

SUSTAINABLE COMMUNITIES DIVISION

Head of Sustainable Communities - James McGinlay



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Town and Country Planning Act 1990 Planning Permission Decision Notice 22/P2863

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: 22/P2863
Location: 3 New Close, Colliers Wood, SW19 2SX
Proposal: ERECTION OF A PART SINGLE STOREY/PART TWO STOREY REAR EXTENSION, TWO-STOREY SIDE EXTENSION, REAR DORMER ROOF EXTENSION, AND CONVERSION OF HOUSE INTO 5 X SELF CONTAINED UNITS WITH ASSOCIATED REFUSE/CYCLE STORAGE, OUTSIDE AMENITY SPACE AND 4 OFF-STREET PARKING SPACES
Approved Plans: 01, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 26A and 27A

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:
01, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25A, 26A and 27A
Reason: For the avoidance of doubt and in the interests of proper planning
- 3 The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.
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 The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans 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.

5 No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area.

6 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: 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.

7 Any external illumination of the premises shall not be carried out except in accordance with details giving the method and intensity of any such external illumination including light spillage diagram which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the buildings.

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.

8 No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

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 D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

9 The development 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.

10 Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

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.

11 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage



system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by a public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

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The Owner shall not Occupy or permit Occupation of any Residential Units until evidence has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has achieved 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 SI2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

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Prior to first occupation full details of a landscaping and planting scheme shall be submitted to and be 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 G7 and D8 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.

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The development hereby approved shall not be occupied until the proposed vehicle access has been sited and laid out in accordance with the approved plans

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

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The vehicle parking area (including any garages hereby approved) shown on the approved plans shall be provided before the commencement of the buildings or use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.



Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy T6 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

- 16** Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery - including CHP plant - from the residential use shall not exceed LA90 - 10dB at the boundary with the closest residential property.

Reason: To safeguard the amenities of the area and the occupiers of neighboring properties and ensure compliance with the following Development Plan Policies for Merton: Policy D14 of the London Plan 2021 and Policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

- 17** The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy SI12 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DMF2 of Merton's Sites and Policies Plan 2014.

- 18** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) the development hereby approved shall be occupied as a C3 (dwellinghouses) only.

REASON: To accord with terms of the application and safeguard the amenities of the occupiers of adjoining properties.

- 19** Notwithstanding the provisions of the Town and Country Planning (General Permitted Order) 1995 (or any order revoking or re-enacting that order) no wall, fence, hedge or the obstruction to visibility within any part of the area shown on plans hereby approved which is under the control of the applicant shall at any time exceed a height of 0.6m above ground level. REASON: To provide a suitable standard of visibility and to prevent obstruction to the view of persons and traffic using any road so that the free flow of traffic or conditions of general safety on neighbouring highways will not be prejudiced.

- 20** Prior to first occupation of the development hereby approved, details of all boundary walls or fences shall be submitted to and be approved in writing by the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reason: To ensure a satisfactory and safe development in accordance 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 D1 and D2 of Merton's Sites and Policies Plan 2014.

- 21** 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:

The application was amended following negotiations with the Council to ensure the scheme complied with adopted policy and guidance, and a decision was made without delay.

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INFORMATIVE

It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.

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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.

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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

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INFORMATIVE:

The applicant is advised that this permission results in a chargeable scheme under the Borough's and the Mayor of London's Community Infrastructure Levy.

Date of Decision: 02 February 2023



A handwritten signature in black ink, appearing to read "J.B.", positioned above the signature line.

Signed.....

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Jonathan Berry– 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