BEDDINGTON AND WALLINGTONDEVELOPMENT CONTROL COMMITTEE -
Date:20 January 2010

Report of the Executive Head of Planning and Transportation.

Ref: D2008/59825/FUL	WARD: D16 / WALLINGTON STH	Time Taken: 21 weeks, 2 days

Site: 1-6 & 41-44 WALLINGTON SQUARE Woodcote Road Wallington Surrey SM6 8RP

Proposal: Creation of new third floor to 44 Wallington Square and conversion of 44 Wallington Square to form 33 new residential units (12 affordable units) comprising nineteen 2 bedroomed and fourteen 1 bedroomed self contained flats, new cycle and refuse storage. Installation of new shopfronts for units 1, 2, 3, extension to front of units 4-6 and 41-43 Wallington Square, creation of new unit to provide 92 square metres (for purposes falling within classes A1, A2, A3) alterations to shopping centre entrance, provision of 36 parking spaces and associated works.

Applicant: P Win (Wallington) Limited

Agent: Mr Sutton

Recommendation:

GRANT PLANNING PERMISSION subject to the prior written conclusion of a Section 106 legal agreement within a period of six 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by the Executive Head of Planning, Transportation and Highways, after which time the resolution to grant will be rescinded.

Reason for Report to Committee: The application is a Major development of 10 or more dwellings recommended for planning permission.

Summary of why application proposals are acceptable:

The proposed development would be of acceptable scale and design, would not adversely affect the character and appearance of the area, would not have an unreasonable adverse impact on the amenities of adjoining occupiers or on safety and security considerations, would provide a satisfactory standard of accommodation, sufficient affordable housing provision, sustainability measures and planning obligations contributions. In addition, the proposal would provide much needed residential accommodation and would contribute to the wider regeneration benefits to Wallington.

1.0 **BACKGROUND**

1.1 **Site:**

1.2 The application site comprises numbers 1-6 and 41-44 Woodcote Road and is located in the primary shopping frontage of the Wallington District Centre, as defined in the Sutton Unitary Development Plan (UDP).

1.3 Wallington Square is a 1960's pedestrian retail precinct fronting Woodcote Road behind the street frontage extending eastward to Clarendon Road at the rear. There is a Public Right of Way which extends through the shopping precinct at Wallington Square. The site comprises ground floor retail units fronting Woodcote Road and a vacant two storey office building above. The existing building is generally clad in metal and glass panelled curtain walling. The office building was vacated in September 2003 and is in a state of disrepair. The ground floor comprises a variety of retail units namely Clinton Cards (unit 1), Andrews Estate Agents (Unit 2), Paul Graham Estate Agents (unit 3), Nationwide Building Society (Units 4 and 6) and Boots the Chemist (Unit 41 and 43). The site is accessed from Woodcote Road, with the office building being cantilevered over the access through to the Wallington Square shopping precinct.

1.4 In addition, located to the south of the main application site, the application includes part of an existing car park located to the south of Wallington Square located within the basement level of the car park primarily occupied by the Sainsbury's supermarket.

1.5 The car parking is located with in the basement of the building primarily occupied by Sainsbury's. The parking area is accessed by vehicles via Stafford Road and by a pedestrian stairwell located onto Woodcote Road. The pedestrian stairwell is currently open to the public and is unlit, in a poor state of disrepair, and appears to be generally unused by legitimate users.

1.5 To the north of the site there is a three storey terrace (faced in red/brown brick), within a distinctive, bay fronted, Victorian building façade, comprising retail units at ground floor level, while three-storey inter war buildings, with retail on the ground floor and residential above (faced in red/brown brick), are located to the south of the site. Clarendon Road and the area behind the Square are comprised largely of residential flatted developments and some terraced housing and conversions. To the north east of the site Rosswood Gardens backs onto the Square behind the main shopping frontage and this street contains semi-detached houses and some flatted development.

1.6 The site has change in levels sloping down from the south towards the north.

1.7 The application site is located within an accessible/sustainable location within the Wallington District Centre and is within close proximity to public transport amenities including a bus stop directly in front of the site and the Wallington train station within 250 metres north of the site. There are also public car parks within this town centre location. Woodcote Road is identified as a London Distributor Road in the UDP and is subject to various waiting restrictions.

1.8 There are 4 street trees and numerous pieces of street furniture including seats, cycle stands and advert boards just outside the site (to the west) along the footway which abuts Woodcote Road.

1.9 Opposite the site to the west are other ground floor retail units which form the main thoroughfare of the Wallington District Centre including a news agency, a pharmacy, a bakery, bank and retail uses some with first floor residential accommodation above. It is worth noting that Wallington Town Hall is a Grade II Listed Building. A 'zebra' pedestrian crossing links the Wallington Square shopping parade with the western side of the District Centre. On-street parking in Wallington is subject to time restrictions on both sides of the road.

1.10 **Site specific UDP designation:**

1.11 The site is located within Wallington District Centre, a Sustainable Residential Area and a Primary Shopping Frontage as defined in the Sutton Unitary Development Plan (UDP).

1.11 **Relevant Planning History:**

1.12 The existing building was granted planning permission in 1963. Since then there have been numerous applications relating to the retail elements of Wallington Square.

1.13 The most relevant planning applications for the site are:

- D2004/52966/FUL – Planning permission refused on 25th November 2004 for conversion of first and second floors into twelve 1-bedroomed and ten 2-bedroomed self contained flats and alterations to front and rear elevation including new columns, recladding and new windows. The application was refused for two reasons:

  - *"The applicant has failed to provide adequate evidence that suitable marketing of the office floorspace has taken place and demonstrated that this floorspace has been vacant for a period exceeding one year. Therefore the applicant has failed to demonstrate that there is no market demand for the application floorspace for office use and that it does not have a realistic future for office use. This is contrary to policy EM3 of the Sutton Unitary Development Plan"*

  - *"The non-provision of car parking spaces and cycle storage together with the absence of a contribution to sustainable transport initiatives would cause an adverse impact on transport infrastructure in the area, contrary to policies TR12, TR13 and TR18 of the Sutton Unitary Development Plan*".

- D2006/57022/FUL – An application was submitted for refurbishment and conversion of first and second floors of office premises into seven 1-bedroomed and twelve 2-bedroomed self contained flats, provision

of cycle facilities and retention of thirty four car parking spaces at first floor level. This was subsequently withdrawn.

2.0 APPLICATION PROPOSALS

2.1 Details of Proposal:

2.2 Planning permission is sought for the creation of a new third floor to the frontage building and the conversion of the existing office building to provide a total of 33 new residential units (12 affordable). These would comprise nineteen 2 bedroomed and fourteen 1 bedroomed self contained flats. New cycle and refuse storage would be provided. In addition it is proposed to install new shopfronts for units 1,2,3 provide extensions to the front of units 4 -6 and 41 – 43 Wallington Square, create a new unit to provide 92 square metres (for purposes falling within classes A1, A2, A3) and carry out alterations to shopping centre entrance, and associated works.

2.3 The application proposes to use 36 off street car-parking spaces within the basement of the existing multi storey car park relating to the Sainsbury's Superstore. The applicant states within the submission that he has a leasehold interest in the spaces. During Sainsbury's opening hours the car park located within the basement is served by lift and travelator to Stafford Road and stairs to Woodcote Road. The door serving the stairway access to Woodcote Road is currently an escape only and fitted with a fire escape door. This will be modified to allow residents entry by key pad. Additional security improvements include the erection of sliding security gates. Alterations are required to the car park to convert standard car parking bays to disabled bays and remove a trolley bay to create a car parking bay. The proposed alterations and improvements to security within the car park will require approval by the freeholder and leaseholder.

2.4 The proposed scheme comprises a mixed use refurbishment, conversion and redevelopment including the retention and change of use of the existing building along with alterations to the external appearance of the building including the provision of balconies. In addition a third floor extension is proposed to the existing building involving the provision of a green roof.

2.5 At ground floor level new shopfront units are proposed to units 1, 2, 3. This would involve the installation of Toughened Planar Glazing and reshaping of the façade into a more curvilinear form. Extensions are proposed to units 4-6 (Nationwide Building Society) and 41-43 (Boots the Chemist). The extensions to units 4-6 would be 4.7m in width and 4.7m in depth. The extension to unit 41-43 would be 2.7m in width and 4m in depth. The proposals involve the insertion of a new unit which would sit under the cantilevered first floor of the main building. This new unit would have an oval shape and an overall floor area of 92 sq.m. It would have overall maximum dimension of 5.9m in width, 10.2m in depth and 4m in height.

2.6 The first, second and new third floor of the proposed development comprise 12 self contained flats on the first floor, 12 on the second floor with a further 9 units contained within the third floor (including 12 affordable units in the form of 6 social rented units and 6 intermediate rented units). The changes also include the redesign of the fenestration to the first and second floors of the building as

well as the addition of curvilinear balconies which take their influence form the 1930's period. The top floor would be set back from the level of the main front façade by 2.6m and setback from the rear elevation by 1.5m. It would also be set back from the side elevations by 2.3m to the north and 0.8m to the south. It would have maximum dimensions of 63.5m in length, 12m in depth and 2.6m in height. The proposed materials are dove grey coloured render with tinted glass balconies in a grey metal frame.

2.7 In addition 19 cycle spaces, service and amenity facilities, landscaping and improvements to the public realm involving the planting of two new heavy standard ash trees to the front of the site are proposed.

2.8 The proposals include numerous sustainability measures details of which are set out later in a separate section of this report.

2.9 Flats 1 and 13 (6% of the units) are proposed to be fully wheelchair accessible. The units do not fully comply with Lifetime Home Standards. The flats would comply with 6 of the 16 of the criteria of achieving Lifetime Homes (2 criteria are not applicable). In the case of the other Lifetime Homes criteria the applicant has justified that housing will be built to Lifetime Homes Standard as far as is achievable given that the development involves the reuse of an existing building.

2.10 Further details of elements of the proposal are described in the appropriate parts of this report.

2.11 The applicant has agreed to enter into a S106 agreement relating to the following matters:-

Contribution towards:-	**Contribution Amount**
Education	£6, 162
Private Amenity Space	£8, 370
Sustainable Transport Improvements	£5, 434
Public open space in the borough	£5, 700
Improved sport / recreation facilities in the borough	£49, 100
Improved play space / facilities for children in the borough	£22, 800
Environmental Improvements	£16, 500
The Council's S106 administration costs	£3, 609

TOTAL	**£117, 675**

2.12 Significant amendments to application since submitted:

2.13 Amended drawings were received on the 10th November 2009. The amendments include:

- Changes to the lower ground floor of the car parking area;

- Deletion of totemic structure;
- Amendment to roof design of new third floor;
- Relocation of the proposed café unit to move it further to the east into Wallington Square and relocation of an existing 'I-plus' terminal;
- New planters, bench seating and associated works which were proposed to the footpath to the west of the site abutting Woodcote Road do now not form part of the proposal;
- Amended balcony design;
- Amendments to lobby arrangement;
- Relocation of first floor cycle storage, and a reduction in the quantum of cycle storage provided from 22 spaces to 19 spaces;
- Introduction of sun pipes within sedum roof.

3.0 **PUBLICITY**

3.1 **Method of Notification:**

3.2 A total of 578 letters were delivered on the 24/25th June 2008 to adjoining and surrounding neighbours. Two site notices were also displayed.

3.3 **Number of Letters Received:** 1 letter and petition of support received containing 23 signatures from surrounding businesses, 14 individual letters of objection (3 of which are identical letters) including one letter from the Heathdene Area Residents' Group.

3.4 **Addresses of neighbour representations:**

- Woodcote Avenue, Park Hill Road, Magnolia Court, Brambledown Road, Heathdene Road, Rosswood Gardens and Grosvenor Road.

3.5 **Summary of material responses:**

3.6 Heathdene Area Residents' Group object for the following reasons:

- Proposal contravenes planning policies
- It is important that surrounding buildings in the high street do not detract from the appearance of the listed Wallington Town Hall by virtue of their overbearing height, size or bulk
- Proposal would act as a precedent to allow similar applications for increase in height

3.7 The individual letters object on the following grounds:

- Objection to extra storey and to additional flats in the High Street
- Extra height would be detrimental to the Listed Town Hall
- Adverse impact on quality of life and on health of nearby residents
- Loss of sunlight and daylight from gardens in Rosswood Gardens
- Would be noisy and dusty when being built
- Negative effect on traffic and parking in Wallington
- Impact on services and local hospitals, schools, GP's, utilities providers;
- The flats will be reliant on gas/electricity

- Wallington square would benefit from more retail units to attract better known stores. The plans look good and would be a great improvement but concerned that there are too many flats being built and not many retail units

3.8 The letter of support and attached petition containing 23 signatures raises the following issues:

- Proposals will improve the Square making it more attractive to shoppers, resulting in associated benefits to Wallington Town Centre as a whole;
- The square has been in need of improvement for many years and the poor state of the square contributes to poor trading conditions;
- Major multiples such as Boots the Chemist, Nationwide Building Society, Superdrug, Clarkes, Peacocks, Clinton Cards and the William Hill organisation have all signed the petition.

3.9 **Summary of Non-material responses:**

- Would devalue price of nearby property;

3.10 **Official Consultation**

3.11 Internal:

3.12 Senior Transport Engineer: No objections to the proposed development subject to conditions regarding cycle storage and construction management and an appropriate agreement being secured through a S106 Agreement to ensure the provision of Oystercards / Travelcards, provision of a welcome pack to each flat, one year free membership of a car club and payment to the Council for a financial contribution towards Sustainable Transport Improvements.

3.13 Housing Enabling Officer: No objections to the proposed development although it does not meet Council requirement for the provision of 50% affordable housing. They have raised queries in respect of disabled access and whether the proposal will meet Lifetime Homes.

3.14 Highways and Waste Management: No objections to the proposed development.

3.15 Biodiversity Manager: There is a risk that bats may use the current building. It is suggested that an assessment of potential bat roosts is required, that a survey to establish if the area is used by bats is undertaken, and that landscaping/building design proposals should be developed to improve biodiversity on site in line with PPS9.

3.16 Environmental Health: No objection subject to conditions to ensure that details of sound insulation are submitted.

3.17 **External:**

3.18 Crime Prevention Officer: Raises concerns on the basis that the new unit and entrance arch will impact and restrict any natural surveillance to the covered area of the shopping mall. The under croft area in the square already causes crime

and disorder issues for the local police. The new unit/café will restrict the amount of surveillance from Woodcote Road. The proposal restricts the amount of public space in the thoroughfare and this may well increase the fear of crime and provide opportunities for crime. The square already has CCTV coverage, however, still suffers from crime problems as it is largely devoid of activity by legitimate users in the evenings. The addition of this unit will contribute a feature that will increase crime and disorder issues rather than design them out. Whilst CCTV is an option to use in the under croft its use will have limited effect. I suggest that the square could be gated off in the evenings once the shops have closed to address crime and disorder issues.

3.19 Thames Water Utilities: No objection in respect of sewerage infrastructure.

3.20 Sutton and East Surrey Water: No response received.

3.21 Environment Agency: No response received.

3.22 **Councillor Representation:**

3.23 Application de-delegated by Councillor Jayne Mc Coy on the grounds that she is supportive of the scheme and believes that it needs to be considered by Development Control Committee because of its significance for the streetscene in a significant shopping area.

4 MATERIAL PLANNING POLICIES

4.0 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the London Borough of Sutton comprises the following documents:

(1) The London Plan (consolidated with alterations and adopted February 2008).

(2) The Sutton Unitary Development Plan (UDP) (adopted April 2003)

(3) The Local Development Framework (LDF) will in due course replace the UDP as the Development Plan for the Borough along with the London Plan. At present the LDF comprises two main documents (an additional Area Action Plan is being prepared for Sutton Town Centre):

4.1 (a) The Core Planning Strategy (CPS) which sets out the Council's long term vision, spatial strategy and core policies for shaping the future development in the Borough and managing change over the next 15 years in line with the principles of sustainable development. In June 2009 a public Examination by an independent Government Inspector was held into the CPS and subject to certain changes the CPS was considered to be 'sound'. An amended version of the CPS, incorporating the Inspector's recommendations, has been approved by the Council's Executive Committee for formal adoption. The CPS contains a schedule of those UDP Policies that will be superseded after Adoption.

4.2 (b) The Site Development Policies (SDP) which identifies sites for future development (outside Sutton Town Centre) and sets out detailed development management policies to be used to help decide planning applications. The SDP has been through two stages of public consultation and will be submitted to the Council's Executive in December 2009 for Publication and subsequent submission to the Secretary of State. A further public consultation will be carried out in January 2010 with Submission scheduled for May 2010. The SDP is likely to be the subject of public examination in October 2010. At present the SPD only has limited weight as a material consideration in deciding planning applications and it is not yet appropriate to list the relevant policies in Committee reports. However, the DPD will gather increasing weight as it moves further towards Adoption.

4.3 The London Plan: Consultation draft replacement plan, October 2009. This document, which will eventually replace the existing consolidated version of the London Plan, has been published for public consultation until 12 January 2010. A public Examination is likely to be held in Summer/Autumn 2010. Although the draft replacement plan will not supersede the existing London Plan until after it has been formally adopted, the draft plan will be a material consideration that should be taken into account in deciding planning applications and will gather increasing weight the further into the replacement process.

4.5 In the event that there are discrepancies between the adopted CPS, SDP and Replacement London Plan, legal guidance indicates that the latest adopted document prevails.

4.6 **Also a Material Consideration in Determining Planning Applications are**:

(a) National Planning Guidance in the form of Planning Policy Statements and Planning Policy Guidance / Documents.

(b) Adopted London Borough of Sutton Supplementary Planning Guidance/Documents.

4.7 **National Planning Guidance**:

- PPS1 – Delivering Sustainable Development
- PPS3 – Housing
- PPG13 – Transport
- PPG15 – Planning and the Historic Environment
- PPS22 – Renewable Energy

4.8 **The London Plan:**

- 2A.9 - The Suburbs: Supporting Sustainable Communities
- 3A.1 - Increasing London's supply of housing
- 3A.2 - Borough housing targets
- 3A.3 - Maximising the potential of sites
- 3A.5 – Housing choice
- 3A.6 –Quality of new housing provisions
- 3A.9 – Affordable housing targets

- 3C.23 - Parking strategy
- 3D.11 – Open space provision in DPD's
- 3D.12 – Open space strategies
- 3D.14 – Biodiversity and nature conservation
- 4A.1 – Tackling climate change
- 4A.3 - Sustainable design and construction
- 4A.4 – Energy assessment
- 4A.7 - Renewable energy
- 4A.14 – Sustainable drainage
- 4A.16 – Water supplies and resources
- 4B.1 - Design principles for a compact city
- 4B.2 – Promoting world-class architecture and design
- 4B.5 – Creating an inclusive environment
- 4B.6 – Safety, security and fire prevention and protection
- 4B.8 - Respect local context and communities

4.9 **The Sutton Unitary Development Plan:**

- G/SD1 – Land Use and Transport Provision
- G/SD4 – Urban Environment and Open Landscape Quality
- G/SD5 – Urban Regeneration
- G/0E5 – Nature Conservation and Important Landscape Features
- G/HSG1 – Residential Environment
- G/CL1 – Community Facilities and Services
- G/TR5 – Transport Impact of New Development
- G/TR8 – Pedestrians and Cyclists
- G/PNR1 – Environmental Protection
- OE19 – Open Space Deficiencies
- BE1 - Good urban design
- BE4 - Building Relationships
- BE5 - Daylight and Sunlight
- BE8 – Designing for Safety and Security
- BE9 - Access for Disabled People
- BE12 - Landscape Provision in New Development
- BE14 – Residential Quality in Sustainable Locations
- BE17 - Private Amenity Space
- BE18 – Privacy
- BE26 – Control over Development within the Setting of a Listed Building
- HSG1 - Environmental Impact
- HSG2 - Intensity of Development
- HSG6 – New Residential Development in Sustainable Locations
- HSG11 – Housing Mix
- EM3 – Change of Use from Office Units
- 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
- TR28 – Cycle Parking and Storage
- TCS20 - Promotion of Local Centres & Loss of "Basic" Shops

- TCS23 - Local Shops in Dispersed Locations
- IMP1 – Planning Obligations

4.10 **Core Planning Strategy:**

- PMP1 – Housing Provision
- PMP2 – Suburban Heartlands
- PMP9 – The Open Spaces Network
- BP1 – Housing Density
- BP2 – Affordable Housing
- BP4 – Education and Skills
- BP6 – One Planet Living
- BP7 – Flood Risk and Climate Change Adaption
- BP9 – Enabling Smarter Travel Choices – An Area – Based Approach
- BP10 – Transport Strategic and Borough Wide Proposals.
- BP12 – Good Urban Design and Heritage.

4.11 **Supplementary Planning Guidance/Documents**

- SPD1 – Designing Out Crime
- SPD3 – Affordable Housing
- SPD5 – Planning Obligations
- SPD 14 - Creating Locally Distinctive Places
- IPG 11 - Sustainable Design and Construction
- Manual for Streets (CLG DfT 2007)

5 PLANNING CONSIDERATIONS

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

- **Principle of Proposed Uses**
- **Design Quality**
- **Safety and Security**
- **Impact on Neighbours**
- **Layout**
- **Traffic, Parking & Access**
- **Sustainability**
- **Affordable Housing**
- **Biodiversity**
- **Trees and Landscaping**
- **Planning Obligations**
- **Other Material Considerations**

5.1 **Principle of Proposed Uses:**

5.2 The building occupies a sustainable location both in terms of its location at the southern end of Wallington District Centre and its proximity to local transport infrastructure being some 250 metres from Wallington Station and on a number of bus routes. National Planning Policy Statement 3 *Housing* (PPS3)

encourages development that makes more efficient use of land and this guidance seeks to encourage a greater intensity of development in sustainable locations. No change of use is proposed for the ground floor commercial units thus retaining an active street frontage to Woodcote Road.

5.3 However, a significant part of the scheme comprises a change of use from offices to self-contained residential flats. Policy EM3 states that the Council will encourage the mixed use development of surplus office units where it can be demonstrated that:-

(1) The building or site has been vacant for more than 12 months;

(2) The building or site has been marketed for appropriate office uses without success; and

(3) The building or site does not have a realistic future for office development.

5.4 The applicant's planning statement in support of the application accurately submitted specific marketing information prepared by Lambert Smith Hampton who were responsible for marketing the premises. This report details the recent history of the use and marketing of the building together with an appraisal of the likely future for the building given the results of the marketing undertaken. Together, these address the three requirements of policy EM3 listed above.

5.5 In terms of policy EM3, the first and second floor of the building has been vacant since September 2003.

5.6 The applicant's marketing report details the history of marketing of the building from the autumn 2003 until March 2006 including information in respect of the responses from interested parties. This demonstrates that there has been a distinct lack of real interest in leasing the building despite this marketing campaign. It is considered that this meets the second criterion of policy EM3.

5.7 As well as documenting the lack of success in finding office tenants for the building the applicant gives an appraisal of the Wallington office market. They are of the view that the Wallington office market is of a much lower profile compared to the nearby centres of Sutton and Croydon. They have stated that Wallington is a submarket of these larger office markets and has traditionally had a large amount of vacant space as a result they are of the view that *"it is not considered that the building has a realistic future for office development based on the structural changes in the market….and that the future for the building is one of continued degradation and decay further having a negative impact on both the street scene of Woodcote Road and the vitality and viability of Wallington Town Centre"* It is considered that this conclusion is fair from the evidence presented and therefore the third criterion of policy EM3 is met, allowing for a change of use from offices to a mix of uses.

5.8 It is considered therefore that refusal reason 1 of application no. D2004/52966/FUL relating to a loss of employment generating office space has been satisfactorily overcome by the current application and that the proposal would contribute to making more efficient use of land.

5.9 The provision of new residential accommodation and the improvement of the existing retail facilities is fully in accordance with the Council's Policies to promote the vitality and viability of its Town Centres.

5.10 **Design Quality:**

5.11 Policy BE1 of the UDP and policy BP12 of the Draft Core Planning Strategy requires development to respect or reinforce the character and identity of the area and avoid developments, which do not integrate well into the surroundings. PPS3 reinforces UDP policy by seeking to achieve good design and affirms that "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted."

5.12 The first and second floor of the building has remained vacant since 2003. It is accepted that development of the site represents a significant opportunity to improve the Wallington centre and townscape and it is therefore particularly important to ensure that the scheme has been carefully considered within a rigorous and detailed analysis of the context of the area that results in a convincing high quality design solution.

5.13 The ground floor comprises primarily retail floorspace, which have substantially glazed frontages. The proposal involves the replacement and alterations to the siting of this fenestration which would add to the activity at ground floor level and interaction with the streetscene providing a welcoming appearance.

5.14 The insertion of the new freestanding unit seeks not only to increase business floorspace but at the same time, it seeks to 'close the gap', remove the negative visual void that currently exists and make the approach to the centre more attractive and welcoming. It is also the intention that this element will act as a visual townscape marker for those approaching the centre/square and as a result. The design, size and scale of the new unit is considered to be acceptable and it is considered that this would result in an improvement to this District Centre. It is considered that this aspect of the scheme would enhance the streetscene at ground level and also add to the vitality and vibrancy of Wallington centre. It is considered that the new unit needs to be constructed in the highest quality, robust and durable materials to ensure that it is delivered successfully. The details of the materials would be reserved by condition for future approval.

5.15 The treatment of the upper floors with the changes to the fenestration, refacing with through coloured off-white or 'broken' white render and application of curvilinear balconies successfully articulates this principle street elevation. This concept was influenced by the rhythm of the projecting bays to the terraces to the north and the need to reduce the blandness of the existing form. In addition, the balconies will add rhythm and visual interest when viewed from either the north or the south. The details of the facing materials for the façade and balconies, including samples, would be reserved by condition for future approval.

5.16 The additional floor is set back from the edge of the front and side elevations to ensure that it achieved subservience to the host building. It has been designed to be recessive and constructed in different coloured materials to avoid drawing attention to itself. There will be certain locations where the new floor will be seen but it is considered that the applicants have put forward a sound urban design justification for the proposals. Overall, the additional floor will not detract from the skyline, the streetscene or the building below and the bulk and mass of the proposal is considered acceptable. Given the benefits arising from the scheme, overall, it is considered that the additional floor to be acceptable and accords with Government Policy.

5.17 Objections have been raised with regard to the impact of the proposal on the setting of the Grade II Listed former Wallington Town Hall. However, the former Town Hall is set well back from the road frontage with a formal forecourt to the east (front) of it. Buildings within the District centre partly obscure views of the Listed Building, which comes more into view on the approach towards and directly opposite where the entire composition of the building can be appreciated. From the southern approach, views can be obtained of the former Town Hall as a deflected view because of the setback which opens up when directly in front of that space. When approaching from the south, due to the topography which falls downhill from the junction with Stafford Road and Woodcote Road, there are points where the townscape foils reveal the town hall and permit peripheral views of the subject site. However, it cannot be said that this view is such that one building has a direct impact on the other, bearing in mind that Wallington Square is further to the north, on the opposite side and on the downslope of the street. As a result, the proposed additional floor would not detract from the setting of the Listed former Town Hall building and the special historic setting of the Listed building would be preserved.

5.18 For the reasons given above, it is considered that the building proposed is acceptable and would not harm the appearance or character of the area nor the setting of the nearby Listed Building in accordance with Central Government Guidance and Development Plan Policy.

5.19 Overall, in terms of townscape and urban design it is considered that the proposals would significantly improve the appearance of the existing somewhat unattractive 1960's buildings and visually enhance this part of Wallington District Centre

5.20 **Safety and Security**

5.21 With regard to policy BE8 (Designing for Safety and Security) and the good practice guidance contained in the Council's Designing Out Crime (Security) SPD, the applicant's Design and Access Statement has a reference to policy BE8 and the scheme incorporating design principles and layouts that will reduce crime within the borough.

5.22 The Council's Secure by Design Adviser has concerns with the proposal on the basis that the new unit and entrance arches will impact and restrict any natural surveillance and increase the fear of crime to the covered area of the

shopping mall. He is of the view that these areas could be readily accessed by any persons, being an uncontrolled open undercroft which would be of a poor design in terms of 'designing out crime'. The Council's Secure by Design Adviser has suggested that the square should be gated off in the evenings once the shops have closed to address crime and disorder issues.

5.23 The issue in respect of the provision of gates at the entrance to the square has been raised with the applicant. They have responded stating that *"It is understood that in order to secure the gating of the centre a formal application under the relevant Highways Act is required. Such an application will be required to be published and notice served on the Local Authority and the affected statutory undertakers. There is a 28 day period for objections. As such, it is not possible to offer up the gating of the centre as part of this application. However, once a valid planning permission is in place, my client can proceed with the necessary application…..it should be noted that should any objections be received to any such application which remain withdrawn then a public inquiry may be required"*

5.24 Whilst the applicant has stated that the provision of security gates is not feasible at present, certain amendments to the scheme have been negotiated with the applicant. The entrance to the square to the south and north of the proposed new unit has been altered with the removal of piers and an entrance arch. These amendments will improve visibility and surveillance at the important ground floor facing the streetscene. The applicant has also stated that he proposes improvements such as increased lighting and CCTV at the entrance to the square. These measures could help to mitigate the impact of the proposed new unit and improve visibility and natural surveillance.

5.25 With respect to the car park below Sainsbury's, the pedestrian entrance from Woodcote Road would now be controlled in two parts with a sliding security gates only allowing access by residents through a secure entry system and a swipe card entry system at the pedestrian stairwell. The result of such controls would be that the proposed parking area within the basement of the Sainsbury's building would not be freely accessible to the public at any time. Conditions requiring details of the sliding gates and swipe card entry systems together with measures proposed at the entrance to the square are recommended.

5.26 Whilst the inclusion of gates at the front and rear of the Wallington Square shopping precinct would be desirable from a safety and security perspective on balance, having regard to having regard to the overall benefits to Wallington District Centre of the project itself in conjunction with the improvements to lighting offered by the scheme at the entrance to the square it is not considered that the design of the proposals would cause demonstrable harm in relation to safety and security issues that would warrant a refusal of planning permission.

5.27 **Impact on Neighbours:**

5.28 Policy BE4 requires that new buildings are designed and sited in such a way as to avoid compromising the private use and enjoyment of existing residential occupiers, particularly in terms of privacy, amenity and outlook. BE18 seeks to ensure that appropriate levels of privacy are maintained.

5.29 Concerns have been expressed that the neighbouring properties would suffer from a loss of light as a result of the proposal. In terms of the requirements of policy BE5 having regard to the separation distances between the adjoining and neighbouring properties and the application site it is not considered that any of the proposed neighbouring occupiers would have the potential for a loss of daylight or unreasonable loss of sunlight that would warrant a refusal of planning permission.

5.30 An objection has been received on the basis that the proposal would result in overlooking and a potential loss of privacy.

5.31 The proposed development is not considered to unreasonably exacerbate overlooking as the proposed units are 18 metres from the boundary with No. 17 Rosswood Gardens (the nearest residential occupier). Having regard to this separation distance it is not considered that overlooking that would warrant a refusal of planning permission would result. Whilst it is acknowledged that there will be some adverse impact in respect of outlook from the neighbouring properties, given the separation distances involved and having regard to the fact that the additional floor to the building is a mere 2.6m in height and is set back from the side and rear facades, it is not considered that the loss of outlook would be undue. Whilst it is acknowledged that some additional overlooking and loss of outlook would arise, having regard to the reason outlined above it is concluded that the development would not cause demonstrable harm by virtue of undue overlooking or loss of outlook to the living conditions of adjoining occupiers that would warrant withholding planning permission.

5.32 Concerns have been expressed regarding potential noise and disturbance during the construction period. With regard to the construction period, it is inevitable that some noise and disturbance is likely to result on any site where new development is taking place. However, noise and disturbance from construction sites is subject to environmental protection legislation, and concerns regarding this matter cannot substantiate grounds for refusal. In addition a condition is recommended in relation to construction hours.

5.33 Therefore, it is considered that the proposal would not result in an unacceptable loss of light, loss of outlook, loss of privacy or adverse impact on the quality of life or health of neighbouring occupiers that would merit withholding planning permission.

5.34 **Layout and Access:**

5.35 Whilst it is acknowledged that internal areas are largely a matter for the occupier to determine, SPD14 provides guidance with regards to the suitability or otherwise of the proposed internal layout of conversions and new build to ensure residential quality.

5.36 All new housing is normally required to meet minimum (outdoor) amenity space standards in accordance with policy BE17 of the UDP unless an adequate amount of amenity space can be met by other means. SPD14 provides more specific guidance which recommends that all flats to have a minimum of 25 m2 of private amenity space. Where this is not possible a contribution towards the improvement or provision of public open space within the locality will be sought.

5.37 In this case private amenity space is provided in the form of balconies. Most of the upper floor flats would have private balconies of 6.5m2 in size. Normally the Council would require a total of 825 m2 of amenity space for the proposed flats. In total the overall amenity space provision for the flats is 104 m2. Although it would be desirable for the proposed properties to meet the amenity space standards of SPD14, the amenity space provision is below that prescribed in the Council's guidance. A contribution of £5700 has been offered in respect of an Open Space contribution and having regard to the town centre location of the site, in this case, it is considered that the amenity space provision is on balance acceptable.

5.38 All new housing is required to meet minimum internal housing standards (floor areas), which are specified in SPD14. Two bedroom dwellings are required to have a minimum floor area of 11 m2 for each double bedroom, 6.5 m2 for each single bedroom, 19.5 m2 for the living/dining area, 5.6 m2 for the kitchen and 4.0 m2 for a bathroom containing a WC.

5.39 The scheme generally complies with these minimum floor areas, although there are some instances where they are not achieved. In these cases the amount of non-compliance is negligible and it is not considered that this small amount of difference is justifiable as a reason for refusal. It is considered that the proposed floor layouts would allow for an acceptable standard of living for future occupiers.

5.40 Further conditions are recommended in respect of cycle and refuse stores, and subject to the submission of satisfactory details it is considered that the general proposals for these are considered acceptable.

5.41 Policy BE9 states that the Council will cater for the needs of the disabled in terms of accessibility into new or existing developments.

5.42 Level access would be provided to the proposed new communal entrance of the building. However, it should be noted that during the hours when the Sainsbury's supermarket is closed access to the car park for pedestrian disabled users will not be possible. Whilst this is regrettable, given that the site is located within an accessible location and having regard to the fact that an existing building is being converted and utilised it is considered that on balance this arrangement is acceptable.

5.43 It is considered that the layout proposed, amenity space provided and access arrangements would be acceptable providing a satisfactory standard of accommodation for future occupiers.

5.44 **Traffic & Parking:**

5.45 Policy TR12 of the UDP requires that provision be made for off-street parking for motor vehicles in proposals for development in accordance with the Council's car parking standards (set out in Appendix 7, Schedule 7.2). Policy TR12 of the UDP gives maximum car-parking standard for flats/houses (less than 3 bedrooms) as one space per dwelling and up to 30% unassigned communal parking for visitors, i.e., 1.3 spaces per unit. The scheme proposes 36 spaces. The scheme has a requirement of 43 spaces. 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. Further, Policy TR18 states that permission for new development will not be granted if a proposal adversely affects transport infrastructure.

5.46 The proposal provides 36 off street car-parking space within the basement of the existing multi storey car park relating to the Sainsbury's Superstore. The applicant states within the submission that he has a leasehold interest in the spaces. The applicant has stated that *"the car parking spaces included within the planning application do not represent any loss of car parking to Sainsbury's…these spaces are already leased to the applicant"*.

5.47 The application site is located within an accessible/sustainable location within the Wallington District Centre and the Public Transport Accessibility level (PTAL) rating for the area is good rated as 4. The Council's Senior Highways Engineer considers that the parking provision proposed is acceptable subject to conditions.

5.48 19 cycle parking spaces have been provided to the rear of the site and at the entrance to the residential units to encourage more sustainable forms of travel. The proposal has a requirement for 33 spaces. Whist full provision is not achieved, the spaces that are proposed are easily accessible and useable and given that the proposal involves the conversion of an existing building it is considered that this level of provision is acceptable. Given the above, it is considered that the proposal is acceptable in parking and traffic terms and in accordance with policy TR12, TR13 and TR18 of the UDP.

5.49 Objections have been received on grounds of the proposed quantum of parking provision and potential for negative impacts as a result of potential increased traffic. However, the Senior Highways Engineer has considered the supporting information and survey in detail and it is considered that the proposed development would not result in any detriment to the local highway network in terms of traffic or parking and as such an objection is not considered to be sustainable. The scheme encourages the use of more sustainable forms of transport.

5.50 As such, it is considered that the level of parking provision is acceptable and the proposal is unlikely to have a significant impact on traffic and parking in the vicinity. The Senior Engineer has not objected to the current scheme and it is considered that the parking provision proposed overcomes the second reason for refusal of the previous scheme.

5.51 **Sustainability:**

5.52 Policy 4B.6 of the London Plan, seeks the submission of a statement showing how sustainability principles would be met in terms of demolition, construction and long-term management. Policy 4B.7 seeks the preservation or enhancement of local character. Policy 4A.7 requires the inclusion of energy efficient and renewable energy technology. The Council's Interim Planning Guidance No. 11 Sustainable Design and Construction stated that for residential development involving 1 new dwelling there will be an expectation to achieve a 10% reduction in carbon dioxide emissions, Residential developments of at least 50 new dwellings are expected to achieve a 20% reduction.

5.53 It is noted that energy efficiency gains would be likely to be made due to the approach taken to refurbish the existing building with extensions and a new floor added as opposed to demolition of the existing building and a completely new-build development. In addition, the applicant has justified through the provision of an "Energy Report" that it is feasible to produce an 11% carbon dioxide reduction through the use of solar thermal panels. Whilst it is regrettable that a carbon reduction in excess of 11% is not achieved for this site it is considered that given that the applicant will have to work within the constraints of converting and extending and existing building and having regard to the limited space available on the roof it is considered that in this instance an 11% in carbon dioxide reduction is acceptable.

5.54 The applicant has advised that they will achieve a Code for Sustainable Homes level 3 and that the following measures are being considered in order to achieve this, for example, reduced space heating requirement through improved U-values; high efficiency condensing boilers; use of low energy lighting; high efficiency heating system with good zone, use of low water use sanitary fittings and reduced air infiltration.

5.55 It is considered therefore that the principles of sustainability have been satisfactorily taken on board by the applicant including the efficient use of land, the sustainable location of the site relative to Wallington train station and buses together with the provision of cycle spaces and storage.

5.56 Appropriate conditions of approval are recommended requiring the details of these measures to be submitted for the Council's approval to ensure these initiatives are successfully included within the development.

5.57 **Affordable Housing**

5.58 Policy 3A.7 of the London Plan deals with affordable housing targets. The Mayor's strategic target for affordable housing provision is that 50% of housing provision should be affordable. PPS3 states that Councils should consider the *"economic viability of land for housing……drawing on informed assessments of the likely levels of finance available for affordable housing, including public subsidy and the level of developer contribution that can reasonably be secured"*

5.59 The proposal includes the provision of affordable housing, the schedule of which is 6 x 2 bed units (social rented homes) and 6 x 1 bed units (intermediate rented). In total the amount of affordable housing proposed comprises represents 12

units. This represents 36% of the total amount of housing units proposed. The provision of 36% in this case is therefore a shortfall, however the applicant has submitted a financial viability statement which demonstrates that the provision of a higher proportion of affordable housing would not be financially viable in this case, meaning that the scheme would not proceed.

5.60 Following advice by the Council's Head of Asset Management, the conclusions in the applicant's financial viability statement are accepted, justifying this level of affordable housing provision in this refurbishment scheme. It is accepted that the provision of a greater proportion of affordable housing than proposed would jeopardise the financial viability of the scheme.

5.61 The proposal also includes the provision of 2 wheelchair units in the affordable tenure. These would provide 15% of the total affordable housing. The units do not fully comply with Lifetime Home Standards. The flats would comply with 6 of the 16 of the criteria of achieving Lifetime Homes and 2 criteria are not applicable to this scheme. In the case of the other criteria of achieving Lifetime Homes the applicant has justified that housing will be built to Lifetime Homes Standard as far as is achievable given that the development involves the reuse of an existing building. These elements of the proposal have been assessed by the Council's Housing Services team and they have raised no objection to the proposals.

5.62 For the reasons given above, it is considered that the affordable housing provision is acceptable in accordance with Central Government Guidance and Development Plan Policy.

5.63 **Biodiversity**

5.64 PPS9 seeks to conserve, enhance and restore wildlife habitat by sustaining, and where possible improving, the quality and extent of natural habitat and enhancing biodiversity in green spaces and among developments. The site is not designated as being of any significant ecological value; however, the biodiversity manager has stated that there is a risk that bats may use the current building. It is suggested that an assessment of potential bat roosts is required, that a survey to establish if the area is used by bats is undertaken.

5.65 If approval were granted, a condition could be imposed to ensure that a survey to establish whether bats roost in the building shall be carried out and approved in writing by the Local Planning Authority prior to the development being carried out.

5.66 **Trees and Landscaping**

5.67 Four street trees are located to the front of the site in close proximity to the proposed new unit. These trees have significant visual amenity and add to the character of the streetscene. This contribution will be increased given that the proposal involves the provision of two new heavy standard ash trees which would further enhance the streetscape. In addition a further condition is included requiring that details of all hard and soft landscaping be submitted to the Council for later approval.

5.68 **Planning Obligations**

5.69 Policy IMP1 and Circular 1/97 states that, where necessary, the Council will seek to ensure planning obligations from developers to provide community benefits necessary to facilitate implementation of an acceptable development scheme. In March 2007, the Council adopted Supplementary Planning Document No.5 – Planning Obligations, which sets out the basis on which the Council will seek contributions from appropriate development proposals in order to facilitate improvements and benefits to the community and to the local environment.

5.70 The Council's SPD5: Planning Obligations states that for schemes of this scale and nature contributions will be sought for Education, Private Amenity Space, Sustainable Transport Improvements, Open Space, Improved sport / recreation facilities in the borough, Improved play space / facilities for children in the borough and Environmental Improvements. The total contributions (including administration fee) would amount to £117, 675. The applicant has agreed to pay this amount in full.

5.71 It is therefore considered that the proposal complies with SPD5: Planning Obligations and as such the proposal is acceptable in respect of Planning Obligations.

5.72 **Other Material considerations**

5.73 A Concern has been expressed regarding the potential impact of the proposal on local school spaces. However, given the size of the units proposed it is considered unlikely that all of the new households would have children of school age.

5.74 An objection has been received on grounds of the potential for negative impact of the development on services and local hospitals, GP's and utilities providers. However, given that the proposal is for the creation of 33 residential units and is relatively modest, such an objection is not considered to be sustainable.

6 CONCLUSION AND RECOMMENDATION

6.0 The scale, design and siting of the proposed development would maintain the appearance of the streetscene and would not cause harm to the character of the area. It is considered that the amenity of neighbouring occupiers would be maintained and a satisfactory standard of accommodation would be provided for future occupiers. The proposal would not conflict with safety and security issues would provide a satisfactory standard of accommodation, sufficient affordable housing provision, sustainability measures and planning obligations contributions. In addition, the proposal would provide much needed residential accommodation and would provide wider regeneration benefits to Wallington.

6.1 It is considered that the alterations proposed within this current application ensure that the previous reasons for refusal under application (2004/52966/FUL) have now been satisfactorily overcome. The proposed development accords with relevant development plan policy and guidance.

6.2 It is therefore recommended that planning permission be granted subject to the recommended Legal Agreement and Conditions.

Background Papers: D2008/59825/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: **D2008/59825**
3) Click on Search and View Current Applications
4) Click on View Plans & Documents

G

Mr Sutton
Signet Planning
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W1G 8LA

D2008/59825/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

1-6 & 41-44 WALLINGTON SQUARE Woodcote Road Wallington Surrey SM6 8RP

Creation of new third floor to 44 Wallington Square and conversion of 44 Wallington Square to form 33 new residential units (12 affordable units) comprising nineteen 2 bedroomed and fourteen 1 bedroomed self contained flats, new cycle and refuse storage. Installation of new shopfronts for units 1, 2, 3, extension to front of units 4-6 and 41-43 Wallington Square, creation of new unit to provide 92 square metres (for purposes falling within classes A1, A2, A3) alterations to shopping centre entrance, provision of 36 parking spaces and associated works.

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, as amended.

(2) The development shall not begin until a Construction Method 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) provision of boundary hoarding, behind any visibility zones;
(f) measures to prevent the deposition of mud on the highway; and
(g) construction traffic routing

have been submitted to and approved in writing by the Local Planning Authority. 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.

(3) The dwellings hereby approved shall achieve at least a Level 3 rating under the Code for Sustainable Homes. Prior to building work commencing the design stage assessment validated by the Building Research Establishment (BRE) showing that Level 3 will be achieved must be submitted to the London Planning Authority. The post-construction review certificate must also be submitted to the Local Planning Authority prior to occupation of the dwellings showing that a Code for Sustainable Homes Level 3 rating has been achieved.

Reason:
To comply with the Sustainable Design and Construction Interim Planning Guidance Guideline SDC2 and to ensure the overall environmental sustainability of the dwellings.

(4) No development shall take place until details of a scheme to meet the specific security needs of the development hereby permitted including measures at the entrance to Wallington Square and at the entrance to and within the car park (to achieve Secured by Design accreditation) have been submitted to, and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details, and shall be in place before any of the dwellings hereby permitted are occupied, and shall thereafter be maintained.

Reason: In order to deter crime and reduce the fear of crime in accordance with Policy BE8 of the Unitary Development Plan.

(5) No demolition or construction works, including site excavation or any external site works, the operation of plant and machinery, the erection of scaffolding, the delivery of materials, the removal of materials and spoil from the site and the use of any sound amplification equipment, shall take place outside 0800hours to 1800hours Mondays to Fridays and 0800hours to 1300hours on Saturdays and at no time on Sundays or Bank Holidays.

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

(6) Unless otherwise previously agreed in writing, the development shall not be occupied until the public footway adjoining the application site has been resurfaced by the applicant in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory standard of development is provided and the townscape of Wallington Centre is suitably enhanced.

(7) 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 secure cycle parking. The approved details shall be implemented, and thereafter be permanently maintasined.

Reason: PPG 13 sustainability objectives - To encourage access by non-car modes and facilitate integration between sustainable forms of transport.

(8) The method of refuse storage shall be the subject of a detailed scheme to be submitted in writing to the Local Planning Authority for approval. The approved refuse storage shall be provided prior to the occupation of any part of the development hereby permitted and thereafter retained.

Reason: To ensure that this facility is provided in a manner and to ensure compliance with Policy BE1 of the Unitary Development Plan which seeks to ensure that such ancillary buildings integrate with the principal development.

(9) The development hereby permitted shall not be occupied until a scheme to show that the noise attenuation through the external façade will reduce the levels of road traffic noise to an acceptable noise level (as given in BS8233) inside habitable rooms is submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the specification of the windows, the external façade and the proposed acoustic ventilation. The ventilation shall be as specified within the Noise Insulation Regulations 1975 or better to enable the windows of flats to remain closed if necessary. The approved works shall be provided prior to the occupation of the permitted residential units and retained thereafter.

Reason: To ensure adequate noise measures are implemented to protect the amenity of future residents from road traffic noise in the area in accordance with Policy PNR6 of the Unitary Development Plan and PPG24.

(10) No development shall take place until details of an acoustic scheme for protecting the proposed flats in the first floor from noise from the commercial uses in the ground floor have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed to the Council's satisfaction before any of the first floor flats are occupied and shall be retained thereafter.

Reason: To ensure adequate noise measures are implemented to protect the amenity of future residents from road traffic noise in the area in accordance with Policy PNR6 of the Unitary Development Plan and PPG24.

(11) Unless otherwise previously agreed in writing, the development hereby permitted shall not be occupied until 36 residential car parking spaces have been provided (and marked out where appropriate), in accordance with the approved parking areas as shown on drawing 1169 P11. Such car parking provision shall be retained thereafter and maintained for the use of the occupants of the development hereby approved.

Reason: To ensure compliance with Policy TR12 of the Unitary Development Plan which seek to ensure that adequate off-street parking provisions is made to avoid danger and inconvenience to highway users.

(12) No development shall take place until there has been submitted to and approved by the Local Planning Authority in writing details relating to insulation against noise to a level 5dB above that required by Building Regulations. The submitted details shall include sound insulation to be installed to the floor/ceiling construction throughout, party walls, and staircase construction. Moreover, none of the accommodation afforded by the development shall be occupied until the aforesaid details have been implemented. Such provision shall be retained in perpatuity.

Reason: To ensure adequate noise measures are implemented to protect the amenity of future residents from road traffic noise in the area in accordance with Policy PNR6 of the Unitary Development Plan and PPG24

(13) 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. These should include:

(a) samples of Toughened Planar Glazing to shopfront units;
(b) samples of materials for new unit;
(c) sample of colour palette for all facades;
(d) details of fenestration;
(e) details of balconies and protective railings;
(f) sections of the roof construction for green roof

The approved materials shall be used in the construction of the development hereby approved.

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

(14) Prior to the commencement of the development, a survey to establish whether bats roost in the building shall be carried out. The results of the survey, to include any necessary relocation / mitigation measures, shall be submitted to and approved by the Local Planning Authority before the commencement of development. Any approved relocation / mitigation measures shall be carried out prior to the commencement of development.

Reason: To ensure compliance with Policy OE23 of the Sutton Unitary Development Plan, which seeks to protect sites of importance for nature conservation.

INFORMATIVES.

(1) This application has been assessed against the relevant policies of the Sutton Unitary Development Plan. The proposal is generally in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and for this reason planning permission is granted.

(2) This approval only grants permission under section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 6268 before proceeding with the work.

(3) Should you require details of the consideration of the application that has led to this decision, the file may be inspected under the provisions of the Local Government (Access to Information) Act 1985. An appointment can be made for this purpose by telephoning 020 8770-5070.

(4) When implementing this permission you are requested to ensure that the number of the properties is clearly displayed.

(5) The drawing no(s). relating to this decision is/are 1169 P01 rev B, P02, P03, P04, P05, P06 rev C, P07 rev C, P07 rev C, P08 rev C, P09 rev C, P10 rev C, P11 Rev B.

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