

Report of the Executive Head of Planning, Transportation and Highways.

Ref: A2007/58387/FUL	WARD: A01 / WORCESTER PARK	Time Taken: 13 weeks, 0 days
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Site: Phase 4B & 5C The Hamptons GREEN LANE Worcester Park Surrey

Proposal: Phase 4b & 5c to provide 184 new dwellings (59 affordable housing units), roads and landscaping comprising: Thirty two 3-bedroomed and twenty six 4-bedroomed terraced houses. Eight 3-bedroomed and twenty 4-bedroomed semi-detached houses and eight 4-bedroomed and two 5-bedroomed detached houses, in a mixture of two & three storey buildings. Twenty nine 1-bedroomed, fifty seven 2-bedroomed and two 2/3-bedroomed flats in a mixture of 3 storey and 3 storey with roof accommodation buildings, together with garages, surface and basement car parking, cycle and refuse facilities and erection of eight 14 metre high wind turbines.

Applicant: St James Homes
Agent: Roger Miles Planning Ltd.

Reasons for Approval:

- The development would not result in demonstrable harm to the character and appearance of the area by reason of its design, height, its bulk and scale comparative to the existing pattern of development in the surrounding area.
- The development would add to the Council's much needed private and affordable housing stock.
- The proposed parking and access arrangements and other initiatives to promote sustainable transport would not result in an increase in parking pressure or congestion for the surrounding road network.

Reason for Report to Committee: Major Application, recommended for approval.

Recommendation:

GRANT PLANNING PERMISSION subject to referral to the Mayor of London and the prior written conclusion of a Section 106 legal agreement within a period of 12 months from the date of this resolution, or such longer period as may be agreed in writing by the Executive Head of Planning, Transportation and Highways, after which time the resolution to granted will be rescinded

BACKGROUND

1.0 Surrounding Area:

- 1.1 The application site forms part of The Hamptons development, which is situated approximately 4kms to the north west of Sutton Town Centre and 5kms south east of Kingston Town Centre. It is within the administrative area of the London Borough of Sutton and immediately on the boundary with the adjoining London Boroughs of Kingston Upon Thames and Merton.
- 1.2 The Hamptons development lies within a predominantly residential area, which is bounded by the main London - Epsom railway line in the northwest, the A2043 Central Road in the southwest, the A24 London Road in the southeast and the boundary with the London Borough of Merton in the northeast. The main vehicular access is from Green Lane, which forms a junction with Central Road immediately to the south of Worcester Park Station. There is a second vehicular access via Boscombe Road to the south.
- 1.3 The Hampton's itself is bounded by residential properties to the south and west and by open space areas to the north and east. The properties to the south and west are predominantly inter-war semi-detached houses. To the southwest, existing housing in Browning Avenue and Longfellow Road backs directly onto The Hamptons, whilst to the southeast are Council owned allotments, together with a small recreation ground, accessed from Browning Avenue.
- 1.4 Immediately to the north of The Hamptons is Green Lane Primary School beyond which are extensive playing fields and recreation areas. This gives way in the northeast to Morden Cemetery and to the east, the Merton and Sutton joint cemetery. A riding stable and associated paddock area exists between the site and the cemetery along part of the eastern boundary.
- 1.5 Beyond the far south-eastern corner of the site, this open space gives way to the Garth Road Industrial Estate, which accommodates a number of street cleansing and waste-related operations. There is no access from the site to the Garth Road estate. An electricity sub-station exists in the southeast corner of the site.

1.6 The Site

- 1.7 The application site comprises 3.68 hectares (ha) of land that comprises Phases 4b/5c of The Hamptons, Worcester Park, which will be for residential development, and 0.1 ha of land within Mayflower Park where it is proposed to locate eight wind turbines.
- 1.8 The proposed residential development site lies within the southeastern part of The Hamptons and is bounded by allotments to the south, parkland to the north, and to the east and west, part of The Hamptons development that has already been permitted, with phase 3 to the west completed and phase 5B still under construction.
- 1.9 The southern part of the site is land designated for housing in accordance with Sutton's Unitary Development Plan. The northern half of the site is classified as a Metropolitan Green Chain, Metropolitan Open Land and a Site of Importance for

Nature Conservation (SINC). The site has a low public transport accessibility level (PTAL) of 1.

1.10 Prior to its allocation for residential development in the adopted Sutton UDP, all of the land relating to this scheme was designated as Metropolitan Open Land (MOL). The location of the proposed housing has subsequently been taken out of MOL, with the parkland area remaining as MOL. In the Sutton UDP, the site is a Grade II Site of Importance for Nature Conservation Borough.

1.11 **Relevant Planning History:**

1.12 The treatment works ceased operation in 1996 and remained vacant until outline planning permission for redevelopment was granted at Committee on 11 December 2002 for 480 residential dwellings and associated community buildings, open space, landscaping, car parking, roads and infrastructure (LBS Ref: A02/48600/OUT). This permission was granted subject to a number of conditions and a Legal Agreement entered into pursuant to Section 106 of the Town and Country Planning Act 1990 for the provision of affordable housing and the open space, contributions towards public transport and improved community facilities including education and highway works. The principle components of the redevelopment scheme were the creation of a new area of open space extending to approximately 12.5 hectares and the creation of a new residential area extending over approximately 12.1 hectares. Following the approval of the outline planning permission, development has taken place on a phase-by-phase basis.

1.13 A reserved matters application for design, external appearance and landscaping for the residential component of Phase 1 of the redevelopment was approved on 3 February 2003 (LBS Ref: A02/50025/DET). This allowed for the construction of 158 units comprising 10 detached dwellings, 6 semi-detached, 65 terraced properties and 77 flats, of which 48 were affordable.

1.14 A further separate submission in respect of reserved matters for the community building within Phase 1 of the redevelopment was approved on 8 May 2003 (LBS Ref: A02/50164/DET).

1.15 On 12 May 2003, a full planning application was granted for an increase in affordable dwellings from 48 to 60 (LBS Ref: A03/50432/FUL). This Phase is known as Phase 1C.

1.16 A reserved matters application (for design and external appearance) for Phase 2 was approved on 23 July 2003 (A03/50882/DET). This permission involved the construction of 112 residential units.

1.17 Two further full planning permissions were granted on 9 and 15 September 2003. (LBS Ref: A03/51072/FUL & A03/51069/FUL, respectively). These allowed for an additional 3 units in Phase 2, taking the total to 115 permitted residential units within this phase.

1.18 On 18 December 2003, a reserved matters application (for design and external appearance) was granted for Phase 3, and comprised the construction of twenty-two houses to be built in a circular layout (LBS Ref: A03/51532/DET). A full planning application was later approved in August 2005 for minor amendments to

the above application i.e. inclusion of conservatories and slight changes to the design of the buildings (LBS Ref: A05/53562/FUL).

- 1.19 On 3 February 2004 the Council refused planning permission for Phase 2A, which consisted of 18 additional units (LBS Ref: A03/51454/FUL). Subsequently the applicants appealed this decision, which was heard at Public Inquiry on 27 October 2004. The appeal was allowed by the Secretary of State on 19 November 2004.
- 1.20 On 1 March 2006 the Development Control Committee resolved to grant full planning permission for amendments (i.e. reduction in total unit numbers but an increase in unit sizes and some layout changes) to Phases 3 and 4A (LBS Ref: A05/55110/FUL). That application comprised the erection of 67 houses in a mixture of two and three storey buildings with provision of garages and parking facilities.
- 1.21 On 1 March 2006 the Development Control Committee also resolved to grant full planning permission (ref: A2005/55173/FUL) for the erection of 46 affordable residential units comprising nineteen 3-bedroom houses and three three-storey buildings for twenty seven 2-bedroom self contained flats together with forty nine car parking spaces, refuse and cycle facilities (known as Phase 5A).
- 1.22 The most recent application (Ref no: A2006/55995/FUL - Phase 5B) was for the erection of twenty seven 2-bedroom affordable flats in three 3-storey buildings and twenty three 3-storey 3-bedroom affordable terraced houses together with refuse and car parking facilities and access. This application was approved by the Development Control Committee on 1 September 2006.
- 1.23 It should be noted that a duplicate application (App Ref no: A2007/58388/FUL) has been submitted in tandem with this application.

2.0 APPLICATION PROPOSALS

2.1 Details of Proposal:

- 2.2 The applicant has submitted duplicate applications for full planning permission for Phase 4B/5C to provide 184 new dwellings, including 59 affordable housing units, roads and landscaping comprising: Thirty two 3-bedroomed and twenty six 4-bedroomed terraced houses, eight 3-bedroomed and twenty 4-bedroomed semi-detached houses and eight 4-bedroomed and two 5-bedroomed detached houses, in a mixture of two & three storey buildings. In addition, it is proposed to build twenty nine 1-bedroomed, fifty seven 2-bedroomed and two 2/3-bedroomed flats in a mixture of 3 storey and 3 storey with roof accommodation buildings, together with garages, surface and basement car parking, cycle and refuse facilities and erection of eight 14 metre high wind turbines.
- 2.3 Of the 184 dwellings, outline permission already exists for 37 dwellings so this particular application would result in a net increase at the site of 147 units. The additional residential units will be accommodated wholly within the area permitted for residential development in the outline planning permission and designated for housing development in the adopted London Borough of Sutton Unitary Development Plan.

- 2.4 Of the additional 147 units, it is proposed that 40% i.e. 59 units will be provided as affordable housing in the form of 70% (41 dwellings) in rented accommodation and 30% (18 dwellings) in shared ownership.
- 2.5 The whole of Phase 4b and the majority of Phase 5c will be accessed via the Park Road from Green Lane only. The exception will be nine dwellings within Phase 5c, which will be accessed directly from Boscombe Road. This division accords with the original outline permission under which no more than a total of 105 dwellings could be accessed via Boscombe Road.
- 2.6 No link will be formed between Park Road and Boscombe Road thereby preventing access through the site other than for emergency vehicles only.
- 2.7 A total of 270 car parking spaces are provided for Phase 4b/5c of the development. Whilst the majority of car parking spaces will be allocated to specific properties, 10 unallocated spaces will be provided for visitor parking.
- 2.8 Where garages are not provided, separate cycle parking provision is made for residential blocks and provision will also be made for cycle parking throughout the site.
- 2.9 It is proposed to erect eight “quiet revolution QR5 wind turbines” located at the crest of the parkland, which will contribute towards meeting renewable energy requirements. The turbines have been specifically designed for urban environments where wind speeds are lower and wind directions change frequently.
- 2.10 The turbines will be 14m in height comprising a minimum 9m high tower and a helical (twisted shape) turbine of 5m. The diameter of each turbine is 3m. The turbines are constructed of carbon fibre with epoxy resin blades and have a design life of approximately 25 years. A control box, made up of 8 cabinets, which manages the electricity generated by each turbine, is proposed to be located due south of and adjacent to the wind turbines within an area of existing landscaping.
- 2.11 It is also proposed to construct one Enviro Home as part of this development, which will be used as an educational tool. Renewable sources will provide for up to 70% of the energy requirements of this property and a range of water efficiency measures will be incorporated.

3.0 PUBLICITY

3.1 Neighbour Notification

3.2 Representations received from MPs and local Councillors:

- 3.3 A letter of objection was received from Paul Burstow MP who objects to excessive housing density, further transportation problems and air pollution.
- 3.4 Councillor Abigail Lock requested general information on request of one of her constituents which has been provided.

3.5 Councillor Stuart Gordon Bullock submitted a petition that was signed by 67 residents objecting to the proposal on some or all of the grounds set out in paragraph 3.10 below.

3.6 **Method of Notification:** The application was advertised by way of 5423 individual notification letters to surrounding occupiers and site and press notices.

3.7 **Number of objection letters received:** 320 from 299 addresses and two petitions. One petition was signed by 163 residents and another by 67 residents.

3.8 **Addresses of those objecting:**

3.9 Refer to Appendix 1.

3.10 **Summary of material responses for all objections:**

- The proposed development would lead to further transportation problems currently experienced in Worcester Park.
- The development would lead to unacceptable high densities (33% increase) and would lead to the over development of the site.
- All the additional dwellings proposed would be out of keeping with the surrounding area, which is not so densely populated.
- Only one access point to the development via Green lane, which is insufficient, given the size of the development.
- The traffic light sequencing needs to be addressed as it is not working properly.
- There is insufficient car parking on site considering the level of car ownership.
- The wind turbines should be away from residential areas.
- The wind turbines would have a detrimental visual impact on the surrounding area.
- There is a lack of supporting evidence that the wind turbines will provide a viable source of energy.
- The wind turbines were not mentioned by St James in their consultation earlier this year.
- The development would lead to more parking problems within Brinckley Road.
- The development would lead to the area becoming less safe.
- The increase in traffic leads to more pollution.
- There are not enough school places in both primary and secondary schools. The development would worsen this problem.
- The development would put extra pressure on the local transportation infrastructure. It would also put extra pressure on hospitals, doctor's surgeries and day nurseries.
- The development would lead to storm water problems and floods.
- The design of the development is totally out of character with the surrounding area.
- There is not enough visitors' parking especially for visitors using the park.
- The development is badly planned as some of the 4-bedroom housing has the same amount of parking as a 1-bedroom flat.
- The development would have a detrimental impact on wildlife on site.

- The wind turbines will lead to noise pollution.
- The development would lead to drainage problems.
- The development would worsen problems currently experienced at Worcester Park Station.
- The development would lead to overpopulation.
- Trees would be affected by the development.
- Loss of privacy due to the high number of units proposed.
- There would be problems with the contaminated soil on site.
- The new bus route should not enter the Hamptons development.
- Visitors to the park using private transport get parking fines.
- The amphitheatre will cause traffic problems.

3.11 **Non material Objections:**

- St James sold properties in the last 3 years and did not mention any proposed wind turbines.
- Worcester Park has become 'down graded' in past years.
- The development would lead to problems with water quality and electricity cuts.
- The construction work would lead to pollution and noise.
- The upkeep of the wind turbines should not be to the expense of the residents of The Hamptons.
- Sutton Council should not listen to developers who only want to make money.
- The construction lorries are damaging the local infrastructure.
- The development would lead to sewage problems.
- The development influences property values in the area.
- Poor maintenance by St James leads to security issues.
- St James has marketed the development as something, which is not in line with what is now proposed.

3.12 **Consultation:**

3.13 **Greater London Authority (GLA)**

- The scheme is broadly acceptable in strategic planning terms.
- Concern is raised regarding the lack of family sized affordable housing.
- The requirement for children's play space needs to be revisited and account must be given to London Plan draft SPG.
- Excessive amount of on site parking is proposed and lack of cycle parking.
- The absence of employment and training through an appropriate planning agreement.
- The design of buildings draws upon and develops the principles adopted in the earlier phases of the development and is considered acceptable.
- 10% of units should be wheelchair accessible.
- Development within MOL is justified as it is outweighed by the advantages offered by reduced carbon dioxide emissions and the provision of an on-site renewable energy source.
- An energy and carbon dioxide statement has been submitted which shows a 20% reduction of carbon emissions production for the residential scheme.

- The air quality assessment undertaken suggests that the impact of the proposed development is likely to be insignificant or neutral.
- Conditions should be imposed to monitor noise the noise levels of the wind turbines.

3.14 Transport for London (TfL)

- TfL consider the amount of car parking to be high.
- Further information needs to be submitted regarding the quantity and location of the disabled parking days.
- TfL request the provision of additional cycle parking on site.
- Further details need to be submitted regarding cycle parking.
- TfL welcomes the sustainable means of transport proposed.
- Overall, TfL welcomes the significant improvements that the developer has already made and those contained in this particular application.

3.15 London Development Agency (LDA)

- The LDA support this application in principle given that it seeks to contribute to the regeneration of this part of London.
- This site is designated in the adopted Sutton Unitary Development Plan as a site for residential development, thus the principle of development has already been established.
- This application will help contribute to the projected housing target of 3,440 new homes to be built in the London Borough of Sutton by 2016 as highlighted in the London Plan Further Alterations (2006)
- In accordance with the London Plan policies 3B.1 and 3B.12, the Agency suggests that the local authority ensures that local residents and businesses benefit from jobs created by this proposal, particularly Black, Asian and Minority Ethnic (BAME) groups and disabled persons or groups, in the construction of the proposed residential developments.

3.16 Environment Agency (EA)

- Surface water drainage: The submitted surface water flood risk assessment is acceptable and in accordance with Planning Policy Statement 25: Development and Flood Risk (PPS25). The applicant has demonstrated successfully that the discharge run-off rate from the whole site will not exceed 8 litres/second/hectare. The applicant has incorporated techniques to reduce surface water discharge to the greenfield rate by creating lakes and wetland areas.
- Land contamination and groundwater protection: The supplementary site investigation has confirmed previous measurements of contaminant levels. EA also concur with the assessment that the risks to controlled waters are low. EA note that infiltration drainage is not proposed due to the clay soils. Therefore, there are no further specific requirements with respect to groundwater quality issues, subject to receiving a copy of any additional site investigation works and the final verification report when remedial works have been completed.

3.17 Housing Enabling Manager for Sutton Council

- The affordable housing provision in respect of the additional 147 units was agreed at 59 properties prior to the planning application being submitted.
- The ratio of rented to shared ownership properties is appropriate at 70:30 but the application does not state which of the affordable units will be for shared ownership.
- A complete breakdown of the properties for shared ownership by type and size should be provided
- There is sufficient housing demand to fill all the flats and houses in the application suggested housing mix.
- There is a disproportionate number of one-bed units in the proposed housing mix and would wish to see more family sized units, especially those with 3 and 4 bedrooms
- The Design and Access Statement does not state if the affordable housing will be built to the Lifetime Homes Standard.
- The Design & Access Statement does not state if the affordable housing will achieve the minimum Code 3 for Sustainable Homes.
- Great emphasis is placed on the installation of wind turbines and solar panels, which will create 20% of the developments power needs. However, the application does not clarify who will benefit from the electricity produced and which blocks the solar panels will be installed on or what the maintenance costs will be.
- The application mentions a car club but does not give further details or confirm if this is available to the residents of the affordable housing.
- There are no mobility aided units or disabled parking for the affordable housing mentioned in the planning application. Would seek 10% affordable units built to the Wheelchair Housing Design Guide standard as specified by the Housing Corporation.
- The application refers to an average of 1.5 parking spaces per dwelling but does not specify that each unit will have at least one parking space. Would like assurances that the allocation of parking is at least one space per unit.
- Financial appraisal would also be required to demonstrate the affordability of shared ownership properties and support the need for grant in the provision of any wheelchair units.

3.18 Council's Biodiversity Officer

- The developer has proposed a number of biodiversity enhancements including the provision of swift boxes in the gable ends of some of the housing blocks. In addition, ecological planting is proposed around the two wetland areas to including species such as water milfoil (*Myriophyllum* sp), flag iris (*Iris pseudacorus*), water mint (*Mentha aquatica*) and purple loosestrife (*Lythrum salicaria*). The developer also proposes the inclusion of woodland and hedge planting comprising native trees and shrubs including birch (*Betula* sp), pine (*Pinus* sp.), and crab apple (*Malus* sp.) are proposed and are welcomed.
- A preliminary survey carried out by the biodiversity team indicated the possibility that bats were using the top of the hill for foraging and commuting where the wind turbines are proposed to be sited. Therefore it is not agreed with the developers view that all bat activity is associated over the lakes and the area of recent planting that surrounds the lakes. It is felt that the survey

has not sufficiently assessed the impact, and there is a requirement to rigorously assess the impact of the proposed wind turbine development on bats and the habitats upon which they depend at the site.

3.19 Council's Environmental Sustainability Officer

- No objection.

3.20 Council's Environmental Protection Team

- A condition is recommended to monitor the noise created by the wind turbines.
- Conditions relating to land contaminating and remediation are recommended.

3.21 Metropolitan Police

- The development should be conditioned to achieve the 'Secured by Design' accreditation and therefore achieve a good overall standard of building security.
- The type of storage for cycles needs to be considered, as theft of pedal cycles continues to be a problem in Sutton.
- The underground car parking areas should make use of light coloured ceilings and walls to aid any artificial light source, with gated access control to restrict access.
- A well-designed lighting system should be used and seek to achieve a high level of lighting uniformity, of at least 25% throughout the development.

3.22 Waste Management

- No objection

3.23 Thames Water Utilities, Sutton & East Surrey Water

- No comments received to date.

3.24 Ministry of Defence (MoD)

- Requested to be formally consulted on the wind turbines proposed as it might intervene with daily operations of radar.
- The MOD was formally consulted but no comments have been received to date.

3.25 London Borough of Kingston

- No objection

3.26 London Borough of Merton

- No objection

4.0 MATERIAL PLANNING POLICIES

4.1 National Planning Guidance

- PPS 1 – Planning Policy Objectives
- PPS 3 - Housing
- PPS 9 – Environment
- PPG 13 – Transportation
- PPS 22 – Renewable Energy
- PPS 23 – Pollution Control
- PPG 24 - Noise

4.2 The London Plan

- Policy 3A.1 'Increasing London's supply of housing'.
- Policy 3A.2 'Borough housing targets'
- Policy 3A.4 'Housing choice'
- Policy 3A.5 'Large residential developments'
- Policy 3A.7 'Affordable housing targets'
- Policy 3A.8 'Negotiating affordable housing in individual private residential and mixed-use schemes'
- Policy 3A.14 'Addressing the needs of London's diverse population'
- Policy 3A.15 'Protection and enhancement of social infrastructure and community facilities'
- Policy 3B.1 'Developing London's Economy'
- Policy 4B.3 'Maximising the potential of sites'
- Policy 4B.6 'Sustainable design and construction';
- Policy 4B.7 'Respect local context and communities'
- Policy 3C.1 'Integrating transport and development'
- Policy 3C.10 'Phasing of transport infrastructure'
- Policy 3C.22 'Parking Strategy'
- Policy 3D.7 'Realising the value of open space'
- Policy 3D.12 'Biodiversity and nature conservation'
- Policy 4A.7 'Energy Efficiency and Renewable Energy'
- Policy 4B.5 'Creating an inclusive environment'
- Policy 4B.6 'Sustainable Design and Construction'

Draft SPG 'Providing for children and young peoples play and recreation' (October 2006))

4.3 Sutton Unitary Development Plan

- TR30 'Parking for Disabled People'.
- G/SD4 'Urban Environment and Open Landscape Quality'
- G/SD5 'Urban Regeneration'
- G/OE5 'Nature Conservation and Important Landscape Features'
- OE28 'Habitat Creation and Enhancement'
- G/HSG1 'Residential environment,
- HSG6 'New residential development in sustainable locations'
- HSG9A 'Interim Supplementary Policy on the Provision of Affordable Housing from Large Sites'

- G/BE1 'Built design and urban landscape quality'
- BE1 'Good Urban Design'
- BE6 'Design of public realm'
- BE7 'Public Art'
- BE14 'Residential Quality in Sustainable Locations'
- G/PNR1 'Environmental Protection'
- PNR1 'Polluting Development'
- G/TR2 'Traffic and Traffic Management'
- G/TR4 'On and Off Street Parking'
- G/TR5 'Transport Impact of New Development'
- G/TR6 'Public Transport'
- G/TR7 'Intermediate Forms of Transport'
- G/TR8 'Pedestrians and Cyclists'
- TR8 'Traffic in residential areas'
- TR12 'Parking Provision for New Development'
- TR13 'New Development and On-street Parking'
- TR18 'New Development and Transport'
- TR20 'New development and public transport accessibility'
- TR22 'Promotion of Sustainable forms of Transport'
- TR25 'Integration between sustainable forms of transport'
- TR28 'Cycle Parking and Storage'
- TR29 'Improvements for pedestrians and cyclists'
- TR30 'Parking for Disabled People'
- IMP1 'Planning Obligations'.

4.4 Supplementary Planning Guidance/Documents(SPG/SPD)

- SPD 1 'Designing out crime'
- SPD 3 'Affordable Housing'
- SPG 3 'Design and Amenity Space'
- SPD 5 'Planning Obligations'
- SPD 7 'Creating Locally Distinctive Places'
- SPG 7 'Internal Housing Standards'
- Draft SPD 10 'Educational Contributions from Residential Developments'

5.0 PLANNING CONSIDERATIONS

5.1 The principle considerations (including whether any material planning objections have been reasonably addressed) in relation to this application are:

- The principle of development (5.2)
- Affordable housing (5.11)
- Design, height and massing of proposed buildings (5.26)
- Amenity space (5.33)
- Parking and access (5.39)
- Affect on residential amenity (5.54)
- Sustainability (5.65)
- Biodiversity (5.75)
- Flood risk (5.84)
- Planning obligations (5.86)

- Considerations relating to other objections (5.103)

5.2 **Principle:**

- 5.3 While the principle of developing the site for residential purposes has been established by the outline permission dated 11 December 2002, one of the main planning considerations in this application is to assess whether the proposed scheme, which now involves an additional 147 units (see paragraph 2.3 above), is acceptable in principle in land use terms as assessed against National and Local planning policy and guidance and having regard to all other material considerations.
- 5.4 Policy OE16 of the UDP relates specifically to the Worcester Park Sewerage Treatment Works, and advises that the Council will permit residential redevelopment proposals provided they do not have a detrimental impact on the integrity of the remaining and adjoining MOL, that they secure significant enhancement of the remainder of the site and maintain long distance and local views.
- 5.5 The provision of new housing on windfall sites, or redevelopment of previously developed land is encouraged by relevant Government Policy, Planning Policy Guidance and adopted policies of the UDP.
- 5.6 National Planning Policy Statement 3 *Housing* (PPS3) encourages a greater intensity of development in sustainable locations. However, the efficient use of land must not be at the expense of the quality of the environment and it must have regard to how the development would relate to the surrounding area.
- 5.7 Policy TR12 of the UDP requires that provision be made for off-street parking for motor vehicles in proposals for new development in accordance with the Council's car parking standards (set out in Appendix 7, Schedule 7.2 of the UDP). Policy TR13 of the UDP states that planning permission will not be granted for development that is likely to result in an increase in on-street parking, where it would adversely affect traffic flows, bus movement, road safety, or the amenities of the local residents or the local environment. Furthermore, Policy TR18 states that permission for new development will not be granted if a proposal adversely affects transport infrastructure.
- 5.8 PPS1 encourages good design, which, amongst other things, should contribute positively to making places better for people. PPS1 also emphasises the importance of developments being visually attractive as a result of good architecture and appropriate landscaping.
- 5.9 Policy G/PNR1 of the UDP seeks to limit the impacts of air, water, soil, noise and light pollution upon local residents and the local environment.
- 5.10 Subject to a detailed assessment of the proposal that follows, it is considered that the proposed development of this site for residential purposes, to include an additional 147 units, is acceptable in principle in land use terms.
- 5.11 **Affordable housing:**

- 5.12 The Council's Affordable Housing Policy, HSG7, required all major housing schemes to provide 40% affordable housing on site. This policy has now been deleted on advice from the Government Office for London (GOL) at the end of September 2007. The Greater London Authority (GLA) has commented that the scheme should aim to comply with the requirement of the London Plan for all housing schemes to provide 50% affordable housing on site. The GLA has commented that the developer must justify the shortfall of affordable housing through a financial appraisal to show that it is not viable to meet the targets in the London Plan.
- 5.13 Suttons SPD3 'Affordable Housing', whilst recognising that a target of 50% could be justified based on housing need, states that such a target is not considered realistic as consultants studies (Three Dragons and Nottingham Trent University Study) indicates that new development in Sutton could support in excess of 35% but less than 50% affordable housing, and this was acknowledged in the draft London Plan. The SPD states that the Borough target should reflect the largest source of affordable housing, which is likely to be private sites and it would be appropriate to set targets that ranged between 35–50%, with an initial borough-wide target of 40% to be kept under review.
- 5.14 A significant number of affordable homes have already been provided as part of The Hamptons development. Phase 1 of the development incorporates 60 affordable units, whilst Phases 5A and 5B contributing a further 96 units, taking the total to 156 affordable units or just over 31% of the total permitted development. It is proposed as part of the Phase 4b/5c development to provide 40% affordable housing units. In this case, 37 of the proposed 184 dwellings have already been approved in principle under the original outline planning application. As such, 59 affordable housing units are provided in this scheme, which is 40% of the net increase of 147 units on this particular phase. Of these, 70% are for rent with the remaining 30% for shared ownership.
- 5.15 In this instance the developer has confirmed in writing that the proposed units will all be built to Lifetime Home standards and this is to be secured by condition. In addition to this, 10% would be designed for wheelchair accessibility whilst all would be designed to meet Housing Corporation's Scheme Development Standards. The Council's Housing Enabling Manager has welcomed the above commitments and is, on balance, supportive of the proposed scheme, as there is demonstrable need for affordable housing in the Borough.
- 5.16 The affordable provision will be provided in Blocks N and G and comprises 59 units set out as 24 one-bedroom flats in three storey buildings, 27 two-bedroom flats in three -storey buildings, 6 three-bedroom terrace houses and 2 four-bedroom houses located towards the eastern extent of the site. It is generally considered that the affordable housing mix reflects the permitted and constructed mix of affordable units in the Hamptons Development.
- 5.17 Suttons Local Housing Needs Assessment (2005) identifies estimates for the need for affordable housing in the Borough and makes suggestions about the type of affordable housing mix that should be sought. The table below

compares the current scheme against the findings of the Housing Needs Assessment :

Dwelling Size	Local Housing Needs Assessment*		Phase 4b/5c The Hamptons %	The Hamptons Affordable Total %
	Total	%		
1 bedroom	513	48	40	16.5
2 bedroom	389	37	46	51.5
3 bedroom	136	13	10	32
4 bedroom	24	2	3	
Total	1,062			

5.18 *These figures are taken from the update to the Local Housing Needs Survey dated September 2005 (Table 8.2 - page 51).

5.19 The above table indicates that Phase 4b/5c is broadly in line with Sutton's Housing Needs requirements in terms of the proportions within each dwelling size, accepting that there are a higher proportion of 2 bedroom units in the Borough than required, and fewer 1 beds. Taken as a whole, the Hamptons provides a higher proportion of family housing (3+ bedrooms) than is identified within the Local Housing Needs Assessment.

5.20 The developer's approach is considered to be in accordance with Sutton's Local Housing Needs Assessment where it suggested that the main shortfall in the affordable sector is for one, two and three-bedroom accommodation, and to a lesser extent four-bedroom homes. In the owner-occupied sector the main shortfall is of one and two bedroom homes with a smaller shortfall for 4+ bedroom dwellings.

5.21 Given, however, that the guidance does refer specifically to the need for a proportion of 4 bed housing to be provided, the developer has offered 2 four bed houses within the development as affordable housing in place of two of the three bed houses. The resultant housing mix for the affordable housing would therefore be as follows:

Dwelling Size	Phase 4b/5c The Hamptons (Number)	Phase 4b/5c The Hamptons (%)
1 bedroom	24	40
2 bedroom	27	46
3 bedroom housing	6	10
4 bedroom housing	2	4
Total	59	100

5.22 Finally, it is confirmed that 5 of the 2 bed units will be provided as wheelchair units built to the Habiteg Wheelchair Housing Design Guide standards (2006).

- 5.23 It is considered that the affordable housing provision generally reflects the existing proportions of housing mix already approved as part of the overall scheme, and is considered to be consistent with the Sutton's housing needs.
- 5.24 The proposed affordable element will have access to the same range of facilities as the market housing, being close to a number of public transport routes and stations, bus stops, local retail and leisure facilities. This supports the sustainability objective of uniformity between private and affordable accommodation and equality of opportunity and access to employment, open space, housing, community facilities, shopping and transport (Policy G/SD6).
- 5.25 Notwithstanding the concern of the GLA in paragraph 3.7 above it is considered that the affordable housing proposed is acceptable and both the number and mix of units would be in accordance with the Suttons SPD on Affordable Housing, and having regard to Suttons Local Housing Need Assessment 2005.

5.26 Design, Height and Massing:

- 5.27 Policy BE1 of the UDP requires development to respect or reinforce the character and identity of the area and avoid developments which do not integrate well into the surroundings. PPG3 sets certain standards for minimum densities and good urban design and the London Plan provides guidelines for appropriate housing density.
- 5.28 The principle of the residential development of this site has already been established in planning terms, as well as the urban design approach to the residential layout.
- 5.29 The design and layout of the proposed buildings will be similar to the outline application granted in December 2002 (known then as Affordable Housing Phase 8). The overall approach is consistent with the urban design concept and landscaping design used on other parts of The Hampton's site which contains a variety of housing styles including 'New England' style buildings that incorporate pitched roof buildings with brick/timber effect weather-boarding, together with more traditional forms of housing with conventional brick and tile finishes to other buildings.
- 5.30 It is therefore considered that the design of the proposal development would not result in an unacceptable impact as the proposed buildings would be in keeping with the established built form, and would respect and complement the style and setting of other buildings already approved and developed on the site. If approval were minded, a condition is recommended to ensure samples of all materials to be used on the exterior of building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The proposed development is therefore considered to comply with Policies HSG1, HSG4, BE1 and BE4 of the UDP.
- 5.31 The Landscape Design Statement submitted as part of the application provides indicative landscaping proposals and features. However, a condition is recommended to ensure that further details are provided listing all proposed species of tree and shrubs. Generally the indicative landscaping proposals are considered acceptable in terms of Policies BE12 of the UDP, which urges that

high quality hard and soft landscaping of the space around buildings will be provided.

- 5.32 In terms of secured by design, it is considered that more details are required on the type of cycle storage and external street lighting, which can be dealt with by condition.

5.33 Amenity space:

- 5.34 Policy BE17 requires adequate provision of amenity space whilst SPG3 advises that each flat should have 25 sq m of amenity space (private or communal), and family housing (three or more beds) 70 sq m of single usable space at the rear should be provided. In this case there would be approximately 1275 square metres of communal amenity space, and a rear garden for each proposed house, ranging in size from 50 to 250 sq m. Given the inclusion of a substantial number of smaller landscaping strips/areas within the site, and proximity to the newly created area of public open space and nature conservation site to the north, where access for public use is safeguarded via the original legal agreement, the shortfall in amenity space to some residential units is considered acceptable.

- 5.35 In terms of children's playspace, the scheme is capable of accommodating approximately 95 children with the Hampton's site. This is calculated based on the guidance in the London Plan draft Supplementary Planning Guidance "Providing for Children and Young People's Play and Informal Recreation" (October 2006).

- 5.36 Paragraph 4.42 of the above SPG states that a benchmark standard of 10 sq.m. per child should be applied to establish the requirement for play space provision arising from new developments in the area. Thus in the proposed scheme, children's playspace of 950 sq.m. needs to be provided. The applicant has considered playspace in regard to the Sutton's SPD on planning obligations that sets out a requirement for new development to provide at least 0.8 hectares of playspace per 1,000 population. It is envisaged that the proposed development will accommodate a population of 362, which equates to 0.29 hectares of playspace.

- 5.37 The applicant has argued that immediately to the north of the application site is Green Lane Primary School beyond which are extensive playing fields and that playspace is already within Mayflower Park at The Hampton's in the form of two separate play areas and thus the nature and scale of the park (over 12.5 hectares) is able to meet the requirement for play space only from this particular phase of the development.

- 5.38 However, the applicant has reappraised this approach following the receipt of the GLA's comments and will provide additional children's play space within Mayflower Park in the vicinity of Blocks D and N to address, the shortfall of play space for younger children as identified by the GLA. It is envisaged that this would be provided under the terms of a planning obligation that would specify the area to be provided. The subsequent detail would be agreed as part of the proposed revision to the master plan for Mayflower Park. Although the 410sq.m offered falls short of the GLA's requirement of 950 sq.m, this level of provision is

considered acceptable given the proximity of this play space to this proposed development.

5.39 Parking and Access:

- 5.40 This site is located approximately 500m from Central Road, Worcester Park which is the nearest high street providing a good range of local services, including shopping (food and non-food), leisure, pharmacies, offices and banks, cafes and restaurants, and Worcester Park train station. The high street is well served by buses. There are also schools close to the site. Overall therefore, despite the relatively low PTAL level for the site, it is suitably located in terms of access to day-to-day services and facilities.
- 5.41 The site already benefits from an extant planning permission for 498 units, and the proposed scheme represents a net increase of 147 units. In transport terms, the extant permission includes transportation benefits included within the original legal agreement which includes improvements to the service frequency for the S3 bus route and road improvements in Green Lane.
- 5.42 However, the developer did not committed to a Travel Plan in the original outline scheme.
- 5.43 Central Road is currently heavily trafficked and the side road junctions, including Green Lane and The Avenue, are operating above capacity at the moment. However it is felt that the main cause of traffic congestion is the through traffic demand on the corridor, notably during the peak periods, because Central Road serves as the only direct link between the A24 London Road and A3.
- 5.44 Site observations at the Green Lane junction suggest that exit blocking is a contributory factor to the long queues on Green Lane in the morning peak. The blocking is caused by vehicles stuck in the box junction because they are unable to proceed due to the queues backing up further along Malden Road and filling up the reservoir between its junction with The Avenue and Green Lane. While it is acknowledged that any additional increase in traffic movements would further exacerbate the current traffic conditions on Central Road, it is worth noting that traffic generated by this current proposal represents only a small percentage of the overall network traffic (ie approximately 1.2 % of the total traffic passing through the Green Lane/Central Road junction in the morning peak). However, its should be noted that this does not take into account the positive effect of a Travel Plan.
- 5.45 In 2006, Peter Brett Associates carried out reviews of the junctions near Green Lane on behalf of the London Bus Priority Network. Based on site observations, they identified traffic demand on the corridor as the principal factor causing the queues and delays along the corridor. They also linked the delay to other contributory factors such as location within a busy district centre, loading, parking and pedestrian activities along the corridor. The study explored various alternatives to alleviate traffic congestion but concluded that there is no preferred option for the Green Lane junction. However, the report recommended that a further study involving traffic management solutions in the wider area may be required in order to develop a robust improvement scheme for the local road network. It is also worth noting that the Peter Brett study did not explore the

linking of the traffic signals at Green Lane with those at The Avenue junction as an option, and also that the study area was confined to the following areas only:

1. Malden Road/The Avenue/Station Approach junction
2. Central Road/Green Lane junction
3. Central Road/Lynwood Drive junction, and
4. Stone Place pedestrian crossing.

- 5.46 The Peter Brett study area did not cover Malden Road in Kingston.
- 5.47 The current proposal for this application suggests a signal management strategy, which essentially comprises the linking of the traffic signals at the Green Lane junction with those at The Avenue with a traffic control system, and the adjustment of the signal timings at the South Lane junction (within Kingston Borough) to give greater priority to traffic on Malden Road. The effects of these changes were tested for the morning and evening peak periods using a traffic model, which concluded that the signal management improvements can mitigate the potential impact of the additional traffic generated by the development on the highway network. The results showed that in general the queues are similar, although there would be some links showing increases while others showed a decrease. The Council is working closely with Kingston Council to see how these recommendations could be effected through collaborative working.
- 5.48 The developer also proposes a raft of sustainable travel initiatives included in a Travel Plan, which would be secured through a s106. The initiatives which are aimed at encouraging sustainable travel, include the setting up of a car club on site, providing personalised travel planning, public transport information kiosks on site, setting up a cycle hire scheme on site and providing discounts to residents for the purchase of bikes, cycle user training, improved pedestrian and cycling links in and around the site, fund improved cycle parking in Worcester Park and the train station, improve access to the train station, free pre-paid Oystercards, consider the re-routing of the 151 bus route into the site and free delivery of on-line food shopping etc.
- 5.49 These proposals and initiatives are consistent with current government transport sustainability objectives, which encourage traffic growth in urban areas to be mitigated through travel demand management measures rather than increasing road capacity. The proposal also accords with the Council's transport objectives as well as the Mayor's Transport Strategy. They also compliment some of the sustainable travel initiatives the Council is currently trying to promote through the Smarter Travel Sutton project, which introduced personalised travel planning in the Borough starting with Worcester Park.
- 5.50 The developer has also agreed targets in the Travel Plan to maintain the level of traffic generated by the proposed development to those accepted by the Council for the extant permissions. This would be secured through an s106 Agreement, and a Bond of £350,000 would be secured, as a safeguard, for the Council to implement measures to mitigate the adverse effects of the additional traffic resulting from the proposed development in the event that the targets are not met.

- 5.51 The parking proposed complies with the UDP parking standards, which require the provision of 1 space per dwelling and up to 30% unassigned (communal) spaces for visitors for 2 bedroom dwellings and 2 spaces for dwellings of 3+ bedrooms. The cycle parking proposed for the blocks of flats is considered appropriate. In relation to the family dwellings of 3 or more bedrooms, 60 of the 96 houses proposed within Phase 4b/5c, have garages that exceed the standard size depth for a single garage by 0.5 metres or more. All such garages are therefore capable of accommodating two cycles.
- 5.52 In respect of the other 36 properties, these either do not have garages or have garages that do not exceed the normal standard by the suggested amount. In all such properties, it is proposed to provide a secure lockable facility within the back garden in the form of a small shed, thereby ensuring that the level of cycle storage is provided fully in accordance with TfL standards. Although no provision has been made for disabled parking, a condition has been attached to ensure that adequate parking for disabled persons is provided, and the developer has agreed to provide this.
- 5.53 On balance therefore, given the capping on the trip rates; the proposed travel demand management measures to encourage sustainable modes of transport to reduce reliance on the car; the suggested signal management measures to provide some relief to the current traffic congestion problems on Central Road and Malden Road, it is felt that the proposal includes satisfactory mitigation measures to address the potential adverse effects of the additional traffic movements likely to be associated with the proposed scheme and is therefore considered to be satisfactory in transport terms.
- 5.54 Affect on Residential Amenity:**
- 5.55 Policy BE4 seeks to protect privacy and amenity to adjoining occupants. Policy BE5 seeks to protect daylight and sunlight, whilst BE18 seeks to protect privacy.
- 5.56 The issue of distances between properties was considered at length at the Phase 2a Public Inquiry at which the Inspector acknowledged that a principal concept of the design of The Hamptons was one of positive overlooking in which the need for privacy is balanced against the need for surveillance of public and semi-public areas.
- 5.57 Amenity issues were discussed in great detail in the Planning Inspector's report in respect of planning application A03/51454/FUL that was allowed on appeal. Paragraph 14 of the Inspector's Report deals specifically with dwellings fronting onto the road with flank elevations at 90 degrees separated by a distance of 14.9m. Within Phase 2c, the flank elevations also included a small secondary bedroom window at second floor level. In allowing the appeal, the Inspector did not consider this relationship to be unacceptable noting that bedroom windows facing each other were a "normal feature of urban life". He also declined to impose a condition requiring obscure glazing to the bedroom window or the fixing shut of the window. In coming to his decision, he did not suggest that the 14.9m was a minimum distance between the front of dwellings and a flank elevation.
- 5.58 There was some concern over the relationship between a number of units at the entrance to Phase 4b, particularly regarding the distances between flank walls

and rear or side elevations of properties for units 166 and 55 and 165 and 164, which could lead to a loss of outlook and increased sense of enclosure. However, the closest part of unit 166 to unit 55, which is in Phase 4a, is a single storey garage with no windows. Similarly the main flank elevation of the house has no windows and is set back 15 metres from Unit 55. There is therefore no issue of overlooking or loss of privacy in this particular site relationship.

- 5.59 In respect of units 165 and 164, the closest part of Unit 165 is a single storey garage without windows with the main flank elevation of the house set back a minimum of 10m from unit 164, again with no windows contained in the flank facing elevation to preclude overlooking.
- 5.60 The relationship between both sets of properties in Phase 4b is not a 90-degree relationship as considered by the Phase 2a Appeal Inspector. The two sets of properties are set at a 45-degree angle to each other. Given this relationship, views will not be completely obscured by flank walls. Unit 164 for example will have views towards the park over private gardens for a distance of over 35m from significant parts of the property.
- 5.61 Given the character of The Hamptons and the design approach which has shaped the scheme, the relationship between Units 55 and 166, and Units 164 and 165 is considered to be acceptable and will not give rise to such a harmful impact that a reason for refusal could be sustained on amenity grounds.
- 5.62 In terms of privacy, the nearest facing window-to-window distance would be approximately 15 metres to dwelling no 56 of Phase 4A which is still under construction. The nearest residential property outside the Hampton's site is over 50m to the south in Buckland Way, beyond the existing garden allotments. The buildings have been carefully designed to ensure there is minimal overlooking from windows. In these circumstances it is considered that there would be no significant impact on this property in terms of loss of privacy, outlook, daylight or sunlight.
- 5.63 Given the above and siting of the buildings away nearby properties, it is considered that there would be no adverse impact on surrounding occupiers through loss of daylight, sunlight or outlook
- 5.64 With regard to the potential noise generation from the wind turbines, a condition has been recommended to monitor the noise levels to prevent any potential impact on residential amenity of the residents of nearby properties.
- 5.65 Sustainability:**
- 5.67 Policy 4B.6 of the London Plan seeks the submissions of a statement showing how sustainability principles would be met in terms of demolition, construction and long-term management. Policy 4A.7 requires the inclusion of energy efficient and renewable energy technology.
- 5.68 Water efficiency measures will be built into all new homes including installation of dual-flush toilets, low flow rates showers, provision of water efficient appliances and the provision of water butts for each home. It is envisaged that these measures will reduce water consumption to 110 litres per person per day.

- 5.69 In terms of energy efficiency, solar thermal cells are proposed to be fitted on apartment/ house roofs which are south facing. It is anticipated that 1,100 m² of solar panels will be erected on buildings within this final phase of development offsetting carbon emissions and providing homes fitted with the panels with approximately 60% of their hot water. Details of these installations are to be reserved by condition.
- 5.70 Eight 'Quiet revolution QR5' wind turbines are to be located within the parkland and will contribute towards meeting renewable energy requirements. The wind turbines have been specifically designed for urban environments where wind speeds are lower and wind directions change frequently. The design of the turbines are considered to be visually striking and will complement the existing parkland landscape.
- 5.71 The turbines will be 14m in height comprising a minimum 9m high tower and a helical (twisted) shaped turbine of 5m. The diameter of the turbine is 3m. The turbines are constructed of carbon fibre with epoxy resin blades and have a design life of approximately 25 years. A control box, made up of 8 cabinets, which manages the electricity generated by each turbine, is proposed to be located adjacent to the wind turbines within an area of existing landscaping.
- 5.72 The proposed location of the wind turbines within Mayflower Park will require the removal of some existing shrub planting within the parkland area. It is proposed that this be dealt with via a condition on a planning permission requiring the submission and approval of a revised landscaping scheme for the park.
- 5.73 It is also proposed to construct one Enviro Home as part of this development which will be used as an educational tool for the wider community. Renewable sources will provide for up to 70% of the energy requirements of this property and a range of water efficiency measures will be incorporated.
- 5.74 The energy efficiency measures proposed as part of this development will serve to reduce CO₂ emissions from this phase of the development by 20%, significantly exceeding current policy requirements and helping define the future of truly sustainable development which is in line with the GLA's 20% target and much higher than the Council's 10% target. Given this, the scheme is considered acceptable in terms of its ability to address sustainability issues.
- 5.75 Biodiversity:**
- 5.76 It is not considered that the application site holds any scientific value except for the park area where the wind turbines are proposed. It is near this area where bats have been sighted and there is some concern that the proposed wind turbines may have a detrimental impact on their habitat.
- 5.77 The current state of scientific knowledge indicates that the significance of any effects of wind turbines on bats in the UK has not yet been determined. A further complicating factor is that the proposal is for helical wind turbines and most of the research would appear to be confined to wind turbines with a rotor blade configuration. As such, in "The Agreement on the Conservation of population of European Bats", a precautionary principle is adopted in relation to decisions on

the development and siting of wind farms, especially along migration routes and in areas of particular value to bat populations.

- 5.78 Further guidance is set out in the document 'Publicly Available Specification – "Planning to halt the loss of Biodiversity" (PAS 2010). This is published by the British Standards Institution and advises Local Planning Authorities how to seek further biodiversity conservation in assessing new development proposals. This document defines the precautionary principle as the "application of the precautionary principle means taking action now to avoid possible environmental damage when scientific evidence for acting is inconclusive but the potential damage could be great".
- 5.79 This is interpreted as if it can be demonstrated that the development has low/negligible potential for the wind turbines to detrimentally impact on bats, to take the position that the development should be permitted.
- 5.80 Following the Council's biodiversity officer's comments and recommendations, the developer's advisors, 'Ecology Consultancy', following the survey methodology in the 'Good Practice Guidelines for Bat Surveys', carried out a further survey. This was completed to determine bat activity in the area of the proposed wind turbines. This survey indicated that the area of the turbines was unlikely to be used for either commuting, foraging or feeding, although it was concluded that the proposal to construct eight wind-turbines is likely to have an impact on feeding and commuting bats.
- 5.81 It is therefore suggested that the wind turbines are acceptable as proposed, subject to recommendations, mitigation and post installation monitoring in the Supplementary Bat Survey report, November 2007, being implemented. The methodology and design should be agreed by the Council's biodiversity officer prior to installation and such details will be reserved by condition.
- 5.82 A condition is also recommended for a landscaping scheme to be submitted for the removal of tree and shrub planting around the wind turbines and compensatory planting within other areas of the park. This would discourage bats from hunting near the wind turbines.
- 5.83 It is therefore considered that adequate surveys have been carried out to establish the presence of bats, which has enabled a prediction of the likely impact of the proposed development on bats and their resting places, including sufficient design mitigation.
- 5.84 Flood Risk**
- 5.85 The applicant has submitted a full surface water flood risk assessment. The proposed development is acceptable and in accordance with Planning Policy Statement 25: Development and Flood Risk (PPS25). The applicant has demonstrated successfully that the discharge run-off rate from the whole site will not exceed 8 litres/second/hectare. The applicant has incorporated techniques to reduce surface water discharge to the greenfield rate by creating lakes and wetland areas. The Environment Agency was formally consulted and raised no objection subject to condition.

5.86 Planning obligations:

5.87 In this instance it is considered appropriate for the Council to seek obligations, to be secured via a Section 106 Agreement, from the developer for the following:

5.88 Affordable Housing:

- Provide 59 affordable housing units (including breakdown of social rented / shared ownership) and affordability to be in line with LB Sutton / Mayor’s guidance

5.89 Transportation:

- Prior to the commencement of works on the site, to submit for approval, a Travel Plan with the objective of encouraging residents of the development to use alternative means of travel other than the private car. The Travel Plan target shall be to achieve the following 2-way total trip rates for vehicles using the Green Lane access to the site:

Peak Time	Total trip rate per dwelling (2-way total)
8am to 9am	0.256
5pm to 6pm	0.260

- The targets shall be in place over the 5-year duration of the Travel Plan and the survey methods, monitoring and reporting requirements shall be specified in the Agreement. The approved Travel Plan shall be implemented prior to the occupation of the first unit, and thereafter be managed, monitored and enforced in accordance with the approved details.
- Prior to the occupation of the first dwelling unit on the site, to pay a Bond equivalent to £350,000 to the Council as a guarantee against failure to meet the required Travel Plan targets. The Bond shall be used by the Council to implement alternative measures that achieve similar results or implement appropriate measures to mitigate the adverse effects of the additional traffic resulting from the proposed development. The bond shall be refunded in full if the targets are achieved, and the appropriate means to achieve this shall be included in the Agreement.
- Prior to the occupation of the first dwelling unit on the site, a car club shall be established on the Hampton’s site with an established car club operator, and subsidize the operator for a minimum period of 2 years by:
 - (a) providing at least two (2) cars and two (2) parking spaces on site
 - (b) providing free 1 year membership to the car club and/or a fair and proportionate amount of free usage of the car club for each dwelling unit on the Hamptons development.
 - (c) paying the operational costs for the car club during the period of subsidy

- Prior to the commencement of works on the site, pay a contribution of £100,000 towards improvements to Worcester Park Station including improved cycle facilities in the area.
- Prior to the commencement of works on the site, pay a contribution of £60,000 towards public transport improvements.
- Prior to the commencement of works on site, a contribution of £100,000 shall be made towards traffic signal management improvements along Central Road/Malden Road corridor, including the Green Lane junction and associated pedestrian crossings along the corridor in the immediate vicinity of the site.
- Promote sustainable travel as a key component of the marketing strategy for the proposed development to include a welcome pack for residents to be agreed with the Council, to include site-specific public transport information, walking and cycle routes and all relevant information to encourage the use of alternative forms of transport other than the car.
- Provision of measures such as cycle vouchers / oyster cards for residents / provision of travel plan / restrictions on residents obtaining parking permits.
- Establish and promote a Car Hire Club upon first occupation of residential unit
- Provide a pedestrian/cycleway link from the site to Browning Avenue

5.90 Education

5.91 Sutton's draft SPD on Education Contributions sets out at paragraph 3.6 that "the Borough will decide whether a contribution is required from a developer with regard to the primary sector based on the following:

- The location of the development i.e. whether or not it is in a specific area with few (5% or less) or no surplus places;
- The quantity of temporary classrooms in the local schools; and
- The size of the development i.e. whether a single development would have a large impact on school places in the local area, particularly if it would prevent pupils from existing neighbourhoods being able to attend existing popular schools".

5.92 The reference in the first bullet point above is to whether there are surplus places within the "specific area". Green Lane Primary is close nearby to the Hampton's but is located with the administrative boundary of the Royal Borough of Kingston, although it is in the "specific area". The number on the school roll for Green Lane Primary (as at summer 2007) is 351, and the capacity is 413, a surplus of 62 spaces.

- 5.93 Another school nearby is Dorchester Road Primary. The Council figures in the draft SPD state that the number on the School Roll was 354, with a net capacity of 364 (as at Jan 2007), i.e. a surplus of 10 places or 3%.
- 5.94 The child yield from the proposed development for nursery and primary schools is calculated as 11 children for nursery and 23 children for primary i.e. 34 children.
- 5.95 It should be pointed out that as part of the planning agreement (dated December 2002) signed by the developer for the original planning application at the Hampton's, the developer agreed to provide Sutton Council with a financial contribution of £816,000 towards the provision of education in the Borough. The first £300,000 of this money was made to Kingston Council approximately two years ago for the expansion of Green Lane Primary School.
- 5.96 Given that the current capacity at Green Lane Primary and Dorchester Primary is substantially greater than the child yield from this proposed phase of the Hampton's development (72-34 = 38 children) and that Green Lane Primary School is already included in the original s106 agreement, it cannot be argued that Green Lane Primary should not be included in the new calculations.
- 5.97 Policy IMP1 in the Unitary Development Plan deals with planning obligations. The amplification to this Policy (quoted at paragraph 3.1 of the draft Education Contributions SPD) states that "the Council will only seek developer contributions to fund extra school places in areas where need has been shown to exist in local schools". It cannot be argued that the Council could ask for contributions towards primary schools. Therefore, the developer's financial contribution towards Secondary School Education with Sutton is considered acceptable in this particular case.
- Contribute £255,729 towards education provision for Secondary Schools in line with the Council's S106 SPD.
- 5.98 Healthcare
- 5.99 The Primary Care Trust (PCT) funding is reviewed at each Comprehensive Spending Review (CSR) when the population is recalculated and mainstream funding provided for new residents. As the CSR has just been completed any new residents of the Borough will not be included in their funding until the outcome of the next review in 2010/11.
- 5.100 The London Development Agency (LDA) is one of 9 Government Regional Development Agencies set up to transform England's regions through sustainable economic development. The National Health Service London Urban Development Unit (HUDU) is an agency of the LDA established in 2004 to engage more effectively with the urban planning agenda in London to ensure new communities are sustainable. To calculate the appropriate level of financial contributions commensurate with the impact of this development on healthcare in Sutton, the HUDU model was run based on a 3-year phasing of building the additional 147 units, and has indicated a cumulative increase in the population of 195 by the end of the construction period. It is assumed that the full occupation of

the proposed units will be in 2010/11 when the population will have risen by a total of 237.

	2008	2009	2010	2011
Units completed	63	83	86	
Cumulative population increase	36	111	195	237
Unit cost per population	137.50	137.50	137.50	137.50
Value	£ 4950	£ 15262	£ 26812	
Cumulative Value		£ 20212	£ 47024	

5.101 The impact of the earlier phases of the development at the Hampton's is now being felt in Primary Care services and the PCT will have to provide extra capacity for the new residents of phases 4a and 5c. If the planning obligation is not made available, the PCT will not be able to provide primary healthcare to the new residents of phases 4a and 5c. It is considered that a contribution of £47,024 is relevant to the developments impact on local services and will be used to fund the necessary services supporting the development until mainstream funding is updated. The primary care services will be offered through a named general practice in the PCT's area and will be available provided that the direct access between the Hamptons (phase 4a and 5c) and the A24 London Road is improved.

5.102 Sports and Recreation:

- Contribute £306,280 towards Sports and Recreation within the borough, in line with the Council's S106 SPD.

5.103 Considerations relating to other objections:

5.104 Considerations relating to other objections that initiate to create training and employment opportunities for the local community during construction should be set out in an employment strategy. The GLA requested a financial contribution towards training. As the current proposal represents the final phase of a larger development for which a construction workforce and contract suppliers are already in place, it is not considered reasonable to require further training and employment initiatives or to secure the use of local suppliers and businesses during construction.

6. CONCLUSION AND RECOMMENDATION

6.1 It is considered that this proposal is an acceptable form of development that would not result in demonstrable harm to the character and appearance of the area by reason of its design, height, its bulk and scale comparative to the existing pattern of development in the surrounding area.

6.2 The development would add to the Council's much needed private and affordable housing stock.

- 6.3 The proposed parking and access arrangements and other initiatives to promote sustainable transport would not result in an increase in parking pressure or congestion for the surrounding road network.
- 6.4 For the reasons outlined in the report, it is recommended that planning permission be granted, subject to conditions and the completion of a legal agreement.

Background Papers: A2007/58387/FUL

Drawings and other documents can be viewed on line –

- 1) Go to page: <http://82.43.4.135/FASTWEB/welcome.asp>
- 2) Enter Planning Application Number: **A2007/58387**
- 3) Click on Search and View Current Applications
- 4) Click on View Plans & Documents

G

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A2007/58387/FUL

DRAFT

WARNING: It is in your interests to ensure you obtain the approval of the Local Planning Authority, where the conditions require that to occur. Failure to comply with the following conditions may lead to enforcement action to secure compliance.

FIRST SCHEDULE

Phase 4B & 5C The Hamptons GREEN LANE Worcester Park Surrey

Phase 4b & 5c to provide 184 new dwellings (59 affordable housing units), roads and landscaping comprising: Thirty two 3-bedroomed and twenty six 4-bedroomed terraced houses. Eight 3-bedroomed and twenty 4-bedroomed semi-detached houses and eight 4-bedroomed and two 5-bedroomed detached houses, in a mixture of two & three storey buildings. Twenty nine 1-bedroomed, fifty seven 2-bedroomed and two 2/3-bedroomed flats in a mixture of 3 storey and 3 storey with roof accommodation buildings, together with garages, surface and basement car parking, cycle and refuse facilities and erection of eight 14 metre high wind turbines.

SECOND SCHEDULE

(1) The development must be begun not later than the expiration of three years beginning with the date hereof.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(2) Details of a scheme of landscaping as indicated in plan nos. 53 P.01, 53 P.02 and 53 P.03 shall be submitted to the Local Planning Authority for approval prior to the commencement of development. This scheme shall include: a method statement for ground protection during construction and preparation prior to importing or replacing top soil and shall include provision for remediation of contaminated and compacted land; specification of plant species, sizes, numbers and planting locations; details of maintenance during the establishment period and provision for replacement of failed

planting. The development must be carried out in accordance of the approved details which must be maintained and retained.

Reason: To ensure landscaping schemes, provide where appropriate adequate privacy and screening, pay sufficient to the Council's Nature Conservation Guide, boundary treatments and promote satisfactory townscape.

(3) All planting, seeding and turfing as approved with condition 2 shall be carried out in the first planting and seeding season following the occupation of any of the building(s) or the completion of the development, whichever is the sooner and shall be retained and maintain thereafter. Any trees or plants which within a period of five years from the completion of the development die, or otherwise fail to thrive, shall be replaced in the next planting season to the agreed specification unless the local Planning Authority gives written consent to any variation.

Reason: To ensure landscaping schemes, provide where appropriate adequate privacy and screening, pay sufficient to the Council's Nature Conservation Guide, boundary treatments and promote satisfactory townscape.

(4) Landscaping details showing the removal of vegetation near the wind turbines and details of the location of the replacement vegetation including details of the species proposed to be planted elsewhere on site shall be submitted to and approved in writing prior to the commencement of works. The development must be carried out in accordance with the approved details and thereafter retained and maintained.

Reason: To discourage bats from hunting near the wind turbines.

(5) The layout, surface material and landscaping of the access road and parking area shall be the subject of a detailed scheme to be submitted to and approved in writing by the Local Planning Authority prior to the development being carried out. A different surface material or differentiation between parking spaces and shared surfaces where pedestrian priority should be denoted. The approved scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development hereby permitted and thereafter retained.

Reason: To ensure compliance with Policies BE1 of the Unitary Development Plan which seek to ensure a high standard of layout and compatibility with existing townscape.

(6) The type and treatment of the materials to be used on the exterior of the building(s) shall be approved in writing by the Local Planning Authority prior to the development being carried out. The development must be carried out in accordance with the approved materials which should be retained and maintained.

Reason: To safeguard the visual amenities of the area and to ensure compliance with Policies BE1 of the Unitary Development Plan which seek to ensure buildings are of a high standard of design and where applicable compatible with existing townscape.

(7) The positioning and type of the means of enclosure to each property shall be the subject of a detailed scheme to be submitted in writing to the Local Planning Authority for approval prior to the development being carried out. The approved scheme shall be

provided prior to the occupation of any part of the development hereby permitted, and thereafter permanently retained.

Reason: To safeguard, where applicable, the visual amenity and privacy of occupiers of adjoining properties and to ensure an appropriate form of development as sought by the Unitary Development Plan.

(8) Prior to the occupation of the development hereby permitted, full details of the means to ensure 'Designing Out Crime' shall be submitted to and approved in writing by the Local Planning Authority prior to the development being carried out. Such details shall include methods of natural surveillance, lighting, fencing, gates, doors and windows etc. The development must be carried out in accordance with the details approved in writing by the Local Planning Authority and shall be retained thereafter.

Reason: To ensure compliance with PPS1, Policy BE8 of the Unitary Development Plan and the Council's Adopted Supplementary Planning Document, SPD1 'Designing out Crime'.

(9) Prior to the commencement of the development hereby permitted, full details of all entranceways, including the vehicular access shall be submitted to and approved in writing by the Local Planning Authority, including a plan incorporating 2.0 metres by 2.0 metre visibility splays in relevant locations with no obstructions over 600mm high. No boundary fencing and landscaping is to exceed 1.05m in height. The development must be carried out in accordance with the details approved in writing by the Local Planning Authority and shall be retained thereafter.

Reason: To ensure that at the commencement of development acceptable means of vehicular accesses are provided to avoid danger and inconvenience to highway users and pedestrians.

(10) The development hereby approved shall not be occupied until bicycle storage facilities have been provided in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being carried out. Such storage provision shall thereafter be retained and maintained for the use of the occupants of the development hereby approved.

Reason: To ensure compliance with Policy TR28 of the Unitary Development Plan which seeks to ensure that provision is made as part of new development.

(11) No development shall take place until there has been submitted to and approved by the Local Planning Authority a detailed refuse storage scheme. The details as approved shall be provided prior to the occupation of the development and thereafter retained.

Reason: To ensure that this necessary facility is provided in a manner that does not adversely affect the amenities of nearby premises.

(12) (a) Except for the 9 units in Block L (identified as plot nos. 19 to 27) on drawing number 53.P.01 Revision A, the means of vehicular access to the development for the remaining 175 units shall be from Green Lane only.

(b) The means of vehicular access to the development for the 9 units in Block L identified as plot nos. 19 to 27 on drawing number 53.P.01 Revision A shall be from Boscombe Road only.

(c) The development shall not be occupied until a permanent physical barrier is installed to prevent all vehicular access (except for emergency vehicles) between Park Road and Boscombe Road, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The barrier shall be installed in accordance with the details and permanently retained thereafter.

Reason: To restrict access onto the public highway where it is necessary in the interest of highway safety, in line with highway policy TR19 of the Adopted UDP.

(13) The development shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for a total of 270 parking spaces for cars (to include an appropriate level of provision for people with disabilities), and for vehicles to turn so that they may enter and leave the site in forward gear prior to the development being carried out. The parking and turning areas shall be provided and permanently retained exclusively for their designated purpose.

Reason: To prevent obstruction and inconvenience to other highway users (especially pedestrians, cyclists and those with disabilities), and also in the interest of highway safety, in line with Highway Policies G/TR4, TR12, TR30 and TR31 of the Adopted UDP.

(14) The development shall not be occupied until details of the management and use of the existing and proposed parking have been submitted to and agreed in writing by the Local Planning Authority. Only the approved details shall be implemented and thereafter be permanently maintained.

Reason: PPG 13 sustainability objectives - to reduce reliance on the private car and promote access by non-car modes.

(15) The development shall not be occupied until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority to provide:

(a) Secure cycle parking with a minimum provision of 1 cycle storage space per dwelling.

The development shall be carried out in accordance with the approved details and thereafter be permanently maintained.

Reason: To encourage use of non-car modes of travel and to facilitate integration between sustainable forms of transport, in accordance with the recommendations contained in PPG13 'Transportation'

(16) All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music or speech shall only

take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00 am and 1.00pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: To safeguard the amenity of the occupiers of adjacent premises and the area generally during the building construction process.

(17) The development shall not begin until a Construction Method statement/Environmental Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) construction traffic routing.
- (f) means to control dust
- (g) means to control noise
- (h) means to prevent deposition of mud on the highway.

have been submitted to and approved in writing by the Local Planning Authority and only the approved details shall be implemented during the construction period.

Reason: To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway.

(18) The developer shall carry out an investigation into the practicability of installing a scheme of grey water usage and shall submit the investigation to the Local Planning Authority for its approval before the development is begun. The scheme shall be implemented prior to the occupation of the development if both the developer and the Local Planning Authority agree that the scheme is operationally and financially feasible.

Reason: To ensure that a satisfactory standard of development is provided if feasible in relation to the sustainability objectives of the Local Planning Authority.

(19) Details of the wind turbines, including their design, colours and materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of this part of the development. The approved details shall then be installed, retained and maintained in accordance with the approved details and the recommendations, mitigation and post installation monitoring in the Supplementary Bat Survey Report (dated November 2007).

Reason: In order to ensure the the turbines are retained throughout the duration of the development and to ensure the turbines will not have a detrimental impact on the bats.

(20) The wind turbines shall not be constructed in accordance with condition 19 until a scheme detailing an assessment of the acoustic impact arising from the proposed operation of the wind turbines has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include:

- (i) A measurement of the existing background levels;
- (ii) A description of the measures, including calculations, which will reduce the wind turbine noise levels so that they do not produce a measurable increase in the existing background noise levels measured at a distance 1m from the nearest residential property.

(iii) These noise levels (except the NR [noise rating] value) should be measured or calculated in terms of:

LAeq(one hour) during the daytime, 0730 to 2200 hours and

LAeq(5 minutes) during the night time, 2200 to 0730 hours. The NR value should be calculated from frequency measurements.

This part of the development must be carried out in accordance with the approved details and should be maintained and retained thereafter.

Reason: To safeguard the amenity of the area and of occupiers of adjacent properties.

(21) The development hereby permitted shall not be commenced until the applicant has provided to the Local Planning Authority a final energy demand assessment including a report identifying how a minimum of 20% of the carbon emissions that the development is responsible for are to be off-set by on-site renewable energy production methods. The exact location of the solar panels shall also be provided. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. The approved scheme shall then be carried out and maintained in accordance with these details prior to the first occupation of the development and thereafter retained for so long as the development remains in existence.

Reason: To ensure the development complies with Policy 4A.9 of the London Plan 2004.

(22) No development shall take place until the applicant has submitted to the Local Planning Authority for approval an independent 'The Code' for Sustainable Homes Assessment that achieves at least a Level 3 rating. The development shall be constructed in accordance with the approved details, and thereafter retained Prior to the first occupation of the development a certified 'The Code' for Sustain Homes Post Construction Assessment, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards set out in the approved pre-construction assessment have been met.

Reason: To accord with objectives of London Plan Policy Policy 4B.6 'Sustainable Design and Construction'

(23) The development hereby permitted shall not commence until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate how all of the residential units comply with the Lifetime Homes Standards, and a minimum of 10% of the total number of residential units will be suitable for wheelchair users. The building shall not be occupied until the approved details have been implemented and thereafter those facilities shall be retained and not be removed without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of adequate means of access to the building for people with disabilities in accordance with Policies 4.2 (Quality of Residential Accommodation) and 4.3 (Mix of Dwellings) of the Southwark Plan.

(24) If during implementation of this development, contamination is encountered which has not previously been identified, the additional 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 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 PNR 3 of the Sutton Unitary Development Plan.

(25) The development hereby approved shall not be implemented until a contaminated land assessment and associated remedial strategy, has been 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 PNR 3 of the Sutton Unitary Development Plan.

(26) The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy PNR 3 of the Sutton Unitary Development Plan.

(27) On completion of the agreed remediation works, a closure report and certificate of compliance, endorsed by the interested party/parties 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 PNR 3 of the Sutton Unitary Development Plan.

(28) Surface water drainage works should be carried out in accordance with the submitted FRA by Glanville Consultants (July 2007).

Reason: To prevent the increased risk of flooding.

(29) A verification report should be supplied to the Local Planning Authority on completion of the works set out in the remedial method statement confirming the measures that have been undertaken in accordance with the method statement and setting out measures for the maintenance, further monitoring and reporting.

Reason: To prevent pollution of the water environment.

(30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or revoking and re-enacting that Order), planning permission shall be required in respect of development falling within Class(es) A, B, C, D and E to Schedule 2, Part 1 to that Order.

Reason: To ensure a satisfactory form of development.

INFORMATIVES.

(1) This approval only grants permission under section 92 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 6268 before proceeding with the work.

(2) 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.

(3) "Landscaping" means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means of enclosure; measures to screen the refuse provision; planting of trees, hedges, shrubs or grass; formation of banks, terraces or other earth works, laying out of gardens, paved areas or courts and other amenity features.

(4) This application has been assessed against the relevant policies of the Sutton Unitary Development Plan. The proposal is generally in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended) and for this reason planning permission is granted.

(5) The developer should be encouraged to apply for Secured By Design accreditation. Residential parking should be located close to and visible to the owners dwelling wherever possible. The car parking should maximise natural surveillance, and should avoid recesses, blind spots, and make good use of artificial lighting. The type of access to the residential blocks needs to be considered. Door recesses more than 600mm deep should be avoided. The development should incorporate a well-designed lighting system, which should seek to achieve a high level of uniformity of at least 25% throughout the development.

(6) Roof water down pipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

(7) The developer's attention is drawn to the fact that no refuse storage doors should open over the public highway.

(8) This decision shall be read in conjunction with the Section 106 agreement signed under the Town and Country Planning Act 1990 and pursuant to outline planning permission (refs: A02/48600/OUT and A02/48601/OUT) dated 6 December 2002, and the supplemental agreement dated 31 August 2006.

(9) The permission hereby granted shall not be construed as authority to carry out works on public highway. The applicant is advised that under the Highways Act 1980, a licence must be obtained from the Head of Highways and Streetcare at 24 Denmark Road, Carshalton (tel. 0208 7706061) before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the public highway.

(10) The surface water drainage of the site should be designed so as to prevent the discharge of water onto the public highway.

(11) Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the Department of Transport Publications - Design Bulletin 32, and its companion guide, Places Street and Movement.

(12) The Highway Authority has no objection to the proposed development, subject to the conditions attached. But if the applicant intends to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980.

(13) Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Development Control Section at 24 Denmark Road in Carshalton (tel 0207706455).

(14) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority.

(15) The developer is reminded that under the Highways Act 1980 Sections 131, 148 and 149, it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and also to prosecute persistent offenders.

(16) When access is required to be 'completed' before any other operations, the Highway Authority will normally agree that the wearing course material and in some cases edge restraint may be deferred until construction of the development is virtually complete, provided all reasonable care is taken to protect public safety.

(17) Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Development Control - Transport Planning and Works Section at 24 Denmark Road in Carshalton (tel. 020 8770 6455).

(18) The contaminated land assessment shall include: -

1) A desk top study detailing the history of the site's uses and proposing a site investigation strategy based on the relevant information discovered by the desk study all of which is to be submitted to the local planning authority for approval.

2) A site investigation, including relevant ground gas, surface and groundwater sampling, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology, Mcerts where applicable or UKAS.

3) A site investigation report, in accordance with BS 5930:1999 (Code of Practice for Site Investigations & BS10175: 2001 Code of Practice Investigation of Potentially Contaminated Sites) detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy.

All work should be in accordance with Planning and Pollution Control Planning Policy Statement 23 (PPS23 annex 2) and the Environmental Protection Act 1990 (Part IIA), Statutory Guidance on Contaminated Land together with other relevant legislation and guidance as described in the Environment Agency and DEFRA Contaminated Land Research Reports, 'Model Procedures for the Management of Land Contamination CLR 11' (2004).

(19) Informative Relation to contaminated land:

The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

All work should be in accordance with the HSE document "Protection of workers & the general public during the development of Contaminated Land".

The decommissioning and removal of all redundant fuel storage tanks is to be in accordance with the Health and Safety Executives (HSE) Health and Safety Guidance Note 41– Petroleum Filling Stations Construction and Operation (1998). Also in accordance with the HSE's Guidance note CS 15 - The Cleaning and Gas Freeing of Tanks Containing Flammable Residues (1985).

(20) Informative in relation to contaminated land:

The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean up criteria shall be included in the closure report together with the necessary "Duty of Care" documentation detailing what waste material have been removed from the site.

The London Borough's 'Guide for Developers to Help Meet Planning Requirements', can be found on the Council's web site or can be supplied upon request. It describes all the items that will need to be considered for inclusion in any submitted validation report, omission of relevant details may result in submitted reports being rejected.

(21) The drawing nos. relating to this decision are: S001, S002, S003, S004, S005, S006, S007, B001, B002, B003, B004, B005, B006, B007, B008, B009, B010, B011, B012, H001, H002, H003, H004, H005, H006, H007, H008, H009, H010, H011, H012, H013, H014, H015, H016, H017, H018, H019, H020, H021, H022, H023, H024, H025, H026 and H027.

APPENDIX 1 – Addresses of those objecting.

STREET NAME	STREET NO.
AMESBURY CLOSE	10 and 18
BEAUMONT DRIVE	Flat 2, 8 and 15 Priors Barn House, Flat 3 and 4 Woodbridge Court, 1, 4, 9, 11, 15 (Hamptons Residents Association), 18, 22, 33, 36, 39, 40, 42, 45, 49, 51, 62, 64, 74, and 78
BEDFORD ROAD	16 and 30
BEVERLEY GARDENS	14
BEVERLEY ROAD	9, 12, 22, 26, 31
BISLEY CLOSE	16
BOSCOMBE ROAD	9, 63 and 89
BRINKLEY ROAD	18, 35, 42, 50 and 68
BROOKSIDE CRESCENT	7 and 14
BROWNING AVENUE	15, 28, 75, 76, 82, 86, 101, 115, 119, 123, 125, 151, 153, 155 and 163
BUCKLAND WAY	30, 100, 104, 134, 148 and 168
BURNHAM DRIVE	71
CALDBECK AVENUE	2, 5, 22, 23, 28, 37, 44, 49, 50, 55, 69, 85, 89, 101, 109, 117 and 137
CARTERS CLOSE	52
CAVERLEIGH WAY	21, 28, 30, 34, 73, 90, 98, 126, 128 and 132
CENTRAL ROAD	18-20, 64D, 98 and 148
CHEAM COMMON ROAD	147, 177, 178 and 206
CLARKES AVENUE	2, 8, 25, 33, 39, 40, 50, 65, 86, 87 and 99A
COLBORNE WAY	10, 45, 85 and 109
COURTENAY ROAD	30
DORCHESTER ROAD	11, 29, 31, 35, 89 and 117A
EBBISHAM ROAD	11

STREET NAME	STREET NO.
ELM WAY	7
FARM WAY	5, 25 and 45
FORDHAM CLOSE	2, 4 and 5
GRANDISON ROAD	5
GREEN LANE	10, 20, 32, 44, 50, 56, 58, 60, 76, 84 and 86
HAZLEMERE GARDENS	19A, 24, 26, 32, 38 and 40
HEATHERLEA GROVE	6, 10 and 23
HIGH STREET, SUTTON	312-314
HILL CRESCENT	23 and 51
HUGHENDEN ROAD	4
INVERNESS ROAD	16 and 22
KINGSHILL AVENUE	16, 22, 36, 42, 69, 174 and 178
KINGSMEAD AVENUE	40
LADY HAY	3
LANGLEY AVENUE	40 and 63
LEWISTON CLOSE	Flat 1, 6, 14 and 15 Canterbury Hall, 4, 6, 7, 8, 13 and 31
LINCOLN ROAD	1A, 2, 4, 5, 11, 12 and 16
LINDSAY ROAD	1E, 16, 70, 72, 75, 79, 84, 88, 110, 111, 112, 118 and 126
LLOYD ROAD	48
LONGFELLOW ROAD	7, 41, 49, 79, 99, 100, 103, 125, 153, 163, 175, 181, 197, 219, 223, 227, 240, 246, 250, 262 and 266
LYNWOOD DRIVE	Fitzroy House
MENDIP CLOSE	4
MERRILANDS ROAD	49
MORNINGSIDE ROAD	17, 22, 23, 30 and 32

STREET NAME	STREET NO.
PEMBURY AVENUE	3, 10, 44, 54, 62, 89, 110 and 159
PORTLAND CLOSE	4 and 11
RUSKIN DRIVE	15, 33, 46, 49, 52, 53, 54, 58, 59, 60, 69, 71, 74, 78, 79, 82, 85 and 95
SHERBROOKE WAY	Flat 5 Vermont Hall, 5, 7, 12, 14, 24 and 28
ST CLAIR DRIVE	17
ST PHILIPS AVENUE	8, 20 and 91
SUMMER GARDENS, EAST MOLESEY	15
SUTHERLAND GARDENS	8
TRAFALGAR AVENUE	4 and 31
TUDOR AVENUE	55
WASHINGTON ROAD	66, 85, 148, 149, 150 and 152
WIMBORNE CLOSE	7