

# Agenda Item 8

## PLANNING APPLICATIONS COMMITTEE

05 September 2013

Item No: 08

UPRN

APPLICATION NO.

DATE VALID

13/P1516

15/05/2013

**Address:**  
SW19 2JY

Merton Abbey Primary School Colliers Wood

**Ward:**

Abbey

**Proposal:**

Erection of a two-storey extension to provide 4 new classrooms with ancillary space; extension to playground and formation of a new MUGA and installation of a temporary Special Education Needs unit.

**Drawing No's:**

752 003 009, 752 003 10 Rev F, 752 003 11 Rev C, 752 003 12 Revision A, 752 003 13 Rev A, 752 003 14 revision A, 752 003 20 Rev C, 2046/13/A/1, Design and Access statement received 15/07/2013, Transport Assessment, 2013007/TPP002, Arboricultural Report dated 14/05/2013, 2046/13/A/1, 2013007/TCP002, 2013007/TPP002, 615373/C/02 Revision C BREEAM report, Flood Risk Assessment received 17/06/2013

**Contact Officer:**

Joyce Ffrench [020 8545 3045]

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**RECOMMENDATION: GRANT PLANNING PERMISSION subject to planning conditions.**

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**CHECKLIST INFORMATION.**

- S106: N/A
  - Is an Environmental Statement required: No
  - Has an Environmental Impact Assessment been submitted: No
  - Press notice: Yes [Major application]
  - Site notice: Yes
  - Design Review Panel consulted: No
  - Number of neighbours consulted: 76
  - External consultations: Sport England, Environment Agency & Transport for London
  - Public Transport Accessibility Level: 5 [TFL Planning Information Database]
  - Density: N/A
  - Number of jobs created: 5 full time; 5 part time
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**1. INTRODUCTION**

This application is brought before the Planning Application's Committee as it involves development on a major site that is owned by the Council with the current application submitted by the Children, Schools and Families Section.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site of Merton Abbey Primary School (1/106 hectares) is located on the south side of High Path with Merantun Way running to the rear of the site. The site comprises school buildings to the west of the site separated from the road by a car parking and playground area with playing fields on the eastern half of the site. A childrens' centre is sited to the mid section of the northern end of the site.
- 2.2 Access to the site is from High Path on the northern boundary which is mainly residential. This section of High Path is one-way and a cycle route. Merantun Way, a red route, is to the south and is separated from the school by a brick wall
- 2.3 The main school building is located in the western part of the application site adjacent to a three storey block of flats (Colborne Court) and St John the Divine Church. To the east is a community centre
- 2.4 There is currently on-site provision for a total of 16 car parking spaces and no cycle parking spaces. The site has good access to public transport Public Transportation Accessibility Level 5 [where 1a represents the least accessible areas and 6b the most accessible].
- 2.5 The school buildings are single storey brick structures with pitched roofs
- 2.6 A prefabricated block was erected in the north west corner in 2010 to accommodate an additional 30 pupils on a temporary basis pending the proposed permanent expansion of the school buildings
- 2.7 The site is in a flood risk, zone 2, area, is not in an archaeological priority zone. There are no protected trees on the site

## **3 CURRENT PROPOSAL**

- 3.1 The current proposal will allow the expansion of the existing primary school This expansion involves the addition of an additional class for years 2 - 6. The Reception class and Year 1 provide currently two-form entry and this number of places will not be changed as part of the current proposal.
- 3.2 Planning permission was approved in 2010 [LBM reference 10/P1226] for the erection of a temporary single storey building on the school site. This temporary building has allowed the primary school to provide an additional class of 30 pupils for the 3 year groups who started at the school in September 2010, September 2011 and September 2012

- 3.3 The new two-storey building will provide 4 new classrooms and ancillary rooms, will have a flat roof to a height of 7.4 metres with brick materials incorporating durable panelling (colour to be agreed) and ventilation units to the roof to a height of 1 metre.
- 3.4.1 The proposal also includes a temporary S.E.N building in the form of a shipping container which would be sited adjacent to the childrens' centre to provide S.E.N provision during the course of the development and will be removed on completion of works.
- 3.5 A new all-weather M.U.G.A will be formed with a 3metre high wire mesh fence
- 3.6 Due to the restrictions of High Path, i.e width and one-way traffic restrictions, it is proposed that construction vehicle access will be via Merantun Way involving the temporary demolition of part of the boundary wall and removal of trees

#### **4. PLANNING HISTORY.**

- 4.1 Whilst there are a number of entries in the planning history associated with the site, the most relevant application in relation to consideration of the current scheme was submitted in 2011, with details provided below.
- 4.2 Retrospective planning permission was approved in 2012 [LBM reference 11/P2847] for the erection of a temporary single storey classroom block comprised of two classrooms and toilets to accommodate 60 additional pupils, located on the High Path frontage opposite St John's parish hall.. This temporary planning permission expires January 2017.

#### **5. CONSULTATION**

- 5.1 The planning application was publicised by means of a major site notice, a press notice together with individual letters to 76 neighbouring properties. In response to this consultation no letters of representation have been received from member of the public
- 5.2 Consultation letters issued to Nos. 1, 3 & 4 Lee Road were returned by the Royal Mail 'address unknown'

#### **LB Merton Transport Planning**

- 5.3 There are no objections to the proposal subject to the imposition of planning conditions relating to the approval of parking management; construction vehicles and Travel Plan.
- 5.4 **Transport for London - Construction access from Merantun Way**

Due to the restrictions imposed by the narrow one-way street that allows access to the school construction access is proposed to be from Merantun Way. This entails the removal of part of the boundary wall

and a traffic order from TfL. An agreement in principle has been received from TfL to allow this access during construction works

LB Merton Tree Officer

- 5.5 There is no objection to the proposal subject to planning conditions relating to tree protection, arboricultural supervision and further clarification regarding relocated trees

Design Officer

- 5.6 The design officer has raised no objection nor required any conditions be imposed with regard to the design of the proposals

LB Merton Climate Change Officer

- 5.7 After assessment of the submitted BREEAM assessment it is confirmed that the development can achieve a BREEAM rating of 'Excellent' in line with Core Strategy policy CS.15. The Climate Change Officer has requested that a condition be imposed to provide details of the installations to be installed to reduce CO2 emissions.

LB Merton Environmental Health

- 5.8 The Environmental Health officer has not raised any objection to the scheme subject to conditions relating to soundproofing, contamination, external lighting and hours of construction

Sport England

- 5.9 Sport England does not raise any objection to the proposal which has been amended to ensure there is no encroachment on the playing field

Environment Agency

- 5.10 The Environment Agency has commented on the amended Flood risk Assessment and has raised no objection subject to conditions regarding floor levels and the submission of a surface water drainage scheme

**6. POLICY CONTEXT**

National Planning Framework [March 2012]

- 6.1 The National Planning Policy Framework [NPPF] was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. The NPPF document is a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.
- 6.2 The National Planning Policy Framework states that the Government attaches great importance to ensuring that there is a sufficient choice of school places to meet the needs of existing and new communities. Local Planning Authorities should take a proactive approach to meeting

this requirement and should give great weight to the need to create, expand or alter schools.

- 6.3 In August 2011 a letter to Chief Planning Officers from Central Government provided a Policy Statement on Planning for Schools Development.
- 6.4 The policy statement advised that “We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes”.’
- 6.5 The policy statement advises “A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.”

#### Policies within the Adopted Core Strategy [July 2011]

- 6.6 The relevant policies within the Council’s Adopted Core Strategy [July 2011] are CS11 [Infrastructure]; CS.13 [Open space; nature conservation; leisure and culture]; CS.14 [Design]; CS.15 [Climate change]; CS16 Flood Risk Management; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

#### The London Plan [July 2011].

- 6.7 The relevant policies in the London Plan [July 2011] are 3.16 [Protection and enhancement of social infrastructure]; 3.18 (Education Facilities); 3.19 Sports Facilities; 4.6 [Support for and enhancement of arts, culture, sport and entertainment provision]; 5.1 [Climate change mitigation]; 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.10 [Urban greening]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes]; 7.18 Protecting local open space and addressing local deficiency; 7.21 [Trees and woodlands]

#### Merton Supplementary Planning Guidance

- 6.8 The key supplementary planning guidance relevant to the proposals includes Design [2004] and Planning Obligations [2006].

#### Policies retained in Adopted Unitary Development Plan [2003]

- 6.9 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE15 (New buildings and extensions), BE16 (Urban design), BE22 (Design of new development), BE25 (Sustainable development); C1 [Location and access of facilities]; C12 [Community use of education facilities], E2 [Access for disabled people]; L2 [Walking Routes]; L14 [Community and religious meeting places], NE.11 (Trees), PE7 [Capacity of water systems]; PE.9 [Waste minimisation and waste disposal]; PE.12 [Energy generation and energy saving]; Schedule 6: [Parking standards].

## **7. PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations include assessing the increased demand for school places; the design of the building; neighbour amenity; car parking and highway safety; trees and landscaping and sustainable construction.

### Principle of development / need for additional school places

- 7.2 The spatial vision for the borough set out in the adopted Core Strategy and supported by the Community Plan [2009-2019] states that the Council will support community life. This support will be through facilitating development that meets local needs including education opportunities. London Plan policy 3.18 states that development proposals that enhance education provision will be supported. The policy states that those proposals that address the current projected shortage of primary school places will be particularly encouraged.
- 7.3 The London Borough of Merton is experiencing an unprecedented demand for primary school places that is a result of a high birth rate that has risen by over 30% in the last seven years. Where possible, existing schools have been extended to cope with this increased demand. The Council has identified a number of primary schools that will potentially need to expand by one form entry to meet the growing population needs. The supporting planning application documents show that Merton Abbey Primary School is a popular and oversubscribed school and the Council has identified the site as having the potential to expand by way of an additional form of entry.
- 7.4 The current application relating to the expansion of the school would provide 4 new classrooms to allow the school to provide 2 form entry for Reception to Year 6 (currently 1 form entry years 2-6 and two forms for reception and year 1) The proposed expansion of Merton Abbey Primary School would clearly address an urgent need for primary school places in the local area and accord with London Plan policy 3.18 and the National Planning Policy Framework.

### Design

- 7.5 It is considered that the proposed building has been designed to reflect its functional nature. This has resulted in a design which does not

necessarily reflect the existing structures of which it will form a part. The height of the extension exceeds that of the existing school buildings and the provision of the flat roof is slightly at odds with its surrounds. Notwithstanding this, the urgent requirement for the provision of additional school places and the limits imposed by the site it is appreciated that options are been limited and the designs is therefore considered acceptable.

- 7.6 The two-storey extension, while of a plain design, would not be readily observed due to the siting of the proposal in the south west corner of the plot
- 7.7 The temporary S.E.N unit would be to the north eastern side of the childrens' centre and would be shielded from view by the existing line of trees along the High Path frontage.

Neighbour Amenity:

- 7.8 Policy BE15 of the Unitary Development Plan states that new buildings will be expected to maintain sunlight and daylight levels to adjoining buildings and gardens; ensure the privacy of neighbours; protect from visual intrusion and not result in harm to living conditions through noise or disturbance. Retained policy PE.2 of the adopted Unitary Development Plan states that developments that would have a significantly adverse effect on nearby occupiers or the amenity of the locality by reason of noise generation and disturbance will not be permitted.
- 7.9 The nearest residential properties to the new permanent school building are located in Colbourne Court, a block of 19 flats to the west of the application site which is L-shaped and sited close to the boundary of the site. The school buildings currently have their nearest point 1.5m. from the boundary, the proposed new classroom block will be 20m. to the east of the boundary and, while of a greater height, would not be considered to impose an undue visual intrusion or loss of privacy to the occupants of Colbourne Court.

Traffic, car parking, walking and cycling

- 7.10 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring the developers to demonstrate that their development will not adversely affect pedestrian and cycle movements, safety, the convenience of local residents or on-street parking and traffic management.
- 7.11 The Transport for London Planning Information Database shows the application site with a Public Transport Accessibility Level of 5. The main vehicular and pedestrian access to the school site is from High Path.

Traffic

- 7.12 The potential for increased traffic movement as a result of a new school building must be considered with any potential impact on local highway safety. In support of the planning application the applicant has submitted a transport statement that uses the results of parking surveys taken on local roads and automatic traffic counts. The Transport Statement advises that the proposed development would lead to an increase of 76 vehicle trips and 24 cycle trips. It is concluded by the statement that this traffic increase can be accommodated on the existing road network.
- 7.13 The Transport Statement also encourages the school to liaise with parking enforcement officers in order to ensure that existing parking restrictions are enforced as evidence from surveys indicate that some parents ignore parking restrictions during the 'pick up/drop off' period.
- 7.14 In lieu of the increase in trip generation a condition will be imposed for the school to provide a school travel plan which would be submitted on an annual basis to TfL and the LPA.

Car parking demand.

- 7.15 Policy CS20 of the Core Strategy [July 2011] states that car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety. Policy CS20 of the Core Strategy [July 2011] states that car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.
- 7.16 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling, walking and public transport use. Whilst the current maximum off street car parking standards are set out within the London Plan [table 6.2] these standards do not provide any standard for schools.
- 7.16.1 The submitted planning application advises that the new building will increase the number of school staff; however the parking survey concludes that no additional parking is required. To ensure parking is managed a condition will be imposed requiring the submission of a school parking management strategy
- 7.17 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to and from the public highway.
- 7.18 The proposed new building will be serviced from High Path by the existing entrances used by the existing school

### Cycling

- 7.19 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and encouraging design that provides, attractive, safe, covered cycle storage.
- 7.20 The site currently provides no cycle parking spaces and it is intended to provide an additional 8 cycle spaces as part of the current proposal. A planning condition is recommended to seek further details of these spaces shown on the submitted plans and to ensure that the spaces are maintained.

### Vehicle Construction Access

- 7.21 Due to the limitations imposed by the one-way system on High Path construction access has been proposed via Merantun Way which is a red route. To gain access permissions have to be gained from Transport for London and the boundary wall will have to be temporarily partially demolished.
- 7.22 Transport for London have been consulted and have agreed in principle to the proposal subject to a road safety audit being carried out by the Highways Section of LBM to be submitted prior to works being undertaken. Subject to the submission of this report TfL will then require LBM to enter into a Section 58 agreement.

### Impact on trees

- 7.23 Policy NE8 seeks to preserve trees, which are of significant amenity value unless the reason for development outweighs the amenity value of the trees. Policy CS.13 of the Core Strategy [July 2011] states that the Council will expect development to incorporate and maintain appropriate elements of open space, play areas and landscape features such as trees which make a positive contribution to the wider network of open spaces.
- 7.24 The proposed construction access, 2 storey extension, temporary SEN unit and MUGA have been assessed with regard to the impact they will have on existing trees.
- 7.25 The temporary SEN unit and the proposed two-storey extension will not will not affect any existing trees
- 7.26 The MUGA and the construction access will involve the relocation of 7 trees and the planting of 5 new trees to the Merantun Way boundary plus a new specimen tree to be planted in the area between the main

school buildings and the childrens' centre on conclusion of Phase B. All existing trees are to be subject to a tree protection plan

#### Flood Risk assessment

- 7.27 The site is located in a zone 2 flood risk area. An amended report was assessed by the Environment Agency who requested that condition be imposed with regard to surface water drainage and floor levels. The environment Agency requested that 2 condition be imposed with regard to floor levels and the submission of a surface water drainage scheme.
- 7.28 In response a scheme (615373.C.02 - Foul and Surface Water Drainage Scheme) was submitted. However, the Environment Agency still have requested that their conditions remain requiring:- hydraulic calculations, a drainage strategy technical note outlining the philosophy and assumed parameters and details of the underlying groundwater and geological conditions.

#### Sustainable design and construction.

- 7.29 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. All non-domestic development over 500 square metres will be expected to achieve a BREEAM 'very good' standard and to meet CO2 reduction targets.
- 7.40 As part of the current planning application the applicant has submitted a BREEAM Design Stage Pre Assessment Report. The pre-assessment report concludes that based on the current design development the proposed development would achieve BREEAM 'excellent' standard. Planning conditions are recommended to seek conformation that development is registered with an assessor prior to commencement and that confirmation is provided that this standard has been met.

#### Temporary Structures

- 7.41 A temporary 'shipping container' type structure is proposed to be sited on a tarmac surface adjacent to the Childrens' Centre for the use of Special Educational Needs groups on a temporary basis during the course of the development of the permanent proposals. This structure and the structure which is currently in situ opposite St John's Parish Hall are not considered of suitable design for permanent use and should be removed in line with conditions imposed. The unit is considered by the Education Department to be a satisfactory temporary measure during the course of building works.

### **8. ENVIRONMENTAL IMPACT ASSESSMENT**

- 8.1 The proposals are on a site of more than 0.5 hectares and therefore require assessment as an 'urban development project' under Schedule

2 development under the Town and Country Planning [Environmental Impact Assessment] Regulations 2011.

- 8.2 The proposals have been assessed against the Town and Country Planning [Environmental Impact Assessment] Regulations 2011 and it is concluded that there is no requirement for an Environmental Impact Assessment in this instance.

**9. LOCAL FINANCIAL CONSIDERATIONS**

**Mayor of London Community Infrastructure Levy**

- 9.1 The Mayoral Community Infrastructure Levy [CIL] seeks funds to be used by the Mayor of London towards the 'CrossRail' project. The proposed development providing education floorspace is not liable to pay the CIL charge.

**Planning Obligations:**

- 9.2 There is no requirement for planning obligations in relation to this proposal.

**10. CONCLUSION**

- 10.1 The expanded school, with suitable planning conditions, will be located in a position that will be acceptable in terms of impact on neighbour amenity; it will generate additional vehicle movements that can be safely accommodated on the local road network and is of a design that is necessary to accommodate the additional classrooms necessary to supply the additional forms of entry to meet current demand.

**RECOMMENDATION**

**GRANT PLANNING PERMISSION subject to the following planning conditions:**

- 1 A1 – Commencement of development
- 2 A7 - Approved plans:- 752 003 009, 752 003 10 Rev F, 752 003 11 Rev C, 752 003 12 Revision A, 752 003 13 Rev A, 752 003 14 revision A, 752 003 20 Rev C, 2046/13/A/1, Design and Access statement received 15/07/2013, Transport Assessment, 2013007/TPP002, Arboricultural Report dated 14/05/2013, 2046/13/A/1, 2013007/TCP002, 2013007/TPP002, 615373/C/02 Revision C BREEAM report, Flood Risk Assessment received 17/06/2013
- 3 B1 - Materials to be approved – all external materials
- 4 B4 – Details of surface treatment
- 5 D3 - Restriction on Music/Amplified Sound
- 6 D5 – Soundproofing of Plant and Machinery
- 7 External lighting

- 8 Hours of Construction
- 9 E3 – Temporary permission – the SEN unit shall be removed on or before September 2017
- 10 E5 – Restriction, use of premises
- 11 F1 – Landscaping
- 12 F2 – Landscaping (Implementation
- 13 F5P - Tree protection
- 14 F8 – Site supervision
- 15 H6P – Cycle parking – details to be submitted
- 16 H9 – Construction vehicles – relating to the temporary construction access
- 17 L6P- Sustainability – pre-commencement
- 18 L7 - Sustainability – pre- occupation

Non standard condition:-

Specimen tree: Details of the size and species of tree as shown on drawing 752/003/10/F together with full details of the tree pit, planting and aftercare shall be submitted for written approval to the LPA, and shall be carried out in accordance with the approved details. The specimen tree shall be planted at the conclusion of Phase B or within the first available planting season, whichever is the sooner. The tree shall be maintained for a period of 5 years from the time of planting. Should the tree become diseased, damaged so as to require removal, dying or dead, shall be replaced in the next planting season with a tree of the same specification unless the LPA gives written consent to any variation.

Reason:- to enhance the appearance of the development on the interests of the amenities of the area and to comply with policy CS13 of the AMCPS 2011

Non standard condition:-

School Parking Management Strategy

Prior to the commencement of the development hereby permitted, a draft Parking Management Strategy demonstrating how the school will manage the off street parking area of within the school shall be

submitted to and approved in writing by the Local Planning Authority. The measures as approved shall be implemented prior to the first occupation of the development hereby permitted and shall be maintained for the duration of the use unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To promote road safety and sustainable travel measures and comply with policy CS18 and CS20

Non standard condition:-

School Travel Plan

Within 6 months of occupation of the development hereby permitted, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and Transport for London. The Plan shall follow the current 'School Travel Plan Guidance' issued by TfL and shall include:

- i) Targets for sustainable travel arrangements;
- ii) Effective measures for the ongoing monitoring of the Plan;
- iii) A commitment to delivering the Plan objectives for a period of at least 5 years; and
- iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the extension.

The Travel Plan shall be updated and submitted to and approved in writing by the Local Planning Authority and Transport for London on a yearly basis and the development shall be implemented only in accordance with the approved Travel Plan.

Reason for Condition: To promote sustainable travel measures and comply with policy CS18, CS19 and CS20

Non standard condition:-

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment by RMA-environment and the following mitigation measures detailed in the FRA:

- i) Finished floor levels of new buildings are set no lower than 15.01mAOD (see section 6, para 6.a)

Reason:- To reduce the impact of flooding on the proposed development and future occupants

Non standard condition:-

Development shall not commence until the following information has been submitted to , and approved by, the LPA:-

Hydraulic calculations, a brief drainage strategy technical note outlining the philosophy and assumed parameters and details on the underlying groundwater and geological conditions.

Reason:- To reduce the impact of flooding on the proposed development and future occupants

Non standard condition

Prior to the completion of the extended school and Multi Use Games Area details of a scheme of community access to the facilities shall be submitted to and approved in writing by the Local Planning Authority and the School Buildings & Multi Use Games Area shall be operated in full accordance with the approved scheme.

Reason for Condition: To promote greater community use of facilities in accordance with Merton UDP policy C.12 and Merton LDF Core Strategy Policies CS11 & 13 and London Plan Policies 3.16, 3.18 & 3.19

INF12 Works affecting the public highway

Non standard condition

Prior to commencement of development a road safety audit should be carried out, submitted to, and approved in writing by the Local Planning Authority and Transport for London.

Reason for condition:-

To ensure the development does not detract from the general condition of highway safety and the free flow of traffic

Non standard condition

Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

Condition 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include where relevant:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### Condition 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### Condition 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### Condition 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003

#### Non standard informative

For the creation of travel plans for nursery primary and secondary schools, the Council is happy to provide assistance for this and applicants can make an appointment with the school travel plan officer 020 8545 3872.