

AFA Associates
12 Silverweed
Eaton Ford
St Neots,
Cambs
PE19 7GZ

TOWN & COUNTRY PLANNING ACT 1990

Planning Permission Decision Notice 10/P2095

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

First Schedule - Particulars of application

Application Number: 10/P2095

Location: Mitcham Court
Cricket Green
Mitcham
Surrey
CR4 TB

Proposal: USE OF EXISTING OFFICE BUILDING (CLASS B1A) FOR EDUCATIONAL PURPOSES BY DATE VALLEY SCHOOL (USE WITHIN CLASS D1 - NON RESIDENTIAL INSTITUTIONS), INCLUDING ERECTION OF NEW FENCING AND ALTERATIONS TO PARKING LAYOUT.

Approved Plans: Site location plan
Transport statement dated 23/11/10
02, 03, 04 and 05
JDD/MC-P1

Second Schedule - Conditions

- 1 The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2 Details of all boundary walls or fences shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be in place prior to the first occupation of the development hereby approved/commencement of the use, and permanently retained thereafter.

Reason: To ensure a satisfactory and safe development in accordance with policies BE.16 and BE.22 of the Adopted Merton Unitary Development Plan.

3 No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in full prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies BE.15 and PE.11 of the Adopted Merton Unitary Development Plan 2003.

4 The use hereby permitted shall operate only between the hours of 07.00 to 18.00, Monday to Friday.

Reason: To safeguard the amenities of surrounding area and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

5 All deliveries, loading, unloading or other servicing activities shall take place between the hours of 07.00 - 18.00 Monday to Friday.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

6 The premises shall only be used as a primary school or for any use within Class B1a (Offices) and for no other purpose, (including any other purpose within Class D1 (Non-residential institutions) of the Schedule to the Town and Country Planning (Use Classes Order) 1997), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The Local Planning Authority would wish to retain control over any further change of use of these premises in the interests of safeguarding the amenities of the area and to ensure compliance with policy BE.15 of the Adopted Merton Unitary Development Plan 2003.

7 The vehicle parking area shown on the approved plans shall be provided before the commencement of the buildings or use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.

Reason: To ensure the provision of a satisfactory level of parking and to ensure compliance with policies PK.2 and PK.3 of the Adopted Merton Unitary Development Plan 2003.

8 Prior to the occupation of the development hereby permitted, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control 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 from the first occupation of the development;
- (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only on accordance with the approved Travel Plan.

Reason: To promote sustainable travel measures and comply with policy LU.4 of the Adopted Merton Unitary Development Plan 2003.

9 Prior to the commencement of the development hereby permitted, a Parking Management Strategy 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 ensure the provision of an appropriate level of car parking and comply with policies PK.2 and PK.3 of the Adopted Merton Unitary Development Plan 2003.

10 Prior to the commencement of the development hereby permitted, a Traffic Management Strategy 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 ensure that vehicle traffic associated with the proposal is effectively managed, does not cause any detrimental highway impacts to Cricket Green and complies with policies RN4, RN5, LU3, PK.2 and PK.3 of the Adopted Merton Unitary Development Plan 2003.

11 Prior to the commencement of the development hereby permitted all plant and machinery required by the premise shall be enclosed and soundproofed so as to not increase the background noise level by no more than 2dB (A) (L90 5 minute measurement period) and there shall be no increase in one third octave band dB between 50Hertz and 160Hertz. The measures proposed should be approved in writing by the Local Planning Authority and shall be installed in accordance with the approved details before the plant and machinery is first brought into use and shall be permanently retained thereafter.

Reason: To protect the amenities of the occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

12 REASON FOR APPROVAL.

The proposal involves relocation of an existing primary school with no undue impacts on neighbour amenity or highway safety. It accords with policies contained in the London Plan (February 2008) and the Council's Adopted Unitary Development Plan (October 2003). The policies listed below were relevant to the determination of this proposal.

Adopted Unitary Development Plan (October 2003)

ST.3 (Mixed Uses), ST.18 (Heritage), ST.32 (Traffic Restraint/ Reduction),

ST.35 (Parking), E.6 (Loss of Employment Land Outside the Designated Industrial Areas), C.14 (Non

Council Schools/ Other Educational Facilities),

PK.3 Car Parking and Development), LU.3 (Transport Impact of New Development).

London Plan (February 2008)

3A.17 (Addressing the needs of London's diverse population),

3A.18 (Protection and enhancement of social infrastructure and community facilities).

Date of Decision:

19 January 2011

Signed.....

For and on behalf of the Head of Public Protection & Development (Planning).

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

Please read attached notes.

NOTES REGARDING RIGHTS OF APPEAL

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months from the date of this notice; **unless the application is for householder development, in which case the time limit is 12 weeks.** Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/24 HawkWing, Temple Quay House, 2 The Square Temple Quay, Bristol, BS1 6PN. A copy of the appeals forms should also be forwarded simultaneously to the Chief Executive's Department, London Borough of Merton, 8th Floor, Civic Centre, London Road, Morden, Surrey SM4 5DX.
2. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or imposed by them, having regard to the statutory requirement (see note below), to the provisions of the development order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given to him.
3. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Local Planning Authority in which the land is situated a purchase notice requiring the authority to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.
4. In certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted, subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

NOTE:

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 700(l) & 72(l) of the Act.

DE/Coniaz

Community Infrastructure Levy (CIL) Information for Applicants

The Community Infrastructure Levy is a charge introduced by the Government to pay for the infrastructure needed to support new development. It applies to most types of developments where a new dwelling or 100sqm of new build floorspace is proposed, and is charged per square metre of floorspace.

Developments would be liable for a CIL payment once planning permission is granted or on commencement if planning permission is not required.

The liability will be calculated according to the additional GIA produced by the development. If liable, you will be asked to complete and send to us the following forms, which can be downloaded from: www.planningportal.gov.uk/cil.

- o CIL Form 1 "Assumption of Liability" (if planning permission was granted)
- o CIL Form 5 "Notice of Chargeable Development" (if planning permission was not required)
- o CIL Form 6 "Commencement Notice"

As a collecting authority, Merton Council has a duty to ensure that Liability Notices (which tell you how much the charge is) are issued as soon as is reasonably practicable. To do this, we will need the above forms so that we know who to send the notice to. Any liability notice will provide details of the charge and any apportionment between liable parties. This will be recorded to the register of Local Land Charges as a legal charge upon your property and will become payable upon commencement of development. Information on the payment process (including penalties) will be provided with the liability notice or upon request.

Please note that if an Assumption of Liability is not received then a land charge could be added to the property at a later date, with no right to appeal or request a review.

It is strongly recommended that the relevant forms are submitted before development commences, to avoid being penalized. Please contact us if you are unsure what to do or whether your development will be liable.

Current CIL Charges

Mayoral CIL - On 1st April 2012 the Mayor of London introduced a CIL charge to raise funds towards the delivery of Crossrail, setting a rate of £35 per square metre on all chargeable development, other than for health and education uses, in Merton.

Merton CIL - Since 1st April 2014 the London Borough of Merton's CIL charge has also been effect. The rates vary from £100-£220 per square metre, depending on the location and type of development. For more information on this please visit <http://www.merton.gov.uk/cil>.

For further information please visit www.planningportal.gov.uk/cil or email CILevy@merton.gov.uk.

Notes

1. Any permission granted, other than with respect to certain minor material amendments granted under s 73 of the Act will relate to the entire development, regardless of any references to amendments or previous permissions granted and as such the CIL liability will be calculated on the entire proposed development.
2. If any relief or exemption applies to this proposal and you are granted this prior to commencement of development, this may reduce the final amount you are required to pay. Information is available at www.planningportal.gov.uk/cil.

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