

Addendum Report**Planning Committee 24 April 2019****Item 6****DM2018/02044 - Former Sludge Beds to the West of Beddington Lane and Land to the Rear of 79-93 Beddington Lane, Beddington.**

Since the publication of the Officer's committee report further consultation responses and representations have been received and are outlined below.

The London Borough of Merton responded commenting on the revised drainage scheme raising no objection.

A further representation was submitted by Councillor Matthey objecting to the proposal. The material objections are as follows in **bold** with the officers response following:-

- 1. The proposal would be visually intrusive to the Wandle Valley Regional Park and the adjacent Metropolitan Open Land (MOL).**

In response to the above objections, the officer's report addresses the impact of the development on MOL (sections 5.3 to 5.18). The impact is considered not to be significant as the development would be viewed in the context of the Beddington Lane Strategic Industrial Location when viewed from the Wandle Valley Regional Park and the MOL.

- 2. The buildings would not make use of the decentralised energy network being developed.**

The site is not located within the Hackbridge Decentralised Energy Opportunity Area as identified in the Local Plan, and as such does not require connection to the decentralised energy network according to policy 31 of the Local Plan.

- 3. Reiterates TfL's concerns regarding the secondary access on to Beddington Lane.**

The Senior Highways Engineer raised no objection to the secondary access onto Beddington Lane nor the provision of car parking which is in accordance with the Council's maximum car parking standards.

- 4. Reiterates TfL's objection to the provision of car parking.**

See response to (3) above

5. Objects to the loss of trees.

Whilst there would be a loss of mature trees on site, the benefits of the proposed development would outweigh the harm of the loss of these trees.

6. Reiterates the Biodiversity Officer's original consultation response.

The proposal would provide a no net loss of Biodiversity and would result in improvements to the Beddington Lane Ecology Reserve (BLER) and the Wandle Valley Regional Park. The applicant has addressed these concerns of the Biodiversity Officer and has provided mitigation in the loss of biodiversity of the site by providing the BLER and also a financial contribution to offset any loss of Biodiversity units. Conditions 4, 5, 6, 7 and 8 would address these concerns

7. Reiterates the Lead Local Flood Officers original consultation response.

The applicant has addressed these concerns of the Lead Local Flood Authority, and the suggested conditions 37 and 38 would secure drainage scheme for the site in accordance with policy. Furthermore no objection has been raised by the Environment Agency.

8. Raises concerns regarding the lack of ongoing air monitoring post completion of the development.

The Environmental Statement has assessed the air quality impacts of the development and this has been addressed in the officer's report. In respect to ongoing air monitoring this was not raised as an issue by the Council's Environmental Health Officer and is not considered necessary in this instance.

9. The restriction of HGVs along Beddington Lane will impact on the operational traffic to the site.

Condition 11 requires a service and delivery plan to be submitted, which would include details of routing of HGV traffic along Coomber Way and Ampere Way to the A23. The restriction to the south of Beddington Lane would not impact on the use of this route.

10. There is no recognition of the current planning application ref: D2018/1865 at 79-85 Beddington Lane.

The Environmental Statement has assessed the cumulative impacts traffic in respect to the current planning application ref: DM2018/01865 and the

Energy Recovery Facility. It has shown that there would be no material harm to safe and efficient operation of the public highway network.

Since the publication of the Officer's Committee Report, the Council's Biodiversity Officer has considered the cost of biodiversity enhancements which would offset the net loss of biodiversity from the main site. A total of £234,232 was considered sufficient to ensure the development would attain a no net loss of biodiversity and has been accepted by the applicant. As such this figure would be secured by a S106 legal agreement to ensure that the proposal will attain a no net loss of biodiversity by providing enhancements and gains to the wider Wandle Valley Regional Park in accordance with Policy 26 of the Sutton Local Plan.

Amend relevant planning history application ref: 95/35093 to read;

Importation and storage of subsoil, mixing of dried sludge and subsoil substitute material for export and the erection of two portacabins for a temporary period of five years was granted planning permission on the 5 April 1991.

Amend paragraph 5.12 to read (**Changes marked in bold**);

Policy 24 of the Sutton Local Plan relates to the Green Belt and MOL. Whilst the policies do not specifically refer to development on site adjacent to the MOL, the policy requires that development within MOL should preserve the openness of the MOL. The strategic objective of this policy is to protect the open **feel** of the borough and also protect biodiversity.

Amend paragraph 5.13 to read;

Whilst in land use terms the proposal is considered acceptable, it would result in significant built form adjacent to MOL. The main site would be located to the **east** of **the** Viridor ERF site and the designated MOL. The application has been accompanied by an Environmental Statement (ES) which has considered the visual impact of the proposed development on the wider landscape, taking into account the designated MOL to the **west** of the site. Viewpoints both close to the site on Beddington Lane and further afield were considered. These included views from Mill Hill on Mitcham Common (north of the site), Pollards Hill (north east of the site), Poulter Park (west of the site) and The Pavillion in Beddington Park (south of the site).

Amend paragraph 5.16 to read;

The phased restoration of the Wandle Valley Regional Park will improve the openness of the MOL and the decommissioning of the ERF at the end of **its** life span will further add to the openness of the MOL. Following the restoration of the Wandle Valley Regional Park and the decommissioning of the ERF the proposed

development would be visible from the **west** of the site from the park. However, as part of the restoration and landscaping of the ERF a bund is being constructed to the west of the main site. This will help soften the appearance of the proposal from the MOL. Furthermore the proposal would be viewed from the MOL in connection with the Beddington Lane SIL, and the other industrial development surrounding the site. It should also be noted that there is established development along the west side of Beddington Lane both to the north and south of the application site. Therefore when viewing the proposal from the MOL, it would be viewed in this context of continuing the industrial development to the west of Beddington Lane and would be set against the established industrial landscape of the Beddington Lane SIL.

Amend paragraph 5.41 to read;

The scale and massing of the proposed building is typical of larger industrial units, and the building has been designed with a softly sloping dual pitched roof, with brise-soleil proposed to the glazed elevations which would give the building interest along with breaking up the massing of the buildings. The building would present the more active frontages to the southern and **eastern** boundaries of the site which would be the most visible from traffic and pedestrians using Haul Road and Beddington Lane which represents good design in terms of the orientation of the buildings and the layout within the site. The proposed building will have its more functional eastern elevation facing towards the centre of the site.

Amend Condition 1 of the draft Decision Notice to read;

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 31063-PL-200 Rev. B, **31063-PL-201 Rev. C**, 31063-PL-202, 31063-PL-203, 31063-PL-204 Rev. A, 31063-PL-205 Rev. A, 31063-PL-206, 31063-PL-207, 31063-PL-208 Rev. A, 31063-PL-209, 31063-PL-210, 31063-PL-211 Rev. A, 31063-PL-212, 31063-PL-213, **31063-PL-216 Rev. B**, NK019219 RPS-SI-XX-DR-D-1301, 01, 05 Rev. D, 03 Rev. G, 06 Rev. B, Design and Access Statement Rev. B, Drainage Assessment Form, Flood Risk Assessment Ref: RCEF63071-002 R, Drainage Philosophy Statement Ref: NK019219-RPS-SI-XX-CA-D-0001 Rev P05, Technical Note: Biodiversity Accounting, Transport Technical Note - Response to TfL Comments dated 17 January 2019, NK019219-RPS-SI-XX-DR-D-1302 Rev. P02, File/Design Notes from Barry Chinn dated 16 January 2019, Outline Ecological Delivery, Management and Monitoring Strategy for the Beddington Lane Ecology Reserve (BLER) dated February 2019, Commercial Workplace Travel Plan, Transport Assessment dated November 2018, Phase I Geo-Environmental Site Assessment, Planning Statement dated November 2018, Sustainable Design and Energy Statement dated October 2018, Environmental Statement dated November 2018.

Reason: For the avoidance of doubt and in the interests of proper planning.

Amend Condition 4 of the draft Decision Notice to read;

4) No later than six months following the commencement of development, an Ecological Management, Monitoring and Enhancement Strategy (EMMES) shall be submitted to and approved in writing by the Council. The EMMES will accord with the measures specifically set out in Chapter 6 of the Environmental Statement and the Outline Ecological Delivery, Management and Monitoring Strategy documents, and will provide final details in relation to:

- a) Management prescriptions for all habitats proposed at the BLER to accord with the overarching aims and objectives set out in the OEDMMS;
- b) Work Schedule and Management Responsibilities;
- c) Detailed Monitoring Strategy for Habitats, Bats and Birds; and
- d) Additional Measures to be adopted (including provision of bird boxes)

All work shall thereafter be undertaken in accordance with the approved details in the EMMES

Reason: To enhance and protect the biodiversity value of the land in accordance with Policy 26 of the Local Plan 2018.

Amend Condition 6 of the draft Decision Notice to read;

6) Prior to the commencement of the development a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall be in accordance with BS42020:2013 and include the following:

- a. Risk assessment of potentially damaging construction activities
- b. Identification of 'biodiversity protection zones'
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d. The location and timing of sensitive works
- e. The times during construction when a specialist ecologist need to be present on site to oversee works
- f. Responsible persons and lines of communication
- g. The role and responsibilities of the on-site ecological clerk of works (ECoW) or similarly competent person
- h. Use of protective fences, exclusion barriers and warning signs.
- i. A scheme for biodiversity protection during the construction works.

All works carried out during the construction period shall be undertaken in accordance with the approved CEMP.

Reason: To enhance and protect the biodiversity value of the land in accordance with Policy 26 of the Local Plan 2018.

Amend Condition 7 of the draft Decision Notice to read;

7) Prior to the occupation of the development hereby permitted, a detailed lighting scheme shall be submitted to and agreed in writing by the local planning authority. The lighting scheme will provide sufficient information on the limitation of light pollution to the designated site for nature conservation, especially to the west and south of the site. **Lux levels from all light sources are to be no more than the ambient light levels within 5m of the northern, southern and western boundaries of the site.**

Lighting details will provide:

- a. information on the location, design, height, orientation, baffles / shading, of lighting columns
 - b. The luminance and intensity of any other internal lighting that would be visible externally (all residual light spill from buildings, skylights, security lights etc).
 - c. isolux contour maps at 1m intervals extending for at least 20m into the adjacent Site of Metropolitan Importance for Nature Conservation, showing the effects of pre and post mitigation light spill.
 - d. The hours of use of any lighting that would be visible outside the site
- The lighting scheme shall be implemented in accordance with the approved details and thereafter retained throughout the period of operation of the development.
- e. **An assessment of the ambient lighting levels within and on the boundaries of the site.**

Reason: To protect existing and proposed biodiversity of adjacent protected land in accordance with Policy 26 of the Local Plan 2018.

Amend Condition 12 of the draft Decision Notice to read;

12) Prior to the occupation of the development, car parking provision for 186 spaces and 12 disability spaces shall be laid out in accordance with the approved drawing no. **31063-PL-201 Rev. C**. Further details in respect to provision of 36 electric vehicle charging points (both active and passive) shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to occupation and retained thereafter for the life of the development. The 36 electric vehicle charging points shall be included within the total of 198 car parking spaces.

Reason: To ensure sufficient car parking provision is provided in accordance with Policy 37 of the Sutton Local Plan 2018 and Policy 6.13 of the London Plan.

Insert additional condition 37

37) Prior to commencement of groundworks (excluding site investigations and demolition), the applicant must submit a final detailed drainage design including

drawings and supporting calculations and updated Drainage Assessment Form to the Lead Local Flood Authority for review and approval, aligned with the Drainage Assessment form (08/01/19) and associated drawings. Surface water runoff from the site runoff should peak at 16.8 l/s for the 100-year event, 12.1 l/s for the 30 year event and 5.6 l/s for the 1 in 1 year event. A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development. The approved drainage scheme shall be retained, managed and maintained in accordance with the approved management and maintenance plan for all of the proposed drainage components for the lifetime of the development.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy 5.13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Sutton Council's Local Plan Policy 32.

Insert additional condition 38

38) No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details..

Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies 5.12 and 5.13) along with associated guidance to these policies and Sutton Council's Local Plan Policy 32.

ITEM 7 - DM2018/01687 - Wandle Trading Estate, Goat Road, Mitcham Junction CR4 4HW

The second sentence in paragraph 2.5 beginning "*The reason for this change.....*" and ending "*.....consider in the public interest.*" to be replaced with:-

The reason this application is being reported to Planning Committee is not because the s73 application triggers any Constitutional requirement to bring the matter before members, but because the Head of Service is exercising his discretion under the Constitution as the deed of variation associated with any grant of this application ties all signatories to the obligation to provide the Open Space as part of Phase 3. Although it is not the responsibility of Redrow Homes to deliver the open space, they are a signatory to the deed of variation. It is considered necessary to bring the delay to the delivery of Phase 3 to members attention in the public interest and in the interests of openness and transparency.

Paragraph 5.101 to read;

Officers are using their discretion under the scheme of delegation as they consider it is in the interests of open and transparent governance that the delay to the implementation of Phase 3 is drawn to members attention and for officers to advise as to the realistic prospects of completion of the open space.