



Appeal Decisions

Site visit made on 26 January 2024

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 February 2024

Appeal A Ref: APP/H5960/W/23/3325806

Carlson Court, 116 Putney Bridge Road, Wandsworth, London SW15 2NQ

- 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 Mr R Steele of Akoya Carlson Limited against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2022/4100, dated 3 October 2022, was refused by notice dated 23 January 2023.
 - The development proposed is alterations, including partial demolition (retrospective) and rebuilding of existing three-storey building with the addition of a further two-storey upward extension on top, in connection with the provision of flexible Class 'E' commercial use, including office accommodation/employment hub, together with a café/restaurant space at ground floor and roof level, associated soft and hard landscaping, upgrading of central courtyard and provision of a roof top garden, provision of car parking spaces, cycle parking spaces, refuse storage and other associated works.
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Appeal B Ref: APP/H5960/W/23/3330752

Carlson Court, 116 Putney Bridge Road, Wandsworth, London SW15 2NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Akoya Carlson Limited against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2023/2547, dated 5 July 2023, was refused by notice dated 31 August 2023.
 - The application sought planning permission for alterations, including the comprehensive refurbishment of the existing building including elevational changes, and its upward extension by two storeys to create a third floor and set-back fourth floor level, in connection with the provision flexible Class 'E' commercial use, including office accommodation/employment hub, together with a café/restaurant space at ground floor and roof level, associated soft and hard landscaping, including upgrading of central courtyard and provision of a roof top garden, provision of car parking spaces, cycle parking spaces, refuse storage and other associated works, without complying with a condition attached to planning permission Ref 2021/2480, dated 8 November 2021.
 - The condition in dispute is No. 2 which states that: *"The development shall be carried out in accordance with the reports, specifications and drawings detailed [081-TWA-XX-B1-DR-AX-11110 P1; 081-TWA-XX-00-DR-AX-11100 P2; 081-TWA-XX-01-DR-AX-11101 P1; 081-TWAXX-02-DR-AX-11102 P1; 081-TWA-XX-03-DR-AX-11103; 081-TWA-XX-04-DR-AX-11104; 081-TWA-XX-05-DR-AX-11105 P1; 081-TWA-XX-XX-DR-AX-17 010 P2; 081-TWA-XX-XX-DR-AX-17 020 P1; 081-TWA-XX-XX-DR-AX-17 030 P1; 081-TWA-XX-XX-DR-AX-17 030 P1; 050-TWA-XX-XX-DR-AX-16 050 P1; 081-TWA-XX-XX-DR-AX-16 020 P1]."* The reason given for the condition is: *"To ensure a satisfactory standard of development and to allow the Local Planning Authority to review any potential changes to the scheme."*
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Decision

1. Appeal A is allowed and planning permission is granted for alterations, including partial demolition (retrospective) and rebuilding of existing three-storey building with the addition of a further two-storey upward extension on top, in connection with the provision of flexible Class 'E' commercial use, including office accommodation/employment hub, together with a café/restaurant space at ground floor and roof level, associated soft and hard landscaping, upgrading of central courtyard and provision of a roof top garden, provision of car parking spaces, cycle parking spaces, refuse storage and other associated works, at Carlson Court, 116 Putney Bridge Road, Wandsworth, London, SW15 2NQ in accordance with the terms of the application, Ref 2022/4100, dated 3 October 2022, and the plans submitted with it, subject to the conditions set out in the Appeal A Schedule at the end of this decision.
2. Appeal B is allowed and planning permission is granted for alterations, including the comprehensive refurbishment of the existing building including elevational changes, and its upward extension by two storeys to create a third floor and set-back fourth floor level, in connection with the provision flexible Class 'E' commercial use, including office accommodation/employment hub, together with a café/restaurant space at ground floor and roof level, associated soft and hard landscaping, including upgrading of central courtyard and provision of a roof top garden, provision of car parking spaces, cycle parking spaces, refuse storage and other associated works, without complying with a condition attached to planning permission Ref 2021/2480, dated 8 November 2021, but subject to the conditions set out in the Appeal B Schedule at the end of this decision.

Preliminary Matters

3. For Appeal A, I have used the appeal form description of development in the header above. This is because it notes that the application form description was not correct, it provides better clarity, and it aligns with that on the decision notice. The Appeal B application form also aligns with this description.
4. The National Planning Policy Framework ('the Framework') was revised in December 2023. Insofar as it is relevant, its content has not been materially altered in respect of the main issue before me, and therefore it has not been necessary to go back to the parties in this regard.
5. These 2 appeals concern the same building. I have dealt with each appeal on its own individual merits, although to avoid duplication I have primarily dealt with aspects together in my reasoning. Both appeals had the same reason for refusal, except for a different policy reference, following the July 2023 adoption of the Wandsworth Local Plan 2023-2038 (LP) which superseded the reference within the Appeal A decision. The appellant has had the chance to provide comment on the LP, and I have therefore assessed both appeals against it.
6. 'The 2021 permission'¹ allowed a comprehensive refurbishment and upwards extension of the site's existing building, with the Appeal A application submitted to attempt to regularise works undertaken after its commencement. Other minor alterations proposed include removing and relocating roof level

¹ Reference 2021/2480

plant to basement level, SuDS alterations, minor changes to the façade, minor alterations to the basement car parking and cycle parking, and the infilling of the first floor above the vehicular access on Deodar Road.

7. The Council refused Appeal A with specific regard to this Deodar Road infill and its associated works. 'The 2023 permission' under S96A² for non-material amendments to the 2021 permission, comprised the alterations proposed under Appeal A except for the Deodar Road first floor infill. Appeal B seeks a very similar physical outcome to Appeal A, through amending the approved plans condition 2 of the 2021 permission. As such, although both appeals overall include a relatively large range of works, the only matter in dispute is this infill. An approval under Section 73 for Appeal B would create a new planning permission, with the extant approval remaining intact.

Main Issue

8. The main issue in both appeals is the effect of the proposed development on the character and appearance of the streetscene, with particular regard to the first floor infill extension on the Deodar Road elevation.

Reasons

9. The site is located on the corner of Putney Bridge Road and Deodar Road, adjacent to Wandsworth Park. My site visit identified that the 2023 permission is a fallback position which appears to be near to completion. As such, the site now comprises a 5 storey building around a central courtyard.
10. The proposed infill would reduce the height of the access point off Deodar Road into the courtyard, from 2 storey to single storey. This would add somewhat to the overall massing along this elevation, reducing the beneficial interruption to its horizontal emphasis and dominance. To some extent this would also increase the sense of enclosure within the streetscene.
11. However, the green tile feature detailing would still remain at 2 storey height along this part of this frontage, providing some relief and still indicating the presence of the opening within the streetscene. Moreover, it is not an especially wide entry point, and therefore the additional massing would not be overbearing or excessive in the context of the building's overall bulk and massing, and compared to the length of the whole elevation. It would also not unduly impact on the elevation's overall design principles.
12. Furthermore, glimpses through the opening are only currently possible from a narrow angle of view, due to its positioning and the width of the street. This view encompasses a small part of the internal courtyard, and the wall of the opposite side of the building. The reduction in height would only block one floor of that wall. Ground and lower level views would remain, including of those windows which beneficially allow for indistinct views through to the park.
13. The Deodar Road buildings directly opposite contain no similar openings, contributing to the character of a strong continuous terraced streetscene. The complex to the north has only a single storey access point, albeit with a slightly different context due to the downwards slope beyond giving an impression of additional height. The 2 storey Blade Mews archway further north provides another reference point, but is not so proximate or in a directly similar context

² Reference 2023/1915

so as to suggest a direct parallel. The street's prevailing character would therefore not be harmed by the building's lack of 2 storey opening.

14. I have also assessed the full extent of works associated with both appeals, with regard also to the fallback position. I find no reason to depart from the Council's conclusion that these works would be acceptable. I similarly agree with the Council that the Deodar Road infill would not be unduly harmful to neighbouring occupiers with regard to daylight, sunlight, outlook, or privacy.
15. I also have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the impact of the proposal on the special architectural and historic interest of listed buildings and their settings. Section 16 of the Framework also requires that great weight should be given to the conservation of designated heritage assets, and the LP Policy LP3 aligns with this approach.
16. Wandsworth Park is a Grade II listed Historic Park and Garden adjacent to the site. Its significance relates to its historic role as a metropolitan open space, its association with the first Superintendent of Parks, and its open setting alongside the riverfront and promenade. The significance of the Grade II listed early 18th century wooden shell hood on Putney Bridge Road near the Deodar Road junction, lies in its architectural character and as a reminder of the area's former 17th century manor of Mouliniere House. Nos. 109-115 Deodar Road is locally listed, a 3 storey building with attached archway leading through to the courtyard and park beyond. Its significance is centred around its historic and architectural values. The significance of No. 185-187 Putney Bridge Road as a locally listed Victorian 2 storey corner building, is its historic interest as a nineteenth century shop, with predominantly unaltered architecture.
17. The Deodar Road Conservation Area (CA) lies further along the road to the north of the site. Its significance is the coherent architectural style and detailing of its houses, resulting in an estate riverside development with a consistent and elegant streetscape. I find that the appreciation of the significance of the settings of all these heritage assets and their attributes, would be unharmed by the proposed developments, including the Deodar Road infill works, for the reasons outlined above.
18. Overall therefore, the proposed developments would not harm the character and appearance of the streetscene, with particular regard to the first floor infill extension on the Deodar Road elevation. They would comply with the LP Policies LP1 and LP2, which amongst other matters, require developments to have a high level of physical integration with their surroundings and a consideration of broader placemaking, ensure that scale and massing relate positively to the prevailing local character, and to have no overbearing impact.

Other Matters

19. Numerous interested parties objected to the original application, along with objections at appeal stage. However, these primarily concern matters of principle and overall design, including light from the upper floors. As such, these are already approved under the 2023 permission. I therefore find that these objections do not dissuade me from my conclusions with regard to the scheme as a whole as outlined above, or provide any additional matters to consider relating to the Deodar Road infill works.

20. The Council considers that the fire safety benefits of the Deodar Road infill are not essential, or could be realised in another way. As I found above that the proposals would not cause harm, I do not need to assess in detail the weight to give to any of the appellant's suggested benefits.
21. The main parties have together agreed the completion of a S106 Agreement for Appeal A, and a S106 Deed of Variation for Appeal B. The outcome of these agreements would cover the same matters as the 2021 permission, being a Controlled Parking Zone exemption, cycle parking provision, a carbon off-setting contribution, a local employment agreement, managed workspace, and a monitoring fee. The Deed of Variation additionally records compliance with existing obligations relating to local employment skills and training.
22. Paragraph 57 of the Framework and Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) identify that planning obligations should only be sought where they meet 3 tests; being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. With the exception of the monitoring fee, the parties agree that the obligations meet these tests, and the development plan requirements. On the evidence before me, I see no reason to take a different view.
23. The Wandsworth Planning Obligations Supplementary Planning Document (2020) requires S106 Agreements to be accompanied by a monitoring fee, and provides a calculation formula. £5,518 was paid for this under the existing S106 Agreement. The calculation now equates to £6,096.50 for Appeal A, and the Council seeks the difference of £578.50. The appellant disputes the need for this uplift, as no further monitoring will be required of the authorised development, and there are no new obligations for additional monitoring. However, this uplift takes into account the Council's annually updated Officer rate, and the additional costs of administration and monitoring of a new S106 Agreement, including its data entry and maintenance within monitoring software. I find this to be reasonable.
24. The CIL Regulation 122(2A) specifically identifies that the 3 tests in Regulation 122(2) do not apply in relation to a planning obligation which requires a sum to be paid in respect of the cost of monitoring in relation to the delivery of planning obligations in a Local Planning Authority's area. This is provided that the sum to be paid fairly and reasonably relates in scale and kind to the development, and does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations.
25. A clause in the Appeal A S106 states that any planning obligation within it shall not take effect or be enforceable, unless the Inspector states that in their opinion the requirement constitutes a reason for granting planning permission in accordance with Regulation 122 of the CIL Regulations. Overall, I find that each obligation constitutes a reason for granting planning permission in accordance with Regulation 122(2), including that the monitoring fee uplift meets the required tests in Regulation 122(2A).

Conditions

26. For both appeals, I have imposed conditions which align with paragraph 56 of the Framework and the Planning Practice Guidance (PPG). I have attached the statutory condition to limit the lifespan of the planning permissions, and

specified the approved plans to provide clarity for the terms of the permissions. If any conditions repeat those which have been discharged on the previous permissions, that is a matter for the parties to resolve.

27. For Appeal A, I have imposed the Council's suggested conditions, on which the appellant has had the chance to comment, and which predominantly mirror those on the 2021 permission as amended by the 2023 permission. For Appeal B, the PPG makes clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect. I have therefore imposed all those that I consider remain relevant.
28. I have restricted telecommunications equipment, and required details of materials and plant equipment, in the interests of character and appearance. Details of landscaping, ecological enhancements, and landscaping management are required in the interests of character and biodiversity value.
29. Construction management is required to mitigate for traffic and neighbour amenity, and air quality details to prevent deterioration of air quality. Car and cycle parking, a travel plan, and a delivery and servicing plan are needed to secure adequate arrangements. A highways agreement will ensure highways safety. Compliance with a sustainability statement, a BREEAM completion certificate, and details of photovoltaic panels, are required to address the need for sustainable development.
30. Tree protection measures are needed to preserve trees. This was suggested as being pre-commencement, but I do not find this appropriate due to the advanced extent of the built form. I have thus specified this to be 'prior to any works adjacent to trees'.
31. The development must be constructed in accordance with the Flood Risk Assessment and the SuDS strategy, to manage surface water. There must be reporting of unexpected contamination to minimise contamination risks, and adequate refuse storage. Neighbour amenity will be protected through obscure glazing, and a restriction on certain Class E uses, roof terrace use, and café opening hours. External lighting details are required in the interests of ecology, character, and neighbour amenity.

Conclusion

32. For the reasons given above, and having regard to all other matters raised, I conclude the development proposed under Appeal A accords with the development plan taken as a whole, and therefore the appeal is allowed.
33. For the reasons given above, and having regard to all other matters raised, I conclude the development proposed under Appeal B accords with the development plan taken as a whole, and therefore the appeal is allowed. I grant a new planning permission with a revised condition identifying the approved plans, and retaining the non-disputed conditions from the previous permission that appear still to be relevant, subject to slight amendment.

L N Hughes

INSPECTOR

APPEAL A APP/H5960/W/23/3325806

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 5429-MCA-ZZ-BL-DR-A-9411 rev. P01 Basement Level GA Plan – Proposed Demolition
 - 5429-MCA-ZZ-00-DR-A-9412 rev. P01 Ground Floor GA Plan – Proposed Demolition
 - 5429-MCA-ZZ-01-DR-A-9413 rev. P01 First Floor GA Plan – Proposed Demolition
 - 5429-MCA-ZZ-02-DR-A-9414 rev. P01 Second Floor GA Plan – Proposed Demolition
 - 5429-MCAZZ-ZZ-DR-A-9415 rev. P01 Existing Elevations 1 & 2 – Proposed Demolition
 - 5429-MCA-ZZ-ZZ-DR-A-9416 rev. P01 Existing Elevations 3 & 4 – Proposed Demolition
 - 5429-MCA-ZZ-B1-DR-A-9501 rev. P01 Proposed Basement Level GA Plan
 - 5429-MCA-ZZ-00-DR-A-9502 rev. P02 Proposed Ground Floor Level GA Plan
 - 5429-MCA-ZZ-01-DR-A-9503 rev. P01 Proposed Level 01 GA Plan
 - 5429-MCA-ZZ-02-DR-A-9504 rev. P01 Proposed Level 02 GA Plan
 - 5429-MCA-ZZ-03-DR-A-9505 rev. P01 Proposed Level 03 GA Plan
 - 5429-MCA-ZZ-04-DR-A-9506 rev. P01 Proposed Level 04 GA Plan
 - 5429-MCA-ZZ-RF-DR-A-9507 rev. P01 Proposed Roof Plan GA
 - 5429-MCA-ZZ-ZZ-DR-A-9508 rev. P01 Proposed Elevations – Sheet 01
 - 5429-MCAZZ-ZZ-DR-A-9509 rev. P01 Proposed Elevations – Sheet 02
 - 5429-MCA-ZZ-ZZ-DR-A-9510 rev. P01 Proposed Elevations – Sheet 03
 - 5429-MCA-ZZ-ZZ-DR-A-9511 rev. P01 Proposed Sections AA and BB
 - 5429-MCA-ZZ-ZZ-DR-A-9512 rev. P01 Proposed Sections CC and DD
- 3) Details and samples of any new or replacement materials to be used on any external surface of the development, including (but not limited to) brickwork, cladding, roof coverings, windows and doors, shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the materials within the development. The development shall be carried out in accordance with the approved materials.
- 4) The development permitted by this planning permission shall be carried out in accordance with the approved Construction Management Plan by WPS Compliance Consulting Ltd. reference CEMP v7.
- 5) 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.
- 6) The parking area shown on the approved plans for the provision of a maximum of 20 car parking spaces, including a minimum of two disabled parking space and 20% active Electric Vehicle Charging Points and 20% passive Electric Vehicle Charging Points, shall be provided before the occupation of any part of the development, and shall be retained for parking purposes for the users of the development and for no other purpose.
 - 7) Notwithstanding what is shown on the approved drawings ,prior to occupation of the development details of the location and design of secure and covered cycle parking to provide a minimum of 106 long stay and 10 short stay cycle parking space on the site shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details prior to the occupation of the development, and be retained for cycle parking purposes for the users of the development and for no other purpose.
 - 8) The development shall be occupied and operated in accordance with the objectives detailed in the approved framework Travel Plan by Icen Projects Limited dated September 2022.
 - 9) The development shall be occupied and operated in accordance with the submitted Delivery and Servicing Plan by Inceni Projects Limited dated September 2022.
 - 10) Prior to commencement of the development the applicant shall enter into an agreement with the Council (under S278 of the Highways Act 1980 or similar) to secure any necessary reconstruction of the footway segment flanking the site, together with the conversion of the parking bay at the south eastern end of this site on Putney Bridge Road to a loading area.
 - 11) The development shall be built in accordance with the submitted Sustainability Statement by Cundall dated 28th September 2022 demonstrating how the development will follow the hierarchy of energy efficiency and renewable energy technologies to secure a minimum 35% reduction in CO2 emissions below the maximum threshold set in Building Regulations Part L 2013. Prior to first occupation of the development, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP or 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 Strategy. The installed measures shall be retained in accordance with the approved details unless otherwise agreed by the Local Planning Authority.
 - 12) Within three months of the 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 integrated shall be retained for as long as the development is in existence.
 - 13) Prior to any works adjacent to trees, Tree Protection measures as detailed in the approved Arboricultural Report by Tim Moya Associated dated May 2021, and in line with BS5837:2012, shall be installed and no works or materials/plant storage shall be undertaken within the protected area, unless

otherwise agreed in writing. The protection measures will be retained until completion of the development.

- 14) Prior to occupation details of landscaping and treatment of parts of the site not covered by buildings, to include hard landscaping materials including details of furniture equipment, minor artefacts or any other structures/storage units; soft landscaping including the species and height of any tree planting and root volumes, shrubs, hedges, green walls and biodiverse roofs, plants and seeding, with priority given to native and wildlife friendly species, including night scented species; the depth of soil to the green roof, shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding, turfing and green 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.
- 15) Any trees or shrubs planted as part of a landscape scheme approved as part of this decision, or arising from a condition imposed on this decision, which within a period of five years from the completion of the development is found to be dead, removed, or becomes seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- 16) A landscape management plan, including management responsibilities and maintenance schedules for all newly created landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority before occupation of the development. The landscape management plan shall be carried out as approved and any subsequent variation to it shall be agreed in writing by the Local Planning Authority.
- 17) Prior to above ground works (excluding demolition) details of a Landscape and Ecological Enhancement and Management Plan shall be submitted to and approved in writing by the local planning. The Plan shall include details of all measures to provide biodiversity gain, including but not limited to: details of wildlife friendly planting; details of the biodiverse roofs including details of extensive substrate base, features to be included within the substrate e.g. rope coils, sand, gravel, etc., and details of any seed and seeding/plug plant choice (in accordance with The Gro Green Roof Code 2021); orientation, target species and location for all bird and bat boxes/ bricks to be integrated with the building; details of how any lighting will be of a specification that minimises its impacts on bats, onsite habitats, and Wandsworth Park, in accordance with the BCT and ILP 2018 Guidance and approved by a suitably qualified ecologist. It will also include a management plan to be implemented, which shall include long-term design objectives, management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain. The approved details shall be implemented prior to first occupation of the development and maintained thereafter.
- 18) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment and SuDS Strategy by Heyne Tillett Steel dated September 2022. The mitigation measures shall be retained as such.
- 19) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the

developer has submitted and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

- 20) Notwithstanding the provisions of Class E of the Use Class Order 2020 (or any Order revoking, amending and re-enacting the Order) no floorspace within the building shall be used for the purposes of "Class E(f) – Creche, day nursery or day centre" "Class E(a) – Display or retail sale of goods" and no floorspace other than that specifically identified as such on the approved plans shall be used for the purposes of "Class E(b) sale of food and drink".
- 21) Prior to the first occupation of the development hereby approved, an operational waste and recycling strategy shall be submitted to and approved in writing by the Local Planning Authority. The submitted operational waste and recycling strategy shall include details of the arrangements for storage and collection of waste from the development. 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. For the avoidance of doubt, the strategy shall include details of private waste and recycling collection.
- 22) Details of any external plant or ventilation equipment, including ducting and air conditioning units, including noise, vibration and air quality abatement measures including any means of enclosure, shall be submitted to and approved by the Local Planning Authority before its installation, and the details implemented as approved.
- 23) Full details of any external lighting to be erected within the application site, including any that is to be fixed onto the building, both during the construction phase and all subsequent permanent external lighting, shall be submitted to and approved by the Local Planning Authority before its installation, including clear geo-referenced lux contour plans and details of measures to prevent light spill onto any habitat creation within and immediately adjacent to the development site and hours of operation of the lighting.
- 24) Prior to their installation details of the appearance, location, orientation, total area and predicted carbon savings from the proposed photovoltaic panels shall be submitted to and approved by the Local Planning Authority to show how the renewable energy carbon savings are to be achieved. The photovoltaic panels shall be installed in accordance with the approved details prior to the occupation of the development and retained and maintained as such unless otherwise agreed by the Local Planning Authority.
- 25) Prior to occupation of the development the window in the external north facing elevation at third floor level of the development shall be obscure-glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed). The window shall be maintained and retained as such.
- 26) Other than those areas specifically identified as such on the approved drawings, 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. The area of publicly

accessible roof terrace shall be restricted to that area shown as such on the approved drawings and not extend to any other proposed area of roof terrace.

- 27) The café/restaurant use hereby permitted shall not be open to customers other than between the hours of 0800 to 2200 Sunday to Thursday and 0800 to 2300 Friday and Saturday. The public roof terrace and any outside seating associated with the café/restaurant hereby permitted shall not be open to the public other than between the hours of 0800 and 2200 hours Monday to Sunday, and at no other times.
- 28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, amending or re-enacting that Order) no satellite dishes, telecommunications masts, antennas or equipment or associated structures, shall be installed on the building hereby approved.

END OF SCHEDULE

APPEAL B APP/H5960/W/23/3330752

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of 8 November 2021.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 081-A-XX-XX-DR-AX- 00000
 - 081-A-XX-XX-DR-AX-00005
 - 081-A-XX-GF-DR-AX-01000
 - 081-A-XX-01-DRAX-01001
 - 081-A-XX-02-DR-AX- 01002
 - 081-A-XX-XX-DR-AX- 06010
 - 081-A-XX-XX-DR-AX- 06020
 - 081-A-XXXX-DR-AX- 07020
 - 081-A-XX-XX-DR-AX- 07030
 - 081-AXX-XX-DR-AX- 16010
 - 081-A-XX-XX-DR-AX- 16020
 - 081-A-XX-XX-DR-AX- 30000
 - 081-A-XX-XX-DR-AX-30010
 - 081-A-XX-XX-DR-AX- 30020
 - 5429-MCA-ZZ-B1-DR-A-9501 rev. P01 Proposed Basement Level GA Plan
 - 5429-MCA-ZZ-02-DR-A-9504 rev. P01 Proposed Level 02 GA Plan
 - 5429-MCA-ZZ-03-DR-A-9505 rev. P01 Proposed Level 03 GA Plan
 - 5429-MCA-ZZ-04-DR-A-9506 rev. P01 Proposed Level 04 GA Plan
 - 5429-MCA-ZZ-RF-DR-A-9507 rev. P01 Proposed Roof Plan GA
 - 5429-MCA-ZZ-GF-DR-A-9551 rev. P01 Proposed Ground Floor GA Plan
 - 5429-MCA-ZZ-01-DR-A-9552 rev. P02 Proposed Level 01 GA Plan
 - 5429-MCA-ZZ-ZZ-DR-A-9553 rev. P01 Proposed Elevations – Sheet 01
 - 5429-MCA-ZZ-ZZ-DR-A-9554 rev. P02 Proposed Elevations – Sheet 03
- 3) Details and samples of any new or replacement materials to be used on any external surface of the development, including (but not limited to) brickwork, cladding, roof coverings, windows and doors, shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the materials within the development. The development shall be carried out in accordance with the approved materials.
- 4) The development permitted by this planning permission shall only be carried out in accordance with the approved Construction Management Plan by WPS Compliance Consulting Ltd. dated 2021, and the approved Construction Logistics Plan by WPS Compliance Consulting Ltd. Dated 14 May 2021.

- 5) 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.
- 6) The parking area shown on the approved plans for the provision of a maximum of 20 car parking spaces, including a minimum of one disabled parking space and 20% active Electric Vehicle Charging Points and 20% passive Electric Vehicle Charging Points, shall be provided before the occupation of any part of the development, and shall be retained for parking purposes for the users of the development and for no other purpose.
- 7) Notwithstanding what is shown on the approved drawings, prior to occupation of the development details of the location and design of secure and covered cycle parking to provide a minimum of 106 long stay and 10 short stay cycle parking space on the site shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details prior to the occupation of the development and be retained for cycle parking purposes for the users of the development and for no other purpose.
- 8) The development shall be occupied and operated in accordance with the objectives detailed in the approved framework Travel Plan by Icení dated May 2021.
- 9) Prior to the occupation of the development, details of a delivery and servicing plan including hours of operation shall be submitted to and approved by the Local Planning Authority. The development shall be occupied and operated in accordance with the approved delivery and servicing plan.
- 10) The occupation of the development authorised by this permission shall not begin until the applicant has procured from the Council a Traffic Management Order under the Road Traffic Regulation Act 1984 (or any statutory provision which may supersede or replace that Act) to remove and convert one on-street parking bay to single yellow line at the south eastern end of the application site on Putney Bridge Road in order to provide a loading bay.
- 11) The development shall be built in accordance with the submitted Energy & Sustainability Statement by Cundall dated 17th May 2021, demonstrating how the development will follow the hierarchy of energy efficiency and renewable energy technologies to secure a minimum 35% reduction in CO2 emissions below the maximum threshold set in Building Regulations Part L 2013. Prior to first occupation of the development, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP or 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 Strategy. The installed measures shall be retained in accordance with the approved details unless otherwise agreed by the Local Planning Authority.
- 12) Within three months of the 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 integrated shall be retained for as long as the development is in existence.

- 13) Prior to any works adjacent to trees, Tree Protection measures as detailed in the approved Arboricultural Report by Tim Moya Associated dated May 2021, and in line with BS5837:2012, shall be installed and no works or materials/plant storage shall be undertaken within the protected area, unless otherwise agreed in writing. The protection measures will be retained out the until completion of the development.
- 14) Prior to occupation details of landscaping and treatment of parts of the site not covered by buildings, to include the hard landscaping materials, species of new planting/seeding, the depth of soil to the green roof, shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding, turfing and green 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.
- 15) Any trees or shrubs planted as part of a landscape scheme approved as part of this decision, or arising from a condition imposed on this decision, which within a period of five years from the completion of the development is found to be dead, removed, or becomes seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- 16) A landscape management plan, including management responsibilities and maintenance schedules for all newly created landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority before occupation of the development. The landscape management plan shall be carried out as approved and any subsequent variation to it shall be agreed in writing by the Local Planning Authority.
- 17) Prior to occupation details of biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The enhancements shall include (but not be limited to) - numbers, types, location, height and orientation of nest boxes for declining bird species; details of biodiversity roofs to be delivered in accordance with "The GRO Green Roof Code 2014 section 2.2.2" (the biodiversity roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency); habitat features such as (but not limited to) gravels, sand, boulders or rocks; landscaping 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). The approved measures shall be installed prior to first occupation of the development and be maintained in perpetuity.
- 18) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment and SuDS Strategy by Heyne Tillett Steel dated September 2022. The mitigation measures shall be retained as such.
- 19) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be

- implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.
- 20) Notwithstanding the provisions of Class E of the Use Class Order 2020 (or any Order revoking, amending and re-enacting the Order) no floorspace within the building shall be used for the purposes of "Class E(f) - Creche, day nursery or day centre" and no floorspace on the first, second, third and fourth floors within the building shall be used for "Class E(a) - Display or retail sale of goods."
- 21) Prior to the first occupation of the development hereby approved, an operational waste and recycling strategy shall be submitted to and approved in writing by the Local Planning Authority. The submitted operational waste and recycling strategy shall include details of the arrangements for storage and collection of waste from the development. 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. For the avoidance of doubt, the strategy shall include details of private waste and recycling collection.
- 22) Details of any external plant or ventilation equipment, including ducting and air conditioning units, including noise, vibration and air quality abatement measures, shall be submitted to and approved by the Local Planning Authority before its installation, and the details implemented as approved.
- 23) Full details of any external lighting to be erected within the application site, including any that is to be fixed onto the building, both during the construction phase and all subsequent permanent external lighting, shall be submitted to and approved by the Local Planning Authority before its installation, including clear geo-referenced lux contour plans and details of measures to prevent light spill onto any habitat creation within and immediately adjacent to the development site.
- 24) Prior to the installation of the photovoltaic panels, details of the appearance, location, orientation, total area and predicted carbon savings from the photovoltaic panels shall be submitted to and approved by the Local Planning Authority to show how the renewable energy carbon savings are to be achieved. The photovoltaic panels shall be installed in accordance with the approved details prior to the occupation of the development and retained and maintained as such unless otherwise agreed by the Local Planning Authority.
- 25) Other than those areas specifically identified as such on the approved drawings, 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.
- 26) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, amending or re-enacting that Order) no satellite dishes, telecommunications masts, antennas or equipment or associated structures, shall be installed on the building hereby approved.
- 27) The public roof terrace hereby permitted shall not be open to customers other than between the hours of 0800 and 2200 hours Monday to Sunday, and at no other times.

END OF SCHEDULE