play space; new public realm, landscaping works and new lighting; cycle parking spaces (including new visitor cycle parking) and car parking spaces (including within ground level podiums), together with associated highways and utilities works.

Approved Plans: See Condition 2 (Plans)

Second Schedule – Conditions

1 The development to which this permission relates shall be commenced not later than the expiration of 2 years from the date of this approval of reserved matters.

Reason: To comply with Section 92 (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: Sitewide Plans (P1 0001, P1 0002, P2 0100, P2 0101, P1 0200); Sitewide Sections (P1 0300); GA Plans (P2 500, P1 501, P1 502, P1 503, P1 504, P1 505, P1 506, P1 507, P1 508, P1 509, P1 510); Block Plans (P2 1000, P1 1001, P1 1003, P1 1005, P1 1007, P2 1100, P1 1101, P1 1102, P1 1103, P1 1104, P1 1105, P1 1106, P2 1200, P1 1201, P1 1202, P1 1203, P1 1204, P1 1205, P1 1300, P1 1301, P1 1303, P1 1305, P1 1307, P1 1309, P1 1310, P1 1400, P1 1401, P1 1402, P1 1403, P1 1500, P1 1501, P1 1502, P1 1503, P1 1504, P1 1505, P1 1506, P1 1600, P1 1601, P1 1602, P1 1603, P1 1700, P1 1701, P1 1702, P1 1800, P1 1801, P1 1802); Block Elevations (P1 2000, P2 2001, P2 2100, P1 2101, P1 2102, P2 2200, P2 2201, P1 2202, P1 2210, P1 2211, P1 2300, P1 2301, P1 2302, P1 2400, P1 2401, P1 2500, P1 2600, P1 2610, P1 2700, P1



2710); Block Sections (P1 3000, P1 3001, P1 3100, P1 3101, P1 3200, P1 3201, P1 3210, P1 3211, P1 3300, P1 3700, P1 3800); Block Bay Studies (P1 4000, P1 4020, P1 4040, P1 4100, P1 4120, P1 4200, P1 4210, P1 4300, P1 400, P1 4500, P1 4510, P1 4511, P1 4520, P1 4521, P1 4522, P1 4530, P1 4540, P1 4600, P1 4610, P1 4620, P1 4700, P1 4710, P1 4800, P1 4801, P1 4810); and Landscape (P2 9000, P2 9001, P2 9100, P2 9101).

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

- 3 The remaining substantive conditions and S106 agreement attached to Outline planning permission 17/P1717 (as amended by Section 73 application reference 21/P4078) continue to apply.

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

- 4 Conditions assessed with this Reserved Matters Application

The development hereby permitted shall be carried out in strict accordance with the following overarching matters as required by the corresponding original planning conditions attached to Outline Planning Permission (as amended by Section 73 application reference 21/P4078)

Condition 4 Phasing Strategy (Phasing Strategy, prepared by Levitt Bernstein Architects, 10.12.2021);

Condition 6 Urban Design Strategy (Urban Design Strategy, prepared by Levitt Bernstein Architects, 10.12.2021);

Condition 7 Energy and Sustainability Strategy (Overarching Energy Strategy, prepared by Etude, 04.2022);

Condition 9 Housing Accommodation Schedule (Housing Accommodation Schedule, prepared by Levitt Bernstein Architects, 12.2021);

Condition 10 Daylight and Sunlight Statement, (Daylight and Sunlight Assessment, prepared by Etude, 12.2021);

Condition 11 Accessibility Strategy (Accessibility Strategy, prepared by Probyn Gibbs, 04.2022);

Condition 12 Lighting Strategy (Overarching Lighting Strategy, prepared by Speirs and Major, 29.03.2022);

Condition 13 Refuse Strategy (Overarching Refuse Strategy, prepared by Stantec, 12.2021);

Condition 16 Arboricultural Method Statement/ Tree Protection Plan (Overarching Arboricultural Method Statement and Tree Protection Plan, prepared by Greengage, 12.2021);

Condition 18 Level Plan (Level Plans, prepared by Levitt Bernstein Architects);

Condition 29 Surface and Foul Water Drainage Strategy (Overarching Surface and Foul Water Drainage Strategy, prepared by Ramboll, 03.2022);

Condition 37 Electric Vehicle Charging Infrastructure Strategy (Electric Vehicle Charging Infrastructure Strategy, prepared by Pell Frischmann, 12.2021);

Condition 41 Transport Strategy (Transport Strategy, prepared by Pell Frischmann, 03.2022).

For the avoidance of doubt, in accordance with the original planning conditions attached to Outline Planning Permission (as amended by Section 73 application reference 21/P4078), where relevant, the submission of full details must be submitted to and approved for each relevant phase in order to fulfil and discharge relevant condition(s).

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

- 5 Sample of materials

Prior to the commencement of Above Ground Works in the relevant phase, details of particulars and samples of the materials to be used on all external faces of the development hereby permitted,



including down pipes, window frames, and doors (notwithstanding any materials specified in the application form and/or the approved drawings), 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 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 2014.

6 Sample of surfacing

Prior to the commencement of Above Ground Works in the relevant phase details and samples of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas, roads and footpaths 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 relevant phase shall not be occupied 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 appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 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 2014.

7 Surface and Foul Water Drainage Strategy Detailed Design

A detailed surface and foul water drainage strategy should be provided for the relevant phase and receive written approval from the Local Authority prior to the commencement of development (other than Enabling Works) in that phase. The detailed strategy should be prepared in accordance with the approved Overarching Surface and Foul Water Drainage Strategy. The detailed design for each relevant phase shall be prepared in consultation with Thames Water.

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 Core Planning Strategy 2011, Policies CS16, DMF2 and Policy SI13 of the London Plan 2021.

8 The balcony privacy screens proposed on the north elevation of Blocks C and D, and the defensible space proposed in front of the ground floor homes as shown on the approved plans shall be implemented before the relevant homes are first occupied and retained permanently thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies 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 2014.

9 The relevant phases of the development hereby permitted shall not be occupied until the details contained in the Transport Strategy prepared by Pell Frischmann dated 03.2022 for that phase, have been provided and made available for use. The measures shall be retained for the occupants of and visitors to the development at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that adequate levels of parking are proposed, that sustainable means of transport are encouraged and to ensure that no unacceptable increase in traffic movements result, in line with the recommendations of the Transport Strategy and in accordance with Policies T4, T5 and T6 of the London Plan (2021), Policies DM T1, DM T2 & DM D3 of the SPP Local Plan 2014, Policy CS18, CS19 & CS20 of the Core Planning Strategy 2011 and Policies EP E2 & EP E3 of the Adopted Estates Local Plan 2018.



- 10 Thames Water: There is no right of discharge of highway drainage into the public sewerage system. An agreement to allow a discharge may be granted under section 115 (WIA 1991) by negotiation between the Highway Authority and Thames Water.
The applicant has provided additional information about existing discharge locations and rates, used in the assessment of this application. Permeable paving, blue/green roofs and water butts should be maximised where applicable. The developer should survey CCTV the foul sewer from MH 3102 to MH 5304 to ensure connectivity and that the pipe diameter is consistent.
- 11 Highways: The existing highway condition on the roads accessing the development must be checked both prior, during, and after construction to assess the impact of construction traffic.

The legal S38 and S278 agreements must be put in place where necessary in accordance with the s106 agreement, where finalized details relating to but not limited to highways adoption, full vehicle tracking, specification of materials, and Acacia Road alignment, are to be agreed upon by the Local Planning Authority.

A S171 highways license must be obtained prior to works starting on a phase where there is any impact on the existing Public Highway.
- 12 Above Ground Works: Means any works above the ground floor slab of the proposed redevelopment (excluding Enabling Works).

Below Ground Works: Means any works below the ground floor slab of the proposed redevelopment (excluding Enabling Works).

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.

Date of Decision:

Signed.....
Lesley Barakchizadeh– 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