

## SUSTAINABLE COMMUNITIES DIVISION

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### **Town and Country Planning Act 1990 Planning Permission Decision Notice 21/P2806**

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:	21/P2806
Location:	High Path Estate, South Wimbledon, SW19 2TG
Proposal:	Application for Variation of Condition 3 to Outline Planning Permission reference 17/P1721 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:	2001 REV A, Site Location Plan 2002 REV A, Site Topographical Survey 2003 REV A, Existing Elevations 1 2004 REV A, Existing Elevations 2 2005 REV A, Existing Elevations 3 2007 REV A, Proposed Demolition Plan Proposed Block Plan - Drawing no. 2008 Rev B; Proposed Land Use Plan - Drawing no. 2009 Rev B Proposed Layout Parameters Plan - Drawing no. 2010 Rev C Proposed Maximum Building Heights - Drawing no. 2011 Rev E Illustrative Masterplan - Drawing no. 2012 Rev B Proposed Indicative Phasing Plan - Drawing no. 2013 Rev B



Proposed Vehicular Access and Movement - Drawing no. 2014 Rev B  
Proposed Open Place and Landscape - Drawing no. 2015 Rev B  
Pedestrian and Cycle Movement - Drawing no. 2016 Rev B; and  
Proposed Indicative Site Cross Sections - Drawing no. 2017 Rev F  
2018 REV E, Proposed Indicative Site Cross Sections  
DWG 2019-PL, Surface Water Flood Risk Extents  
[ no plan number] Proposed Vehicular Access and movement Option 2  
[no plan number] Proposed Vehicular Access and movement Option 3

## **Second Schedule – Conditions**

- 1 **Commencement:** The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission or 2 years from the approval of the last of the reserved matters as defined in the condition below, whichever is the later.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

- 2 **Approval of Reserved Matters:**  
a. Detail of the reserved matters set out below ('the reserved matters') for each phase of the development shall be submitted to the Local Planning Authority for approval within 3 years from the date of this permission or within 3 years from the date of the last reserved matters for the previous phase of development:

(i) layout; (ii) scale; (iii) appearance; (iv) access and (v) landscaping

b. The reserved matters shall be carried out as approved.

c. Approval of all reserved matters shall be obtained for the relevant phase of development from the Local Planning Authority in writing before any phase of development is commenced.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

- 3 **List of approved drawings:** Condition 3 as per above.

- 4 **PHASING:**  
Phasing strategy Upon submission of the first Reserved Matters application, a Phasing Strategy setting out the delivery of the phases across the whole site shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Strategy shall confirm the order and timing of delivery of each of the phases, Updated phasing plans should be submitted with subsequent Reserved Matters applications.



REASON: To ensure the scheme is delivered as proposed in accordance with Policies D4 and D11 of the London Plan 2021, Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policies EP H1, EP H2, EP H3, EP H4 and EP H8 of the Adopted Estates Local Plan 2018.

- 5 Delivery of non-residential floor space:** Prior to commencement of the relevant phases of development hereby permitted, a plan linking the delivery of the replacement non-residential floor space to the completion of the residential units within that relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the appropriate minimum amount of non-residential floor space is provided as part of the development in order to maximise delivery of employment opportunities in line with Policy E5 of the London Plan 2021, Policy DM E3 of the SSP Local Plan, Policy CS12 of the Core Planning Strategy 2011 and Policy EP H4 of the Adopted Estates Local Plan 2018.

- 6 DEVELOPMENT TO BE CARRIED OUT IN ACCORDANCE WITH PERMISSION:**

Reserved Matters applications should accord with the submitted Development Parameters (Plans and Schedule) and Design Code, or such updated / replacement Development Parameters (Plans and Schedule) and / or Design Code approved in writing by the Local Planning Authority.

REASON: In order to comply with the provisions of Section 92 of The Town and Country Planning Act 1990 (as amended).

- 7 PARTICULARS TO ACCOMPANY RESERVED MATTERS APPLICATIONS:**

**Urban Design Strategy:** Applications for approval of Reserved Matters for each relevant phase of development submitted pursuant to this permission relating to layout, scale, access, appearance and landscaping (other than those relating to Enabling Works) shall be accompanied by an Urban Design Report, which explains the approach to the design and how it takes into account the Design Code. This document should also include measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of that phase of development.

REASON: To ensure good design throughout the development in line with the principles set in the NPPF (2019), Policies D4 and D11 of the London Plan 2021, Policies DM D1, DM D2 & DM D4 of the SPP Local Plan 2014,



Policies CS2 & CS14 of the Core Planning Strategy 2011 and Policies OEP.1, OPE.2 and EP H4 of the Adopted Estates Local Plan 2018.

- 8 Energy and Sustainability Strategy:** The first applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale and appearance (other than those relating to Enabling Works) shall be accompanied by an overarching Energy Strategy in accordance with the relevant planning policy and guidance for that time for all phases of the development.

For each subsequent phase of development thereafter, an updated detailed Energy and Sustainability Strategy shall be submitted to the Local Planning Authority for approval prior to commencement of Below Ground works in that phase. The Strategies shall explain but not be limited to the following:

- How the proposed design realises opportunities to reduce carbon emissions in accordance with the Mayors energy hierarchy; including the incorporation of enhanced building fabric, efficiency of energy supply and low and zero carbon technologies;
- The reduction in carbon emissions achieved through these building design and technology energy efficiency measures, to minimise carbon dioxide emissions that contribute towards the London Plan emissions reductions targets;
- How the development has incorporated the principles of sustainable design and construction, and demonstrated compliance with any required sustainable design and construction standards;
- How the buildings relate to any site-wide strategy for district heating incorporating co- or tri-generation from distributed combined heat and power; and how the development has been designed to secure and encourage the delivery of District Heating and Combined Heat and Power;
- How the development has been designed to reduce the impact of the urban heat island in accordance with Mayors cooling hierarchy; and
- How the development incorporates an overheating mitigation strategy.

The approved measures in each phase shall be fully implemented in accordance with the approved details.

**REASON:** To ensure the development contributes to climate change mitigation by meeting the highest standards of sustainable design and



construction achieving an adequate reduction in carbon dioxide emissions from on-site renewable generation, in accordance with the principles set out in the Energy Statement and in accordance with Policies SI 2, SI 3, SI 4, SI 7 & SI 8 and G5 of the London Plan 2021, Policies DM EP1 of the SPP Local Plan 2014, Policies CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 9 Sustainable Design and construction:** Prior to occupation of each relevant phase of the development, verification that the energy strategy as per condition 8 above, has been implemented in accordance with the approved details, must be submitted and approved by the Local Planning Authority, in accordance with National, Regional or Local Policies. This shall include verification of carbon dioxide emissions reductions and water efficiency measures.

REASON: To ensure that the development performs in accordance with the approved plans, achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2, SI 3, SI 4, SI 7, SI 8 and G5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011 or their successors and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 10 District Heat Networks:** London Heat Networks Manual Prior to commencement, other than Enabling Works, of each of the relevant phases of development hereby approved, evidence demonstrating that the development has been designed to enable connection of the development to an existing or future district heating network, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic) and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating in accordance with Policy SI 3 of the London Plan 2021 and the relevant Technical Standards of the London Heat Network Manual (2014) or any subsequent guidance, as amended.

- 11 District Heat Networks:** London Heat Map On completion of the relevant phase of development, details pertaining to the site's Combined Heat and Power (CHP) Decentralised Energy Network (DEN) system should be submitted to the Greater London Authority (GLA, [environment@london.gov.uk](mailto:environment@london.gov.uk)), to allow the site to be added to the London Heat Map (<https://www.london.gov.uk/what-we-do/environment/energy/london-heat-map>).



REASON: To ensure that the development contributes to the London Plan targets for decentralised energy production and district heating planning. Development Plan policies for Merton: Policy SI 2 & SI 3 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

- 12 Ecology and biodiversity strategy:** Prior to the commencement of Above Ground works for each relevant phase of development a detailed Ecology and Biodiversity Strategy shall be submitted and approved by the Local Planning Authority. The Ecology and Biodiversity Strategy shall explain:
- " The location and details of bird boxes, bat boxes and other wildlife features on site in accordance with the recommendations made in the 'Preliminary Ecological Appraisal' by Landscape Planning dated November 2017;
  - " The creation of wildlife habitats within the public realm, integrated into the detailed SUDS designs; and
  - " The management and arrangements for these features.

REASON: To ensure the development contributes to improving the ecology and biodiversity of the area in accordance with Policy G6 of the London Plan 2021, Policy DM O1 of the SPP Local Plan 2014, Policy CS13 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 13 Housing accommodation schedule:** Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale and appearance for each relevant phase of development including if built out as a single phase (other than those relating to Enabling Works), shall be accompanied by a Housing Accommodation Schedule. This document shall explain and include:
- The type and mix of units proposed;
  - Whether the units are to be provided as affordable and what tenure;
  - The gross internal floor areas of each dwelling; and
  - A cumulative position statement on the provision of housing.

REASON: To ensure the development provides an appropriate mix and quality of housing as well as providing an appropriate amount and mix of affordable housing having regard to the relevant viability assessment in accordance with the NPPF 2019, Policies H1, H4, H6, H9, H8, H10, GG1, and S1 of the London Plan 2021, Policies DM H2, DM H3 of the SPP Local Plan 2014, Policy CS8 of the Core Planning Strategy 2011 and Policy EP H4 of the Adopted Estates Local Plan 2018.



- 14 Daylight and sunlight assessment:** Applications for approval of Reserved Matters for each relevant phase of development including if built out as a single phase (other than those relating to Enabling Works) submitted pursuant to this permission relating to layout and scale shall be accompanied by a detailed Daylight and Sunlight Assessment. This document shall explain how the proposed development has been designed to provide appropriate levels of daylight and sunlight to the new homes within the development itself.

REASON: To ensure the development provides future occupiers with acceptable levels of daylight and sunlight in accordance with Policies D4, D6 and D9 of the London Plan 2021, Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policy EP H1 of the Adopted Estates Local Plan 2018.

- 15 Accessibility strategy:** Applications for approval of Reserved Matters for each relevant phase of the development including if built out as a single phase (other than those relating to Enabling Works) submitted pursuant to this permission relating to layout and landscaping shall be accompanied by a detailed Accessibility Strategy for the relevant phase. This document shall explain:
- a) How the proposed public realm areas, within each relevant phase, would be accessible to all, including details of finished site levels, surface gradients and lighting;
  - b) How each building would be accessible to all, including details of level access and internal accommodation arrangements and access to car parking; and
  - c) That 10% of dwellings hereby permitted would be 'wheelchair user dwellings' and all other dwellings are 'accessible and adaptable dwellings'.

REASON: To ensure the development is accessible and inclusive to all in accordance with Policies H10 and D5 of the London Plan 2021, Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policies EP H2, EP H3, EP H4 of the Adopted Estates Local Plan 2018.

- 16 Lighting Strategy:** The first application for approval of Reserved Matters submitted pursuant to this permission relating to layout, access, appearance and landscaping (other than those relating to Enabling Works) shall be accompanied by an overarching Lighting Strategy in line with the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Engineers for all phases.

For each relevant phase of development, an updated detailed Lighting



Strategy shall be submitted to and approved in writing prior to commencement of Below Ground works in that relevant phase. These documents shall explain:

- a) The lighting proposed for amenity spaces and external communal areas, including relevant justification; and
- b) The proposed external building lighting.

**REASON:** To ensure the development is adequately lit in order to minimise the risk and fear of crime, whilst ensuring that the proposed lighting would not unduly impact on local character, amenity or biodiversity in accordance with Policies D11 and G6 of the London Plan 2021, Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011.

- 17 Refuse Strategy:** The first application for approval of Reserved Matters submitted pursuant to this permission relating to layout, access and landscaping (other than those relating to Enabling Works) shall be accompanied by an overarching Refuse Strategy for all phases including if built out as a single phase.

For each relevant phase of development, an updated detailed Refuse Strategy shall be submitted to and approved in writing prior to commencement of Below Ground works of that relevant phase. These documents shall explain:

- a) The storage and disposal arrangements for refuse and waste associated with the residential and commercial elements of the proposed development, including vehicular access thereto;
- b) The storage and disposal arrangements for refuse and waste associated with proposed public realm areas, including vehicular access thereto;
- c) The hours of proposed waste collection; and
- d) A full waste management strategy with details of the location, size and the design of the residual waste and recycling container storage areas for each residential unit
- e) The operation and management of the Underground Refuse System (URS), including vehicular access thereto;

**REASON:** To ensure that adequate refuse storage and disposal facilities are provided, in the interests of local character and amenity in accordance with Policy SI 8 of the London Plan 2021, Policies DM D1, DM D2 of the SPP Local Plan 2014, Policy CS2 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 18 Noise and vibration mitigation strategy:** Prior to commencement of Above Ground works of each building, a detailed Noise and Vibration





Mitigation Strategy shall be submitted to, and approved by, the Local Planning authority. The strategy shall explain noise attenuation measures for the proposed uses, including noise barriers, specified glazing and ventilation and orientation / layout of buildings and amenity areas.

Post completion Noise Assessments are to be submitted to and approved in writing by the Local Planning Authority prior to occupation of each building.

REASON: To ensure the new buildings in the development have adequate provision against noise and vibration from existing sources and within the development in accordance with Policy D14 of the London Plan 2021, Policy DM D2, DM E1 EP H2 and DM E3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H1 and EP H6 of the Adopted Estates Local Plan 2018.

- 19 Sound insulation:** Prior to commencement of Above Ground works in each relevant phase of the development a detailed Scheme of Sound Insulation for the relevant phase shall be submitted to and approved by the Local Planning Authority. 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 Project No.1414499 shall be implemented as a minimum standard of mitigation from external noise unless otherwise agreed by the Council. The internal noise levels shall meet those within BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings as a minimum.

REASON: To protect the living conditions and amenity of future / new residents of the proposed development from noise attributed to the associated non-residential units below in accordance with Policy D14 of the London Plan 2021, Policy DM EP2 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 20 Arboricultural Method Statement/Tree Protection:** The first applications for approval of Reserved Matters submitted pursuant to this permission shall be accompanied by an overarching Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837:2012 for all phases.

For each phase of development, an updated and detailed Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that relevant phase. The approved measures for the protection of the existing retained trees shall be installed prior to the commencement of site works and shall be retained and maintained until the completion of all site operations in that phase. If any trees are proposed for



removal or have any tree work, a full justification must be provided in the Arboricultural Statement. Any tree work shall accord with BS 3998:2010.

The Arboricultural Statement shall also explain the total number of trees to be removed, together with details of the proposed replacement planting, to ensure an overall increase in the number of trees across the site.

REASON: To safeguard the character and appearance of the area and to enhance the appearance of the development, in accordance with Policy D8 of the London Plan 2021, Policy DM O2 of the SPP Local Plan 2014, Policy CS13 of the Core Planning Strategy 2011 and Policy EP H7 of the Adopted Estates Local Plan 2018.

**21 Transport Strategy:** Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and access shall be accompanied by a detailed Transport Strategy for the relevant phase. This document shall explain:

- a) A summary of how the approach relates to the Parking Management Strategy (to be provided as part of the s106) for that part of the development (including but not limited to Car Club provision and details of temporary access and parking arrangements, associated management and enforcement procedures for parking offences on un-adopted roads, as well as the details relating to the displacement of existing residents' parking, and allocation of new parking spaces);
- b) Details of vehicle and cycle parking provision for each of the proposed uses;
- c) Details of electric car charging points with 20% active and passive provision for all other remaining spaces;
- e) Details of motorcycle and scooter parking;
- f) Details of pedestrian and cycle routes throughout that part of the scheme;
- g) Details of pedestrian and vehicle signage and way-finding within the development;
- h) A summary of how the approach relates to the original Transport Assessment; and
- i) A summary of how the proposed Strategy relates to the Travel Plan to be submitted under the s106 Agreement.

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 Assessment 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 H2 & EP H3 of the Adopted Estates



Local Plan 2018.

- 22 Levels Plans:** Applications for approval of Reserved Matters for each relevant phase of the development submitted pursuant to this permission shall be accompanied by a detailed Levels Plan for the relevant phase. This document shall explain details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and land contamination, in accordance with Policies SI 7 and SI 8 of the London Plan 2021, Policies DM D1 & DM D2 of the SPP Local Plan 2014, Policy CS2 & CS14 of the Core Planning Strategy 2011 and Policy EP H1 of the Adopted Estates Local Plan 2018.

**23 Demolition and Construction Method Statements:**

- a) No phase of development shall commence until a detailed Demolition Method Statement has been submitted and approved in writing by the local planning authority.
- b) No phase of development (other than Enabling Works) approved by this permission shall be commenced until a detailed Construction Method Statement has been submitted and approved in writing by the local planning authority.

Where relevant, the statement(s) should take account of other major developments within the vicinity. The approved Statement(s) shall be adhered to throughout the relevant phase of works.

The Statement(s) shall provide details 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;
- public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of noise and vibration;



- measures to control the emission of dust and dirt;
- a scheme for recycling/disposing of waste;
- the measures proposed to reduce and remove risks to the water environment and reduce flood risk;
- a full Logistics Plan, which demonstrates how the impact of demolition / construction vehicles would be minimised; and
- an Air Quality & Dust Management Plan (AQDMP) to identify the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, groundwork and construction phases of the development.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance with Policies SI 7 and SI 8 of the London Plan 2021, Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 24 Non-residential floor space carbon reduction:** The non-residential floor space hereby permitted shall be constructed to achieve not less than BREEAM 'Very Good' (or the subsequent relevant standard in such measure of sustainability for non-residential building design which may replace that scheme). The non-residential floor space shall not be occupied until formal post-construction stage certification has been issued confirming that not less than 'Very Good' has been achieved and certification has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of sustainability, energy efficiency and to provide a high quality development in accordance with Policy SI 2 of the London Plan 2021, Policies DM EP1 & DM EP3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 25 Water Conservation:** Prior to the commencement of Above Ground works in each relevant phase of the development, a scheme detailing measures to reduce water use within that phase of the development, to meet a target water use of 105 litres or less per person, per day for residential dwellings only shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall be constructed in accordance with the approved scheme and thereafter retained.



REASON: To minimise the water use of the development, in accordance with Policy SI 5 of the London Plan 2021, Policy DM D2 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 26 Energy Centre:** Prior to commencement of Above Ground works for the relevant phase of the development in which the energy centre is to be situated, details and verification to demonstrate that the energy centre flue will be at least 3m above any openable window or ventilation air inlets within the new residential development within a distance of 5 times the stack height shall be submitted to and approved in writing by the Local Planning Authority. The flue shall be implemented in accordance with the agreed details prior to the first occupation or first use of buildings of the relevant phase of development and thereafter retained and managed accordingly.

REASON: To ensure the development is sustainable and to comply with SI 3 of the London Plan 2021, Policies DM EP1 & DM EP3 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 27 Landscaping:** Prior to the commencement of Above Ground works comprehensive design strategy a landscaping and planting scheme including details of street furniture, for the phased development of High Path Estate relating to the proposed 'Neighbourhood Park' and along Merton High Street and all other areas to be landscaped, has been submitted to and approved in writing by the LPA. The details shall include on a plan, full details of the size, species, quantities and location of the proposed plants.

The approved works shall be carried out in the first available planting season following the development of the relevant phase or prior to the occupation of any part of the development, whichever is the sooner, and any trees which die within a period of 5 years from the completion of each phase or each phase of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of the same approved specification , unless the Local Planning Authority gives written consent to any variation.

The landscaping plan should indicate the planting of appropriate native species throughout the site.

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 Development Plan policies for Merton: Policies SI 2, G5, D8 and D5 of the London Plan 2021, Policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and Policies DM



D2, F2 and O2 of Merton's Sites and Polices Plan 2014, and Policy EP H7 of the Estates Local Plan.

- 28 Existing Trees:** The existing Sycamore and London Plane trees located in the open landscaped areas adjacent to Merton High Street shall be retained and protected in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. Should any tree become seriously damaged, diseased, dead or dying as a result of this development or within 5 years following the completion of this development, shall be replaced with a semi-mature London Plane tree of a minimum 30 - 35 cms girth in the same or similar position to be approved in writing by the LPA.

REASON: So as to restore the amenity provided by the trees and enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision of sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: Policies SI 2, G5, D5 and D8 of the London Plan 2021, Policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and Policies DM D2, F2 and O2 of Merton's Sites and Polices Plan 2014, and Policy EP H7 of the Estates Local Plan.

- 29 Site Supervision (Trees):** The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than quarterly the status of all tree works and tree protection measures throughout the course of the demolition and site works. The works shall be carried out strictly in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

REASON To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: Policy D8 of the London Plan 2021, Policy CS13 of Merton's Core Planning Strategy 2011 and Policy O2 of Merton's Sites and Polices Plan 2014, and Policy EP H7 of the Estates Local Plan.

- 30 Noise mitigation Noise levels:** (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery associated with each separate commercial unit shall not exceed LA90-10dB at the boundary with the closest residential or noise sensitive property.

REASON: To protect the residential amenities of future occupiers in accordance with Policy D14 of the London Plan 2021, Policies DM D2 & DM EP2 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011 and Policies EP H1 & EP H6 of the Adopted Estates Local Plan 2018.



- 31 Odour:** Details of the measures to control odour from all mechanical systems serving an individual non-residential food premises shall be submitted and approved in writing to the local planning authority and implemented prior to the use commencing. The measures are subject to approval by the local authority. The system shall be designed so neighbouring premises are not affected by odour.

REASON: To protect the amenities of adjoining properties and the surrounding area, in order to comply with Policies DM D2, DM EP2, DM EP4, DM E1 & DM E3 of the SPP Local Plan 2014, Policies CS14 & CS15 of the Core Planning Strategy 2011 and Policies EP H1 & EP H6 of the Adopted Estates Local Plan 2018.

- 32 Flood Risk Assessment:** The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by Peter Brett Associates (ref: 32120/2010 Revision DWG 2019-PL dated February 2018). The flood risk and drainage mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the risk of flooding to the proposed development and future users, and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DM F1 and DMF2 and Policies SI 12 and SI 13 of the London Plan 2021.

- 33 Finished Floor Levels:** Prior to commencement of each relevant phase of the development (with the exception of Enabling Works) hereby permitted, details to demonstrate that finished floor levels for all residential units shall be in accordance with the mitigation measures agreed as part of the approved Flood Risk Assessment (FRA) by Peter Brett Associates (ref: 32120/2010 Revision DWG 2019-PL dated February 2018), shall be submitted to and approved in writing by the Local Planning Authority. The mitigation strategy for each block shall follow this hierarchy and demonstrate that floor levels will be either (i) raised above the corresponding surface water flood depth for the given block location or (ii) set no lower 250mm above existing ground levels or (iii) include flood risk resistance or resilience measures up to the corresponding surface water flood depth. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.



REASON: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's Core Planning Strategy 2011, Policies CS16 and DM F1, Policies EP H6 of the Adopted Estates Local Plan 2018, and Policy SI 12 of the London Plan 2021.

- 34 Flood Warning and Evacuation Plan:** Prior to occupation of the first phase of development hereby permitted, the developer must submit an overarching Flood Warning and Evacuation plan which, covers all phases of the development, in accordance with Flood Risk Assessment Project Ref: 32120/2010 | Rev: J | Prepared by PBA Date: November 2017. The approved Flood Warning and Evacuation plan shall be implemented thereafter.

Prior to occupation of each subsequent phase of the development a revised Flood Warning and Evacuation plan (including in the case of null changes) shall be submitted and approved in writing by the Local Planning Authority. The procedures, information and advice contained within the plan shall be reviewed annually for the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future users in accordance with Merton's Core Planning Strategy 2011, Policies CS16 and DM F1, Policies EP H6 of the Adopted Estates Local Plan 2018, and Policy SI 12 of the London Plan 2021.

- 35 Surface and Foul Water Drainage Strategy:** The first application for approval of Reserved Matters submitted pursuant to this permission relating to layout or landscaping (other than those relating to Enabling Works) shall be accompanied by a scheme for the provision of an Overarching Surface and Foul Water Drainage Strategy for the whole site, and by a Surface and Foul Water Drainage Detailed Design for the relevant phase.

The site wide strategy and detailed drainage design for each phase shall be prepared in consultation with Thames Water, and shall be designed in accordance with the outline details submitted in the AECOM Drainage/SuDS Strategy ref: 60332278 dated January, 2018.

The development will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed restricted rate in accordance with drainage hierarchy contained within the London Plan and it should have regard to the guidance contained within the National SuDS Standards and Mayor of London SPG 'Sustainable design and construction' and Merton's SuDS Design and Evaluation Guide.

- a) The site wide drainage Scheme (overarching) shall:
  - i. provide information about the design storm period and intensity, the method employed to delay (the provision of attenuation volume is to be no





less than 3643m<sup>3</sup>) and control the rate of surface water discharged from the entire site at a maximum rate of 101.2 l/s for a 1:100 year return period plus 40% climate change;

- ii. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
- iii. include a timetable for its implementation; and
- iv. 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.

b) For each subsequent phase of development thereafter, a Surface and Foul Water Drainage Detailed Design for the relevant phase shall be submitted to the Local Planning Authority for approval prior to commencement of the development (other than Enabling Works) in that phase. The Detailed Design shall be prepared in accordance with the approved scheme for the Overarching Surface and Foul Water Drainage Strategy.

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 Policy SI 13 of the London Plan 2021.

- 36 Green, Blue and brown roofs:** Prior to the commencement of each relevant phase of the development (other than Enabling Works) the detailed design, specification and planting scheme for the green, blue and / or brown roofs shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved, retained and maintained in perpetuity thereafter. The green, blue and /or brown Roofs shall be designed in accordance with the drainage and attenuation measures set out in the Flood Risk Assessment produced by Peter Brett Associates revision J, dated November 2017).

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 Policies EP H6 of the Adopted Estates Local Plan 2018 and Policy SI 13 of the London Plan 2021.

- 37 Permitted Development Restricted:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development which would otherwise fall within Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out to



the proposed houses without the prior written permission of the Local Planning Authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling and to safeguard the amenity of neighbouring residents in accordance with Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policies EP H1 & EP H8 of the Adopted Estates Local Plan 2018.

- 38 Secured by Design:** Prior to the commencement of the Above Ground works in each relevant phase of development, details of measures to minimise the risk of crime to meet the specific security needs of the application site/development (as informed by the principles of Secured by Design), shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be carried out in accordance with the approved details and thereafter maintained.

REASON: In the interest of creating safer, sustainable communities, in compliance with Policy D11 of the London Plan 2021, Policy DM D2 of the SPP Local Plan 2014, Policy CS14 of the Core Planning Strategy 2011 and Policies EP H1, EP H2, EP H3, EP H4 & EP H8 of the Adopted Estates Local Plan 2018.

- 39 Non-Road Mobile Machinery (NRMM):** An inventory of all NRMM must be kept on-site during the course of the demolition, site preparation and construction phases. All machinery should be regularly serviced and service logs kept onsite for inspection. Records should be kept on-site, which details proof of emission limits for all equipment. This documentation should be made available to Local Authority officers as required until completion of development.

REASON: To protect local air quality in accordance with Policy SI 1 of the London Plan 2021, Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 40 Combined Heat and Power:** Prior to occupation or use of the relevant phase of development the following details of the installed boiler/CHP shall be submitted to and approved in writing by the Local Planning Authority:

- NO<sub>x</sub> mission rates in g/kWh for comparison against the ultra-low NO<sub>x</sub> emission limits in the Borough's Air Quality Supplementary Planning Guidance; and
- Details of the servicing and maintenance of the boiler and any



pollution control system.

REASON: To protect the future occupiers and neighbouring residents in accordance with Policy SI 3 of the London Plan 2021 and Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 41 External Air Pollution:** Prior to Above Ground works on the relevant phase of development commencing on site a scheme for protecting future users from external air pollution (Where applicable) shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of such a scheme shall be completed before any part of the relevant phase of development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

REASON: To protect the future occupiers and neighbouring residents in accordance with Policy SI 1 of the London Plan 2021 and Policies DM EP2, DM EP3 & DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 42 Contamination:** Prior to the commencement of the each relevant phase of development (other than Enabling Works) 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:

1) A site investigation scheme, based on the Ground Conditions Assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2) 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. The strategy 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.

3) Prior to occupation of each relevant phase of development a verification plan providing details of the data collected in order to demonstrate completion and effectiveness of the works set out in the remediation strategy in (2) and identifying any requirements for longer-term monitoring of



pollutant linkages, maintenance and arrangements for contingency action, must be submitted to and approved in writing by the Local Planning Authority.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: The site is located over a Secondary Aquifer and within SPZ2 and it is possible that the site may be affected by contamination from historic uses. For the protection of Controlled Waters, and in the interests of future health of occupiers of the development, and to protect pollution of groundwater, in accordance with Policy SI 7 & SI 8 of the London Plan 2021, Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 43 Unexpected Contamination and remediation:** If, during development, contamination not previously identified is found to be present at the site then it must be reported in writing immediately to the Local Planning Authority. The Environment Agency should also be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. No further development 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 reported to, verified, and approved, in writing by the Local Planning Authority.

REASON: In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance with Policies SI 7 & SI 8 of the London Plan 2021, Policy DM EP4 of the SPP Local Plan 2014, Policy CS15 of the Core Planning Strategy 2011 and Policy EP H6 of the Adopted Estates Local Plan 2018.

- 44 Drainage scheme infiltration:** 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: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

- 45 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 The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- 46 Design code:** Prior to the submission of any reserved matters application and within 3 months of the date of this decision, a revised Design Code must be submitted for approval in writing by the Local Planning Authority. The developer must enter into discussions with the Local Planning Authority about the content of this Design Code and it must take into account the revisions necessary and omissions identified in the comments made by the Local Planning Authorities Urban Design Officer dated 26 February, 2018.

REASON To safeguard the special architectural or historic interest of the South Wimbledon Station and wider townscape area, in compliance with the following Development Plan policies for Merton: Policies D1, D4, D8, D11, HC1 and HC3 of the London Plan 2021, Policy CS14 of Merton's Core Planning Strategy 2011, Policies DM D2, D3 and D4 of Merton's Sites and Polices Plan 2014, and Policy OEP 3 of the Merton Estates Local Plan 2018.

- 47 Junctions on Transport for London Roads:** The applicant must consult Transport for London (TfL) on any proposed improvements to the Morden Road/ High Path junction or any other such planned highway works, in order to advise if the changes are acceptable from a design/ signals perspective. The applicant must submit the following information for approval unless otherwise agreed in writing by the Local Planning Authority and TfL:

- Full AutoCAD design files outlining the proposed improvements.



- The use of LinSig to assess the impact of the proposals and development trips at the junction is considered to be acceptable in principle; however, TfL requests that this is updated to reflect any design review comments. The 2014 baseline flows that inform the 2014 baseline and future year assessment are also considered to be old and should be updated as part of this process. The LinSig assessments should include a baseline year, an opening year baseline (base + growth + committed development) and an opening year with development (opening year baseline + development).
- The LinSig model files and any corresponding documents informing the assessment (signal data information, validation data, flow and queue length datasheets and a Technical Note with validation tables showing comparison between modelled and surveyed results and explaining any assumptions that have been made during model development) should be provided. This will enable TfL to undertake a review of the model against Model Audit Process (MAP) standards. TfL have a recent Transyt model for this junction which could be leased to the applicant for a fee and used for the assessment. It is based on 2017 data and considers on site collection of DoS and signal data and recent traffic flows.
- A Stage 1 Road Safety Audit should also be undertaken for the proposed junction design.

Should any improvements be proposed to the Merton High Street / Pincott Road priority T-junction TfL must be consulted to enable any impacts on the segregated cycle path which crosses the junction to be reviewed and the details as above must be provided by the developer for approval in writing by the local Planning Authority.

REASON In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: Policies CS18 and CS20 of Merton's Core Planning Strategy 2011, Policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014 and the Estates Local Plan Policy EP H3.

- 48 Bus stop relocation:** Where it is proposed to relocate bus stops, prior to the commencement of the relevant phase of development, the developer must enter into discussion with TfL concerning the details of the proposed relocation options and assessments study to be undertaken in application for any bus stops to be relocated as a result of the development. The developer must submit for approval in writing to the Council the relocation strategy and evidence of approval from TfL of the relocation of the bus



stops.

REASON: In the interests of Highway safety and to comply with the following Development Plan policies for Merton: Policies CS18 and CS20 of Merton's Core Planning Strategy 2011, Policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014, and EPH3 of the Estates Local Plan 2018.

- 49 Archaeology Written Scheme of investigation:** No demolition or development shall take place in each relevant phase until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Prior to occupation of each relevant phase, the programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material shall be completed in accordance with the programme set out in the stage 2 WSI.

REASON: In the interests of archaeological protection in accordance with Policies DM D2 & DM D4 of the SPP Local Plan 2014, Policies CS2 & CS14 of the Core Planning Strategy 2011 and Policies EP H1 & EP H8 of the Adopted Estates Local Plan 2018.

- 50 Foundation design:** No phase of development shall be commenced (other than Enabling Works) until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON The planning authority wishes to secure physical preservation of the site's archaeological interest in accordance with the NPPF.



- 51 Protective Fencing:** No development shall commence until details of fencing, signage and other control measures to protect archaeological remains in-situ have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained for the duration of operational works.

REASON The planning authority wishes to protect archaeological remains during development works.

- 52 Bats:** Prior to the first reserved matters application, a new bat survey is to be carried out by an appropriately qualified person in accordance with Natural England's standing advice and the bat survey guidance published by the Bat Conservation Trust and a bat survey report is to be submitted for approval in writing by the local planning authority. If evidence of bats are found, specific mitigation and biodiversity enhancement features are to be identified for the site in the bat survey report. The report, including the mitigation strategy, should be prepared by an appropriately qualified person and submitted to the local planning authority for written approval, including details of any proposed replacement purpose built bat roost, ecological enhancement and other biodiversity features as recommended by the appointed person.

Any lighting strategy for the entire site should be provided and reviewed by an appropriately qualified person to ensure that there are no undue effects of lighting on any protected species.

REASON: To safeguard the amenities of protected species, the ecology and biodiversity of the area, in accordance with Policy G6 of the London Plan 2021, Policies DM EP2 & DM EP3 of the SPP Local Plan 2014, and Policies CS15 & CS16 of the Core Planning Strategy.

- 53 Play space:** The first application for the approval of reserved matters pertaining to landscaping, appearance and layout of the development hereby approved (other than those relating to Enabling Works), the developer must submit an overarching comprehensive play space strategy showing details of the areas and features of the dedicated children's play space to be provided on site meeting the minimum play space requirements for all age groups in accordance with the Mayor's Supplementary Planning Guidance "Shaping Neighbourhoods: Play and Informal Recreation" (or any subsequent guidance) for approval in writing by the local planning authority.

For each phase of development, an updated detailed Play Space Strategy shall be submitted to the Local Planning Authority for approval prior to commencement of Above Ground works in that phase. The development





shall be carried out in accordance with the approved details and maintained for the duration of operational works.

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, Policy S4 of the London Plan 2021 and Policy EPH5 of the Estates Local Plan 2018.

- 54 Tram Future-proofing:** The applicant must enter into discussions with TfL concerning future-proofing the tram link extension terminus at South Wimbledon, Morden road.

Unless otherwise agreed by TfL and the Council the applicant must ensure a sufficient height from the rail level (6.5 metres minimum) and must satisfy the following:

- Provide a clearance from the underside of the structure to the rail level, which complies with ORR Guidance on Tramways of not less than 5.2m above the ground, or above a place where a person may reasonably stand, with a further requirement for electrical clearance above the wire.
- The clearance between the overhead wire and the building / overhead structure should be 400mm and a further allowance needs to be made for fixings / brackets to fix the overhead wire equipment to the building.

REASON: To ensure that adequate space to accommodate a tram, and 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 Assessment 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 H1, H2 & EP H3 of the Adopted Estates Local Plan 2018.

- 55 Electric vehicle charging points:** Applications for approval of reserved matters for each relevant phase of development pertaining to access and layout (other than those relating to Enabling Works), shall be accompanied by an electric vehicle charging infrastructure strategy and implementation plan, to be submitted to and approved in writing by the local planning authority. This shall accord with the London Plan in place at the time and shall include details of the number, location, installation and management of the electric vehicle charging points.



The electric vehicle charging points shall be implemented prior to first occupation of each Phase and maintained in accordance with the approved strategy / plan and details.

REASON: To ensure 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 Assessment 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 H2 & EP H3 of the Adopted Estates Local Plan 2018.

- 56 Temporary accesses:** Details of any temporary access arrangements to be put in place during the phased development of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the temporary access arrangements in the Phase to which the access relates. Any temporary access arrangements shall, once becoming redundant be removed and the approved road/pedestrian/landscaping details shall be installed/erected.

REASON: To ensure that any temporary access arrangements do not have an adverse impact on existing/future amenity and to ensure the provision of the approved scheme details on cessation of the use of such accesses in accordance with Policies T4 and D3 of the London Plan 2021 and Policy DMT2 of the SPP Local Plan 2014, Policy CS18 of the Core Planning Strategy 2011 and Policies EP H2 & EP H3 of the Adopted Estates Local Plan 2018.

## Informatives

- 1 Policies and Written Guidance:** To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre-planning application advice service.
- 2 Construction and demolition:** works audible beyond the boundary of the site should only be carried out between the hours of 0800 and 1800 hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.



- 3 A Trade Effluent Consent:** will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
- 4 CIL:** The application is subject to both the Mayoral and the Merton Council Community Infrastructure Levy unless an application for an exemption is made and approved.
- 5 Birds and Bats:** Demolition of buildings and tree felling should avoid the bird nesting and bat roosting seasons. Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use, or who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981. Buildings and trees should be inspected for bird nests and bat roosts prior to demolition or felling by an appropriately qualified person. If bats are found, Natural England should be contacted for advice.
- 6 Nesting birds:** If the intention is to complete tree work between the 1st March & the 31st July (inclusive) a due diligence check for nesting birds must be completed before work starts in order to comply with the Wildlife & Countryside Act 1981. Arborists should record such checks in their site specific Risk assessment. If active nests are found work should not take place until the young have fledged.
- 7 Bats and other habitat:** A due diligence check for bats and likely habitats (see attached link) must be completed before work starts in order to comply with the Wildlife & Countryside Act 1981. Arborists should carry out and record such checks in line with BS8596: 2015 surveying for bats in trees and woodland in their site specific risk assessment. If bats or potential roosting features are found work must not start until an appropriately licenced bat handler has been engaged.



- 8 Thames Water:** The developer should consult with Thames Water with regard to whether any offsite reinforcement of the foul water drainage network is required. Copies of the correspondence should be provided for the Council records. The contact number is 0800 009 3921.
- 9 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.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 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 We recommend that developers should: Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/297401/s\\_cho0804bibr-e-e.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297401/s_cho0804bibr-e-e.pdf)

Refer to the Environment Agency Guiding Principles for Land Contamination for the Type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

<https://www.gov.uk/government/publications/managing-and-reducinglandcontamination>

Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination. E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011+A1:2013 Code of practice for investigation of



potentially contaminated sites;

- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and End 5 installation of groundwater monitoring points;
  - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality);
  - Use MCERTS accredited methods for testing contaminated soils at the site. A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out;
  - In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment;
  - GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs;
  - Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50m. Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL11. The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.)
8. If approved it is the developer's responsibility to ensure all signage associated with the proposed development i.e. street name.

**10 Piling and preventing contamination:** The Council recommends that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

**11 Asbestos:** In the event that asbestos containing materials (ACMs) are discovered, details of the contractors with their plan of work detailing the method of removal of ACMs in compliance with current legislation shall be



submitted to the HSE (Health and Safety Executive).

- 12 Archaeology:** Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 13 Fire Strategy:** In accordance with Policy D11 and D12 of the London Plan 2021, the applicant must submit to the Council a fire statement, produced by a third party suitably qualified assessor, to be submitted to and agreed with the London Fire Brigade.
- 14 Carbon emissions evidence:** requirements for prior to occupation stage assessments must provide:
  - Copies of Micro-generation Certification Scheme (MCS) Certificates or any subsequent standard.
  - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling or Building Emission Rate (DER or BER) and percentage improvement of DER or BER over TER based on 'As Built' SAP or SBEM outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address).

OR, where applicable:

- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP or SBEM outputs, AND
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO<sub>2</sub> emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation.

Domestic Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Detailed documentary evidence representing the dwellings 'As Built'; showing:
- the location, details and type of appliances/ fittings that use water in



the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment); and

- the location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling;

Along with one of the following:

- Water Efficiency Calculator for New Dwellings; OR
- Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; or
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built' To ensure that the development performs in accordance with the approved plans, achieves a high standard of sustainability, and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 12 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

**15 Signage:** You are advised that it is the developer's responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.

**16 Open Space:** Means any open piece of land that is undeveloped (has no buildings or other built structures) and is accessible to the public. Open space is taken to mean all open space of public value, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity.

**17 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).

### Added informatives

**18** Applications for approval of details reserved by conditions in the Outline Planning Permission (17/P1721) have been approved and do not need to be re-submitted:

- 52 Bat Survey (ref.19/P2028)
- 46 Design Code (ref. 19/P2028)
- 4 Phasing Strategy for Phase 2 (ref. 19/P1852)
- 7 Urban Design Strategy for Phase 2 (ref. 19/P1852)
- 14 Daylight and Sunlight Assessment for Phase 2 (ref. 19/P1852)
- 15 Accessibility Strategy for Phase 2 (ref. 19/P1852)
- 17 Overarching Refuse Strategy (ref. 19/P1852)
- 20 Overarching Arboricultural Method Statement (ref. 19/P1852)
- 21 Transport Strategy for Phase 2 (ref. 19/P1852)
- 22 Levels Plans for Phase 2 (ref. 19/P1852)
- 35 Surface and Foul Water Drainage Strategy (ref. 19/P1852)
- 53 Overarching Play Space Strategy (ref. 19/P1852)
- 55 Electric Vehicle Charging Points for Phase 2 (ref. 19/P1852)
- 16 Overarching Lighting Strategy (ref. 19/P1852)
- 8 Overarching Energy Strategy (ref. 19/P1852)
- 13 Accommodation Schedule for Phase 2 (ref. 19/P1852)

**19** **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: 21 January 2022**





*Lesley Barakchizadeh*

**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](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](mailto: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](http://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy)**