

SUSTAINABLE COMMUNITIES DIVISION

Head of Sustainable Communities - James McGinlay



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Town and Country Planning Act 1990 Planning Permission Decision Notice 20/P1667

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/P1667

Location: 293 Mitcham Road,, London, SW17 9JQ

Proposal: RETENTION OF A GROUND FLOOR LEVEL COMMERCIAL PREMISE (CLASS E) AND THE CHANGE OF USE OF UPPER FLOOR TO PROVIDE 1X SELF-CONTAINED UNIT (C3 USE); DEMOLITION OF EXISTING WAREHOUSES AT REAR OF SITE AND ERECTION OF 7X TERRACE DWELLINGS.

Approved Plans: See Condition 2

Second Schedule – Conditions

- 1 The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 021 Rev J; 022 Rev J; 023 Rev J; 030 Rev F; 031 Rev F; 032 Rev D; 040 Rev G; Site Location Plan; Everest Double Decker Cycle Rack
Reason: For the avoidance of doubt and in the interests of proper planning
- 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: policies D4 and D8 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 a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning



authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:

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

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

5

The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

6

No dwelling shall be occupied until the applicant has provided written confirmation as to the installation of a fire hydrant (or otherwise agreed fire management and safety plan), and that such measures have been agreed by the London Fire Brigade.

Reason: To ensure the development delivers measures for use by emergency services or suitable alternative measures for the development and to comply with the objectives of Merton Core Planning Strategy policy CS20 and Merton Sites and Policies Plan policy DM.D2.

7

Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be 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) at the agreed runoff rate (no more than 2l/s, with no less than 54m³ of attenuation volume), based on the 100yr plus 40% climate change event, in accordance with drainage hierarchy contained within the London Plan Policy and the advice contained within the National SuDS Standards. The development shall be built out in accordance with these approved details.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI12 and SI13.

8

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 system and 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 and fully completed in accordance with the agreed details.

Reason: To safeguard the amenities of future occupiers and ensure compliance with the following Development Plan policies for Merton: policy D14 of the London Plan and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

- 9 No development shall commence until details of the upgrading of Links Way, has been submitted in writing for approval to the Local Planning Authority. This upgrading details should include: fencing, gates, hard surfaces, lighting and landscaping unless otherwise agreed. No works that are subject of this condition shall be carried out until those details have been approved, and the dwellings shall not be occupied until those details have been completed in full.

Reason: In the interests of providing a safe, inclusive and welcoming access, and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM D2, DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

- 10 No development shall take place until a scheme of details of obscured glazed 1.7m high screening of the sky gardens/balconies 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 approved screening shall be built out in full prior to occupation of the dwellings, and shall thereafter be retained.

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 D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 11 The dwellings hereby approved shall not 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 consumption rates of no greater 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 2 and SI 3 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

- 12 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 dwellings hereby approved 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 D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.



- 13** The dwellings hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans and detailed in the Technical Note - 324653 have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
- 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 T4 and T7 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.
- 14** The dwellings hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development 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.
- 15** Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.
- Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014.
- 16** Before the development hereby permitted is first occupied, the first floor windows in the front elevation of unit 2 shall be glazed with obscure glass and fixed shut upto 1.7m above internal floor level and shall permanently maintained as such thereafter.
- Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
- 17** In accordance with paragraph 38 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:
- i) Offering a pre-application advice and duty desk service.
 - ii) Where possible, suggesting solutions to secure a successful outcome.
 - iii) As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.
- In this instance:
- i) The applicant/agent was provided with pre-application advice.
 - ii) The application was acceptable following amendments to drawings.
- 18** 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). No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.
- 19** Carbon emissions evidence requirements for Post Construction stage assessments must provide:
- " Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and compliance with the 19% improvement of DER



over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name; registration number, assessment status, plot number and development address); OR, where applicable:

" A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP 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

Water efficiency evidence requirements for post construction stage assessments must provide:

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

o the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);

o 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'

20

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

Date of Decision: 21 June 2022

Signed.....

Lesley Barakchizadeh– Interim Development Control Manager
For and behalf of the Head of Sustainable Communities.

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

Please read attached notes.





Note regarding rights of Appeal

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



Community Infrastructure Levy

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

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

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

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

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