

HOUSING AND SUSTAINABLE DEVELOPMENT

Executive Director - Lucy Owen



GBS Architectural Ltd

The Studio
28 Beaford Grove
London
SW20 9LB

London Borough of Merton
Merton Civic Centre
London Road
Morden, Surrey SM4 5DX

Switchboard: 020 8274 4901

Direct Line: 020 8545 3169

E-mail: planning@merton.gov.uk

Town and Country Planning Act 1990 Planning Permission Decision Notice 23/P0447

The London Borough of Merton as Local Planning Authority hereby **GRANTS Planning Permission** for the works specified in the First Schedule below subject to the conditions specified in the Second Schedule below.

First Schedule – Particulars of application

Application Number: 23/P0447
Location: Land Adjacent 66, Alwyne Road, Wimbledon, SW19 7AE
Proposal: DEMOLITION OF THE EXISTING REMAINS OF THE HISTORIC GARAGE, AND THE ERECTION OF TWO-STOREY BUILDING WITH BASEMENT LEVEL, INCORPORATING 3NO. FLATS, WITH ASSOCIATED AMENITY SPACE, BIN STORAGE AND CYCLE STORAGE.
Approved Plans: Arboricultural Report; Basement Impact Assessment; Construction Method Statement; Daylight & Sunlight Report (Amended); Design & Access Statement; Geotechnical Ground Investigation Report; Sustainable Drainage Strategy and Flood Risk Strategy; 2022-026-01; 02; 03; 04; 05; 06; 07; & LP.

Second Schedule – Conditions

- 1 Commencement of development (Full Permission) - The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
- 2 Approved Plans - The development hereby permitted shall be carried out in accordance with the following approved plans: Arboricultural Report; Basement Impact Assessment; Construction Method Statement; Daylight & Sunlight Report (Amended); Design & Access Statement; Geotechnical Ground Investigation Report; Sustainable Drainage Strategy and Flood Risk Strategy; 2022-026-01; 02; 03; 04; 05; 06; 07; & LP.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Materials as Specified - The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.



Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 4 Surface Treatment - No development shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 5 Boundary Treatment - No development shall take place until details of all boundary walls or fences are submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reason: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 6 Levels - No development shall take place until details of the proposed finished floor levels of the development, together with existing and proposed site levels, have been submitted to and approved in writing by the Local Planning Authority, and no development shall be carried out except in strict accordance with the approved levels and details.

Reason: To safeguard the visual amenities of the area and to comply with the following Development Plan policies for Merton: policy D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 7 Refuse & Recycling (Details to be Submitted) - No development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policies SI 7 and D6 of the London Plan 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 8 External Lighting - Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014.



- 9** Construction Times - No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.
Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.
- 10** Landscaping - No development shall take place until full details of a landscaping and planting scheme (including details of green living walls) has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.
Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies G7 and D8 of the London Plan 2021, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, DM F2 and DM O2 of Merton's Sites and Policies Plan 2014.
- 11** Crossovers Removal - The development shall not be occupied until the existing redundant crossover/s have been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.
Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.
- 12** Cycle Parking to be implemented - The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times.
Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.
- 13** Sustainability (Water Consumption) - No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved internal water consumption rates of no greater than 105 litres per person per day
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2 and SI 3 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.
- 14** No development shall occur until a preliminary risk-assessment is submitted to the approval of the LPA. Then an investigation conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority.
Reasons: In the interests of environmental protection.
- 15** No development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive



receptors, and shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of environmental protection.

- 16** Prior to first occupation, the remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of environmental protection.

- 17** Tree Protection: The details and measures for the protection of the existing trees as specified in the hereby approved document 'Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012)' dated '29 November 2022' and reference 'TH3744' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

Reason: To protect and safeguard the existing trees in accordance with the following Development Plan policies for Merton: Policy G7 of the London Plan 2021, Policy CS13 of Merton's Core Planning Strategy 2011 and Policies DM D2 and O2 of Merton's Sites and Policies Plan 2014.

- 18** No piling shall take place until 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) 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: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 19** Prior to the commencement of development, a construction level detail scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to include rainwater harvesting and will discharge at the agreed run-off rate of no more than 0.5l/s in accordance with drainage hierarchy contained within the London Plan Policies SI12 and SI13 and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with policy CS16 of the Merton Core Strategy 2011, policy DMF2 of the Site and Policies Plan 2014 and policies SI 12 & 13 of the London Plan 2014.

- 20** Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during (dewatering) and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure. This must be based on up-to-date ground investigation/borehole results.



Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with policy CS16 of the Merton Core Strategy 2011, policy DMF2 of the Merton Sites and Policies Plan 2014 and policies SI 12 & 13 of the London Plan 2021.

- 21** No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: - hours of operation - the parking of vehicles of site operatives and visitors - loading and unloading of plant and materials - storage of plant and materials used in constructing the development - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing - where appropriate wheel washing facilities - measures to control the emission of noise and vibration during construction. - measures to control the emission of dust and dirt during construction/demolition - a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014
- 22** Construction Logistics Plan - Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.
- Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.
- 23** Prior to the first occupation of the dwellings hereby approved, details of features to ensure the development is air quality neutral shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures prior to the first occupation of the dwelling hereby approved. The approved measures shall be retained thereafter.
- Reason: To ensure the development is Air Quality Neutral in line with draft guidance (LPG) and does not worsen air quality and to comply with London Plan policy SI1.
- 24** Prior to the first occupation of the dwellings hereby approved, a scheme for ecological enhancements on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures prior to the first occupation of the dwelling hereby approved. The approved measures shall be retained thereafter.
- Reason: Having regard to the ecological value of the site and to comply with the following Development Plan policies for Merton: G6 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy DM 02 of Merton's Sites and Policies Plan 2014.
- 25** Removal of PD (Extensions/Alterations) - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement, new windows or other alteration of the dwellinghouses other



than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

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

- 26** The development hereby approved shall not be occupied other than as follows:
Ground/basement floor flats as 1B2P (1 bed 2 persons);
First floor flat as 2B3P (2 bed 3 persons).

Reason: To accord with the terms of the application and to ensure provision of satisfactory accommodation for future occupiers.

- 27** **INFORMATIVE**
It is Council's policy for the Council's contractor to construct new vehicular access. The applicant should contact Council's Highway Team on: 0208 545 3829 prior to any work starting to arrange for this works to be done. Highways must be contacted prior to any works commencing on site to agree relevant licences, and access arrangements - no vehicles are allowed to cross the public highway without agreement from the highways section.

- 28** **INFORMATIVE**
No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777). No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

- 29** **INFORMATIVE**
The applicant is advised to check the requirements of the Party Wall Act 1996 relating to work on an existing wall shared with another property, building on the boundary with a neighbouring property, or excavating near a neighbouring building. Further information is available at the following link:
<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

- 30** **INFORMATIVE**
Advice regarding permeable and porous hardstandings can be found in the document 'Guidance on the Permeable Surfacing of Front Gardens' available at
<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

- 31** **INFORMATIVE**
It is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are



not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

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INFORMATIVE

This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at the London Borough of Merton

Street Naming and Numbering (Business Improvement Division)
Corporate Services
7th Floor, Merton Civic Centre
London Road
Morden
SM4 5DX
Email: street.naming@merton.gov.uk

Date of Decision: 10 October 2023

A handwritten signature in black ink, appearing to read "J Berry".

Signed.....

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Jonathan Berry – Development Control Manager
For and behalf of the Executive Director of Housing and Sustainable Development.

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

Please read attached notes.



Note regarding rights of Appeal

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



Community Infrastructure Levy

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

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

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

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

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