



Application no: DM2024/00392

PLANNING PERMISSION GRANTED

Town and Country Planning Act 1990

To: Enya Macliam Roberts
Savills
33 Margaret Street
London
W1G 0JD

Applicant: London Borough of Sutton
Civic Offices, St Nicholas Way
Sutton
SM1 1EA

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 conditions (if any) specified in the Second Schedule.

FIRST SCHEDULE

In accordance with your application, valid on 15th March 2024.

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

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.

SECOND 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: P01)
3465B-LB-BA-ZZ-D-A-110020 (Rev: P02)
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 2024
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
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	March 2024
Illustrative Demolition Plan (ref: 3465B-LB-ZZ-ZZ-D-A-110002 rev P03)	LBA	March 2024
Outline Construction Logistics Plan	Markides	May 2024
Illustrative Refuse Management & Servicing Plan	Markides	March 2024
Flood Risk Assessment & Drainage Strategy (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

Reason: For the avoidance of doubt and in the interests of proper planning.

- (2) For the purpose of interpreting the planning conditions attached to this decision notice, the following definitions apply unless expressly stated otherwise within the relevant condition(s):

“Agreed Form S106” means the agreed form of s106 agreement contained at Appendix 1

“Commencement” – means commencing or carrying out on Site of a material operation as defined in Section 56 (4) of the Town and Country Planning Act 1990 and “Commence” shall be construed accordingly

“Confirmatory Deed” – means the agreed form confirmatory deed annexed at Appendix 7 of the Unilateral Undertaking

“Confirmatory Unilateral Undertaking” means the agreed form confirmatory unilateral undertaking annexed at Appendix 6 of the Unilateral Undertaking

“Development” means as set out in the First Schedule to this Planning Permission

“Enabling Works” – means initial enabling works and Site set-up works required for the Development which may include:

- Site clearance and preparation;
- demolition (provided always that such works do not relate to any listed building within the Site);
- archaeological investigations and works;
- ground investigations;
- Site survey works;
- tree protection works;
- temporary access construction works;
- preparatory or remediation works;
- works for the laying termination or diversion of services;
- the erection of any temporary means of enclosure or Site notices;
- decontamination works;
- erection of any fences and hoardings around the Site;
- provision of temporary accommodation reasonably required for construction purposes only; and
- environmental Site investigations,

“Excluded Party means

- (i) an individual owner occupier of the Development or their mortgagee or chargee;
- (ii) any statutory undertaker who acquires any part of the Site or an interest therein solely for the purposes of the supply of electricity gas water drainage telecommunication services or public transport services or other utility services within or from the Site and for no other purpose; or
- (iii) any mortgagee or chargee or receiver with an interest in the Site unless and until it becomes a mortgagee or chargee in possession of any part of the Site in which case it will be bound by the obligation and undertaking in Condition 3 paragraphs (d) (a) and (d)(a)(ii)

“Legal Interest” means a legal interest in land that is capable of registration at HM Land Registry

“Phase” means a phase as indicated within the approved Site Wide Phasing Strategy.

“Phase 0 Works” means preliminary enabling works comprising:

- Asbestos survey
- Erection of hoarding
- Installation of noise/dust monitors
- Disconnection of mains services to properties concerned and meters removed.
- Demolition of existing bungalow structures to grade level.
- Removal of strip foundations
- Removal of all spoil and debris from Site.

“Site” means the land shown edged red on site location plan (3465B-LB-ZZ-ZZ-D-A-101000 P04)

“Site Wide Phasing Strategy” means a strategy comprising:

- i. A plan indicating the proposed Phases of the Development across the Site, including confirmation of the Plots to be delivered in each Phase;
- ii. A programme for the sequencing and an indication of the anticipated timing of works to be undertaken across the different Phases of the Development; and
- iii. Details of the proposed phasing of the Development for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended).

“Unilateral Undertaking” means the unilateral undertaking given by the Council (as landowner) to the Council (as local planning authority) on the date hereof

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) No Development shall Commence other than the Phase 0 Works and the Enabling Works within the Site unless and until:
- a) title to the Site has been deduced to the satisfaction of the local planning authority;
 - b) one or more third parties (other than the Council as landowner) owns a Legal Interest in the Site;
 - c) all third parties who have a Legal Interest in the Site existing at the point of Commencement of the Development have entered into the Agreed Form S106 (or Confirmatory Deed as applicable); and
 - d) In the event that the Council as landowner owns a Legal Interest in the Site at the point of Commencement of Development:
 - a. a restriction has been registered against the Council's registered title in the Site preventing any future disposal by the Council as landowner (SAVE FOR any disposal to an Excluded Party) until the disponee has entered into the Confirmatory Deed with the local planning authority to bind the relevant land with the obligations set out in the Agreed Form S106; and the Council as landowner has undertaken to the local planning authority as follows (either by way of the Unilateral Undertaking and/or one or more Confirmatory Unilateral Undertakings):
 - i. to abide by the terms of the Agreed Form S106 with the intention that the planning obligations contained therein bind all of its interest in the Site and will become enforceable against successors in title and persons deriving title under them;
 - ii. not to dispose of its interest in the Site without first imposing a legally enforceable obligation on the disponee to enter into the Agreed Form S106 (or Confirmatory Deed as applicable) SAVE THAT this obligation and undertaking shall not apply in respect of any disposal to an Excluded Party

Reason: The London Borough of Sutton is both the applicant and the local planning authority, and there are currently no third party freehold or leasehold owners with sufficient locus to implement the approved Development. It is therefore considered that exceptional circumstances exist to justify the use of a negatively worded condition to secure the necessary planning obligations via a legal agreement. This is in accordance with National Planning Policy Guidance on the Use of Planning Conditions (Paragraph: 010 Reference ID: 21a-010-20190723).

- (4) Reserved matters applications must be submitted in accordance with the Site Wide Phasing Strategy. Approval of the details of the access, appearance, landscaping, layout and scale of the proposed Development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any Development other than the Phase 0 Works and Enabling Works begins on each Phase and the Development shall not be carried out except in accordance with the details so approved.

Reason: The application is in outline only and these details remain to be submitted and approved.

- (5) The first reserved matters application must be submitted to the Local Planning Authority no later than the expiry of THREE YEARS from the date of this permission. Applications for approval of the

Reserved Matters for all other reserved matters of the Development shall be submitted to the Local Planning Authority before the expiration of 15 YEARS from the date of this Decision Notice.

Reason: 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).

- (6) The Commencement of Development must be begun not later than the expiration of TWO years from the final approval of the last reserved matters.

Reason: 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).

- (7) A) No Development shall Commence on any part of the Site, other than Phase 0 Works and Enabling Works, until a Site Wide Phasing Strategy has been submitted to and approved in writing by the Local Planning Authority. Any updates to the Site Wide Phasing Strategy shall be submitted to and approved by the Local Planning Authority. The submission of reserved matters applications and the phasing of the Development shall be carried out in accordance with the approved Site Wide Phasing Strategy, or such updated Site Wide Phasing Strategy as approved by the Local Planning Authority.

B) Prior to Commencement of each Phase (other than Phase 0 Works and Enabling Works), a Delivery Plan for the Phase shall be submitted to and approved in writing by the LPA. The Delivery Plan shall include a layout plan outlining the public realm and open space to be delivered with each Plot and the sequencing of works to be undertaken within that Phase.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure a coordinated approach to the delivery of the Development.

- (8) The Development hereby approved shall comprise no more than 282 residential units.

Applications for the approval of reserved matters submitted pursuant to this permission relating to layout and scale of a Phase which includes residential uses, shall be accompanied by a Housing Accommodation Schedule. This document shall explain and include:

a) The mix (size by bedroom, and tenure) of residential units within that Phase; and

b) A cumulative position statement on the provision of housing, having regard to any residential development approved in previous reserved matters and the indicative housing proposals for the remaining parts of the development. The Housing Accommodation Schedule shall demonstrate how the proposed Development as a whole accords with the indicative housing mix ranges or as otherwise agreed with the Local Planning Authority through evidence.

Indicative Unit Range:

1 bed: 23% to 43%

2 bed: 29% to 49%

3 bed: 5% to 8%

Reason: To ensure that the Development is undertaken in accordance with the approved drawing(s) and document(s), and that it delivers a range of unit sizes in accordance with Policy 9 of the Sutton Local Plan 2018.

- (9) The Development hereby approved shall comprise no more than 580 sqm (GIA) of non-residential uses, consisting of Flexible Use Class E floorspace and / or Use Class F2(b) and/or Sui Generis floorspace (drinking establishment with or without expanded food provision and/or venue for live music performances).

Reason: To protect the amenity of residents and promote local services, amenities and community uses where appropriate, in accordance with Policies 1 and 3 of the Sutton Local Plan 2018.

- (10) Car parking provision across the Site must not exceed 16 car parking spaces (to include disabled parking provision) for residential use.

Reason: In the interest of promoting a modal shift to sustainable modes of transport in accordance with Policy 37 of the Sutton Local Plan 2018.

- (11) The maximum height of development above existing AOD shall not exceed the parameters set out within the approved plan 'Building Heights Parameter Plan 3465B - LB - XX - ZZ - D - A - 106100 rev P06'.

Reason: To ensure that the scheme implemented is in accordance with the principles established within this permission.

- (12) The delivery of the enhanced existing public realm spaces and the proposed new public realm spaces shall accord with the parameters set out within the approved plan 3465B - LB - XX - 00 - D - A - 106300 rev P04.

Reason: To ensure that the scheme implemented is in accordance with the principles established within this permission.

- (13) a) The Development Plots hereby permitted and identified on the approved 'Parameter Plan 1_Development Plots 3465B - LB - XX - ZZ - D - A - 106000 rev P04' are: A, B, C.

b) Reserved Matters applications shall be presented by Plot or Plots and shall be in accordance with all plot-related parameters and principles hereby approved, including those set out in the Parameter Plans, Design Code and such further relevant plot specific parameters and principles as are referred to elsewhere in these conditions.

Reason: For the avoidance of doubt and to identify the Development Plots to which Reserved Matters applications will need to be submitted and approved and to ensure the reserved matters are in accordance with relevant approved parameters and principles.

- (14) All Development shall accord with the principles contained within the approved Design Code ref 3465B March 2024 by Levitt Bernstein and conformity to this shall be detailed within each reserved matters submission.

Reason: To ensure that the scheme implemented is in accordance with the principles established within this permission.

- (15) A minimum of ten percent of all new-build dwellings shall be constructed to, or be capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: Wheelchair user dwellings (2015 edition).

All remaining new build-dwellings shall be constructed to comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition), unless otherwise agreed in writing through the reserved matters applications.

Reason: To ensure that sufficient accessible housing is provided, in accordance with Policy 9 of the Sutton Local Plan 2018.

- (16) The following documents shall be submitted as part of each Reserved Matters Application, unless otherwise agreed in writing with the Local Planning Authority:

- a) Statement of Conformity to the Site Wide Phasing Strategy
- b) Design and Access Statement (to include details on sustainable design and construction, security and inclusive design)
- c) Landscaping and Public Realm Strategy - This strategy must clearly denote the areas of public realm which will be subject to 24 hours a day, 7 days a week, 365 days public access
- d) Town Planning Statement

e) Transport Statement

In respect of reserved matters applications for residential development, the following documents should be submitted in addition:

f) Daylight, Sunlight Assessment (Within the Development)

g) Housing Accommodation Schedule in accordance with Condition [6] and Tenure Plan

h) Play Strategy

i) In relation to the matter of scale a reserved matters application shall include:

- a statement (including accompanying design material, townscape views and detailed plans at an appropriate scale) to demonstrate that the scale of the Development accords with the relevant design code principles and parameters

j) In relation to the matter of appearance a reserved matters application shall include:

- a statement together with detailed plans, drawings, sections and elevations to explain the proposed detailed design and materials to be used on all external elevations of the building(s) and how the appearance of the Development accords with the relevant design code principles and parameters.

k) In relation to the matter of landscaping a reserved matters application shall include:

- plans, drawings and sections to explain details of the hard and soft landscaping, including Site levels, finished floor levels, proposed drainage arrangements, children's playspace, private and communal amenity areas, and planting (including trees, brown/green roofs, planters)
- a statement (including accompanying design material) to demonstrate that the landscaping proposals accord with the design code principles.

Reason: In order that the Reserved Matters Applications can be properly considered and assessed against the approved Parameter Plans and Design Code and in the interests of proper planning.

(17) Prior to the Commencement of Development of each Phase, excluding Phase 0 Works and Enabling Works, a full and detailed Fire Statement (in the form of an independent fire strategy produced by a third party suitably qualified assessor) must be submitted to be approved by the Local Planning Authority. The statement should detail how the Development proposal will function in terms of:

- each building's construction: methods, products and materials used;
- 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;
- demonstrating how each building has a minimum of at least one lift per core (or more subject to capacity assessments), and has a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building
- features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans;
- 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;
- how provision will be made to enable fire appliances to gain access to buildings; and
- ensuring that any potential future modifications to the buildings will take into account and not compromise the base build fire safety/protection measures.

Reason - In the interests of fire safety, in accordance with Policy D12 of the London Plan 2021.

(18) a) Prior to Commencement of Development of each Phase (excluding Phase 0 Works and Enabling Works) a stage 1 written scheme of investigation (WSI) must be submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no Development shall take place other than in accordance with the agreed WSI, and the programme and methodology of

Site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

b) If heritage assets of archaeological interest are identified by the stage 1 WSI then for those parts of the Site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the Local Planning Authority in writing.

For land that is included within the stage 2 WSI, no below ground works shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of Site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. Where appropriate, details of a programme for delivering related positive public benefits.

C. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To ensure that there is an opportunity to properly investigate and record information on this Site, which is considered to be of high archaeological interest and safeguard the archaeological heritage of the Borough, in accordance with Policy 30 of the Sutton Local Plan 2018. It is necessary for this condition to prevent the Commencement of Development until the requirements of the condition have been met because the timing of compliance is fundamental to the decision to grant planning permission.

(19) Prior to the Commencement of Development of each Phase of the Development, excluding Phase 0 Works but including Site-wide demolition and Site clearance works (Enabling Works), a Construction Logistics Plan (CLP) for the relevant phase must be submitted to and approved by the Local Planning Authority in writing. The CLP must include details of:

(a) loading and unloading of plant and materials;

(b) storage of plant and materials;

(c) programme of works (including measures for traffic management);

(d) provision of boundary hoarding;

(e) hours of operation;

(f) and means to prevent deposition of mud on the highway

(g) delivery times (particularly abnormal loads),

(h) details of holding areas and

(i) contractors parking have been submitted, to and approved in writing by, the Local Planning Authority.

The Development shall be constructed in accordance with the approved statement.

Reason: To ensure that the proposed Development does not interfere with the free flow of traffic and conditions of safety on the public highway, and to ensure the Development process does not have a significant adverse impact on the amenities of nearby residential properties in accordance with Policies 29 and 36 of the Sutton Local Plan 2018 and Policy T7 of the London Plan 2021. This is required to be pre-Commencement to mitigate against the impacts of the demolition and construction processes.

(20) Prior to the Commencement of Development of each Phase (excluding Phase 0 Works but including the Enabling Works) a Construction Management Plan (CMP) excluding Phase 0 Works, for the relevant phase must be submitted to and approved by the Local Planning Authority in writing. The CEMP must include details of:

(a) provision of boundary hoarding;

(b) hours of operation;

(c) means to control dust and emissions to air;

(d) means to control noise and vibration

(e) measures to prevent entrapment of mammals; has been submitted to, and approved in writing by, the Local Planning Authority.

The CMP should be in accordance with the GLA's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The Development shall be constructed in accordance with the approved plan.

Reason: To ensure that the proposed Development does not have a significant adverse impact on the amenities of nearby residential properties and to minimise the impacts on local air quality. This condition is required to be pre-Commencement as the Construction Management Plan needs to be in place before any works take place and to mitigate against the impacts of the demolition and construction processes in accordance with Policies 29 and 34 of the Sutton Local Plan 2018.

- (21) If, during implementation of this Development, contamination is encountered which has not previously been identified, the contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the Local Planning Authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to the completion of the Development hereby approved.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy 34 of the Sutton Local Plan 2018.

- (22) Prior to occupation of the relevant Phase of Development and upon completion of the agreed remediation works (pursuant to Condition 21), a verification report including quality assurance certificates that demonstrates the effectiveness of the remediation shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy 34 of the Sutton Local Plan 2018.

- (23) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) a surface water drainage scheme for the Phase shall be submitted to and approved in writing by the Local Planning Authority. This scheme should include:

- (a) sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the Development;
- (b) details of how the proposed surface water drainage scheme will be maintained;
- (c) a drainage scheme nominating the ownership, management and maintenance arrangements;
- (d) the use of SuDS and balancing ponds where possible;
- (e) details to demonstrate that the surface water run-off generated up to and including the 100 years critical storm plus climate change allowance, will not exceed the run-off from the undeveloped Site following the corresponding rainfall event.
- (f) details of modelled drained area and storage structures, together with a detailed drainage layout drawing that show the pipe numbers, gradients and pipe sizes which aligns with the drainage calculations results.

In addition, 'brownfield' major developments are required to reduce post development runoff rates for events up to and including the 1 in 100 year return period event plus 40% climate change allowance, to the calculated greenfield rate (calculated in accordance with LoH124) or, where demonstrated not feasible, to not more than three times the calculated greenfield rates for the Site. It is recommended that a SuDS treatment train is utilised to assist in this reduction. Each Phase of the Development shall only be implemented in accordance with the relevant approved details.

Prior to above ground works (other than Phase 0 Works and Enabling Works) evidence (photographs and installation contracts) shall be submitted to demonstrate that the sustainable drainage scheme for the Site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change, in accordance with Policies S112 and S113 of the London Plan 2021 and Policy

32 of the Sutton Local Plan 2018. It is necessary for this condition to prevent the Commencement of Development until the requirements of the condition have been met because the timing of compliance is fundamental to the decision to grant planning permission.

- (24) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) a scheme to ensure the Development is flood resilient, in particular basement and lower ground levels and other finished floor levels, shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a Flood Warning and Evacuation Plan. The scheme shall be implemented and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: Whilst we are satisfied at this stage that the proposed Development could be allowed in principle, the applicant will need to provide clarification of basement and lower ground levels to ensure that the proposed Development can go ahead without posing an unacceptable flood risk to future occupants, in accordance with Policies SI12 and SI13 of the London Plan 2021 and Policy 32 of the Sutton Local Plan 2018. It is necessary for this condition to prevent the Commencement of Development until the requirements of the condition have been met because the timing of compliance is fundamental to the decision to grant planning permission.

- (25) i) The Development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the Development in accordance with Secured By Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of superstructure works within each Phase, excluding Phase 0 Works and Enabling Works, and shall be implemented in accordance with the approved details prior to occupation.

ii) Prior to occupation a Secured by Design certificate build or its equivalent awarded by a Designing Out Crime Officer from the Metropolitan Police Service on behalf of the National Police Chiefs Council shall be submitted to and approved by the Local Planning Authority.

Reason: To promote the well-being of the area in accordance with Policy 28 of the Sutton Local Plan 2018 and Policy D11 of the London Plan 2021.

- (26) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) a detailed Circular Economy Statement and Refuse Strategy shall be submitted to and approved in writing by the Local Planning Authority. The statement shall adhere to the principles set out in the Outline Circular Economy Statement. The relevant Phase of Development shall be carried out in accordance with those details.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with London Plan Policy SI7. The condition is required to be pre-Commencement to ensure that sustainability principles are considered at the earliest opportunity.

- (27) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works), an Air Quality Assessment (AQA), including an Air Quality Neutral assessment detailing how the Development has been designed to achieve air quality neutral standards, together with any necessary mitigation, shall be submitted to and approved in writing by the Local Planning Authority.

Should the Air Quality Neutral assessment show that the Development proposed will not be air quality neutral, it should confirm the excess tonnage that would need to be offset. The AQA shall also consider measures that can be implemented to improve local air quality as part of an air quality positive approach, in line with the latest GLA Air Quality Positive Guidance. The measures set out within the AQA shall be implemented in accordance with the details so approved, and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and improve local air quality, in accordance with Policy 34 of the Sutton Local Plan 2018 and Policy SI1 of the London Plan 2021. The condition is required to be pre-Commencement to ensure that air quality principles are considered at the earliest opportunity.

- (28) Prior to Commencement of Development (other than Phase 0 Works and Enabling Works) a Site Wide Energy Strategy and supporting system description including the provisions made for interconnecting pipework to link the Phases within the Site into a future District Heating Network must be submitted to and approved in writing by the Local Planning Authority.

The Site Wide Energy Strategy shall demonstrate how the Development will achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) (when applying updated SAP 10 emission factors).

Reason: To ensure that the Development provides renewable energy, in the interests of safeguarding the environment, in accordance with Policy SI3 of the London Plan 2021 and Policy 31 of the Sutton Local Plan 2018. The condition is required to be pre-Commencement to ensure that energy principles are considered at the earliest opportunity to maximise sustainability.

- (29) Prior to the commencement of any superstructure works within each Phase (other than Phase 0 Works and Enabling Works) a finalised Overheating Assessment Report and outcome of thermal dynamic modelling based on DSY1 2020 High 50 weather files for a representative number of units to show that the cooling strategy is in accordance with the Mayor's cooling hierarchy and that 100% of the proposed dwellings and corridors are compliant with the relevant TM59 criteria must be submitted and approved by the Local Planning Authority. The submitted information must take account of the detailed design stage and the option taken forward for supplying space heating, domestic hot water and cooling to the Development.

Reason: To ensure a comfortable living environment for residents of the Development in accordance with Policy SI4 of the London Plan 2021 and Policy 33 of the Sutton Local Plan 2018

- (30) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) an Energy Statement demonstrating how the each Phase will conform with the Site Wide Energy Strategy to be approved pursuant to Condition 28 must be submitted to and approved by the Local Planning Authority. The Energy Statement should include:

- (i) a finalised fabric and energy efficiency specification for the dwellings based on further detailed design taking account of best practice psi-values for the dwellings and Passivehaus;
- (ii) revised Energy Use Intensity (EUI) calculations based on a robust methodology and confirmation of Space Heating Demand calculations to show that the GLA guideline values have been met;
- (iii) if the Preferred Option for supplying space heating, domestic hot water and cooling to the dwellings is progressed in the form of an ambient loop network served by air source heat pumps (ASHPs), written confirmation from the heat network operator and the GLA that future connection to a wider district heat network serving Sutton Town Centre is commercially and technically viable;
- (iv) Site plans showing details of proposed pipework routes and space within the Site to accommodate for plate heat exchangers to enable future connection of the Site to the wider heat network serving Sutton Town Centre;
- (v) details of energy costs to occupants;
- (v) revised and updated carbon emissions reporting spreadsheets, corresponding 'as designed' SAP and SBEM worksheets which take into account the finalised energy strategy and carbon offset calculations.

Reason: to ensure measures are implemented to reduce any detrimental environmental impacts and deliver an energy efficient and sustainable development, in accordance with Policy SI2 and SI3 of the London Plan 2018 and Policy 31 of the Sutton Local Plan 2018. The condition is required to be pre-Commencement to ensure that energy principles are considered at the earliest opportunity to maximise sustainability.

- (31) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) for the Phase has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To protect underground infrastructure and utilities during the construction process, in accordance with Policy 34 of the Sutton Local Plan. The condition is required to be pre-Commencement to ensure key infrastructure is protected

- (32) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-Development, for monitoring purposes will be secured, protected and inspected.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with the Environment Agency's Groundwater Protection: Principles and Practice, and in accordance with Policy 34 of the Sutton Local Plan 2018. It is necessary for this condition to prevent the Commencement of Development until the requirements of the condition have been met to prevent ground water pollution.

- (33) Prior to the Commencement of Development within each Phase (other than the Phase 0 Works and Enabling Works) a Dust Management Plan must be submitted to and approved in writing by the local planning authority. The DMP must include monitoring of dust deposition, dust flux, real-time PM10 continuous monitoring and/or visual inspections. This plan must incorporate the recommendations of (Table 6. Mitigation for a High-Risk Site) of the Air Quality Assessment and be in compliance with the GLA Control of Dust and Emissions during Construction and Demolition SPG.

Reason: To ensure air quality remains at an acceptable standard, in accordance with Policy 34 of the Sutton Local Plan 2018.

- (34) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) a detailed Whole Life Carbon Statement must be submitted to and approved in writing by the Local Planning Authority.

The finalised WLC Assessment must:

- (i) contain updated carbon emissions estimates for the whole Development which take account of the detailed design phase and provide a greater level of certainty compared to the Outline WLC assessment
- (ii) demonstrate compliance with the London Plan Policy SI 2 and GLA WLC Guidance
- (iii) give further consideration to the measures identified in Outline WLC Assessment and expand on these to achieve further reductions in line with industry progress towards decarbonisation over the build out period for the scheme
- (iv) outline additional opportunities which have been taken to reduce embodied carbon further
- (v) confirm proposals for verification of WLC performance at post-construction and how these may be secured through planning conditions.

Thereafter, the relevant Phase of Development shall be constructed in accordance with those details as approved by the Local Planning Authority.

Reason: In the interests of sustainable development and to maximise on-Site carbon dioxide savings, in accordance with London Plan Policy SI 2, SI 3, the Mayor's Energy Assessment guidance and Local Plan Policy 31. The condition is required to be pre-Commencement to maximise on-Site carbon dioxide savings

- (35) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) the developer must provide confirmation that either:

a) all wastewater, surface water and all water network upgrades required to accommodate the additional flows from the Development have been completed;

or

b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: To avoid sewer flooding and potential pollution incidents, in accordance with Policy 34 of the Sutton Local Plan 2018. This condition is necessary prior to Commencement as it involves subterranean works.

- (36) In the event that an existing tree(s) is proposed to be retained as part of a future Reserved Matters Approval, tree protection measures must be implemented prior to commencement of demolition and construction works, in accordance with the British Standard BS5837: Trees in relation to design, demolition and construction. The protective measures shall only be removed on completion of the Development.

Reason: To ensure that trees to be retained will not be damaged during demolition or construction, in accordance with best practice and Policy 28 of the Sutton Local Plan 2018.

- (37) Prior to Commencement of Development of each Phase, excluding Phase 0 Works and Enabling Works, a scheme shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the noise level of 35 dB LAeq,16 hour in living rooms and bedrooms during the daytime (0700 to 2300 hours) and 30 dB LAeq,8 hour during the night time (2300 to 0700 hours) in bedrooms, in accordance with BS8233:2014, shall not be exceeded. Noise levels in bedrooms should also not normally exceed 45 dB L_{Amax,F} more than 10 times during the night time. Where these levels cannot be met with windows open appropriate acoustic ventilation should be provided so that the room can be sufficiently ventilated. The acoustic performance of any passive vent, variable speed mechanical air supply unit or whole house ventilation must be sufficient to ensure that the noise level standards given above are not compromised. Once agreed in writing by the Local Planning Authority the approved details shall be installed prior to the Development being occupied and retained thereafter.

Reason: To ensure that the proposed residential units are adequately protected from noise and to ensure an adequate level of internal amenity is provided for future residents, in accordance with Policy 29 of the Sutton Local Plan 2018.

- (38) Prior to above ground work within each Phase (other than Phase 0 Works and Enabling Works) a wind assessment shall be submitted and approved in writing by the Local Planning Authority. The assessment shall demonstrate that safe and amenable wind conditions can be secured. The Development shall only be constructed in accordance with the approved details. Any mitigation measures will be implemented through the construction phase and permanently retained thereafter.

Reason: In the interests of the health and safety of future occupiers and users of the Development, in accordance with Policy 29 of Sutton Local Plan.

- (39) Child playspace shall be delivered in accordance with the approved details submitted with the relevant Reserved Matters Approval, with the play space(s) associated with each phase made available prior to first occupation of the phase and thereafter retained.

Reason: To ensure the delivery of high quality children's play spaces, in accordance with Policy H9 of the Sutton Local Plan 2018 and Policy S4 of the London Plan 2021.

- (40) a) Prior to any above ground works within the first Phase (other than Phase 0 Works and Enabling Works) a Site Wide Car Parking Design and Management Plan (CPDMP) shall be submitted to and approved in writing by the Local Planning Authority.

The Site Wide CPDMP shall set out the key principles that will guide parking management across the Development and the long-term strategy for allocating, managing and monitoring on-Site parking including parking for blue badge and electric vehicles. The Site Wide CPDMP will include measures

of how on-street parking within the Development will be minimised and provided only where necessary.

b) Prior to the commencement of superstructure works within each Phase (other than Phase 0 Works and Enabling Works), a Phase Specific Car Parking Design and Management Plan (CPDMP) shall be submitted to and approved in writing by the Local Planning Authority. The Phase Specific CPDMP shall set out the strategy for implementing the Site Wide CPDMP within the relevant Phase.

Once the Phase Specific CPDMP is approved the car parking areas shall be constructed and marked out prior to the first occupation of the Plot(s) to which they relate, and thereafter retained permanently for the accommodation of vehicles of occupiers to the premises and not used for any other purpose.

Blue badge car parking spaces shall be constructed and marked out as accessible parking bays prior to the first occupation of each phase to which they relate and retained thereafter.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway, to ensure and promote easier access for disabled persons, in accordance with Policies 36 and 37 of Sutton Local Plan 2018 and Policy T6 of the London Plan 2021.

- (41) Prior to above ground works (other than Phase 0 Works or Enabling Works) within any Phase, details and samples of all finishes and specifications of highway materials and surfaces associated with that Phase shall be submitted and approved in writing by the Local Planning Authority. This will include details and samples associated with temporary access works, and landscaping measures to prevent unauthorised parking. The Development shall only be constructed in accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory standard of highway surfaces within the Development, in accordance with Policy 28 of the Sutton Local Plan 2018.

- (42) Prior to occupation of each Phase, a Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Traffic Management Plan shall set out the proposed management arrangements for vehicles movement within the relevant Phase and shall include:

- (a) details of any shared surfaces; and
- (b) details of appropriate road markings and signage internal to the Site to regulate the movement of traffic, cyclists and pedestrians.

The Development shall only be constructed in accordance with the approved details and retained thereafter.

Reason: To prevent obstruction of the public highway surrounding the Site and the internal roads and maintain safety for road users, in accordance with Policy 36 of the Sutton Local Plan 2018.

- (43) Prior to Commencement of Development of each Phase (other than Phase 0 Works and Enabling Works) an Urban Greening Factor Statement must be submitted to the Local Planning Authority and approved in writing to demonstrate how the phase will contribute to:

- a) a Site-wide Urban Greening Factor target score of at least 0.4 using the Mayor of London's methodology referenced in Policy G5 of the London Plan 2021;
- b) a Green Space Factor of +0.2 compared to the baseline situation prior to development. The council's GSF scoring system set out in the council's 'Technical Guidance Note - Building a Sustainable Sutton' (June 2018) must be used for this purpose.

The measures set out shall be implemented prior to occupation of the final phase and thereafter retained.

Reason: To achieve the highest design and environmental standards possible, to protect and enhance the borough's biodiversity and to reduce flood risk to and from new Development, in

accordance with Policy 33 of the Sutton Local Plan 2018 and Policy G5 of the London Plan 2021.

- (44) Prior to above ground works within each Phase (other than Phase 0 Works and Enabling Works) details of cycle space provision for the proposed uses and associated visitor spaces must be submitted to and approved in writing by the Local Planning Authority.

Prior to the first occupation or use of each building the applicant must make the necessary provisions so that cycle parking provision is in accordance with the London Plan (as relevant to the building) to determine an appropriate level of cycle parking which should be to the minimum standards set out, secure and well-located. The cycle parking should be designed and laid out in accordance with the minimum recommendations and guidance contained in the London Cycling Design Standards, installed prior to first occupation / use within each building and permanently retained thereafter.

Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport, in accordance with Policy 37 of the Sutton Local Plan 2018 and Policies D3 and T5 of the London Plan 2021.

- (45) Prior to commencement of superstructure works within each Phase (other than Phase 0 Works and Enabling Works) a detailed Delivery and Servicing Plan (DSP) for the proposed use(s) shall be submitted to and approved in writing by the Local Planning Authority. The DSP should provide details of the expected type and expected frequency of service vehicles including waste removal and for all uses, the hours within which they would arrive and depart, the intended locations for loading and unloading of vehicles and associated waiting and turning areas and access routes and show clear vehicle swept paths based on up to date information in relation to overall vehicle movements associated with the Development. The relevant Phase of Development shall only be constructed in accordance with the approved details and thereafter retained.

No residential building shall be occupied until the relevant Delivery and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority. No permitted use within any non-residential unit shall be commenced until the relevant Delivery and Servicing Plan for the relevant Plot has been submitted and approved.

Reason: To ensure that vehicle movements associated with the use hereby permitted remains consistent and that the use shall not represent any unacceptable level, type, location or timing of vehicle movements such that the safety of pedestrians and cyclists and the efficiency of bus operations shall be unduly prejudiced, nor that residential amenity will be unduly affected.

- (46) Prior to above ground works within each Phase (other than Phase 0 Works and Enabling Works), a Refuse Strategy comprising full details of the refuse and recycling storage and collection must be submitted to and approved in writing by the Local Planning Authority. The Refuse Strategy should make reference to the Council's Recycling and Waste Planning Guidance 2023. The approved details must be implemented in full prior to first occupation of that phase to which they relate and retained thereafter.

Reason: To avoid harm to the character and appearance of the street scene and local area and to ensure adequate provision of refuse and recycling facilities in the interests of amenity for future and neighbouring occupiers, in accordance with Policy 28 of the Sutton Local Plan 2018.

- (47) Prior to above ground works (other than Phase 0 Works and Enabling Works) within each Phase details of and location of Electric Vehicle charging infrastructure for the provision of electric vehicles associated with the Phase shall be submitted to and agreed in writing with the Local Planning Authority.

The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. Charging points for electric vehicles must be installed and made available for use with at least 20% of the total number of car parking spaces equipped with active electric vehicle charging points with all other spaces equipped with passive provision for electrical vehicle charging.

Reason: To provide charging facilities for electric vehicles and to encourage the uptake of electric vehicles, in accordance with Policy T6 of the London Plan 2021.

- (48) Prior to the commencement of superstructure works (within each Phase (other than Phase 0 Works and Enabling Works), the following details (as relevant to the reserved matters approval for the Phase) shall be submitted to and approved by the Local Planning Authority and the works subsequently implemented in accordance with the details approved:

- a) drawings/details of any rooftop plant, screening and parapet finishes, presented at 1:20 scale.
- b) specification of balconies and/or winter gardens, communal entrances, vehicular entrances and gates, duplex entrances and typical bay (showing window reveals, frames, cills and headers) at a scale of 1:20 (in plan, section and elevation)
- c) details of all rainwater pipes, flues or grills where these are visible on the external façade of the building
- d) samples of bricks/materials finishes to all external elevations (e.g. brick slips, RAL colour samples, metal work finishes etc.) to be presented for all buildings within the Phase.

Reason: To protect or enhance the character and amenity of the area and ensure an exemplary finish to the Development hereby approved, in accordance with Policy 28 of the Sutton Local Plan 2018 and Policy D4 of the London Plan 2021.

- (49) No building hereby permitted shall be occupied until a detailed maintenance plan of the proposed living roofs, including who shall be responsible for the maintenance of the proposed roofs for that relevant building, has been submitted to and approved by the Local Planning Authority.

Reason: In the interests of maintaining the longevity and effectiveness of the living roofs so that they deliver the environmental benefits, in accordance with Policy of the Sutton Local Plan 2018 and Policies G1 and G5 of the London Plan 2021.

- (50) Prior to the occupation of the Development within each Phase, full details of hard and soft landscaping for that Phase shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping and tree planting shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards (in particular, BS 3882: Specifications for Topsoil, Recommendations (2015) and BS 8545: Trees from Nursery to Independence in the Landscape, Recommendations (2014) or other recognised codes of good practice). The works shall be carried out prior to the occupation of any part or relevant phase of the Development or in accordance with the timetable agreed with the Local Planning Authority. Any tree(s) or plants that (within a period of five years after planting) are removed, die, or (in the opinion of the Local Planning Authority) are damaged or defective shall be replaced as soon as is reasonably practicable with others of a similar size/species/number as originally approved, unless the Local Planning Authority gives its consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policy 28 of the Sutton Local Plan 2018.

- (51) Prior to first occupation of each Phase a landscaping management plan must be submitted to and approved in writing by the Local Planning Authority. The plan for each Phase of the Development shall set out how the planting will be managed for a minimum of two years from practical completion of the phase, to ensure full and successful establishment of plants and trees. Any trees or shrubs which die within five years of completion of the phase, shall be replaced with the same species, unless otherwise approved in writing by the Local Planning Authority. The plans shall identify all landscaped areas that will be under communal management. The planting shall be thereafter managed in accordance with the approved management plan.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policy 28 of the Sutton Local Plan 2018.

- (52) Prior to first occupation of each Phase a public realm management plan must be submitted to and approved in writing by the Local Planning Authority. The plan for each Phase of the Development shall set out how the public realm will be managed including its maintenance.

Reason: To ensure that the public realm provides and maintains space that is attractive and accessible and contributes to the highest possible standards of comfort, good acoustic design, security and ease of movement, in accordance with Policy 25 of the Sutton Local Plan 2018 and Policy D8 of the London Plan 2021.

- (53) Prior to occupation within each Phase an overarching wayfinding strategy for that Phase must be submitted to and approved in writing by the Local Planning Authority detailing the design approach to wayfinding infrastructure to be delivered.

Reason: In the interests of public safety, wayfinding and promoting active travel, in accordance with Policy T3 of the London Plan 2021.

- (54) Prior to first occupation of any non-residential unit hereby permitted with a commercial kitchen, details of any ventilation system for the removal and treatment of cooking odours from any commercial catering are to be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be fully implemented before the first use of the relevant non-residential unit and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells, odours and noise, in accordance with Policies 28 and 29 of the Sutton Local Plan 2018.

- (55) Prior to commencement of superstructure works within a Plot where uses falling within Use Class F.2(b) and/or Sui Generis (drinking establishment with or without expanded food provision and/or venue for live music performances) are proposed, a noise assessment and mitigation scheme (NMS) shall be submitted to, and approved in writing by, the Local Planning Authority. The NMS will set out all relevant assessment assumptions (including assumed operating conditions, adopted source data and calculations) and will demonstrate that the following noise criteria will be met under all reasonably foreseeable circumstances:

- i. 53 dB (L10,5min) in the 63Hz centre frequency octave band and 41 dB L10,5min in the 125Hz centre frequency octave band in existing or consented habitable rooms under open window conditions between the hours of 07:00 and 23:00.
- ii. 49 dB L10,5min in the 63Hz centre frequency octave band and 37 dB L10,5min in the 125Hz centre frequency octave band existing or consented habitable rooms under open window conditions between the hours of 23:00 and 07:00.

The approved NMS shall be fully implemented in the subsequent development. Plant and equipment approved in the NMS will be maintained and operated in accordance with the approved details.

Reason: To ensure that the proposed and surrounding residential properties and other noise sensitive premises in the vicinity of Site are adequately protected from noise nuisance, in accordance with Policy 29 of the Sutton Local Plan 2018.

- (56) Prior to the operation of any plant the following must be submitted and approved by the Local Planning Authority.

- a) The rating level of the noise determined by the cumulative sound emissions of any plant shall not exceed the levels stated in table 10.1 of the AECOM Limited Noise Survey and Preliminary Acoustic Assessment of March 2024 Project number: 60712562.
- b) The noise levels shall be measured or predicted 1m externally to any window of a habitable room at the nearest residential facade during any normal mode of operation. Measurements and assessment shall be made according to British Standard 4142:2014
- c) The cumulative sound emissions of any emergency plant should not exceed the levels stated in

table 10.2 of the AECOM Limited Noise Survey and Preliminary Acoustic Assessment of March 2024 Project number: 60712562. The noise levels shall be measured or predicted 1m externally to any window of a habitable room at the nearest residential facade during any normal mode of operation. Measurements and assessment shall be made according to British Standard 4142:2014

d) The testing of any emergency plant shall only be carried out for up to 1 hour per calendar month during typical working hours 09.00-17.00 Monday - Friday not including public holidays.

Reason: To ensure that the proposed and surrounding residential properties and other noise sensitive premises in the vicinity of Site are adequately protected from noise nuisance, in accordance with Policy 29 of the Sutton Local Plan 2018.

- (57) a) Each application for reserved matters shall be accompanied by a detailed Whole Life-Cycle Carbon Statement in line with the GLA's Whole Life-Cycle Assessment Guidance, which shall be submitted to and approved in writing by the Local Planning Authority. The statement shall adhere to the principles set out in the outline Whole Life-Cycle Carbon Statement. The Development shall be carried out in accordance with the details so approved.

b) Prior to the first occupation of the last building within each Phase, 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 Lifecycle 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: zerocarbonplanning@london.gov.uk along with any supporting evidence as per the guidance. Confirmation of a satisfactory submission to the GLA shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the last building within each Phase.

Reason: In the interests of sustainable development and to maximise on-Site carbon dioxide savings, in accordance with Policy 31 of the Sutton Local Plan 2018 and Policy SI2 of the London Plan 2021.

- (58) a) Each application for reserved matters shall be accompanied by a detailed Circular Economy Statement in line with the GLA's Circular Economy Statement Guidance, which shall be submitted to and approved in writing by the Local Planning Authority. The statement shall adhere to the principles set out in the outline Circular Economy Statement. The Development shall be carried out in accordance with the details so approved.

b) Prior to the first occupation of the last building within each Phase, 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 the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of a satisfactory submission to the GLA shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the last building within each Phase.

Reason: In order to maximise the re-use of materials and in the interests of sustainable waste management, in accordance with Policy SI7 of the London Plan 2021.

- (59) Prior to first occupation of the last building within each Phase, a completed Water Efficiency Calculator for New Dwellings must be submitted to the Local Planning Authority and approved in writing to show that internal potable water consumption for each of the dwellings will meet a target water use of 110 litres per person per day (l/p/d) based on the Government's national calculation method for water efficiency for the purposes of Part G of the Building Regulations. The Water Efficiency Calculator should be accompanied by details of the location and type of all appliances or fittings that use water, the capacity or flow rate of any equipment and any rainwater or greywater collection systems incorporated as part of the Development. The Development shall be carried out in accordance with the approved details and the approved details shall be complied with for the life of the Development.

Reason: To conserve water supplies in an area of water stress, in accordance with Policy 33 of the Sutton Local Plan 2018.

- (60) 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: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents and to accord with Policies 29 and 34 of the Sutton Local Plan 2018.

- (61) No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the side or roof of any buildings unless and until details of their size and location have previously been submitted to and approved by the Local Planning Authority. The relevant part of the Development shall be carried out in accordance with the approved details and thereafter retained.

Reason: In the interest of visual amenity and to accord with Policy 28 of the Sutton Local Plan 2018.

- (62) The lead contractor of each Phase shall be signed up to the Considerate Constructors Scheme (CCS) and its published Code of Considerate Practice, and the details of (i) the membership, (ii) contact details, (iii) working hours as stipulated under the Control of Pollution Act 1974, and (iv) Certificate of Compliance, shall be clearly displayed on the Site so that they can be easily read by passing members of the public, and those details shall thereafter be maintained on display throughout the duration of the works forming the subject of this permission

Reason: To mitigate the impact of construction work upon the levels of amenity that neighbouring and future occupiers should reasonably expect to enjoy and to ensure accordance with Policies 29 and 34 of the Sutton Local Plan 2018. It is necessary for this condition to prevent the Commencement of Development until the requirements of the condition have been met because the timing of compliance is fundamental to the decision to grant planning permission.

- (63) The Phase 0 Works shall be limited to the demolition of the bungalows known as 58 and 59 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.

Reason: To ensure the Site is left in a satisfactory condition in terms of safety and visual amenity, in accordance with Policy 28 and 34 of the Sutton Local Plan 2018.

- (64) The Phase 0 Works shall be carried out in accordance with the relevant sections of the Outline Construction Logistics Plan dated 14 March 2024, prepared by Markides (Project Number: 22131; Doc Number: CLP01)

Reason: To ensure that the proposed Development does not interfere with the free flow of traffic and conditions of safety on the public highway, and to ensure the Development process does not have a significant adverse impact on the amenities of nearby residential properties in accordance with Policies 29 and 36 of the Sutton Local Plan 2018 and Policy T7 of the London Plan 2021.

- (65) The Development, excluding Phase 0 Works and Enabling Works, may not be begun unless:

- a) a biodiversity gain plan has been submitted to the planning authority; and
- b) the planning authority has approved the plan

Reason: To deliver the legally-binding 10% biodiversity net gain, in accordance with Section 13 of the Environment Act 2021, as enacted in Section 90A of the Town and Country Planning Act 1990 (as amended), as well as Policy 26 of the Sutton Local Plan 2018 and Policy G6 of the London Plan 2021.

- (66) Prior to rising above the damp proof course of each Phase of the Development (other than in relation to Phase 0 Works and Enabling Works) hereby permitted, a scheme for wildlife and nesting features for that relevant Phase shall be submitted to and approved in writing by the Local Planning Authority.

The scheme must include full details of type and numbers of each feature, location (shown on plan and elevation views if located on buildings) of each feature, height above ground (if applicable) and nearest external lighting.

Features must be installed in accordance with the approved scheme prior to occupation of the relevant building and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance with Policy 26 of the Sutton Local Plan 2018 and Policy G6 of the London Plan 2021.

- (67) Prior to installation of any lighting features for each Phase of the Development hereby permitted, a pre-and post-Development lighting scheme for that relevant Phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme will include:

Pre-Development light levels, including ambient lighting from the surrounds, presented as 1m centre spot values down to 0.1lux, with isolux contour lines showing light degradation;

Post-Development light levels, presented as 1m centre spot values down to 0.1lux, with isolux contour lines showing light degradation and 3D luminance in-the-scene modelling;

Assessment of external lighting and light spill from any buildings through windows / security lighting etc.

The technical details of the luminaires and columns to be used, including their location, type, shape, dimensions and expected luminance output and specifically explaining what design attributes have been chosen to minimise light pollution;

The provision of vertical spill impacts, shown in cross-sectional views on a 1m centre vertical and horizontal scale.

Lighting will be designed and installed to minimise impacts on biodiversity, as outlined in Guidance Note 08/23 Bats and Artificial Lighting (Institute of Lighting Professionals and the Bat Conservation Trust).

Reason: To protect the biodiversity value of the land and adjacent land, in accordance with Policy 26 of the Sutton Local Plan 2018 and Policy G6 of the London Plan 2021.

- (68) Ducting shall be provided to all dwellings to facilitate full fibre or equivalent broadband connectivity infrastructure.

Reason: To ensure sufficient digital connectivity, in accordance with Policy SI 6 of the London Plan 2021.

Informative(s):

(1) This approval only grants permission under Section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 5000 before proceeding with the work.

(2) 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>

(3) The permission hereby granted 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.

(4) This application has been assessed against the relevant policies of the London Plan 2021 and Sutton's Local Plan 2018. The proposal is in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and for this reason planning permission is granted.

(5) Preventing Damage to the Public Highway:

Care should be taken by all applicants to ensure that no damage is caused to the public highway adjacent to their site during demolition and/or construction work. The Council will always seek to recover any costs incurred in repairing or making good such damage from the owner of the development site, except where they are otherwise able to identify the person(s) who caused the damage and are willing to accept the recoverable costs.

Pre-commencement Highways Condition Surveys:

To avoid the above costs arising, and BEFORE ANY WORK COMMENCES on your site, PLEASE SEND A BLANK EMAIL to highways@hcs@sutton.gov.uk to receive further details on how to arrange a pre-commencement photographic survey of the public highway conditions around your site. Where the Council decides that a survey is necessary a Returnable Deposit and Inspection Fee (Highways to advise) will be payable to London Borough of Sutton. The pre-commencement survey will ensure you are not charged for any damage which existed prior to commencement of your works. If you fail to arrange a pre-commencement survey it will be assumed that any damage to the highway was caused by your own activities and you will be charged the full cost of repair. Once the site works are completed you need to contact Highways to arrange for a post construction inspection to be carried out. If there is no further damage, the case will be closed, and your deposit refunded. If damage is found to have occurred, the Council will carry out the repairs, and the costs will be charged to you, whether less or more than the deposit value.

(6) Where applicable the developer/applicant is hereby advised to remove all site notices on or near the site that were displayed in pursuant to the application.

(7) Your work may be affected by the provisions of the Party Wall Act 1996 which requires adjoining owners to be formally notified by the owner. This is not a planning matter and further details are issued by the Government <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>.

Community Infrastructure Levy (CIL)

The Council 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 planningobligations@sutton.gov.uk. Please note that penalty surcharges will 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 - <https://www.gov.uk/guidance/community-infrastructure-levy>

CIL forms can be found at -

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

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.



21st March 2025

Spencer Palmer
Strategic Director
Environment, Housing and Neighbourhoods

**LONDON BOROUGH OF SUTTON
APPENDIX TO PLANNING DECISION NOTICES
NOTES TO APPLICANTS**

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)

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) 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