



Appeal Decision

Site visit made on 28 July 2021

by D.R. McCreery MA BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/H5960/W/20/3266181

Hazel Court, Haydon Way, London SW11 1YF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dandi Five Limited against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2020/2560, dated 7 July 2020, was refused by notice dated 4 December 2020.
 - The development proposed is demolition of existing building and the erection of a part 2 and 6 storey building comprising 159 co-living rooms including internal amenity space (with flexible events and community floor space), external amenities spaces (with external roof terraces at second, fourth and fifth floor levels), landscaping, plant, refuse and bicycle stores, and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing building and the erection of a part 2 and 6 storey building comprising 159 co-living rooms including internal amenity space (with flexible events and community floor space), external amenities spaces (with external roof terraces at second, fourth and fifth floor levels), landscaping, plant, refuse and bicycle stores, and associated works at Hazel Court, Haydon Way, London, SW11 1YF in accordance with the terms of the application Ref 2020/2560, dated 7 July 2020 and subject to the conditions in the attached schedule.

Procedural Matters

2. A signed and duly executed legal agreement under section 106 of the Town and Country Planning Act 1990 has been submitted (s106). The contents of the s106 are considered in more detail below.
3. A revised National Planning Policy Framework (the Framework) came into force on 20 July 2021. The Council and the Appellant's comments relating to the relevance of the revised Framework have been taken into account in my conclusions on this appeal.

Main Issues

4. The main issues are:

- The effect of the proposal on the character and appearance of the surroundings.
- The effect on the living conditions of occupants of nearby properties, particularly in respect of sense of enclosure and loss of outlook.

Reasons

Character and appearance

5. The appeal site is within an urban location that is characterised by a mix of residential and institutional uses. Buildings vary in age and appearance and housing includes a mix of apartment blocks and more modest single dwellings.
6. The site is set back from the busy St John's Hill thoroughfare, which gives the immediate area a quieter feel. The topography slopes downwards from the St John's Hill junction, gently initially and becoming more pronounced around the appeal site and towards the bottom of Haydon Way.
7. Notwithstanding the degree of variety in building typology evident in the general surroundings, the single storey octagonal shaped building which occupies the site is novel in its combination of scale and extensive site coverage. Given the relative heights of the buildings on this side of Haydon Way and the topography, the result creates an expansive townscape gap between the more substantial St John's Therapy Centre and the apartment block complex that includes The Courtyard and Agnes Court. This townscape gap is uncharacteristic of an area where buildings are more tightly knit at a higher density that is consistent with its urban nature.
8. The existing building contributes little to the character and appearance of the area and, given the townscape characteristics discussed above, there is potential for its replacement to be of a greater scale than existing. Such an outcome would be consistent with para 120 of the Framework relating to making effective use of available land.
9. The proposed building would have a greater number of storeys than others in the immediate area. Three to 4 storeys are generally more characteristic of the buildings that surround the site, with some variance that includes the single storey Old Laundry Building.

10. The sloping topography described above would heavily influence how the proposed building would be viewed from different vantage points. This, along with the filtered nature of some views through existing built forms, means that a straight comparison between the number of storeys is an overly simplistic approach to assessing the effect on the character and appearance of the area.
11. The proposal employs a series of set backs from the road and step downs in height at various points with the aim of creating a development that is congruous with the area. This is supported by extensive evidence on townscape and visual impacts, which I have considered in detail alongside the other evidence and key views that have been brought to my attention.
12. Views of the proposed building from beyond the immediate confines of around Haydon Way would be filtered by existing built forms and, where seen, limited to views of the upper floors from a distance. This includes public views at street level from the lower rise residential neighbourhood around Garrick Close, where the new building would be mostly seen as part of an already built up backdrop and would not appear overly dominant.
13. For the same reasons, along with the relative distances involved, the proposal would not have a harmful effect on the setting of the conservation areas that lie beyond the confines of the Haydon Way locality or other heritage assets that are identified in the evidence.
14. Within the immediate proximity of the site, views from around Haydon Way as it passes the north boundary would change more significantly, in particular in the areas around Hilltop Court and the Old Laundry. This is a relatively sensitive location as it is on lower ground where there is greater potential for the building to appear more imposing and there is a lack of intervening built forms.
15. The effect in views from around Hilltop Court would be appropriately managed through the step down to 2 storeys along part of the boundary with Haydon Way. This would create a more human scale interface at street level, with the taller sections of the building appropriately set back to allow for a greater sense of space and manage the risk of Haydon Way feeling too enclosed.
16. Views from around the Old Laundry would be primarily towards what might be regarded as the principal elevations of the proposed building. The effects from this location would be appropriately managed due to the L shaped design of the proposal, which would step these elevations away from the north east corner of the site entirely, lessening the perception of scale. The set back of the roof level would further ensure that the proposed building would not appear overly dominant. A quality landscaping scheme to further soften the appearance of the north east corner has the potential to enhance the appearance of the area.

17. Whilst not designated as heritage assets, John Morris House and Haydon House make a positive contribution to the local townscape. This is notable due to their traditional appearance and associated architectural value. The proposal would rise above these buildings in a location that would be close to the shared boundary.
18. However, this relationship would not be easily perceived in longer views for the reasons discussed above in relation to effects beyond the confines of the Haydon Way locality. The main effect would therefore be in the view of the side elevation of Haydon House as seen from around the area of Hilltop Court. These effects are also discussed above, including the mitigation that would be provided by the changes to the massing of the proposed building in this location.
19. Considering all the evidence on this issue, including the views that have been drawn to my attention by all parties, the proposal would change the character and appearance of the area significantly. Such a change would be inevitable in a location where a single storey building occupies a prominent site of this size and a larger building is proposed. However, the evidence successfully demonstrates that the height, scale, mass, and layout of the proposed building would be such that it would not appear overly dominant when seen in key views and would be in keeping with the surroundings.
20. As such, the proposal would not have a harmful effect on the character and appearance of the surroundings. Consequently, there is no conflict with Policy DMS1 of the Development Management Policies Document which requires that development should contribute positively to local character and provide a high quality of design, including in relation to scale, massing, and appearance.

Living conditions

21. The Council have set out concerns about the effects on the living conditions of those occupying properties in the vicinity of the site, in particular regarding the potential for the development to create an unacceptable increase in sense of enclosure and loss of outlook.
22. Haydon House shares a boundary with the site. It is currently vacant, having formerly been used as a hostel. It benefits from planning permission for extensions that would facilitate an expanded hostel use, that is said by the Council to be unimplemented. This use suggests short term and transient forms of occupation, although this should by no means be used as a reason to justify unacceptable living standards.
23. In relation to sense of enclosure, there is a relatively small gap between the rear elevations of the 2 properties that already provides a high degree of enclosure to Haydon House at ground floor level. The proposal would not materially worsen this situation and has the potential to deliver improved conditions as the new building would step away from the boundary at key points.

24. At upper floor levels the distance between the proposed building and Haydon House would be such that no harmful sense of enclosure would result.
25. Turning to outlook, the proximity of Haydon House to the proposed building would result in a deterioration in the quality of outlook from the rear facing windows at upper floor levels. Notwithstanding this, the conditions that would result would not be dissimilar to those that exist more widely in the area, notably in the case of the apartment blocks to the north where the more enclosed courtyards limit outlook. In light of the distances involved and the underlying urban character of the area, the effect on outlook would not be unacceptable.
26. In relation to Hilltop Court, direct views from windows within the south elevation of this building principally face towards Haydon House. As such, much of the existing outlook would be retained. Windows and terraces towards the south eastern corner of Hilltop Court would be more heavily affected due to the closer proximity to the development. However, the separation provided by Haydon Way and the stepping of the proposed building would be such that the effects both in terms of outlook and enclosure would be acceptable.
27. The Courtyard has no windows that would directly face the development. Direct views from windows in the west elevation are principally towards Hilltop Court and already provide an element of enclosure. Angled views in the direction of the site appear to be mostly towards Haydon House and would remain unaffected. The effects on outlook and enclosure would not therefore be materially altered as a result of the proposal.
28. The outlook from some properties on Rochelle Close would change. This is particularly in the case of views from rear facing windows in the terrace that includes numbers 32-40 which are closest to the site. The greater presence of built form would be noticeable in these views that are currently more open and look over the top of the single storey building that is currently on the site. The result would lead to a reduction in the quality of outlook for the occupants of these properties.
29. However, this would be mitigated to an acceptable level by the layout of the proposal, notably the set back of one of the principal elevations as part of its L shaped design. Considering all the evidence on this matter, the effect on the outlook of occupants of properties on Rochelle Close would be acceptable. Further, given the relative distances, no material increase in sense of enclosure would occur to properties on Rochelle Close.
30. The rear of properties on Garrick Close lie beyond Haydon House and Haydon Way. Numbers 10-20 have the most direct and unencumbered view of the site, albeit restricted to a degree by the wall that stands on the boundary between the properties and Haydon Way.

31. As a result of the relative distances and intervening built features, no material increase in sense of enclosure would result from the proposal. There would be some change in outlook from the upper floors, where built form would be seen instead of sky. However, given the distances involved and the underlying urban character of the area, the severity of the change would not be unacceptable.
32. Considering all the evidence on this issue, including the effects on living conditions as a whole and the potential also for mitigation using planning conditions discussed below, the proposed development would not have a harmful effect on the living conditions of occupants of nearby properties. Consequently, there is no conflict with DMS1 of the Development Management Policies Document which says that planning permission will be granted for development which does not harm the amenity of occupiers/users of nearby properties.

Other Matters

Planning obligations (s106)

33. The s106 includes a number of planning obligations which I have considered in light of the relevant tests in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and paragraph 57 of the Framework. I have also paid regard to the Council's statement which provides their justification for each of the obligations. The obligations relate to the following matters:
34. Affordable housing contribution: Policy H16 of the London Plan requires a cash in lieu contribution towards affordable housing. The amount in the s106 would fall below the 35 percent equivalent requirement in H16. Justification for the deficit is on the basis of financial viability evidence and is not a matter in dispute between the Council and the Appellant. I do not have evidence that leads me to reach a different conclusion. The provisions relating to early and late stage viability reviews provides suitable mechanisms to reassess the position if circumstances change. I have sufficient evidence to conclude that this obligation would satisfy the relevant tests.
35. Provision, operation and management of co-living rooms: these obligations are consistent with the requirements of Policy H16 and includes measures relating to the standard of accommodation, how the rooms would be occupied and managed, and provisions to ensure that the scheme would continue to be under single management (in accordance with an agreed Operation and Management Plan). I have sufficient evidence to conclude that these obligations would satisfy the relevant tests.
36. Marketing and allocations plan: my attention is drawn to the Council's Planning Obligation Supplementary Planning Document (Obligations SPD) as support for the requirement for a Marketing and Nominations Plan. In light of the scale and nature of the development I am satisfied

with the necessity of such a requirement. I therefore have sufficient evidence to conclude that these obligations would satisfy the relevant tests.

37. Implementation of the 2019 Planning Permission relating to Haydon House: from the evidence provided, the benefits of requiring practical completion of development permitted by the Haydon House planning permission prior to commencement of the appeal proposal are not demonstrated. The reconfiguration of Haydon House related to this planning permission does not materially change my assessment of the impacts on living conditions. As such, I do not have sufficient evidence to conclude that this obligation would be necessary and therefore satisfy the relevant tests.
38. Highways and transportation: obligations include compliance with the submitted Framework Travel Plan and provision of a car club. They meet the objectives of a number of policies relating to managing the transport impacts of development and promoting more sustainable transport choices, including Policy PL3 of the Core Strategy, Policies DMT1 and DMT2 of the Development Management Policies Document, and Policy T4 and TR5 of the London Plan. Whilst the requirements for positive and constructive working on reviewing the travel plan requirements lack a degree of legal certainty and robustness, I am satisfied that the provisions relating to review and monitoring are appropriate. As such, I have sufficient evidence to conclude that these obligations would satisfy the relevant tests.
39. Highway works: the off site highway works are relatively minor but necessary in order to ensure a satisfactory standard of development and provision for servicing. As such, I have sufficient evidence to conclude that the obligation requiring an agreement under s278 Highways Act 1980 to be entered in to for these works would satisfy the relevant tests.
40. Delivery and servicing plan and construction management plan: these obligations are necessary in order to manage the effects of the development on the local highway network and the living conditions of occupants of nearby properties, responding also to concerns raised from other interested parties. I have sufficient evidence to conclude that these obligations would satisfy the relevant tests.
41. Community investment programme: this obligation would assist in integrating the development into the residential surroundings and contributing towards mixed and balanced neighbourhoods, in line with the aims of Policy H16 of the London Plan and DMH9 of the Development Management Policies Document. As part of agreeing such a programme it is important to ensure that it is proportionate to the scale of development. With this caveat, I have sufficient evidence to conclude that this obligation would meet the relevant tests.

42. CCTV and lighting scheme: this obligation is necessary in the interests of ensuring a satisfactory standard of development, and is particularly relevant to providing public realm that feels safe and inviting. I have sufficient evidence to conclude that this obligation would meet the relevant tests.
43. Local employment: provisions relating to Local Employment Agreement and Employment Skills Plans would deliver the aims of Policy E11 of the London Plan. They include a financial contribution to support implementation of the provisions that has been calculated in accordance with the Obligations SPD methodology. Whilst the reasonable endeavours needed to trigger repayment of part of the financial contribution lack a degree of clarity, overall I have sufficient evidence to conclude that these obligations would satisfy the relevant tests.
44. Public realm: provision of public realm, particularly in the north east corner of the site, is an important part of ensuring the wider integration of the development into the local area. The obligation controlling the design, management, and accessibility of the public realm is therefore important in ensuring a satisfactory standard of development. As such, I have sufficient evidence to conclude that this obligation would satisfy the relevant tests.
45. Monitoring fees: the monitoring fee has been calculated in line with the methodology set out in the Obligations SPD and therefore does not exceed the Council's estimate of the cost of monitoring. As such, I have sufficient evidence to conclude that this obligation would satisfy the relevant tests.
46. In conclusion on this matter, with the exception of the obligation relating to implementation of the 2019 Planning Permission relating to Haydon House, I have sufficient evidence to conclude that the obligations contained in the s106 satisfy the relevant tests. I have taken these obligations into account in making a decision on this appeal.

Other issues

47. I have paid regard to comments raised by other interested parties, made both during the determination of the planning application and in response to this appeal. Issues relating to the Council's reason for refusal are have been considered as part of my assessment of the relevant issue. Some of the other issues raised can be adequately managed through the use of conditions, which are discussed in the relevant section below.
48. I have reviewed the Appellant's technical evidence relating to daylight, sunlight, and overshadowing, which assesses the impact on the light conditions of a range of surrounding buildings. I am satisfied that it represents an appropriate basis on which to judge the likely effects of the proposed development.

49. Taking the findings as a whole and paying regard to the urban nature of the area, the effects on daylight, sunlight, and overshadowing resulting from the proposal would be acceptable. The limited nature of the adverse impacts on conditions to some spaces that are identified in the evidence do not provide sufficient grounds to refuse planning permission, when the effects on the area as a whole are considered.
50. In relation to noise, the nature and scale of the proposed use would be compatible with the area. Potential sources of noise disturbance, such as through use of external terraces, can be adequately managed using planning conditions. Ensuring the use remains under single management, as required in the s106, would further assist in managing this and other related issues, including concerns raised around potential anti social behaviour.
51. In relation to transport and highways effects, the site is well located in terms of public transport accessibility. There is also no technical evidence to support a view that the development would have a material impact on overall public transport capacity in the area. The surroundings are within a Controlled Parking Zone and I have satisfactory evidence of the Council's ability and intention to limit the extent to which future occupants of the proposal may benefit from a parking permit. Communication of this restriction to future occupants of the development would be secured as part of the highways and transportation measures in the s106.
52. In relation to deliveries and other servicing, the evidence does not lead me to conclude that the day to day requirements of the use would be materially different to surrounding residential uses or could not be accommodated. Conditions and s106 provisions relating to construction management would provide a mechanism for managing the potential short term effects on construction on those living nearby and the local highway network.
53. I am satisfied that the proposal would not result in material harm to nearby trees. It has the potential to deliver gains in terms of public realm enhancements, including through the provision of new publicly accessible open space with associated landscaping and tree planting, access to which would be secured via the s106.
54. A good standard of accommodation would be provided for future occupants of the proposal with provision in accordance with the requirements of London Plan Policy H16, particularly in relation to ensuring adequate functional living space and layout and communal spaces sufficient to meet the needs of future occupants.
55. In reaching a conclusion on this appeal I have paid regard to the planning history of the site insofar as it has been brought to my attention, whilst also considering the proposal on its own merits.

56. Perceived effects on property values and private land issues are matters that fall outside the consideration of this appeal.

Conditions

57. I will consider conditions by reference to the numbering in the attached schedule.

58. Condition (2) is necessary in the interests of certainty.

59. Conditions (3)(4)(5)(6)(10)(11) and (29) are necessary in order to achieve a satisfactory standard of external appearance and design and relationship with the surroundings.

60. Condition (5) needs to be a pre-commencement condition to ensure that site levels are clarified ahead of development. Rectifying discrepancies at a later point may be impractical.

61. Conditions (7)(8)(9) and (30) are necessary in the interests of managing the effect of the development on the living conditions of those living nearby and to ensure acceptable living conditions for future occupants.

62. Condition (12) is necessary in the interests of encouraging sustainable travel choices.

63. Conditions (13)(14)(15)(16)(17) and (23) are necessary in order to manage the energy and other performance elements of the development.

64. Condition (18) is necessary in the interests of managing flood and drainage risks.

65. Condition (19) is necessary in order to ensure a good standard of landscaping that of enhances the character and appearance of the area.

66. Conditions (20) and (21) are necessary to ensure adequate provision is made for waste management.

67. Conditions (22)(24)(25) and (26) are necessary in the interests of managing the effects of development works during construction and to manage risks associated with land contamination. Conditions (22) and (25) need to be pre-commencement conditions as the plan/statement required under them are likely to include measures that need to be in place from the start and cannot be easily retrofitted.

68. Conditions (27) and (28) are necessary in order to secure local enhancements to and protection of biodiversity. Condition (27) needs to be a pre-commencement condition as the require plan may include measures to avoid disturbance of local biodiversity that need to be in place before works start.

69. Condition (31) is necessary in order to minimise potential fire risks and accord with the requirements of London Plan Policy D12. It is necessary to be a pre-commencement condition as the Fire Statement may include measures that would be harder to retrofit at a later stage.
70. The suggested condition aimed at ensuring the development is used only for large scale shared accommodation purposes and for no other purpose is not necessary. The use would be restricted by the description of development and also be provisions in the S106. I am not satisfied on the basis of the evidence provided that further restriction is justified.
71. I have not included the Council's suggested conditions that include removal of permitted development rights as I do not have satisfactory evidence that demonstrates the clear justification for doing so in accordance with paragraph 54 of the Framework.
72. In a number of cases I have amended the wording of the suggested conditions in the interests of clarity and effectiveness.

Conclusions

73. For the above reasons, and having regard to all other matters raised, the proposed development would not have a harmful effect on the character and appearance of the surroundings or the living conditions of occupants of nearby properties. Considering the proposal as a whole, it would accord with the development plan and the Framework. The appeal is therefore allowed.

D.R. McCreery

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development shall be carried out in accordance with the reports, specifications and drawings submitted, including D0110 Rev P2; D0111 Rev P1; D0112 Rev P1; D0113 Rev P1; D0114 Rev P1; D0115 Rev P1; D0116 Rev P1; D0210 Rev P2; D0211 Rev P1; D0212 Rev P1; D0213 Rev P2; D0310 Rev P1; D0311 Rev P1; 1000 PL03; 1001 PL03; 1002 PL02. Energy Statement (dated June 2020); Drainage Strategy Report (Inc. Flood Risk Assessment) dated 23 June 2020; Site Waste Management Plan (dated 25 August 2020); Phase 1 Environmental Report (dated 15 June 2020)
3. Prior to the commencement of development above slab level (excluding demolition), and notwithstanding the materials specified in the application, details and samples of materials proposed to be used on all external surfaces of the development and including a sample panel constructed on site (or other location agreed with the local planning authority) to show the brickwork pattern, bonding, mortar mix, glazing, roofing materials, cladding, balcony, and balustrade shall be approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such.
4. Prior to the commencement of development above slab level (excluding demolition), detailed drawings of architectural details at a scale of 1:20 (or other scale or method of presentation agreed by the local planning authority) shall be submitted to and approved in writing by the local planning authority. Such details shall include; window reveals and screening; window frames; entrance doors; door frames; junctions between changes in materials, fenestration detailing, roof/eaves detailing, soffit detailing, and terrace screen/railing detailing. The development shall be constructed in accordance with the approved details and retained as such.
5. Prior to commencement of development full details of existing and proposed site levels shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
6. Prior to commencement of development above slab level (excluding demolition), details the boundary treatment shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be carried out in accordance with the approved details and completed prior to occupation of the development or otherwise in accordance with a timetable agreed in writing with the local planning authority.

7. Prior to first occupation of the development a scheme to protect the privacy of nearby residential occupiers shall be submitted to and approved by the local planning authority. The scheme shall include details of an obscured glass balustrade to all roof terraces and details of windows that will be obscured and/or fixed shut. The approved details shall be carried out in accordance with the approved details and completed prior to occupation of the development and shall be retained as such thereafter.
8. The external terraces hereby approved shall not be used other than between the hours of 0700 to 2200hrs unless otherwise agreed in writing with the local planning authority.
9. No development above slab level (excluding demolition) shall take place until details of a scheme of measures to insulate the development against external noise is submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme prior to first occupation and be so retained.
10. Prior to occupation of development details of any external ventilation equipment or ducting shall be submitted to and approved in writing by the local planning authority. The equipment shall be installed in accordance with the approved details and operated and maintained as such unless otherwise agreed in writing with the local planning authority.
11. No water tanks, plant, lift rooms or other structures shall be erected on the roof of the approved building other than in accordance with details that shall be approved in writing with the local planning authority. The equipment shall be installed in accordance with the approved detail and operated and maintained as such unless otherwise agreed in writing with the local planning authority.
12. Prior to the first occupation of the development the cycle parking shown on the approved drawings shall be provided, and be retained for cycle parking purposes for the users of the development and for no other purpose.
13. Prior to first occupation, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under the National Calculation Method) shall be submitted to the local planning authority and approved in writing to demonstrate that the development has been carried out in accordance with the approved Energy Statement (dated June 2020) unless otherwise agreed by the local planning authority in writing.

14. The development shall achieve a maximum water use of 105 litres per person per day (plus 5 litres for outside use) in line with the Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government. Prior to first occupation, evidence to demonstrate that the development meets this standard shall be submitted to the local planning authority and approved in writing. The required standard shall be met for the lifetime of the development unless otherwise agreed in writing with the local planning authority.
15. The photovoltaic panels shall be installed prior to first occupation of the development in accordance with, details of the appearance, location, orientation, total area and predicted carbon savings from the photovoltaic panels that are first agreed in writing with the local planning authority. The approved panels shall be retained and maintained as such unless otherwise agreed by the local planning authority.
16. Within three months of the commencement of development, a BREEAM Interim (Design Stage) Assessment issued by the Building Research Establishment (BRE) or equivalent accredited body, shall be submitted to and approved in writing by the local planning authority to show that a minimum Excellent rating will be achieved for the building. The development shall be implemented in accordance with the approved rating.
17. Within three months of first occupation of the building a BREEAM New Construction Final (Post-Construction) Certificate, issued by the BRE (or equivalent accredited body), shall be submitted to and approved in writing by the local planning authority to demonstrate that an Excellent rating has been achieved. All the measures shall be retained for as long as the development is in existence unless otherwise agreed in writing with the local planning authority.
18. The development shall be carried out in accordance with the approved Drainage Strategy Report (Inc. Flood Risk Assessment) 23 June 2020. The mitigation measures shall be carried out in full and retained as such unless otherwise agreed in writing with the local planning authority.
19. Prior to commencement of the development above slab level (excluding demolition), details of landscaping and treatment of parts of the site not covered by buildings and roof terraces, to include the hard landscaping materials (including SuDs), species of new planting/seeding, the depth of soil to the living roof and any existing plants/trees to be retained, benches and lighting shall be submitted to and approved in writing by the local planning authority. All planting, seeding, turfing and living roofs included in the approved details shall be carried out prior to the occupation of any part of the development, or in accordance with a programme agreed in writing with the local planning authority.

20. Prior to the first occupation of the development, the refuse and recycling storage shown on approved drawings shall be provided and shall be retained for the users of the development and for no other purpose and shall be retained as such.
21. The waste management at the site shall be carried out in accordance with the Site Waste Management Plan (dated 25 August 2020), unless agreed otherwise in writing by the Local Planning Authority. The measures detailed in the approved operational waste and recycling strategy shall be installed prior to first occupation of the development and operated and maintained in accordance with the approved operational waste and recycling strategy in perpetuity.
22. Prior to commencement of development a Construction Management Plan shall be agreed in writing with the Local Planning Authority. The plan shall relate to each of the four construction sub-phases (demolition, earthworks, construction, and trackout) and shall include details of how continuous monitoring of air quality will be recorded and reported on site through the course of development works. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority.
23. Prior to first occupation of the development, details of Ultra-Low NOx boilers to mitigate air pollution shall be submitted to and agreed in writing by the Council. Ultra Low NOx boilers, to be provided for space heating and hot water, shall have dry NOx emissions not exceeding 40 mg/kWh. Where any installations do not meet this emissions standard, it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the Council to verify boiler emissions. The approved details shall be fully implemented prior to first occupation and thereafter permanently retained and maintained unless otherwise agreed with the local planning authority.
24. All Non-Road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein unless otherwise agreed in writing with the local planning authority.

25. Prior to commencement of development a Contamination Method Statement for the remediation works (to include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures) to make the site suitable for its intended use shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until any remediation works have been completed and a validation report to verify these works has been submitted to and approved in writing by the local planning authority. If, during development, further contamination not previously identified is found to be present at the site the local planning authority is to be informed immediately and no further development shall be carried out until a report indicating the nature of the contamination and how it is to be remediated is submitted to and agreed in writing by the local planning authority. Any required remediation shall be detailed and verified as an amendment to the remediation statement and carried out accordingly prior to first occupation.
26. Should the Contamination Method Statement identify any unacceptable risks to sensitive receptors, no development shall take place until 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 shall be prepared and submitted to and approved in writing by 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 works included in the approved scheme shall be undertaken in strict accordance with the approval and completed prior to first occupation of the development.
27. Prior to commencement of development details of a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include (but not limited to): - Details of timing of works to avoid disturbance to nesting birds (which may be both on buildings and / or in surrounding habitat). If works cannot be timed to avoid nesting season, details of a named Ecological Clerk of Works and methodology to be used to assess the site no earlier than 48 hours prior to commencement of work to ascertain any use of buildings or surrounding habitats by nesting birds; - Details of measures to eradicate and safely dispose of invasive non-native species (*buddleia* spp and *cotoneaster* spp); - Details of any construction lighting to demonstrate how it will be in accordance with Guidance Note 08/18 Bats and artificial lighting in the UK to prevent disturbance to commuting bats; If works are not commenced before the 31/12/2021 a further bat emergence survey undertaken within 2 months of the intended commencement date shall be submitted to an approved in writing by the Local Planning Authority.

28. Prior to the commencement of development above slab level (excluding demolition) details of biodiversity enhancements shall be submitted to an approved in writing by the Local Planning Authority. The enhancements shall include (but not be limited to): - Numbers, types, location, height and orientation of minimum number 4 nest boxes for swifts integrated into the built fabric; - The details of biodiversity roofs (at first and top floor levels) to be delivered in accordance with "The GRO Green Roof Code 2014 section 2.2.2". (The biodiversity roofs shall have extensive substrate base (undulating depths of 80- 150mm); - Habitat features such as (but not limited to) gravels, sand, boulders or rocks; - Planted/seeded with an agreed mix of species but this should be focused on wildflower planting and shall contain no more than a maximum of 25% sedum/ saxifrage. - Landscaping at ground level to provide functional habitats that provide connectivity for bats and hedgehogs and natural nesting opportunities for small birds (planting must be structured to maintain cover seasonally and provide naturally occurring features for shelter over time); - Details inc lux contour diagrams to demonstrate how ground level soft landscaping features for biodiversity will be maintained as dark corridors 5 lux or less and how bird boxes integrated into the built fabric will be subject to 1 lux or less of light spill. The measures shall be installed prior to first occupation of the development and be maintained thereafter.
29. No pipes, flues, lighting equipment, or awnings, other than those shown on the approved plans, shall be fixed on any elevation of any building without the prior written approval of the local planning authority.
30. Unless indicated otherwise on the drawings hereby approved, the roofs of the building shall not be used as a balcony, roof garden, sitting out area or for any purpose of a similar nature without the prior written consent of the local planning authority.
31. Prior to the commencement of development a fire statement, prepared by a suitably qualified third party assessor, demonstrating how the development would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved fire statement and shall be retained as such unless otherwise agreed with the local planning authority.