



# **BENEDICT WHARF TOPIC PAPER**

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Stage 2 Local Plan Evidence for Site Allocation M1

MERTON COUNCIL  
FUTURE MERTON

September 2022

## 1.0 Benedict Wharf

Planning reference: 19/P2383

As originally submitted, the outline application was for up to 600 homes and 500sqm of non residential floor space. Following consultation with the GLA who considered that this figure did not optimise the housing potential of the site or allow for the provision of sufficient affordable housing the quantum was increased to up to 850 homes. As a result, the development increased in height from a range of 3 - 8 storeys to 3- 10 storeys. Both the original and revised schemes introduce buildings of over 21m in the development.

The strategic issues outlined in the GLA's Stage 1 report [GLA/4756/01] were:

### Strategic issues

**Land use principle:** Compensatory re-provision of waste management capacity would be provided; however, further discussion and the written agreement of the South London Waste Plan boroughs is required to confirm that the loss of Benedict Wharf would not compromise the potential to meet the apportionment and selfsufficiency targets in the draft London Plan. Residential-led development of this designated SIL site does not accord with the London Plan or draft London Plan. Further viability and marketing evidence is required to demonstrate the applicant's case for exceptional circumstances in this particular instance (paragraphs 17 to 44).

**Housing and affordable housing:** 20% affordable housing offer, comprising a 60:40 tenure split between London Affordable Rent and London Shared Ownership is wholly unacceptable. This must be significantly improved by fully exploring the potential for grant funding and greater optimisation of the proposed residential density. Early, mid and late stage viability review mechanisms must be secured by Section 106 Agreement. Affordability levels and play space provision should be confirmed and secured (paragraphs 45 to 55).

**Urban design and heritage:** The proposals represent the sub-optimal development of the site, given the site's size and context. The height and massing strategy must be revised to optimise the density and maximise affordable housing delivery. Conditions relating to residential quality, movement routes and inclusive design are required. Subject to the assessment of further verified views from Church Path, GLA officers consider the application is unlikely to harm the adjacent designated heritage assets (paragraphs 56 to 71).

**Climate change:** The proposed energy, drainage and urban greening strategy is supported, subject to conditions and an Urban Greening Factor assessment being submitted and reviewed (paragraphs 72 to 75).

**Transport:** Disabled persons car parking and cycle parking provision should be secured in line with the draft London Plan. Appropriate financial contributions to mitigate the impact on bus capacity will be sought. Conditions are required to ensure the proposals do not compromise the delivery of the Sutton Link project (paragraphs 76 to 82).

The applicant made revisions to the application to increase its density and as a result increased the building heights to achieve 850 homes with improved affordable housing offer from 20% to 35% habitable room, comprising a 60:40 tenure split between London Affordable Rent and London Shared Ownership.

The GLA's Stage 3 report [GLA/4756/03] recommends the scheme for approval. The below points have been extracted from the report to demonstrate their reasons for approval in terms of the sites density and height.

d) In terms of housing and affordable housing, the application proposes up to 850 residential units, of which, 35% would be affordable. The industrial capacity on the site would not be reprovided on site, so the application would normally be subject to the 50% threshold for affordable housing. However, in this particular case, GLA officers consider that the application is subject to the 35% affordable housing threshold set out in Policy H5 of the Intend to Publish London Plan because there would be a net increase in industrial capacity (in terms of waste throughput) across the two linked applications and noting that its delivery would be appropriately secured via the Section 106 obligation. A significant factor in this case is also that the applicant owns both sites and has obtained full planning permission for the replacement waste management facility. GLA officers consider waste throughput is the most appropriate metric for assessing industrial capacity in this case, as the sites are both safeguarded for waste management use. The proposed affordable housing tenure mix would comprise 60% London Affordable Rent (LAR) and 40% intermediate London Shared Ownership. This complies with the tenure mix requirements of the Merton Local Plan, London Plan and Intend to Publish London Plan. As such, subject an early stage viability review mechanism and provisions to ensure grant funding is explored being secured via Section 106 agreement, the application would comply fully with the Fast Track Route criteria set out in the Intend to Publish London Plan and the Affordable Housing & Viability SPG. The affordability levels proposed comply with the Affordable Housing & Viability SPG, Intend to Publish London Plan and London Plan AMR, and would be secured in perpetuity via Section 106 agreement, together with appropriate phasing triggers included to secure the delivery of affordable housing by tenure alongside the occupation of market housing. The scheme would therefore make a significant contribution towards housing and affordable housing delivery targets and meeting local and strategic housing need. On this basis, the application accords with the NPPF; London Plan Policies 3.3, 3.4, 3.8, 3.9, 3.10, 3.11, and 3.12; and Intend to Publish London Plan Policies H1, H4, H5, H6, H7; H10; and complies with Merton Council's affordable housing tenure mix requirements, as set out in Merton Local Plan Policy CS8 and DMH3.

e) GLA officers consider the proposed residential density to be acceptable in this instance, taking into account various factors including the site location, setting, and PTAL, the sustainable transport improvements proposed in terms of walking, cycling and public transport and the surrounding infrastructure capacity. GLA officers consider the density of the site has been page 6 appropriately optimised through a masterplanning and design-led process, which responds appropriately to the site's opportunities and constraints, including the site's close proximity to heritage assets to the north and the more unconstrained setting to the south, west and east. GLA officers are satisfied that the application has been subject to a sufficient degree of design scrutiny and consider that the density and proposed quantum of development to be acceptable, taking into account the proposed height,

bulk and massing of the scheme and having regard to the associated impact on the surrounding area which would not be unacceptably adverse or harmful. GLA officers therefore conclude that the resultant density and quantum of development can be accommodated appropriately on the site. As such, the application accords with the relevant policies relating to density as set out in the NPPF, London Plan Policy 3.4, Policies D1; D2; D3 and D4 of the Intend to Publish London Plan, as well as further guidance in the 2016 Housing SPG.

f) Whilst the application is a departure from the Local Plan in relation to building heights, GLA officers do not consider that the height and massing of the proposed development would have an unacceptably harmful impact on the surrounding area and consider that the proposals would not detrimentally impact the distinctive character or visual amenity of surrounding townscape and landscape features, open spaces or negatively impact local views and the surrounding skyline, as demonstrated in the applicant's HTVIA. Therefore, GLA officers consider that the proposed development otherwise complies with the qualitative assessment criteria set out in London Plan Policies 7.4, 7.6, 7.7, 7.8 and Policies D9, HC1 and HC3 of the Intend to Publish London Plan and Merton Local Plan Policy CS14, DMD2 and DMD4 and is, on balance, acceptable in this particular case.

g) GLA officers conclude that the development proposal would harm the setting and significance of the Mitcham Cricket Green Conservation Area, the Grade II\* listed Mitcham Parish Church, the surrounding Grade II listed tombs and the Grade II listed Vicarage. This harm would be less than substantial and would be clearly and convincingly outweighed by the public benefits associated with the housing and affordable housing provision proposed, namely, the provision of up to 850 new homes, of which 35% would be affordable, comprising a 60:40 policy compliant tenure mix of low-cost rent and intermediate housing provision, as set out above. Further public benefits comprise the enhancements to Baron Walk, the provision of public open space and pedestrian and cycle routes through the site. The reduction in HGV movements within the conservation area along Church Road, which would constitute an important heritage related public benefit in this particular case, given the existing situation. Given the significant benefits of the scheme, GLA officers consider that the less than substantial harm is outweighed and heritage impacts do not justify the refusal of the permission. On this basis, the application complies with the NPPF, London Plan Policy 7.8, 7.7; Intend to Publish London Plan Policy HC1 and HC3; and Merton Local Plan Policy CS14, DMD2 and DMD4.

h) The proposals would not have an unacceptable impact on the residential amenity of existing residents close to the site in relation to daylight, sunlight, overshadowing or privacy and overlooking, and therefore the proposals comply with London Plan Policies 7.6, 7.7 and 7.15, Policy D9 of the Intend to Publish London Plan and Merton Local Plan Policies CS14 and DM D2.

**On 25th of March 2022, the Mayor of London granted planning permission for this application, appended.**

## **2.0 Document hyperlinks**

[Planning application 19/P2383](#)

[Planning Applications Committee Report](#)

[GLA Stage 1 Report](#)

[GLA Stage 2 Report](#)

[GLA Stage 3 Report](#)

[GLA Decision Notice](#)

## 3.0 Appendix

# GREATER LONDON AUTHORITY

## Good Growth

**Corrina Scott-Roy**

Head of Planning  
SUEZ Recycling and Recovery UK Ltd  
West Sleekburn IWMF  
West Sleekburn Industrial Estate  
Northumberland  
NE22 7LQ

**GLA ref:** GLA/4756/07

**Application Ref:** 19/P2383

**Date:** 25 March 2022

Dear Corrina

**Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008**

**Land at Benedict Wharf, Mitcham**

**GLA reference:** GLA/4756/03

**Planning application reference:** 19/P2383

**Applicant:** SUEZ Recycling and Recovery UK Ltd, West Sleekburn IWMF, West Sleekburn Industrial Estate Northumberland, NE22 7LQ

**GRANT OF PLANNING PERMISSION SUBJECT TO PLANNING CONDITIONS AND SECTION 106 AGREEMENT DATED 25 MARCH 2022**

The Deputy Mayor of London, acting under delegated authority and as the Local Planning Authority, hereby grants planning permission for the following development, in accordance with the terms of the above-mentioned application (which expression shall include the drawings and other documents submitted therewith):

*“Outline planning application (with all matters reserved) for the redevelopment of the site comprising the demolition of existing buildings and development of up to 850 new residential dwellings (Class C3 use) and up to 750 sq.m. of flexible commercial floorspace (Class A1-A3, D1 and D2 use), together with associated car parking, cycle parking, landscaping and infrastructure.”*

At: Land at Benedict Wharf, Hallowfield Way, Mitcham CR4 3BQ

**Subject to the following planning conditions and informatives:**

City Hall, Kamal Chunchie Way, London E16 1ZE ♦ london.gov.uk ♦ 020 7983 4000

We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.

1	<b>Time limit for commencement</b>	<p>The development hereby permitted shall be commenced before the expiration of 2 years from the approval of the first Reserved Matters Application.</p> <p><u>Reason:</u> To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
2	<b>Submission of Reserved Matters Applications:</b>	<p>Details of the layout, scale, access, appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Greater London Authority, or the Local Planning Authority where this has been agreed in writing by the GLA, before any development begins and the development shall be carried out as approved.</p> <p><u>Reason:</u> The application is in outline only, and these details remain to be submitted and approved.</p>
3	<b>Timing of the submission of Reserved Matters Application</b>	<p>Details of the first reserved matters shall be submitted to the Greater London Authority (or the Local Planning Authority where this has been agreed in writing by the GLA) for approval within 2 years from the date of this permission.</p> <p>Thereafter, details of the final reserved matters shall be submitted to the Greater London Authority (or the Local Planning Authority where this has been agreed in writing by the GLA) for approval within 5 years from the date of this permission.</p> <p><u>Reason:</u> The application is in outline only, and these details remain to be submitted and approved. To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).</p>
4	<b>Compliance with the approved plans (building heights parameter plan)</b>	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> <li>• Site location plan_AA7042 – SK004 (PRP Architects, 12.07.2018)</li> <li>• Building heights parameter plan_AA7402-02071 (PRP Architects, 13.02.2020)</li> </ul> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out in accordance with the approved plans and to ensure the visual impact is no greater than that demonstrated in the applicant's Heritage Townscape and Visual Impact Assessment (February 2020).</p>



5	<b>Maximum number of residential units to be constructed</b>	<p>Pursuant to this permission, a maximum of 850 residential units shall be constructed on the site.</p> <p><u>Reason:</u> To ensure the development is carried out in accordance with the approved plans and in line with the planning application documents.</p>
6	<b>Compliance with the design code</b>	<p>The development hereby permitted shall be carried out in accordance with the Benedict Wharf Framework Design Code (PRP Architects, March 2020).</p> <p>Reserved Matters Applications for each phase of the development shall be accompanied by an Urban Design Report, setting out the approach to design and detailing how detailed phases of the scheme are in accordance with the Benedict Wharf Framework Design Code (PRP Architects, March 2020).</p> <p><u>Reason:</u> To ensure good design throughout the development in line with the principles set in the NPPF (2021); London Plan (2021) Policies D1, D4, D5, D6, D8, D9; Merton Core Strategy (2011) Policies CS2, CS14; and Merton Sites and Policies Plan (2014) Policies DMD1, DMD2 and DMD4.</p>
7	<b>Phasing plan</b>	<p>A phasing plan setting out the delivery of the phases across the whole site shall be submitted to and approved in writing by the Local Planning Authority prior to or alongside the first Reserved Matters Application.</p> <p>The phasing plan shall confirm the order and timing of delivery of each of the phases and shall include details of temporary pedestrian, cycle and vehicle access and servicing arrangements, lighting, landscaping and means of enclosure including hoardings to be implemented/erected during the enabling/demolition and construction period and include measures to address changes in level across the site as phases of the scheme are built out. Updated phasing plans should be submitted with any subsequent Reserved Matters Applications.</p> <p>The phasing of the development shall be carried out in accordance with the approved phasing plan unless a further plan is subsequently submitted to and approved by the Local Planning Authority.</p> <p><u>Reason:</u> To ensure the appropriate delivery and phasing of the scheme in the interests of the proper planning of the area and to ensure the delivery of the proposed access and landscaping arrangements, including any interim mitigation measures to be put in place to protect residential amenity and trees during the construction of the scheme, in accordance with London Plan (2021) Policies H1, G7, T3, T4, T5; Merton Core Strategy (2011) Policies CS14; and Merton Sites and Policies Plan (2014) Policies DM01, DM02 and DMO1.</p>
8	<b>Site wide parameter plans</b>	<p>The following site wide parameter plans shall be submitted to and approved in writing by the Local Planning Authority prior to or alongside the first Reserved Matters Application:</p> <ul style="list-style-type: none"> <li>• site levels</li> <li>• development parcels</li> <li>• access and movement parameter plan showing vehicle, cycle and pedestrian access</li> </ul>

		<ul style="list-style-type: none"> <li>• block layout</li> <li>• ground floor land uses</li> <li>• public open space zone at ground level, including width of streets and public spaces</li> <li>• landscaping zones within the public realm</li> <li>• landscape defensible space / privacy set-back zones adjacent to ground floor residential accommodation</li> <li>• communal open space zones within development parcels, including the width and size</li> </ul> <p>The site wide parameter plans shall be provided on scaled plans and include appropriate annotations and figures.</p> <p>The development shall then be constructed in accordance with the approved plans.</p> <p><u>Reason:</u> The application is in outline only and the only parameter plan submitted for approval at outline stage relates to maximum building heights, with all other plans submitted in illustrative format. It is necessary for these site wide issues to be set out in more detail when considering the first Reserved Matters Application for any phase of the development to ensure good design, in accordance with the NPPF (2021); London Plan Policies D1, D4, D5, D6, D8, Merton Core Strategy (2011) Policies CS2, CS14; and Merton Sites and Policies Plan (2014) Policies DMD1, DMD2 and DMD4.</p>
<p><b>9</b></p>	<p><b>Housing Accommodation Schedule</b></p>	<p>Upon the submission of the first Reserved Matters Application, a Housing Accommodation Schedule shall be submitted to the Local Planning Authority for approval. The Housing Accommodation Schedule shall cover the entire site and set out the following information:</p> <ul style="list-style-type: none"> <li>• the type and unit size mix of residential units, consistent with the requirements of condition 5;</li> <li>• whether the units are to be provided as affordable and in what tenure;</li> <li>• the provision of wheelchair user dwellings M4(3) (which shall comprise 10% of the total homes across the development) detailing the proposed tenure and size of these homes.</li> <li>• the Gross Internal Floorspace (GIA) areas for each residential unit and the number of habitable rooms; and</li> <li>• the above information on a phase by phase basis, matching the phases agreed within the phasing plan.</li> </ul> <p>The Housing Accommodation Schedule shall be supported by floor plans setting out the location, tenure, size and type of home by block and floor.</p> <p>Each Reserved Matters Application shall include the details set out above and include a cumulative position statement on the provision of housing.</p> <p>The development shall then be constructed in accordance with the approved housing accommodation schedule.</p>

		<p><u>Reason:</u> 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 (2021); London Plan (2021) Policies H1, H5, H6, H10; Merton Core Strategy (2011) Policy CS8; and Merton Sites and Policies Plan (2014) Policies DMH2 and DMH3.</p>
<p><b>10</b></p>	<p><b>Demolition, site clearance and groundworks phase environmental management and logistics plan</b></p>	<p>No demolition, site clearance or groundworks associated the development hereby permitted shall be commenced (with the exception of ground investigations) until a demolition, site clearance and groundworks phase environmental management and logistics plan has been submitted to and approved in writing by the local planning authority. This shall include:</p> <p><u>Site and description of works</u></p> <ul style="list-style-type: none"> <li>a) Site management information, including a site plan showing the location of temporary security hoarding and fencing, site access arrangements and a site office.</li> <li>b) Description and programme of works, including equipment, storage of plant and materials and details of any intrusive remediation, groundworks and excavation works and site clearance.</li> </ul> <p><u>Demolition and waste management</u></p> <ul style="list-style-type: none"> <li>c) Demolition audit</li> <li>d) Site clearance and waste management plan – including a scheme for recycling and/or disposing of waste resulting from demolition, ground works or site preparation, including any hazardous waste</li> </ul> <p><u>Environmental management and mitigation</u></p> <ul style="list-style-type: none"> <li>e) Hours of operation</li> <li>f) Measures to minimise noise and vibration</li> <li>g) an Air Quality &amp; 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.</li> <li>a) Lighting strategy, including measures to minimise light spillage;</li> <li>b) Measures to reduce energy and water usage</li> <li>c) Measures to minimise impacts on ecology, trees and habitats</li> <li>d) Measures to reduce and remove risks to the water environment and reduce flood risk</li> <li>e) Ongoing maintenance of the site and security hoarding during the proposed works</li> </ul> <p><u>Traffic management and logistics</u></p> <ul style="list-style-type: none"> <li>f) Traffic movements - proposed numbers and timings of truck movements throughout the day and the proposed routes</li> <li>g) Ingress and egress to and from the site for construction vehicles, workers and visitors</li> <li>h) Site security and access control arrangements</li> <li>i) parking of vehicles for site operatives and visitors</li> </ul>

		<p>j) deliveries, loading and unloading of plant and materials and their storage on site</p> <p>k) pedestrian and cycle safety</p> <p>l) wheel washing facilities and other measures to prevent mud and debris being carried on to the public highway by vehicles leaving the site</p> <p><u>Construction management and procedures</u></p> <p>m) Site management contact details</p> <p>n) Complaints procedure</p> <p>o) Public notice board and considerate construction</p> <p>The demolition and ground works shall be carried out in accordance with the approved details.</p> <p><u>Reason:</u> To safeguard the amenity of adjacent residents; to ensure efficient, safe and sustainable operation of the highway system; to safeguard pedestrian and highway safety; and to manage and mitigate environmental impacts such as noise and air pollution, biodiversity and trees during demolition and groundworks, in accordance with London Plan (2021) Policies SI1, SI8, T4, G7; Merton Core Strategy (2011) Policy CS17; and Merton Sites and Policies Plan (2014) Policies DMEP2 and DMEP4.</p>
11	<b>Construction phase environmental management and logistics plan</b>	<p>No development associated with the planning permission hereby permitted shall commence (with the exception of demolition, groundworks, ground investigations and remediation and site clearance works) until a construction phase environmental and logistics plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include:</p> <p><u>Site and description of works</u></p> <p>a) Site management information, including a site plan showing the location of temporary security hoarding and fencing, site access and site office.</p> <p>b) Description and programme of works, including equipment, storage of plant and materials and their phasing.</p> <p><u>Environmental management and mitigation</u></p> <p>c) Hours of operation</p> <p>d) Measures to minimise noise and vibration</p> <p>e) an Air Quality &amp; 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.</p> <p>f) Lighting strategy, including measures to minimise light spillage;</p> <p>g) Measures to reduce energy and water usage</p> <p>h) Measures to minimise impacts on ecology, trees and habitats</p> <p>i) Measures to reduce and remove risks to the water environment and reduce flood risk</p>

		<p>j) Ongoing maintenance of the site and security hoarding during the proposed works</p> <p>k) Construction waste management and recycling arrangements</p> <p><u>Construction traffic management and logistics</u></p> <p>l) Traffic movements - proposed numbers and timings of truck movements throughout the day and the proposed routes</p> <p>m) Ingress and egress to and from the site for construction vehicles, workers and visitors</p> <p>n) Site security and access control arrangements</p> <p>o) parking of vehicles for site operatives and visitors</p> <p>p) deliveries, loading and unloading of plant and materials and their storage on site</p> <p>q) pedestrian and cycle safety</p> <p>r) wheel washing facilities and other measures to prevent mud and debris being carried on to the public highway by vehicles leaving the site</p> <p>s) Measures to ensure that pedestrian and cycle access past the site on the adjacent public footpaths is safe and not obstructed during construction works, with details of any temporary re-routing.</p> <p><u>Construction management and procedures</u></p> <p>t) Site management contact details</p> <p>u) Complaints procedure</p> <p>v) Public notice board and considerate construction</p> <p>The construction works for each phase shall be carried out in accordance with the details approved for that phase.</p> <p><u>Reason:</u> To safeguard the amenity of adjacent residents; to ensure efficient, safe and sustainable operation of the highway system; to safeguard pedestrian and highway safety; and to manage and mitigate environmental impacts such as noise and air pollution, biodiversity and trees during construction, in accordance with London Plan (2021) Policies S11, S18, T4, G7; Merton Core Strategy (2011) Policy CS17; and Merton Sites and Policies Plan (2014) Policies DMEP2 and DMEP4.</p>
12	<b>Below ground utilities infrastructure method statement</b>	<p>No development shall commence in a phase until a method statement for that phase covering the protection of all below ground utilities infrastructure present on the site has been submitted to and approved in writing by the Local Planning Authority, in consultation with relevant utilities infrastructure providers. The method statement shall include:</p> <p>a) details of all underground drainage, water supply and energy (electricity and gas) infrastructure;</p> <p>b) a piling method statement including details of the location, depth and type of piling to be undertaken and the methodology by which such piling will be carried out;</p>

		<p>c) measures to prevent and minimise the potential for damage to below ground utilities infrastructure; and</p> <p>d) details of other proposed groundworks, earthworks, contouring and levels, and construction works.</p> <p>The phase of development shall then be undertaken and completed in accordance with the terms of the approved details.</p> <p><u>Reason:</u> To ensure appropriate arrangements are made for servicing, utilities and infrastructure and to avoid potential conflicts between any impacts upon the development as proposed and its servicing, utilities and infrastructure, in the interests of a sustainable development in accordance with the NPPF (2021).</p>
13	<b>Contamination - detailed investigation and risk assessment</b>	<p>Prior to the commencement of the development (other than site investigations), a detailed contaminated land site investigation and risk assessment scheme shall be undertaken and shall be submitted to and approved in writing by the local planning authority. This must be conducted in accordance with the Environment Agency's land contamination risk management guidance and shall take into account the initial generic quantitative risk assessment and detailed quantitative risk assessment undertaken in February 2020. The assessment shall provide sufficient information to allow for a detailed assessment of the risk to all receptors that may be affected, including those off site.</p> <p><u>Reason:</u> 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 Merton Sites and Policies Plan (2014) Policy DM EP4.</p>
14	<b>Contamination – remediation strategy and verification plan</b>	<p>Prior to the commencement of the development (other than site investigations), a detailed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall set out full details of the remediation measures required to address the contamination risks identified, including an options appraisal and shall set out how these remediation works are to be undertaken. The remediation 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. It shall include a verification plan to identify how the impact of the proposed remediation strategy will be assessed. The remediation scheme shall be carried out in accordance with the approved details prior to the commencement of any above ground construction work.</p> <p><u>Reason:</u> 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 Merton Sites and Policies Plan (2014) Policy DM EP4.</p>

15	<b>Contamination – verification report</b>	<p>Prior to the occupation of each relevant phase of development a verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the completion and effectiveness of the remediation strategy.</p> <p><u>Reason:</u> 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 Merton Sites and Policies Plan (2014) Policy DM EP4.</p>
16	<b>Unexpected contamination and remediation</b>	<p>If, during development, contamination not previously identified is found to be present at the site then no further development for that phase shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority.</p> <p>The remediation strategy for that phase shall be implemented in accordance with the approved details and a verification report detailing the works undertaken and their efficacy shall be submitted and approved in writing by the Local Planning Authority prior to occupation of the relevant phase of the development.</p> <p><u>Reason:</u> To ensure the development can be implemented and occupied with adequate regard for environmental and public health, in accordance with Merton Sites and Policies Plan (2014) Policy DM EP4.</p>
17	<b>Site wide movement and access strategy</b>	<p>A site wide access and movement strategy shall be submitted alongside or prior to the submission of the first Reserved Matters Application. This strategy shall include:</p> <ul style="list-style-type: none"> <li>• details of the pedestrian, cycle, vehicle access arrangements within the whole site, including connections to the surrounding pedestrian, cycle and vehicle network and associated enhancements being delivered as part of the Section 106 agreement;</li> <li>• details of any on-street parking bays, including car club bays;</li> <li>• details of on-street loading/delivery bays;</li> <li>• details of the proposed access arrangements for refuse and emergency vehicle access and turning spaces including swept path drawings for larger delivery and refuse vehicles; and</li> <li>• details of any temporary / interim pedestrian and cycle arrangements during the construction and phasing of the development</li> </ul> <p>The development shall then be constructed in accordance with the approved strategy</p> <p><u>Reason:</u> To ensure the appropriate layout and design of pedestrian, cycle and vehicle routes, parking and delivery bays in the interests of encouraging inclusive, sustainable and active modes of transport and the safe movement of pedestrians and cyclists and to ensure delivery and servicing on the local highway network and general amenity of the area is satisfactorily managed and</p>

		in accordance with London Plan (2021) Policies T1, T2, T5, D8; Merton Core Strategy (2011) Policies CS2, CS14, CS18, CS19; and Merton Sites and Policies Plan (2014) Policies DM01, DM02, DMO1, DMT1, DMT3, DMT4.
18	<b>Site wide delivery and servicing plan</b>	<p>A site wide delivery and servicing plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority alongside or prior to the submission of the first Reserved Matters Application. This DSP shall cover the whole application site and both residential and non-residential uses and shall be prepared in line with Transport for London's (TfL) guidance on Delivery and Servicing Plans.</p> <p>The DSP shall set out how the deliveries, refuse collection and other maintenance activities will be managed and accommodated within the site in order to minimise risk of adverse impacts on the highway and ensure pedestrian and cycle safety, taking into account the expected delivery and servicing activities and trips generated by the application, as detailed in the applicant's Transport Assessment (Feb 2020). The SPD shall include swept path drawings for larger delivery and refuse vehicles.</p> <p>The DSP shall be implemented in accordance with the approved details and shall remain in place unless otherwise agreed in writing.</p> <p><u>Reason:</u> To ensure that the impacts of delivery and servicing on the local highway network and general amenity of the area are satisfactorily mitigated in accordance with London Plan (2021) Policies T4, T2, T5 and D8; Merton Core Strategy (2011) Policy CS20; and Merton Sites and Policies Plan (2014) Policies DMT2 and DMT3.</p>
19	<b>Site wide landscape, play space and urban greening strategy</b>	<p>A site wide landscape strategy shall be submitted to and approved in writing by the Local Planning Authority alongside or prior to the submission of the first Reserved Matters Application. This shall include:</p> <ol style="list-style-type: none"> <li>a) details of the layout, dimension and size of the proposed internal streets and public spaces;</li> <li>b) details of the urban greening / sustainable urban drainage features and tree planting to be accommodated at ground level, including any trees within or immediately adjacent to the site which are to be retained;</li> <li>c) details of defensible space / landscaping zones and boundaries serving ground floor residential units adjacent to the public realm;</li> <li>d) details of any communal rooftop open space;</li> <li>e) details of the play space provision by age and category, ensuring a minimum of 10 sq.m. of play space per child which shall be estimated using the GLA's 2019 play space / population yield calculator;</li> <li>f) an Urban Greening Factor Assessment of the urban greening proposals, based on the factors set out in the Intend to Publish London Plan;</li> <li>g) details of landscaping and any boundary features proposed along the application site boundaries to the south and west.</li> </ol>



		<p>h) a programme for the implementation of the site wide landscape strategy by phase</p> <p>The site wide landscape strategy shall be implemented in accordance with the approved details and shall thereafter be permanently retained.</p> <p><u>Reason:</u> To ensure good design and appropriate provision of open space, play space, landscaping and urban greening in the interests of visual amenity, biodiversity, climate change, in accordance with London Plan (2021) Policies G4, G5, G6, G7, S4, T2, D8; Merton Core Strategy (2011) Policies CS2 and CS14; and Merton Sites and Policies Plan (2014) Policies DM1, DM2, DM4, DMO1, DMO2, DMF1 and DMF2.</p>
<b>20</b>	<b>Fencing alongside the site's southern boundary with the tram line</b>	<p>Details of the proposed fencing to restrict pedestrian movement onto the tram line to the south shall be submitted to and approved in writing by the Local Planning Authority prior to or alongside the first Reserved Matters Application, in consultation with Transport for London. The fencing shall be implemented in accordance with the approved details prior to first occupation of the development and shall thereafter be permanently retained.</p> <p><u>Reason:</u> To ensure adequate safety and security alongside the tram line in the interests of community safety and the provision of a safe and efficient public transport network, in accordance with London Plan (2021) Policies T2 and T4; Merton Core Strategy (2011) Policies CS14 and CS19; and Merton Sites and Policies Plan (2014) Policies DM01, DM02, DMO1, DMT2 and DMT4.</p>
<b>21</b>	<b>Site wide energy strategy</b>	<p>A site wide energy strategy shall be submitted to and approved in writing by the Local Planning Authority prior to or alongside the first Reserved Matters Application. The energy strategy shall be prepared in accordance with the GLA's energy assessment guidance (October 2018) and shall take into account the applicant's Energy and Sustainability Statement (February 2020).</p> <p>The final energy strategy shall set out a detailed energy strategy for the site. This shall be prepared in accordance with GLA guidance (October 2018) and set out details of the final proposed measures in relation to energy efficiency (Be lean), decentralised energy supply (Be clean) and renewable energy technologies (Be green), in line with the London Plan hierarchy and shall demonstrate the scheme's overall compliance with the London Plan CO2 reduction and energy efficiency targets.</p> <p>The energy strategy shall confirm the location and details of the energy centre and set out its timescale for delivery to ensure it is operational to serve the first phase of development. Each phase of the development shall then be carried out in accordance with the approved site wide Energy Strategy and retained permanently thereafter.</p> <p><u>Reason:</u> In the interests of sustainable development, minimising carbon dioxide emissions and to ensure that the proposed development is in accordance with London Plan (2021) Policies S1, S2, S3, S4; Merton Core Strategy (2011) Policy CS15; and Merton Sites and Policies Plan (2014) Policy DMEP1.</p>

22	<b>District Heat Network</b>	<p>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.</p> <p><u>Reason:</u> 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 London Plan (2021) Policies SI2 and SI3; Merton Core Strategy (2011) Policy CS15; and Merton Sites and Policies Plan (2014) Policy DM EP1.</p>
23	<b>Site wide ecology and biodiversity strategy</b>	<p>A site wide Ecology and Biodiversity Strategy shall be submitted and approved by the Local Planning Authority prior to or alongside the first Reserved Matters Application. The Ecology and Biodiversity Strategy shall provide details of:</p> <ul style="list-style-type: none"> <li>a) proposed ecological enhancements and mitigation measures;</li> <li>b) the management and arrangements for these features; and</li> <li>c) a programme for the implementation of the site wide ecology and biodiversity strategy by phase</li> <li>d) These measures should build on those set out in the Ecological Impact Assessment submitted with this application prepared by SLR, March 2020.</li> </ul> <p>Each phase of the development shall then be carried out in accordance with the approved site wide site wide ecology and biodiversity strategy and retained permanently thereafter.</p> <p><u>Reason:</u> To ensure the development contributes to improving the ecology and biodiversity of the area in accordance with London Plan (2021) Policies G1, G6 and G7; Merton Core Strategy (2011) Policies CS13; and Merton Sites and Policies Plan (2014) Policies DMO1 and DMO2.</p>
24	<b>Site wide drainage strategy</b>	<p>A site wide drainage strategy shall be submitted to and approved in writing by the Local Planning Authority prior to or alongside the first Reserved Matters Application, in consultation with Thames Water. The drainage strategy shall be generally in line with the applicant's Flood Risk Assessment and Drainage Strategy (February 2020) and shall:</p> <ul style="list-style-type: none"> <li>a) set the range of sustainable urban drainage (SuDs) methods to be employed and their performance levels, which shall cumulatively ensure that surface water run-off rates are attenuated in accordance with the levels anticipated in the applicant's Flood Risk Assessment and Drainage Strategy (February 2020) based on a 1 in 100 year storm event (plus a 40% climate change allowance), in accordance with the London Plan drainage hierarchy;</li> <li>b) set out the measures to prevent pollution of the receiving groundwater and/or surface waters;</li> <li>c) include a programme for the implementation of the drainage strategy by phase; and</li> </ul>

		<p>d) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for SuDs adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.</p> <p>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.</p> <p>Each phase of the development shall then be completed in accordance with the approved details and retained permanently thereafter.</p> <p><u>Reason:</u> 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 London Plan (2021) Policies S112 and S113; Merton Core Strategy (2011) Policy CS16; and Merton Sites and Policies Plan (2014) Policies DMF1 and DMF2.</p>
<p>25</p>	<p><b>Arboricultural Method Statement and Tree Protection Plan</b></p>	<p>No demolition, site clearance works or groundworks associated the development hereby permitted shall be commenced (with the exception of ground investigations) until an Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. This shall build on the Arboricultural Impact Assessment (February 2020) and shall:</p> <ul style="list-style-type: none"> <li>a) identify those trees which are to be retained;</li> <li>b) set out tree protection measures during the demolition, groundwork and construction phases of the development; and</li> <li>c) identify those trees which are to be removed and set out the reasons for their removal on a tree constraints plan.</li> </ul> <p>The development shall then be undertaken in accordance with the approved details and the existing trees identified as being for retention and protection shall be retained and protected in accordance with the approved details.</p> <p>During the course of the development, should any tree which has been identified to be retained 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 ems girth in the same or similar position to be approved in writing by the Local Planning Authority</p> <p>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.</p> <p><u>Reason:</u> To ensure adequate protection for existing trees on the site and located in the adjacent tree belt in the interests of biodiversity, climate change and visual amenity, in accordance with London Plan (2021) Policies G7, G6 and G5; Merton Core Strategy (2011) Policies CS13, CS15; and Merton Sites and Policies Plan (2014) Policies DMO1 and DMO2.</p>

26	<b>Car parking management plan</b>	<p>A car parking management plan shall be submitted to and approved in writing by the Local Planning Authority prior to or alongside the first Reserved Matters Application. The car parking management plan shall be prepared in line with the applicant's Transport Assessment (TA) (February 2020) and shall include the following details:</p> <ul style="list-style-type: none"> <li>a) the overall quantum of residential car parking across the site which shall be no more than the 0.3 car parking ratio set out in the TA;</li> <li>b) the location of standard and disabled car parking spaces within the site, of which, the disabled parking provision shall be in line with the provision in the TA which states that there would be disabled car parking for 3% of the total residential units;</li> <li>c) a scheme demonstrating that the quantum of disabled car parking provision within the development could ensure disabled car parking to serve 10% of the residential units (through the conversion of standard car parking bays) should demand arise in the future;</li> <li>d) arrangements for the allocation and management of parking spaces including disabled parking bays serving the residential development.</li> <li>e) the provision of Electric Vehicle Charging Points (EVCP) including both active and passive provision, which shall be in line with the applicant's TA;</li> <li>f) details of the phasing of the of car parking provision as the scheme is constructed, including details of any interim arrangements proposed during the construction and building out of the scheme.</li> </ul> <p>Thereafter, the development shall be constructed in accordance with the approved Car Parking Management Plan and shall be permanently retained.</p> <p><u>Reason:</u> To ensure inclusive, safe and adequate parking is provided and retained in conjunction with the development in the interests of the general amenities of the locality, the flow of traffic and conditions of pedestrian and general highway safety within the site and on neighbouring highways, a sustainable development and where appropriate constrain local highway impact in accordance with London Plan (2021) Policies T6, T6.1, T6.3; Merton Core Strategy (2011) Policies CS18 and CS20; and Merton Sites and Policies Plan (2014) Policies DMT1 and DMT3.</p>
27	<b>Daylight and sunlight assessment</b>	<p>Applications for approval of Reserved Matters for each relevant phase of development 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.</p> <p><u>Reason:</u> To ensure the development provides future occupiers with acceptable levels of daylight and sunlight in accordance with London Plan Policy D6; Merton Core Strategy (2011) Policy CS14; and Merton Sites and Policies Plan (2014) Policy DMD2</p>

28	<b>Accessibility strategy</b>	<p>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</p> <p>a detailed Accessibility Strategy for the relevant phase. This document shall explain:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b) How each building would be accessible to all, including details of level access and internal accommodation arrangements and access to car parking; and</li> <li>c) That 10% of dwellings hereby permitted would be 'wheelchair user dwellings' and all other dwellings are 'accessible and adaptable dwellings'.</li> </ul> <p>The development shall then be carried out in accordance with the approved details.</p> <p><u>Reason:</u> To ensure the development is accessible and inclusive to all in accordance with London Plan (2021) Policy D5, D7, T6.1; Merton Core Strategy (2011) Policy CS14; and Merton Sites and Policies Plan (2014) Policy DMD2.</p>
29	<b>Lighting Strategy</b>	<p>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</p> <p>Practice for the Reduction of Light Pollution issued by the Institute of Lighting Engineers for all phases. Any external lighting, associated with new development, shall be positioned and angled to prevent any light spillage or glare that will affect any existing or new residential premises. For each relevant phase of development, an updated detailed Lighting Strategy shall be submitted to and approved in writing by the local planning authority prior to commencement of Below Ground works in that relevant phase. These documents shall explain:</p> <ul style="list-style-type: none"> <li>a) The lighting proposed for amenity spaces and external communal areas, including relevant justification; and</li> <li>b) The proposed external building lighting.</li> </ul> <p>Each relevant phase of the development shall be constructed in accordance with the approved strategy and thereafter retained.</p> <p><u>Reason:</u> 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 Merton Core Strategy (2011) Policy CS14; and Merton Sites and Policies Plan (2014) Policy and DM D2.</p>

30	<b>Noise and vibration mitigation strategy</b>	<p>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.</p> <p>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.</p> <p>The development shall then be carried out in accordance with the approved details.</p> <p>Post completion Noise Assessments are to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each building.</p> <p><u>Reason:</u> 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 London Plan (2021) Policy D14; Merton Core Strategy (2011) Policy CS15; and Merton Sites and Policies Plan (2014) Policies DM EP2, DM EP4 and DM D2.</p>
31	<b>Noise mitigation Noise levels (commercial units)</b>	<p>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.</p> <p><u>Reason:</u> To protect the residential amenities of future occupiers from any unacceptable noise levels arising from commercial units within the development, in accordance with London Plan (2021) Policy D14; Merton Core Strategy (2011) Policy CS15; and Merton Sites and Policies Plan (2014) Policies DM EP2, DM EP4 and DM D2.</p>
32	<b>Green, Blue and brown roofs</b>	<p>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 and retained thereafter.</p> <p><u>Reason:</u> To ensure the provision of appropriate levels of urban greening at roof level, in the interest of climate change mitigation, biodiversity and sustainable urban drainage, in accordance with London Plan (2021) Policies G5, S113; Merton Core Strategy (2011) Policies CS13, CS15; and Merton Sites and Policies Plan (2014) Policies DMF2 and DMD2.</p>
33	<b>Odour</b>	<p>Prior to the commencement of any Class A1 or A3 use, details of the measures to control odour from all mechanical systems serving an individual non-residential food premises shall be submitted to and approved in writing by the local planning authority. The system shall be designed so neighbouring premises are not affected by odour. The measures must be implemented as approved prior to the associated use commencing and retained thereafter.</p> <p><u>Reason:</u> To protect the amenities of adjoining properties and the surrounding area, in order to comply with Merton Sites and Policies Plan (2014) Policies DM D2, DM EP4</p>

34	<b>Secured by Design</b>	<p>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.</p> <p><u>Reason:</u> In the interest of creating safer, sustainable communities, in compliance with London Plan (2021) Policy D4, D11; Merton Core Strategy (2011) Policy CS14; and Merton Sites and Policies Plan (2014) Policy DM D2.</p>
35	<b>Non-Road Mobile Machinery (NRMM)</b>	<p>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 Planning Authority officers as required until completion of development.</p> <p><u>Reason:</u> To protect local air quality in accordance with London Plan (2021) Policy S11; Merton Core Strategy (2011) Policy CS15; and Merton Sites and Policies Plan (2014) DM EP4.</p>
36	<b>Piling</b>	<p>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.</p> <p><u>Reason:</u> The site is contaminated and there is a potential risk 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.</p>
37	<b>Permitted development restricted</b>	<p>Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (and any statutory instrument revoking, re-enacting or modifying either order or the regulations),</p> <ul style="list-style-type: none"> <li>• the flexible commercial floorspace falling within A1, A2, A3, D1 and D2 Use hereby permitted shall be restricted to a flexible commercial use within A1, A2, A3, D1 and D2 Use as specified in the Schedule to the Use Classes Order as in force on 31 August 2020.</li> <li>• 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 dwellings without the prior written permission of the Local Planning Authority.</li> </ul>

		<p><u>Reason:</u> To protect the amenity of future occupants of the development and ensure residential and flexible commercial uses are only used for the purposes intended in the planning application. in accordance with Merton Core Strategy (2011) Policy CS14 and Merton Sites and Policies Plan (2014) Policy DM D2.</p>
38	<b>Space standards</b>	<p>All of the proposed dwellings shall be designed to accord with the Nationally Described Space Standards.</p> <p><u>Reason:</u> To ensure a satisfactory standard of accommodation for future occupiers, in accordance with London Plan (2021) Policy D5; and Merton Sites and Policies Plan (2014) DMD1 and the Housing SPG (2016).</p>
39	<b>Private open space standards</b>	<p>All of the proposed dwellings shall be provided with private open space in accordance with the following standards:</p> <ul style="list-style-type: none"> <li>a) A minimum of 5 sq.m. of private open space should be provided for all 1-2 person dwellings, and an extra 1 sq.m. should be provided for each additional occupant.</li> <li>b) Private open space must achieve a minimum depth and width of 1.5 metres.</li> </ul> <p><u>Reason:</u> To ensure an acceptable quality of housing for future occupants, in accordance with London Plan (2021) Policy D5; and Merton Sites and Policies Plan (2014) DMD1 and the Housing SPG (2016).</p>
40	<b>Refuse Strategy:</b>	<p>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 by the Local Planning Authority prior to commencement of Below Ground works of that relevant phase. These documents shall explain:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b. The storage and disposal arrangements for refuse and waste associated with proposed public realm areas, including vehicular access thereto;</li> <li>c. The hours of proposed waste collection; and</li> <li>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</li> </ul> <p>The development shall then be carried out in accordance with the approved details.</p> <p><u>Reason:</u> To ensure that adequate refuse storage and disposal facilities are provided, in the interests of local character and amenity in accordance with London Plan (2021) Policies T7; Merton Core Strategy (2011) Policy CS2; and Merton Sites and Policies Plan (2014) Policies OM 01, OM 02.</p>



41	<b>Fire Strategy</b>	<p>A Fire Statement shall be submitted to and approved in writing by the Local Planning Authority prior to or alongside each Reserved Matters Application. Fire Statements shall be in the form of an independent fire strategy produced by a third party suitably qualified assessor. The statement should detail how the development proposal will function in terms of:</p> <ol style="list-style-type: none"> <li>1. The building's construction: methods, products and materials used, including manufacturers' details;</li> <li>2. The means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated evacuation strategy approach;</li> <li>3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans;</li> <li>4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these;</li> <li>5. How provision will be made within the site to enable fire appliances to gain access to buildings; and</li> <li>6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.</li> </ol> <p>The development shall be implemented in accordance with the approved Fire Statement for each phase and retained as such for the lifetime of the development.</p> <p><u>Reason:</u> In order to achieve the highest standards of fire safety and ensure the safety of all building users, in accordance with London Plan (2021) Policy D12.</p>
42	<b>Circular Economy Statement</b>	<p>No development shall take place until a final Circular Economy Statement (CES) is submitted to and approved in writing by the Local Planning Authority. The CES shall include a Bill of Materials including kg/m<sup>2</sup> and recycled content (target for a minimum 20%) for the proposed new buildings should be provided and completed for each 'building layer' where practicable. The development shall be implemented in accordance with the CES.</p> <p>Each Reserved Matters application shall be accompanied by a detailed Circular Economy Statement (CES). All CESs shall include a Bill of Materials including kg/m<sup>2</sup> and recycled content (target for a minimum 20%) for the proposed new buildings should be provided and completed for each 'building layer' where practicable. The development shall be implemented in accordance with the CES.</p> <p><u>Reason:</u> In the interests of sustainable waste management and in order to maximise the re-use of materials and in accordance with London Plan Policy S17.</p>

43	<b>Circular Economy Statement (recycling and waste targets)</b>	<p>No development shall take place in a relevant phase / building of the development until a completed Recycling and Waste Reporting table is submitted to and approved in writing by the Local Planning Authority. The table shall provide a commitments to achieving the policy targets of reusing/recycling/recovering 95 per cent of construction and demolition waste, and putting 95 per cent of excavation waste to beneficial use. The measures for meeting the targets should be confirmed and should be informed by a pre-demolition/refurbishment audit to determine opportunities for re-use and recycling. For any residual waste that is destined for landfill, written evidence should be provided to demonstrate that the destination landfill(s) have the capacity to receive waste, along with a notification of the likely destination of all waste streams (beyond the Materials Recycling Facility) where known. The development shall be carried out in accordance with the details so approved.</p> <p><u>Reason:</u> In the interests of sustainable waste management and in order to maximise the re-use of materials and in accordance with London Plan Policy S17.</p>
44	<b>Circular Economy Statement (post completion report)</b>	<p>Prior to occupation of any phase / building, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to and approved in writing by the Local Planning Authority. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the draft Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials.</p> <p><u>Reason:</u> In the interests of sustainable waste management and in order to maximise the re-use of materials and in accordance with London Plan Policy S17.</p>
45	<b>Cycle Parking Provision</b>	<p>No development shall take place in a phase until full details of the cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority for that phase. The cycle parking shall be in accordance with the minimum standards in the Intend to Publish London Plan and the type, design and layout of cycle parking shall comply with the design principles set out in Chapter 8 of the London Cycling Design Standards.</p> <p>The submitted details shall include details of the layout of the spaces and specification for cycle stands together with details of cyclists' storage and shower provision for the non-residential uses</p> <p>The development shall be constructed in accordance with the approved details and retained as such for the lifetime of the development in accordance with the approved details.</p> <p><u>Reason:</u> To promote sustainable and active modes of travel and to ensure compliance with London Plan (2021) Policy T5; London Cycling Design Standards; Merton Core Strategy (2011) Policy CS18; and Merton Sites and Policies Plan (2014) Policy DM T1.</p>

46	<b>Whole life carbon assessment</b>	<p>Prior to the occupation of each building the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: <a href="mailto:ZeroCarbonPlanning@london.gov.uk">ZeroCarbonPlanning@london.gov.uk</a>, along with any supporting evidence as per the guidance.</p> <p><u>Reason:</u> In the interests of sustainable development and to maximise on-site carbon dioxide savings and in accordance with London Plan Policy SI2.</p>
47	<b>Water conservation</b>	<p>No development shall take place in a relevant phase of the development until 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.</p> <p><u>Reason:</u> To minimise the water use of the development, in accordance with Policy 5.15 of the London Plan (2021) Policy SI 5; Merton Core Strategy (2011) Policy CS15; and Merton Sites and Policies Plan (2014) Policy DM D2.</p>

## Informatives

1	<b>S106 agreement</b>	<p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<b>Pre-commencement conditions</b>	<p>The pre-commencement and pre-occupation conditions attached to this decision notice are considered necessary in order to ensure that the proposed development results in a sustainable and well-designed scheme, which protects the amenities of existing and future residents and ensures and ensures appropriate environmental protection, mitigation and adaptation to climate change amongst other matters.</p>
3	<b>CIL payment and liability notice</b>	<p>The Greater London Authority consider that this permission is liable for a contribution under the Community Infrastructure Levy (CIL). Before work commences there are certain forms which you must complete and return to the London Borough of Merton. Please note that penalty surcharges could be added to contributions should CIL regulations not be followed. Further details of what to submit and timescales in relation to the Community Infrastructure Levy can be found online at: <a href="https://www.gov.uk/guidance/community-infrastructure-levy">https://www.gov.uk/guidance/community-infrastructure-levy</a>. CIL forms can be found at:</p>

		<a href="https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5">https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5</a>
4	<b>CIL phasing</b>	This planning permission is a phased planning permission which expressly provides for development to be carried out in phases for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended). Each Phase may be treated as a separate chargeable development for the purpose of the Community Infrastructure Levy Regulations 2010 (as amended).
5	<b>Trees and nesting birds and bats</b>	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	<b>Nesting birds</b>	Demolition of buildings and tree felling should avoid bird roosting seasons. If the intention is to complete tree work between the 1 <sup>st</sup> March & the 31 <sup>st</sup> 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	<b>Bats and other habitat</b>	Demolition of buildings and tree felling should avoid bat roosting seasons. A due diligence check for bats and likely habitats 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	<b>Thames Water</b>	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.
9	<b>Piling and preventing contamination</b>	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.

10	<b>Asbestos</b>	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).
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### **Statement of positive and proactive action in dealing with the application**

In dealing with this application, the Deputy Mayor, acting under delegated authority and as the Local Planning Authority, has expeditiously considered the application against all relevant national, regional and local planning policy; and has decided to grant planning permission in accordance with the recommendation in GLA Representation Hearing Report GLA/4756/03; GLA Representation Hearing Report Amendment GLA/4756/04; and GLA Update Reports GLA/4756/05; GLA/4756/06; and 4756/07.

The Deputy Mayor has, therefore, worked in a positive, proactive and creative manner in relation to dealing with this planning application in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015 and paragraph 38 of the National Planning Policy Framework. The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Yours sincerely



**John Finlayson**  
Head of Development Management

Note: This is a planning permission only. It does not convey any approval or consent that may be required under Building Regulations or any other enactment

## **NOTES TO APPLICANTS**

### **Statement of Applicant's Rights arising from the refusal of planning permission or from the grant of permission subject to conditions.**

If you are aggrieved by the decision of the 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.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from the The Planning Inspectorate, Room 3 O/P, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/government/organisations/planning-inspectorate>.

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.

### **Purchase Notices and Compensation**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subjects to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the land in accordance with the provision of Part IX or the Town and Country Planning Act 1990. In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal. These circumstances are set out in sections 169 and related provisions of the Town and Country Planning Act 1990.