



Appeal Decision

Hearing held on 29 May 2024

Site visit made on 29 May 2024

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2024

Appeal Ref: APP/H5960/W/24/3338541

223 Balham High Road, London, SW17 7BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Throgmorton (Balham) Limited against the decision of London Borough of Wandsworth.
 - The application Ref is 2023/1413.
 - The application sought planning permission for the demolition of existing ground floor commercial unit and erection of a part 3/4/5 storey building with basement to provide commercial (Class E) on the basement and front ground floor and 42 residential units (Class C3) to the rear ground floor and above with private and communal amenity spaces. Provision of cycle storage, refuse storage and landscaping without complying with some conditions attached to planning permission Ref 22/1694, dated 8 March 2022 as amended by further permission 2023/0984, dated 5 April 2023, which also amended the description of the proposed development.
 - The conditions in dispute are No's 2, 17, 29 and 36 the details of which are set out in Schedule B attached to this decision but in summary refer to No.2- Approved Plans; 17 Urban Greening; 29 - Implementation of Energy and Sustainability Statement; 36 Implementation to accord with Fire Statement.
 - The reasons given for the conditions are set out in Schedule C. In summary they are: 2 To ensure satisfactory development; 17 - None given; 29 In the interests of sustainable development and accord with policy; 36 - Ensure fire safety and accord with policy.
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Decision

1. The appeal is allowed and planning permission is granted for the variation of Condition 2 (in accordance with approved drawings), Condition 17 (Urban Greening Factor), Condition 29 (Energy and Sustainability Statement) and Condition 36 (Fire Statement) pursuant to planning permission dated 08/03/2023 ref 2022/1694 (Demolition of existing ground floor commercial unit and erection of a part 3/4/5 storey building with basement to provide commercial (Class E) on the basement and front ground floor and residential units (Class C3) to the rear ground floor and above with private and communal amenity spaces. Provision of cycle storage, refuse storage and landscaping) to allow: Changes to internal residential layouts resulting in an amended residential unit mix (including an increase of 6 residential units);

reconfiguration of commercial floorspace; minor adjustments to the building massing and height and associated changes to the external building façade, landscape design and plant location, at 223 Balham High Road, London, SW17 7BQ in accordance with the terms of the application, Ref 2023/1413, and the plans submitted with it, as amended, subject to the conditions in the attached Schedule A.

Preliminary Matters

2. Prior to the hearing the Council advised that part of reason for refusal No.1 concerning the following text was imposed in error and was withdrawn:

The reduction in the quantum of floor area for the provision of commercial, business and service Class E uses (excluding Class E(f) (day nursery, creche or day centre) uses) has been caused by the increase in residential floor area and resultant unacceptable housing mix with an oversupply of one bedroom, two person units, thus reducing the opportunities for an enhanced commercial unit when compared to that approved under Ref.2022/1694 dated 08/03/2023 .

3. A formal Section 106 Obligation (Deed of Variation) dated 22 May 2024 and signed by the appellant and the Council was submitted prior to the hearing. The Deed is mainly concerned with the provision of affordable housing and is related to the formal agreement accompanying the original planning permission. The Council was satisfied with the majority of the Deed but at the hearing requested a minor change. A further Deed of Rectification is dated 17 June 2024 which the Council is satisfied with. Taken together these Obligations overcome the third reason for refusal and I do not need to consider this matter further.

Main Issues

4. The main issues are:
 - The effect of the scale and design of the development now proposed, and especially the further five storey element, on the character and appearance of the area; and
 - Whether the revised proposal provides an appropriate mix of housing types having regard to the housing needs of the local area.

Reasons

Policy Context

5. The development plan comprises the Council's Wandsworth Local Plan adopted in 2023 (now referred to as the WLP) and the London Plan. The Council confirms that there are no separate policies in the London Plan that are directly relevant to the main issues in this appeal.

Background

6. The appeal site comprises a rectangular area of land the narrow side of which fronts Balham High Road (A24) and the long sides abut Brook Close, a private road which forms the vehicular exit to the adjoining petrol filling station and retail store (PFS) and a short cul-de-sac of residential properties beyond. The southern side of the site mainly adjoins the rear of residential properties

fronting Ritherdon Road. The appeal site lies in the main commercial area of Balham and mainly contains a single storey retail unit and storage at the moment.

7. As set out in the banner headlines above, there is a previous permission for the erection of 42 residential units and other commercial development on the appeal site designed in a series of building blocks which range from 5 storeys on the High Road frontage to three storeys adjacent to the Brook Close housing. This appeal scheme proposes to add a further 6 flats by raising one element of the building block by a storey to make it 5 storeys in total and make other changes to the internal layout of the development. The conditions the subject of the appeal are proposed to be amended to facilitate these changes.

Effect on character and appearance

8. At the part of the hearing held on site the visual impact of the scheme 'as approved' and as now proposed was considered from around Brook Close, from various viewpoints along Balham High Road and from other local streets. The assessment included the 'before and after' elevations and computer-generated 3D images prepared by the appellant's architects. On the evidence presented I am satisfied that the main building blocks of the frontage five storey element (block A) and rearward three and four storey (blocks (C and D) would be little different in visual terms to the permitted scheme. The appeal therefore concentrates on the scale, massing and visual impact of the additional storey to the block B element.
9. In assessing this I have had regard to WLP Policies LP1, LP2 and LP4 and the design criteria set out within the policies. Parts E and F of policy LP4 relate to 'mid-rise' development (defined as five to seven storeys high) which the policy says will be supported in mid-rise zones as identified on the map in Appendix 2 of the WLP. However, while this map appears to recognise the frontage part of the appeal site and the adjoining PFS as a mid-rise zone, the plan is not sufficiently detailed to be able to distinguish that the block B element is mostly inside or outside the defined zone. The proposal should therefore be considered in respect of the criteria set out in the policies.
10. Part F(1) of the policy LP4 advocates that new buildings should be designed to create a 'step down' between the proposed development and buildings within the surrounding area. Both the permitted and the appeal schemes achieve this especially in relation to the scale of the residential development in Brook Close. The Council submits that the new building itself should also step down because of its length away from the main centre frontage and I agree that this is appropriate in townscape terms.
11. Much of the design of the new building takes themes from surrounding development particularly with the use of steep pointed gables, as shown on the High Road frontage but with the upper 5th floor in a darker roofing material. This continues on the Brook Close frontage of this block where the narrow dormers and balconies are proposed to be finished in a darker material. In contrast, the block B element in both schemes is shown to be in a lighter finish and there are visual gaps formed by the balconies between the square principal dormer elements on the upper floor.

12. A critical element in the design and relationship of blocks A, B and C is the setting back by about 3m of the front of block B from its neighbours in both the permitted and appeal schemes. This helps create the feeling that block B would be visually subordinate in the Brook Close frontage.
13. Although the difference in building heights in the appeal scheme is relatively marginal, as shown on the drawings of the elevations, when viewed on the ground, especially from the main public views from the north along the High Road, the difference in 5th floor heights will be more obvious and this would be accentuated by the variation in design, materials and setback.
14. Overall on this issue, bearing in mind the form and design of the permitted scheme, I find that the revised scheme now put forward would, in visual terms have a scale and massing which would still result in a reasonable step down within the overall building proposed. The design of the amended scheme would create a varied and interesting roofline which would respond to surrounding architectural styles. It would be sympathetic to and not harm the local townscape. I find that the proposal accords with the requirements of Policies LP, LP2 and LP4 and of the WLP.

Housing mix

15. WLP Policy LP24 sets out that new residential development will be supported where the market housing element meets various criteria including where it achieves a range of housing sizes to address local housing needs. Part A(3) of the policy sets out indicative proportions by dwelling size/tenure as 1 bed 30-40%; 2 bed 30-40%; 3 bed 15-25% and 4+ bed 5-10%. The Council advises that the detailed housing need in the ward containing the appeal site is close to the above ranges stemming from the district wide housing needs assessment.
16. The permitted scheme has a breakdown of housing types which are reasonably close to the indicative range although there is slight excess of 1 bed units. Although the appeal scheme would introduce an additional floor with 3 three-bed units the overall net change within the building would be an increase of 6 single bed units. This would result in a much higher proportion of small units in the market housing element. That is, 62% of the total rather than the indicative range of 30-40%.
17. On its face the change to the form of residential accommodation now proposed would be at odds with the identified local housing needs and therefore would conflict with the provisions of Policy LP24.

Other Matters

18. Although part of the appeal site adjoins the Heaver Conservation Area the Council is satisfied that the appeal proposal does not affect the setting of this heritage asset and I did not see any aspect at the site visit that leads me to disagree with this conclusion.

Planning balance

19. On the main issues I have found that the scheme now proposed would not be materially different to the scheme previously permitted by the Council in that the design and form of the additional storey to block B would maintain the stepping down of the form of the whole building and would not harm the character and appearance of the area or the local street scene. However the

change to the housing mix and the much greater provision of small one bed units would be at odds with the preferred housing mix identified to meet the local housing need. There would therefore be a partial conflict with the provisions of the development plan.

20. This has to be balanced with other considerations. I note that the provision for affordable housing is increased in the appeal scheme where some 22% of habitable rooms would be affordable housing. Moreover, the Council's independent financial viability assessment of the revised proposal concluded that the scheme would be in deficit and the main parties agree that this is the maximum provision of affordable housing justified by viability. Further viability reviews are included in the formal 106 Deed.
21. In applying Policy LP24 the accompanying reasoned justification sets out in paragraph 17.19 that a rigid application of the indicative proportions should not be applied in all cases and that regard should also be had to local circumstances. This is recognised to include the character of the area and economic viability. Such an approach is also consistent with the guidance in the Framework where the government's aim of significantly boosting the supply of homes seeks to meet identified housing need through an appropriate mix of housing types as much as possible. This aim therefore includes a degree of flexibility.
22. Similar to the officers who recommended approval of the application the subject of the appeal, I find that the housing mix put forward is reasonable for the circumstances of the site and there are insufficient clear planning grounds to reject the appeal on this ground alone.
23. Overall I find that the proposal does not conflict with the provisions of the Council's Local Plan when this is read as a whole and there are no other considerations which outweigh this. As such the appeal should therefore be allowed.

Conditions

24. The conditions the subject of the appeal need to be amended to reflect the revised plans in this proposal. Moreover, as this is a new permission the other conditions imposed on permission Ref 22/1694 must be restated but I agree with the parties that this should include reference to the current position where a condition has been discharged in the meantime. The reasons for the conditions are as set out on the permission 22/1694 with the exception of No. 17 which was missing. In that case the reason for its imposition is "To ensure that adequate urban greening is implemented in accordance with Council policy LP57 of the Wandsworth Local Plan (adopted July 2023), London Plan Policy G5 coupled with the requirements of the National Planning Policy Framework."

Conclusion

25. For the reasons given above the appeal should be allowed.

David Murray

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr S Tickle BA (Hons) Dip TP MRTPI

Director, Rolfe Judd Planning

Ms A Collins BPlan (Hons)

Associate, Rolfe Judd Planning

Mr E Macgilliray RIBA

Director, Rolfe Judd Architecture

Mr O Tarlow

Appellant Co. (Solicitor + Director)

Mr D Liss

Appellant Co.

LOCAL PLANNING AUTHORITY:

Mr N Grainger BA(Hons) Dip.TP .

East Area Team Manager

Mr D Andrews

Conservation + Urban Design Officer

Mr D Goodman MRTPI

Principal Officer Policy Team

Appendix A - Conditions imposed on the current appeal scheme.

1. The development hereby permitted shall be begun within 3 years from the date of permission ref.2022/1694.
2. Part a) The development shall be carried out in accordance with the reports, specifications and drawings detailed:
B1_0_90100 Rev P2 - Site plan as existing
T90100 Rev P2 - Site plan as proposed
T2011-1 Rev P1 - Basement plan
T201100 Rev P1 - Option 1 - Ground floor plan
T201101 Rev P1 - Option 1 - First floor plan
T201102 Rev P1 - Option 1 - Second floor plan
T202100 Rev P1 - Option 2 - Ground floor plan
T202101 Rev P1 - Option 2 - First floor plan
T202102 Rev P1 - Option 2 - Second floor plan
T201103 Rev P1 - Third floor plan
T201104 Rev P1 - Fourth floor plan
T201105 Rev P1 - Roof plan
T20201 Rev P3 - Street elevations
T20202 Rev P3 - Courtyard elevations
T20300 Rev P3 - Courtyard Sections
591-CTF-XX-XX-DR-L-00000 Rev P07 - General Arrangement Plan
591-CTF-XX-00-DR-L-00001 Rev P09 - GF Landscape Plan
591-CTF-XX-00-DR-L-20001 Rev P05 - GF Typical Section
591-CTF-XX-01-DR-L-00002 Rev P10 - 1F Terrace Landscape Plan
591-CTF-XX-01-DR-L-20002 Rev P07 - 1F Terrace Typical Section
591-CTF-XX-XX-DR-L-00003 Rev P06 - Biodiverse Roof Plan
591-CTF-XX-XX-DR-L-30101 Rev P04 - Biodiverse Roof Typical Section
591-CTF-BC-00-DR-L-00001 Rev P02 - Brook Close Improvements GF Landscape Plan
591-CTF-BC-00-DR-L-20002 Rev P02 - Brook Close Section A-A / B-B
591-CTF-BC-00-DR-L-20001 Rev P02 - Brook Close Sections C-C / D-D
TSK 006 Rev P03 - Commercial Short Stay Cycle Provision
TSK 003 - Wheelchair Units Affordable Tenure
TSK 007 - Wheelchair Units Market Tenure
Proposed Wheelchair Units Location
Part b) There shall be no more than 48 residential units (Use Class C3).
3. Prior to commencement of above ground works (excluding demolition), details and samples of materials proposed to be used on all external surfaces of the development shall be submitted to and approved in writing by Official the local planning authority. The development shall be carried out in accordance with the approved materials and thereafter so retained.
4. Prior to commencement of above ground works (excluding demolition), detailed drawings at a minimum scale of [1:20] (or other scale to be agreed in advance by the local planning authority) shall be submitted to and approved by the local planning authority. Such details shall include; architectural details window reveals; window frames; entrance doors; door frames; junctions between changes in

materials; brick articulation; fenestration detailing; eaves detailing; and balcony detailing. The development shall be constructed in accordance with the approved details and retained as such.

5. Prior to commencement of above ground works (excluding demolition), 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 occupation of any of the residential units, the improvements to Brook Close streetscape shall be implemented in accordance with the approved details and completed prior to first occupation of any of the residential unit or otherwise in accordance with a timetable agreed in writing with the local planning authority.
7. The development shall be carried out in accordance with the preliminary risk-assessment and site investigation approved under details application ref. 2024/0987.
8. If any risk of contaminated land has been identified from the contaminated land preliminary risk-assessment & investigation in Condition 7, no development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, and shall be submitted to and approved in writing by the local planning authority.
9. Prior to first occupation, the remediation identified in the Contaminated land remediation method statement required by Condition 7 shall be completed and a verification report produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority.
10. The development shall be carried out in accordance with Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), approved under details application ref.2024/0719. The DMP shall be in accordance with The Control of Dust and Emissions during Construction and Demolition SPG 2014. The DMP will need to detail the measures to reduce the impacts during the construction phase. The development shall be undertaken in accordance with the approved plan.
11. The development shall be carried out in accordance with PM10 Monitoring, approved under details application ref.2024/0719. Monitoring shall continue to be carried out during and after demolition and construction works. Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by Wandsworth Council prior to commencement of monitoring.
12. 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.
13. The development shall be carried out in accordance with the Construction Environmental Management Plan approved under details application

ref.2024/0718. The development shall not be undertaken otherwise than in accordance with the CEMP approved in writing by the Local Planning Authority.

14. Prior to the relevant works, a landscaping scheme, to include landscaping and treatment of parts of the site not covered by buildings and play space facilities, shall be submitted to and approved in writing by the local planning authority. These details shall include [hard landscaping works including proposed finished levels and contours; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; the lighting column design, height and material(s); soft landscaping including the species and height of tree planting and root volumes, shrubs, green walls, hedges, plants and seeding, with priority given to wildlife friendly species; minor artefacts and structures (e.g. furniture equipment, refuse or other storage units, signs, ecologically sensitive lighting (in accordance with Bat Conservation Trust and ILP 2018 Guidance); proposed and existing functional services above and below ground (e.g. drainage power; communications cables, pipelines, indicating lines, manholes, supports); retained historic landscape features and proposals for restoration.] The landscaping scheme shall be carried out in accordance with the approved details and completed prior to the occupation of the development, or in accordance with a programme agreed in writing with the local planning authority.
15. Notwithstanding the details shown on the approved plans and set out in the supporting information, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the local planning authority prior to the relevant works. The Plan shall include details of all measures to provide biodiversity gain, including but not limited to: full details of the biodiverse roofs including details of features to be included within the substrate e.g. rope coils and details of any seed / plug plant choice (in accordance with The Gro Green Roof Code 2021); number, orientation, target species and location for any integrated bird and bat boxes; details of any invertebrate habitats; details of any lighting demonstrating how light spill onto habitats created for biodiversity will be minimised. 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.
16. 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.
17. The proposed development must achieve an urban greening score of at least 0.31. If the proposed development deviates from the urban greening layout detailed in 223 Balham High Road Urban Greening Factor Calculation - S73 (received on 14/09/2023), then prior to occupation an updated an urban greening table and plan shall be submitted to and approved in writing by the local planning authority.

The urban greening shall be provided in accordance with the approved details prior to the occupation of the development.

18. The ground and first floor communal gardens hereby permitted shall only be used between the hours of 07:00 to 00:00 Mondays - Sunday and at no other time.
19. Prior to the relevant works, details of the height, design and material(s) of the proposed 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.
20. Prior to occupation of any of the residential units, details of the siting, design and materials of residential refuse and recycling storage to serve the development shall be submitted to and approved in writing by the local planning authority. The refuse storage facilities shall be provided in accordance with the approved details prior to occupation any of the residential units, and shall be retained thereafter.
21. Prior to occupation of the commercial unit, details of the siting, design and materials of the commercial refuse and recycling storage to serve the development shall be submitted to and approved in writing by the local planning authority. The refuse storage facilities shall be provided in accordance with the approved details prior to occupation of the commercial unit and shall be retained thereafter.
22. Prior to occupation of any of the residential units, details of the location, number and design of secure and covered residential cycle parking 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 occupation of any of the residential units and be retained for residential cycle parking purposes for the users of the development and for no other purpose.
23. Prior to occupation of the commercial unit, details of the location, number and design of secure commercial cycle parking 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 occupation of the commercial unit and be retained for commercial cycle parking purposes for the users of the development and for no other purpose.
24. Prior to the commencement of above ground works (excluding demolition), details of a scheme of measures to insulate the development against external noise shall be submitted to and approved in writing by the local planning authority. Such scheme shall include full details of the glazing to be installed with the manufacturers Rw value test result for the whole glazing unit including the frame. The development shall be carried out in accordance with the approved scheme prior to first occupation and be so retained.
25. Prior to the commencement of above ground works (excluding demolition), details of a scheme for the insulation of the residential units against the transmission of airborne sound [and impact sound between the ground and Official first floor

levels, between the commercial unit and the residential units on the ground floor and between the bin store and the residential unit on the ground floor] shall be submitted to and approved in writing by the local planning authority, and the approved scheme shall be implemented prior to the first occupation of any dwelling and shall be retained thereafter.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking, amending and re-enacting the Order the development hereby approved be used only for Class E, excluding Class E(f) (day nursery), and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order (with or without modification).
27. The use of the commercial unit hereby permitted shall not be open to customers other than between the hours of 0700 - 2300 Mondays - Sundays.
28. Prior to commencement of the above groundworks, details shall be submitted to and approved in writing by the local planning authority to demonstrate that the development will 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. The development shall be constructed in accordance with the approved details. Prior to first occupation of the building evidence (schedule of fittings and manufactures literature) shall be submitted to and approved in writing by the local planning authority to show that the development has been constructed in accordance with the approved internal water use calculations.
29. The development shall be built in accordance with the submitted Energy & Sustainability Statement V2 dated 14/03/2023 by The PES demonstrating how the development will follow the hierarchy of energy efficiency, decentralised energy and renewable energy technologies to secure a minimum 71.56% reduction in CO2 emissions below the maximum threshold set in Building Regulations Part L 2021. 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.
30. The commercial unit shall be built in accordance with the submitted revised BREEAM Accredited Professional Stage 2/3 Pre-assessment Report 223 Balham High Road Wandsworth SW17 7BQ dated 23/08/2023 by eb7 demonstrating how the commercial unit (Shell only) will secure a BREEAM enhanced 'Excellent' with a score of 75.88%. The installed measures shall be retained in accordance with the approved details unless otherwise agreed by the local planning authority.
31. Prior to installation, 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.

32. Prior to installation, details of the appearance, location, screening, noise impact and predicted carbon savings from the air source heat pumps shall be submitted to and approved by the local planning authority to show how the renewable energy carbon savings are to be achieved. The air source heat pumps 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.
33. Prior to installation, details of any external plant and equipment shall be submitted to and approved in writing by the local planning authority. The approved works shall be installed in accordance with the approved drawings.
34. The development permitted by this planning permission shall only be carried out in accordance with the approved FRA & SuDS Strategy Report Sustainability Services by eb7 Ltd, dated 01/03/2022. The mitigation measures shall be retained as such.
35. Prior to commencement of development (excluding demolition), a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
36. The development permitted by this planning permission shall only be carried out in accordance with the approved Fire Safety Strategy, 223 Balham High Road, London Plan Planning Statement, Rev 03, dated 27 March 2023 by Hoare Lea. The development shall be built and operated in accordance with the approved statement.
37. Prior to occupation of any part of the development the parking area(s) for the two spaces for disabled drivers shown on the approved drawing(s) shall be provided and shall be retained for parking purposes for the users of the development and for no other purpose.
38. The roofs of the building(s) other than the terraces identified on the approved plans shall not be used as a balcony, roof garden or similar amenity area and furthermore, no balustrades, railings or other means of enclosure or means of permanent access shall be erected on this area.
39. 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.

40. Prior to occupation of the residential units and commercial unit, 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.
41. No development shall take place until, including any demolition, a Construction Logistics Plan shall be submitted to and approved by the local planning authority. The Construction Logistics Plan shall include details of the routing of construction vehicles, time of arrival and departure, and any proposed temporary traffic and pedestrian management measures during the course of construction. The demolition and construction works shall be carried out in accordance with the approved plan.
42. Prior to works commencing on site, a Planning Stage Whole Life Cycle Calculation shall be submitted to and approved in writing by the Local Planning Authority. The Planning Stage Whole Life Cycle Calculation shall be conducted in accordance with the RICS Whole-life carbon assessments - 2nd edition, and shall be supported by evidence of prior submission to ZeroCarbonPlanning@london.gov.uk (using the planning submission stage tab of the GLA's WLC assessment template), in line with and fully satisfying the criteria set out in the GLA's Whole Life-Cycle Carbon Assessments guidance. The development shall not be carried out other than in accordance with the approved Pre-Commencement Whole Life Cycle Calculation.

Schedule B – Conditions subject to appeal from the previously permitted scheme

2. The development shall be carried out in accordance with the reports, specifications and drawings detailed:

B1_0_90100 Rev P1 - Site plan as existing

T90100 Rev P1 - Site plan as proposed

Z1_0_201-1 Rev P2 - Basement plan

T20100 Rev P3 - Ground floor plan

Z1_0_20101 Rev P3 - First floor plan

Z1_0_20102 Rev P1 - Second floor plan

Z1_0_20103 Rev P1 - Third floor plan

Z1_0_20104 Rev P1 - Fourth floor plan

Z1_0_20105 Rev P1 - Roof plan

Z1_0_20201 Rev P1 - Street elevations

Z1_0_20202 Rev P1 - Courtyard elevation

Z1_0_20300 Rev P2 - Courtyard Sections

591-CTF-XX-XX-DR-L-00000 Rev P05 - General Arrangement Plan

591-CTF-XX-00-DR-L-00001 Rev P07 - GF Landscape Plan

591-CTF-XX-00-DR-L-20001 Rev P03 - GF Typical Section

591-CTF-XX-01-DR-L-00002 Rev P07 - 1F Terrace Landscape Plan

591-CTF-XX-01-DR-L-20002 Rev P05 - 1F Terrace Typical Section

591-CTF-XX-XX-DR-L-00003 Rev P04 - Biodiverse Roof Plan

591-CTF-XX-XX-DR-L-30101 Rev P03 - Biodiverse Roof Typical Section

591-CTF-BC-00-DR-L-00001 Rev P02 - Brook Close Improvements GF Landscape Plan

591-CTF-BC-00-DR-L-20002 Rev P02 - Brook Close Section A-A / B-B

591-CTF-BC-00-DR-L-20001 Rev P02 - Brook Close Sections C-C / D-D

TSK 001 - Commercial Short Stay Cycle Provision

TSK 003 - Wheelchair Units Affordable Tenure

17. The proposed development must achieve an urban greening score of at least 0.28. If the proposed development deviates from the urban greening layout detailed in Design & Access Statement Landscape Design Statement ref.591-CTF-XX-XX-RP-L-00004 Rev P03 dated March 2022 by Churchman Thornhill Finch, then prior to occupation an updated an urban greening table and plan shall be submitted to and approved in writing by the local planning authority. The urban greening shall be provided in accordance with the approved details prior to the occupation of the development.

29. The development shall be built in accordance with the submitted Energy & Sustainability Statement by eb7 Ltd dated 14 March 2022 demonstrating how the development will follow the hierarchy of energy efficiency, decentralised energy and renewable energy technologies to secure a minimum 65.27% 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.

36. The development permitted by this planning permission shall only be carried out in accordance with the approved Fire Statement Rev 01 prepared by Fire Engineering, dated 02/03/2022. The development shall be built and operated in accordance with the approved statement.

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Schedule C - Reasons given for conditions in the previously permitted scheme

2. To ensure a satisfactory standard of development and to allow the local planning authority to review any potential changes to the scheme.

17. None given

29. In the interest of sustainable development and to accord with London Plan policy SI2 and Council policy DMS3 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2021.

36 To ensure that adequate arrangements are made for fire safety in accordance with London Plan Policy D12 coupled with the requirements of the National Planning Policy Framework 2021.