

SUSTAINABLE COMMUNITIES DIVISION

Head of Sustainable Communities - James McGinlay



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Town and Country Planning Act 1990 Planning Permission Decision Notice 20/P1091

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: 20/P1091
Location: Land at rear of 2 to 16, Woodville Road, Morden, SM4 5AF
Proposal: ERECTION OF A TWO STOREY BUILDING TO PROVIDE 8 x SELF CONTAINED FLATS ON GROUND FLOOR, FIRST FLOOR AND WITHIN ROOFSPACE
Approved Plans: P6-01, P6-02 Rev H, P6-03 Rev D, P6-04 Rev C, 'Massing Proposed Amendments drawing', P6-05 Rev B, P6-06 Rev C, P6-07 Rev D, P6-08 Rev D, P6-09 Rev C, P6-10 Rev B, JG01 & JG02.

Second Schedule – Conditions

- 1 The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
- 2 The plans relevant to this decision are:
P6-01, P6-02 Rev H, P6-03 Rev D, P6-04 Rev C, 'Massing Proposed Amendments drawing', P6-05 Rev B, P6-06 Rev C, P6-07 Rev D, P6-08 Rev D, P6-09 Rev C, P6-10 Rev B, JG01 & JG02.
Reason: To comply with Section 92 (as amended) of the Town & Country Planning Act 1990.
- 3 No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.



- 4 No development shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.
- Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.
- 5 No development shall take place until details of the proposed finished floor levels of the development, together with existing and proposed site levels, have been submitted to and approved in writing by the Local Planning Authority, and no development shall be carried out except in strict accordance with the approved levels and details.
- Reason: To safeguard the visual amenities of the area and to comply with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
- 6 No development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.
- Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policies D4 and SI 7 of the London Plan 2021, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.
- 7 Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
- Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
- 8 No development shall take place until a scheme of details of screening of the balcony/landing to the external staircase has been submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.
- Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
- 9 No development shall take place until full details of a landscaping and planting



scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies D4 and SI 13 of the London Plan 2021, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, DM F2 and DM O2 of Merton's Sites and Policies Plan 2014.

10

All hard and soft landscape works shall be carried out in accordance with the approved drawings. The works shall be carried out in the first available planting season following the completion of the development 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 the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of same approved specification, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied.

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 D4 and G7 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 Policies Plan 2014.

11

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

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

12

No development shall commence until details of an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be fully implemented prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure a safe and secure environment for the users, and to ensure compliance with the following Development Plan policies for Merton: policies DM D2 of Merton's Sites and Policies Plan 2014.

13

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.



Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed in (officer to insert relevant elevations) without planning permission first being obtained from the Local Planning Authority.

Reason: To safeguard the amenities and privacy of the occupiers of nearby properties and to comply with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no outbuildings shall be erected on the site without planning permission first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 16 No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

- 17 Due to the potential impact of the surrounding locality on the residential development, a scheme for protecting residents from noise shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The scheme is to include acoustic data for the glazing/ventilation system. The internal noise levels shall meet those within BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and ProPG: Planning and Noise - Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 as a minimum. The approved scheme shall be implemented in accordance with the agreed details.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

- 18 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions During Construction and Demolition' dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site,



at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To ensure that the development would not result in a deterioration of air quality.

- 19 No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 4.02l/s), in accordance with drainage hierarchy contained within the London Plan Policy and the advice contained within the National SuDS Standards.

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 London Plan policy SI 13.

- 20 Prior to occupation, the detailed design, specification and planting scheme for any green roof forming part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved prior to occupation of the relevant part of the development, retained and maintained in perpetuity thereafter.

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 London Plan policy SI 13.

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

The Statement shall provide for:

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

Reason: To protect the amenities of future occupiers and those in the local vicinity.

- 22 No development shall take place until:

- a) a preliminary risk assessment with details of a site investigation strategy based on the information revealed in the PRA has been submitted to and approved in writing by the Local Planning Authority;
- b) an intrusive site investigation has been conducted comprising: sampling of soil, soil



vapour, ground gas, surface water and groundwater to the satisfaction of the local planning authority. Such a study to be conducted according to current U.K. requirements for sampling and testing.

c) written reports of:

- i) the findings of the above site-investigation and
- ii) a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the Local Planning Authority.

Note: some demolition work, if required could be allowed beforehand for enabling the above requirement (1b) subject to the agreement of the Local Planning Authority.

Reason: To protect the health of future users of the site in accordance with policy DM EP4 of Merton's sites and policies plan 2014.

23

The building hereby permitted shall not be occupied until:

- a) any remediation works approved as part of the remediation strategy have been conducted in full and in compliance with the approved strategy. If during the remediation or development work new areas of contamination are encountered, which have not been expected, then the additional contamination should be fully assessed in accordance with part 1 (b, c) above of this condition and an adequate remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and fully implemented thereafter;
- b) a verification report, produced on completion of the remediation, has been submitted to and approved in writing by the Local Planning Authority. Such report shall include:
 - i) details of the remediation conducted and results of verification sampling, testing and monitoring and
 - ii) all waste management documentation showing the classification of waste, its treatment, movement and disposal to demonstrate compliance with the approved remediation strategy.

Reason: To protect the health of future users of the site in accordance with policy DM EP4 of Merton's sites and policies plan 2014.

24

Prior to the commencement of development, a plan detailing how the adjacent green corridor and Site of Importance for Nature Conservation will be protected throughout the construction process. The agreed measures shall be adhered to throughout the entirety of the construction process.

Reason: Having regard to the bio-diversity value of adjoining land and to comply with Policy DM O2 of the sites and policies plan 2014.

25

Prior to the first occupation of the residential dwellings hereby approved, a scheme shall be submitted and approved in writing by the Local Planning Authority detailing the resurfacing of the access track, a lighting scheme for the access track and drainage arrangements for the access track. The development shall not be occupied until the measures in the agreed scheme have been carried out in full and these measures shall be retained and maintained as such thereafter.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

26

No development that would prejudice the provision of a fire hydrant system, or other suitable fire safety measures, shall take place until details for the provision of a fire hydrant system, or other suitable fire safety measures, for the development have



been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details before occupation and retained and maintained thereafter.

Reason: to ensure the safety of occupiers and neighbours in accordance with policy DM D2 of the Adopted Merton Sites and Policies Plan 2014.

Informatives:

Inf 01

INFORMATIVE

Carbon emissions evidence requirements for post construction stage assessments must provide: 'As Built' SAP Compliance Reports and detailed DER and TER worksheets for the as built development. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction. The outputs must be dated and include the accredited energy assessor's name and registration number, the 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 outputs; AND Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation. AND, where the developer has used SAP 10 conversion factors: The completed Carbon Emissions Reporting Spreadsheet based on the 'As Built' SAP outputs. AND, where applicable: MCS certificates and photos of all installed renewable technologies.

Inf 02

INFORMATIVE

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

Documentary evidence representing the dwellings 'As Built'; detailing:

- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
- Water Efficiency Calculator for New Dwellings; 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'

Inf 03

INFORMATIVE

The applicant should be aware that the site may provide a useful habitat for swifts. Swifts are currently in decline in the UK and in order to encourage and improve the conservation of swifts the applicant is advised to consider the installation of a swift nesting box/bricks on the site.

Inf 04

INFORMATIVE

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

Inf 05

INFORMATIVE

Any works/events carried out either by, or at the behest of, the developer, whether



they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

- Inf 06 INFORMATIVE
A S171 licence must be in place with the highways section of the Council to cover the construction access to the site from Woodville Road.
- Inf 07 INFORMATIVE
This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice.
- Inf 08 INFORMATIVE
This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at the London Borough of Merton
- Street Naming and Numbering (Business Improvement Division)
Corporate Services
7th Floor, Merton Civic Centre
London Road
Morden
SM4 5DX
Email: street.naming@merton.gov.uk
- Inf 09 INFORMATIVE:
No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
- Inf 10 INFORMATIVE:
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 applicant was offered the opportunity to submit amended plans in order to make the proposal acceptable in planning terms.
- iii) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Inf 11

INFORMATIVE

The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Date of Decision: 06 May 2021

A handwritten signature in black ink, appearing to be "Neil Milligan", written over a horizontal dotted line.

Signed

Neil Milligan – Development Control Manager
For and behalf of the Head of Sustainable Communities.

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

Please read attached notes.



Note regarding rights of Appeal

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



Community Infrastructure Levy

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

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

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

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

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