



**Application no: DM2025/00399**

## **GRANTED**

Town and Country Planning Act 1990

To: Mr Matthew McNulty  
Savills  
33 Margaret Street  
London  
W1G 0JD  
United Kingdom

Applicant: London Borough of Sutton  
Civic Offices  
St Nicholas Way  
Sutton  
SM1 4EU

The Council of the London Borough of Sutton as Local Planning Authority under their powers provided by the above legislation, **DO HEREBY GRANT** permission for the development specified in the First Schedule hereto, subject to the reason(s) (if any) specified in the Second Schedule and condition(s) in the Third Schedule (if any).

### **FIRST SCHEDULE**

In accordance with your application, valid on 24th March 2025.

#### **Elm Grove Estate 216 - 220 High Street Sutton SM1 1NU**

**Non material amendment to approved application DM2024/00392 which allowed the 'Outline planning application (with all matters reserved) for development including demolition of existing buildings and structures within Elm Grove Estate and erection of new buildings to provide residential floorspace (Class C3); retention, refurbishment and rear extension of 216-220 High Street to provide town centre (Class E), community (Class F2), sui generis and residential floorspace (Class C3); new pedestrian and vehicular access; associated amenity space, open space, public realm and landscaping; car and cycle parking spaces; plant; refuse storage; servicing; other works incidental to the proposed (phased) development; and Phase 0 enabling preliminary works in the form of demolition of two existing bungalows on-site' to provide extension of Phase 0 to include the demolition of 4 terraced houses.**

### **SECOND SCHEDULE**

#### **Reason(s):**

- ( 1) Pursuant to The Town and Country Planning (Development Management Procedure) (England) Order 2015, the proposed amendments to the planning permission reference DM2024/00392, as shown on the documents listed below, do not materially change the approved development and therefore do not require planning permission.
- o Development Specification Statement (updated) (March 2025), prepared by Savills;
  - o Indicative Demolition and Construction Method Statement ('IDCMS') (updated) (February 2025), prepared by AECOM;

- o Outline Construction Logistics Plan ('OCLP') (updated) (March 2025), prepared by Markides;
- o Proposed Demolition Plan (updated) (ref. 3465B-LB-BA-ZZ-D-A-110020 rev P03);
- o Proposed Demolition Elevations (updated) (ref. 3465B-LB-BA-ZZ-D-A-110021 rev P02); and
- o Illustrative Demolition Plan (updated) (ref. 3465B-LB-ZZ-ZZ-D-A-110002 rev P04).

### THIRD SCHEDULE

#### Condition(s):

(1) The approved Development shall be carried out in accordance with the following drawings/details:

3465B-LB-XX-ZZ-D-A-106000 (Rev: P04)  
 3465B-LB-XX-ZZ-D-A-106100 (Rev: P06)  
 3465B-LB-XX-00-D-A-106200 (Rev: P05)  
 3465B-LB-ZZ-ZZ-D-A-101000  
 3465B-LB-XX-00-D-A-106300 (Rev: P04)  
 3465B-LB-XX-ZZ-D-A-106400 (Rev: P04)  
 3465B-LB-XX-ZZ-D-A-106401 (Rev: P05)  
 3465B-LB-BA-ZZ-D-A-110021 (Rev: P02)  
 3465B-LB-BA-ZZ-D-A-110020 (Rev: P03)  
 Design Code by Levitt Bernstein dated March 2024

The following drawings were submitted with the outline planning application for information purposes only and not for formal approval:

| Document Title   | Author                         | Date        |
|--|--------------------------------|-------------|
| Development Specification Statement  | Savills                        | March 2025  |
| Planning Statement (incl. Affordable Housing Statement and Skills & Employment Strategy) | Savills                        | March 2024  |
| Economic Benefits and Social Value Summary (appended to the Planning Statement)          | Savills Economics              | March 2024  |
| Topographical Survey   | Plowman Craven                 | March 2024  |
| Phase 1 Geoenvironmental and Geotechnical Desk Study                                     | AECOM                          | March 2024  |
| Daylight, Sunlight and Overshadowing Assessment  | eb7                            | March 2024  |
| Heritage and Townscape Visual Impact Assessment (HTVIA)                                  | Savills Heritage and Townscape | June 2024   |
| Transport Assessment (including Parking Plans)   | Markides                       | March 2024  |
| Outline Delivery and Servicing Plan  | Markides                       | March 2024  |
| Financial Viability Assessment   | Savills Viability              | August 2024 |
| Preliminary Ecological Appraisal   | PJC                            | March 2024  |
| Biodiversity Net Gain Assessment   | PJC                            | June 2024   |
| Urban Greening Factor Assessment   | PJC                            | June 2024   |
| Green Space Factor Assessment  | PJC                            | June 2024   |
| Bat Survey Report  | Middlemarch                    | July 2024   |
| Tree Survey and Arboricultural Impact Assessment   | PJC                            | March 2024  |
| Outline Energy Statement   | AECOM                          | March 2024  |
| Outline Overheating Report   | AECOM                          | March 2024  |
| Outline Overheating Report Addendum  | AECOM                          | May 2024    |
| Outline Sustainability Statement   | Levitt Bernstein               | March 2024  |
| Outline Fire Safety Strategy   | Toga Fire                      | March 2024  |
| Design and Access Statement  | Levitt Bernstein               | March 2024  |
| Design and Access Statement Addendum   | Levitt Bernstein               | June 2024   |
| Illustrative Summary Accommodation & Area Schedule                                       | Levitt Bernstein               | March 2024  |

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| Air Quality Assessment (including Air Quality Neutral Assessment and Air Quality Positive Assessment ) | AECOM                          | March 2024    |
| Archaeological Desk Based Assessment   | Savills Heritage and Townscape | March 2024    |
| Indicative Demolition and Construction Method Statement  | AECOM                          | February 2025 |
| Illustrative Demolition Plan<br>(ref: 3465B-LB-ZZ-ZZ-D-A-110002 rev P04)                               | LBA                            | January 2025  |
| Outline Construction Logistics Plan  | Markides                       | March 2025    |
| Illustrative Refuse Management & Servicing Plan  | Markides                       | March 2024    |
| Flood Risk Assessment & Drainage Strategy<br>(including LBS SUDs Proforma)                             | AECOM                          | March 2024    |
| External Lighting Assessment   | AECOM                          | March 2024    |
| Microclimate and Wind Assessment   | RWDI                           | March 2024    |
| Noise Survey and Preliminary Acoustic Assessment   | AECOM                          | March 2024    |
| Statement of Community Involvement   | Levitt Bernstein               | March 2024    |
| Framework Travel Plan  | Markides                       | March 2024    |
| Foul Sewage and Utilities Statement  | AECOM                          | March 2024    |
| Circular Economy Statement   | AECOM                          | March 2024    |
| Whole Life Cycle Carbon Assessment   | AECOM                          | June 2024     |

- (63) The Phase 0 works shall be limited to the demolition of the bungalows known as 58 and 59 Elm Grove and four houses known as 60, 61, 62 and 63 Elm Grove, including structures within the curtilage, to grade level only. No works of excavation are permitted other than to temporarily secure essential services. Upon completion of the demolition works the site must be secured using a safety hoarding.
- (64) The Phase 0 works shall be carried out in accordance with the relevant sections of the Outline Construction Logistics Plan dated March 2025, prepared by Markides and to be read in conjunction with the Indicative Demolition and Construction Method Statement (February 2025).

#### **Informative(s):**

- (1) Should you require details of the consideration of the application that has led to this decision, the file may be inspected under the provisions of the Local Government (Access to Information) Act 1985 via the following link: <https://www.sutton.gov.uk/propertyapplicationsearch>
- (2) The permission to which this NMA relates confers no rights on the applicant to encroach upon, extend over or otherwise enter upon property not in his ownership for any purposes connected with the implementation of this planning permission.
- (3) The Council agrees that the amendments to which this decision letter relates are sufficiently minor in terms of their scale and impact (both individually and cumulatively) in planning terms having regard to the overall scope of the previously approved development, so as to constitute non-material amendments to the original planning permission / consent. This letter does not constitute a new planning permission. The development should be built in full accordance with the original planning permission except where amended by this decision.
- (5) The new description of development for permission reference DM2024/00392 is:

*"Outline planning application (with all matters reserved) for development including demolition of existing buildings and structures within Elm Grove Estate and erection of new buildings to provide residential floorspace (Class C3); retention, refurbishment and rear extension of 216-220 High Street to provide town*

*centre (Class E), community (Class F2), sui generis and residential floorspace (Class C3); new pedestrian and vehicular access; associated amenity space, open space, public realm and landscaping; car and cycle parking spaces; plant; refuse storage; servicing; other works incidental to the proposed (phased) development; and Phase 0 enabling preliminary works in the form of demolition of two existing bungalows and four houses on-site."*

### **Building Regulations**

Please note that this is a planning permission only and you may also require approval under the Building Regulations. If you are in any doubt about this you can get further information via <http://www.sutton.gov.uk/buildingcontrol> or by emailing [buildingcontrol@sutton.gov.uk](mailto:buildingcontrol@sutton.gov.uk).



28th March 2025

Spencer Palmer  
Strategic Director  
Environment, Housing and Neighbourhoods

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| <p style="text-align: center;"><b>LONDON BOROUGH OF SUTTON</b><br/><b>APPENDIX TO PLANNING DECISION NOTICES</b><br/><b>NOTES TO APPLICANTS</b></p> |
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## **Appeals to the Secretary of State**

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, you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 (as amended).

Before you decide to appeal you may wish to consider amending your proposal to meet the Council's reasons for refusing permission. The Council's planning staff are always prepared to discuss with you ways to avoid an appeal by submitting an alternative application. This may involve a charge in line with our pre-application service ([https://www.sutton.gov.uk/info/200155/planning/1113/pre-application\\_planning\\_advice](https://www.sutton.gov.uk/info/200155/planning/1113/pre-application_planning_advice))

If you want to appeal, then you must do so within 6 months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

You can appeal using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Customer Support Unit, Tel: 0117 372 6372. Appeal forms and guidance can also be downloaded from the Planning Inspectorate's website <https://www.gov.uk/appeal-planning-decision>.

Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal at <https://www.gov.uk/appeal-planning-decision>. The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so.

The Secretary of State need not consider an appeal if it seems to him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

## **Purchase Notices**

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by 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 (District Council, London Borough Council, or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.

## **Compensation**

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 appeal or reference of the application to him.

These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990 (as amended).

## **The Party Wall etc. Act 1996**

Anyone intending to carry out work described in the Act MUST give adjoining owners at least 2 months notice in writing of their intentions.

The Act covers:- (i) work to be carried out directly to an existing party wall or structure

(ii) new building at or astride the boundary line between properties

(iii) excavation within 3 or 6 metres of a neighbouring building or structure, depending on the depth of the hole or foundations

If you are not sure whether the Act applies to work that you are planning, you should seek professional advice. A free explanatory booklet is available from ODPM Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7BN. Tel 0870 1226236 e-mail [odpm@twoten.press.net](mailto:odpm@twoten.press.net)