

Planning Committee

Wednesday, 4 September 2019

7.30 pm at the

Civic Offices, St Nicholas Way, Sutton, SM1 1EA



**SECOND DISPATCH**

To all members of Planning Committee:-

*The following papers, which were not available for dispatch with the agenda, are attached. Please bring them with you to the meeting:-*

**3. MINUTES OF THE PREVIOUS MEETING** (Pages 1 - 8)

To approve as a correct record the minutes of the meeting held on 7 August 2019.

**5. APPLICATION NO. DM2018/01865 - 79-85 BEDDINGTON LANE, BEDDINGTON, CR0 4TH** (Pages 9 - 62)

Proposed construction and operation of the Beddington Lane Resource Recovery Facility, comprising a main waste processing building, two storey administration and amenity building, weighbridge's with associated gatehouses, car park (50 spaces, including 3 disabled and 11 electric charging points), enclosed RCV fleet parking structure (14 Spaces), water tanks and associated pump house, vehicle refuelling area, two new accesses off Beddington Lane, highway improvement works to Beddington Lane, surface and foul water drainage infrastructure, vehicle circulation and manoeuvring space, soft landscaping and other ancillary infrastructure (including fencing, gating, mobile plant service bay, cycle store, smoking shelter and electrical sub-stations).

Helen Bailey  
Chief Executive  
23 August 2019

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## Planning Committee

7 August 2019

**PLANNING COMMITTEE****7 August 2019 at 7.30 pm**

**MEMBERS:** Councillor Kevin Burke (Chair), Councillor Drew Heffernan (Vice-Chair) and Councillors Ben Andrew, Vincent Galligan, Amy Haldane, Peter Geiringer, Tony Shields and Tim Foster

**ABSENT** Councillor(s) Jill Whitehead and Eric Allen

**18. WELCOME AND INTRODUCTIONS**

The Chair, Councillor Kevin Burke, welcomed those present.

**19. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Eric Allen and Councillor Jill Whitehead with Councillor Param Nandha and Councillor Williams attending as substitutes respectively.

**20. MINUTES OF THE PREVIOUS MEETING**

The Chair, Councillor Kevin Burke, read an email to the committee from Councillor Tim Crowley in respect of the minutes of 5 June 2019 expressing his dissent to the minutes as he believed they were not a fair representation of what took place. The committee voted to accept the minutes without any changes.

**RESOLVED:** that the minutes of the meeting held on 5 June 2019 and 3 July 2019 be agreed and be signed by the Chair as a fair and accurate record.

**21. DECLARATIONS OF INTEREST**

Councillor Shields made a declaration on behalf of the Conservative group members to advise the committee that in respect of application **DM2019/00848 216-220 HIGH STREET SUTTON SM1 1NU**, queries had been raised regarding the relationship of the Sound Lounge and the London Borough of Sutton, the selection of this prospective tenant, and the rental level being offered. He did not believe a satisfactory response had been provided regarding how the Sound Lounge had been selected as tenant for this Council-owned building at a rent below market value. Concern was also expressed as the petition prayer from the residents' petition had not been circulated to members in advance of this committee meeting. The declaration argued that the full prayer should be made public. Due to this, the Conservative group wished to express concern regarding the openness and transparency of the Council and therefore declared that they were predisposed to this application but not predetermined.

**Order of items**

The Chair announced that he would amend the order of items to hear item seven ahead of item five.

**22. APPLICATION NO.DM2019/00606 1 SELBY ROAD CARSHALTON SM5 1LE**

The committee considered a report on the above application for erection of a new part one, two-storey, one- bedroom house. The application included provision of one off-street parking space, bin storage, and bicycle store.

The committee moved to vote.

<b>APPLICATION NO.DM2019/00606 - 1 SELBY ROAD, CARSHALTON (Committee Report)</b>	
A poll vote on the officers’ recommendation to refuse planning permission was held in accordance with Standing Order 31.4, when there voted:	
<b>RESOLVED:</b> That planning permission be refused for application No. DM2019/00606	
Councillor Kevin Burke	Against
Councillor Drew Heffernan	Against
Councillor Ben Andrew	Against
Councillor Vincent Galligan	Against
Councillor Amy Haldane	Against
Councillor Peter Geiringer	Against
Councillor Tony Shields	Against
Councillor Tim Foster	Against
Councillor Chris Williams	Against
Councillor Param Nandha	Abstain
<b>Rejected</b>	

**23. APPLICATION NO.DM2019/00833 31 ONSLOW GARDENS WALLINGTON SM6 9QL**

The committee considered a report on the above application for demolition of the detached garage and erection of a detached, four-bedroomed dwelling, alterations to existing access, provision of new vehicular access, and provision of two car parking spaces for existing property

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Following the presentation by Sarah Buxton Deputy Planning Manager, members requested clarification regarding:

- The reasons that this application was previously refused and the comments made by the Planning Inspectorate on appeal. The officer responded accordingly.
- If permitted development rights would remain in place. It was confirmed that this would be the case.
- Comments made by the Planning Inspectorate regarding the layout and if the issues regarding light would be resolved by removing the existing conservatory. Officers advised that they believe by removing the conservatory and adding glass folding doors that the concerns of the inspectorate would be addressed.

Philip Foyle and Blaine Pinto, objectors, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by the objectors were:

- The amenities of residents at 29 Onslow Gardens had not been taken into account.
- Essential light will be cut off.
- The proposed new application building would only be one metre from the boundary to the property at 29 Onslow Gardens.
- This application is not in keeping with the street and would create a terraced effect.
- The proposed two-storey, four bedroom house is not acceptable on this plot.
- The car parking spaces are not of sufficient size and so cars will park on the public highway, worsening this problem.
- South Wallington is an area of special local character and this kind of infill development is to the detriment of local character.

4 minutes and 8 seconds

Members asked the objectors if they believed this development would be suitable for the site. They responded that infilling is speculative and spoils the look and feel of their road. Residents and neighbours are concerned that this will set a precedent for infill housing to be acceptable in this area.

Members asked if the objectors would feel any development whatsoever on this plot would be acceptable and they responded that a proposal would have to be more sympathetic to the site and be smaller so as not to impact on light to neighbouring properties.

4 minutes and 10 seconds

The applicant, Mr Hemant Sohoni, addressed the committee. The principal issues raised by the applicant were:

- Against the backdrop of the Mayor's aspiration for more housing this would provide a much needed new home.
- The proposed development is in keeping with the surrounding area.
- It is considered acceptable to convert the existing garage in an area where many houses do not have a garage.

- Other recent infill developments in this area were given approval on smaller plots.
- The proposed scheme provides the Council’s maximum parking spaces and the Highways engineer provided no objection to this scheme.
- The Planning Inspectorate advised there would be no issue of loss of light for the neighbouring property.
- The application site is in an area of proposed intensification.

4 minutes and zero seconds

Members asked for clarification on the size of the parking spaces. The Highways officer advised that these spaces do comply with the required standard size.

Members queried if there should be a standard distance that a new building should be away from the boundary of the neighbouring property and the officer responded accordingly.

There were no other questions.

In debate, members were mindful of the high number of objections and that the application site is in an area of special local character. Members were aware of the inspectorate’s comments at appeal and that the amendments made had satisfied the outstanding issues.

Members commented that if this application was put forward without the Inspectorate’s comments they would be minded to refuse.

<b>APPLICATION NO.DM2019/00833 31 ONSLOW GARDENS, WALLINGTON SM6 9QL (Committee Report)</b>	
A poll vote on the officers’ recommendation to grant permission was held in accordance with Standing Order 31.4, when there voted:	
<b>RESOLVED:</b> That planning permission be granted for application No.DM2019/00833 subject to the conditions, reasons and informatives set out in the Planning Portal.	
Councillor Kevin Burke	For
Councillor Drew Heffernan	For
Councillor Ben Andrew	Against
Councillor Vincent Galligan	For
Councillor Amy Haldane	Against
Councillor Peter Geiringer	Against
Councillor Tony Shields	For

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Councillor Tim Foster	For
Councillor Chris Williams	For
Councillor Param Nandha	For
<b>Agreed</b>	

**24. APPLICATION NO.DM2019/00848 216-220 HIGH STREET SUTTON SM1 1NU**

The Committee considered a report on the above application for change of use of ground floor from Use Class A2 (Bank) to a mixed use including Use Classes A3 (Food and Drink), A4 (Drinking Establishment), D1 (Non-residential institutions), D2 (Assembly and leisure), and B1a (Office) along with the first and second floors in use as offices (Use Class B1a). Towards the rear elevation would be the installation of an extractor duct.

Following the presentation by Sarah Buxton, Deputy Planning Manager, members requested clarification regarding:

- waste storage at the rear of the property and if waste could be contained by condition. The officer confirmed there is sufficient space within the building undercroft for the waste to be contained.
- the consultation with residents and the number of objectors and supporters. Officers confirmed that there were six letters of support and also a petition from residents who were against the proposal. Officers explained the issue with clarifying the number of people that had signed the petition and the anomalies with the document provided. Members requested details of the petition and prayer be shared with the committee and this was agreed by the Chair and circulated to all members.
- car parking spaces and the officer responded accordingly.
- whether the rear of the property would be used as a smoking area and a place for people to congregate which could create noise disturbances for local residents. Members also queried if noise from the music would be an issue and sought clarification on the measures in place regarding noise limitation. Officers advised that the applicants would address these queries.
- the details around fire exits from the building. The officer responded accordingly.

Officers reminded members that should consider the requested change of use on planning merits and if this would be an appropriate use for this building in Sutton Town Centre. Members were reminded of the flexibility on use in the local plan to keep the High Street vibrant.

Angela Smith, an objector, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by the objector were:

- The close proximity of the application site to residents' homes and that this could create more noise and disturbance.

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- That current antisocial behaviour issues experienced on the Elm Grove estate could be worsened by this application.
- There are a high proportion of vulnerable residents who believe their lives will be worsened if this proposal goes ahead
- Residents had agreed to the petition to make officers aware of their concerns and do not feel they are being listened to nor that any action is being taken to help improve the current antisocial behaviour issues.
- Existing waste collections start at 04:30 every day except Sunday and this creates noise and, due to the close proximity to the High Street, residents can hear noise from market traders in the High Street so they are concerned they will also hear noise from the music at the application site.

6 minutes and 24 seconds

Members thanked the resident for highlighting existing issues and asked how the existing problems will link to this application.

Hannah White and Keiron Marshall, supporters and prospective tenants, and George McCullough and Michael Hunte, representing the applicant, addressed the committee and introduced themselves and their roles in the application. The principal issues raised by the applicant and supporters were:

- Applicants believe the Sound Lounge will create a worthwhile use to this town centre location
- Part of the building will be used as an engagement hub, a key element of the housing regeneration strategy to provide an opportunity to improve engagement with residents.
- Sound Lounge explained their track record since 2015 and spoke of their aims and the facilities that would be offered to the local community.
- There will be no electronic music. Acoustic tests have been completed to ensure that there will be no noise leakage. This will primarily be a cultural folk and jazz music venue for small groups with ticketed events.
- The venue will be used during the day to offer volunteering and training opportunities and family workshops for local residents.
- It was confirmed the space at the rear of the building will not be used as a drinking or smoking area, and that the car park will be used as a fire exit only

6 minutes and 26 seconds

Members sought more details on the sound-proofing and potential noise issues. Applicants advised the internal structure of the building is very good at sound-proofing and noise tests showed no noise leakage.

Members asked if the existing antisocial behaviour issues that had been highlighted had been considered. Supporters responded that their own personal experiences have shown that musical and cultural offerings can be a force for positive change and believe that this offering will engage and support the community and that it will help alleviate antisocial behaviour problems and have a positive impact.

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Members queried what would happen to the site if the Sound Lounge moved to another location. Supporters advised they were hoping to sign a five-year lease and intend to stay in that location.

Members sought more information regarding the commerciality of the proposed rent. The Legal Advisor Allison Letts advised that the leasehold terms of the tenant should not be discussed as part of this application.

In debate, members considered:

- If the community offering would create a positive influence on the existing antisocial issues being experienced and create positive change.
- If there had been an open tender to attract all business proposals for this site.
- If there would be an issue with the change of use if the Sound Lounge move on. Members pointed out that because the Council is the owner it can choose the subsequent tenant which should resolve this issue.
- The benefit to the area of this type of use in making the area more vibrant and of benefit to the local community.
- If the location is too close to local residents and were concerned that the petition indicated that local residents believe this could make antisocial behaviour worse.
- Concern that the High Street survives and a belief that this would be good for the High Street
- That this would be a meanwhile use and that the building could become part of the regeneration of Elm Grove in due course and help the local area in the meantime.

**APPLICATION NO.DM2019/00848 - 216-220 HIGH STREET, SUTTON SM1 1NU  
(Committee Report)**

A poll vote on the officers' recommendation to grant permission was held in accordance with Standing Order 31.4, when there voted:

**RESOLVED:** That planning permission be granted for application No. DM2019/00848, subject to the conditions, reasons and informatives set out in the Planning Portal.

Councillor Kevin Burke	For
Councillor Drew Heffernan	For
Councillor Ben Andrew	For
Councillor Vincent Galligan	For
Councillor Amy Haldane	For
Councillor Peter Geiringer	Abstain
Councillor Tony Shields	Abstain

Councillor Tim Foster	Against
Councillor Chris Williams	For
Councillor Param Nandha	Against
<b>Agreed</b>	

*Meeting adjourned 21.28. Meeting restarted 21.34*

**25. ANY URGENT BUSINESS**

There was no urgent business.

The meeting ended at 10.10 pm

Chair: .....

Date: .....

PLANNING COMMITTEE – 4 September 2019

**Report of the Assistant Director of Environment, Housing and Regeneration Directorate.**

Ref: DM2018/01865	WARD: D17 / BEDDINGTON NORTH	Time Taken: 42 Weeks and 1 Day.
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Site: 79 - 85 Beddington Lane, Beddington, CR0 4TH

Proposal: Proposed construction and operation of the Beddington Lane Resource Recovery Facility, comprising a main waste processing building, two storey administration and amenity building, weighbridges with associated gatehouses, car park (50 spaces, including 3 disabled and 11 electric charging points), enclosed RCV fleet parking structure (14 Spaces), water tanks and associated pump house, vehicle refuelling area, two new accesses off Beddington Lane, highway improvement works to Beddington Lane, surface and foul water drainage infrastructure, vehicle circulation and manoeuvring space, soft landscaping and other ancillary infrastructure (including fencing, gating, mobile plant service bay, cycle store, smoking shelter and electrical sub-stations).

Applicant: Suez Recycling and Recovery (UK) LTD

Agent: Mr Martin Pollard

**Recommendation:**

**TO GRANT PLANNING PERMISSION, subject to conditions, completion of the Section 106 Agreement (S106) and Stage 2 referral to the Greater London Authority (GLA).**

**The S106 agreement to be completed by the 31st December 2019 or a later date as authorised in writing by the Strategic Director of Housing, Environment and Housing.**

**Reason to Report to Planning Committee:** At the discretion of the Head of Development Management and Strategic Planning.

**Summary of why the proposal is acceptable:**

- The proposal is acceptable in land use terms as the site would provide a waste processing facility which would be in accordance with the policies of the Sutton Local Plan 2018 and the South London Waste Plan 2012.
- The proposal is of an acceptable design providing significant soft landscaping to the western, eastern and southern boundaries of the site improving the appearance of this

part of Beddington Lane. Furthermore, the proposed design would not adversely impact on the adjacent MOL and Wandle Valley Regional Park.

- The proposal would not result in adverse impacts on the amenity of the neighbouring occupiers by reason of daylight, sunlight, undue sense of enclosure or privacy.
- The proposal would exceed policy requirements in terms of sustainable construction and design and would provide a net gain in biodiversity.
- The proposal would not result in adverse impacts on the safe and efficient operation of the public highway.
- The proposal would not result in adverse impacts in terms of the air quality of the surrounding area.

## 1.0 **BACKGROUND**

### 1.1 **Site and Surroundings:**

1.1 The application site is located on the west side of Beddington Lane, north of the junction with the now defunct Mile Road. The site comprises an area 2.5 hectares and is located within an industrial setting, with industrial buildings immediately to the north and east, a Sewage Treatment Works to the South and an operational land fill to the west. To the north west of the site is the Viridor Energy Recovery Facility. The site has historically been used as an open-air waste transfer station, however, this use has now ceased and the majority of the site has been cleared. The existing use of the site is Sui Generis.

1.2 The site comprises a large area of concrete hardstanding over the majority of the site, with some compacted aggregate to the northern end of the site and some scrub. By the entrance to the site is a two storey building with a dual pitched roof which appears to have been a dwelling at one point in time, but was in use as an office as recently as 2002. In addition there are single storey modular buildings adjacent to the entrance, which appear to be welfare space for the on site security.

1.3 To the north eastern edge of the site adjacent to Beddington Lane, is a small group of mature trees. The site is bounded by a combination of large concrete panel fencing along the southern and western boundaries or paladin fencing to the north and eastern boundaries. Electricity pylons traverse the south west corner of the site.

1.4 The nearest residential dwellings are Portland Cottages (on Therapia Lane) located approximately 170m to the north-east of the site and 73-77 Beddington Lane which are located 240m to the south of the site. Access to the site is currently from a T-junction off Beddington Lane (B272). The egress utilised by the previous operations on this site was from the south-eastern corner of the site via Mile Road (a private road) which also provides a direct access/ egress onto Beddington Lane.

1.5 **Site specific designation:**

1.6 The site is located within an Archaeological Priority Area, is an Existing Waste Site Safeguarded by the South London Plan 2012, part of the site is a Site of Importance for Nature Conservation (SINC). The site is also located within a Strategic Industrial Location, and part of the site forms a Metropolitan Green Chain, and is designated as Metropolitan Open Land.

1.7 The site is a safeguarded waste site in the South London Waste Plan 2012 as allocated site 17. The site allocation says that developers should pay particular regard to the following:

- Designing the site so that operations are carried out within a fully enclosed building;
- Ensuring there is no potential for fugitive waste as a result of good on-site storage and effective wheel-washing facilities on site;
- Protecting the residential amenity of those properties in the vicinity of the site, especially with regard to air quality which is poor as a result of the cumulative effects of various activities;
- Ensuring that traffic to and from the site is routed to avoid sensitive receptors and residential properties as far as possible and the volume of traffic is not unduly increased;
- Taking measures to maintain the existing nature conservation value of the site and providing offsite mitigation measures if this is not possible;
- Ensuring groundwater and watercourses are not harmed by any development;
- Designing a facility which does not severely impact on the openness of Beddington Farmlands;
- Evaluating and preserving any archaeological remains;
- Remediating the site of historical contamination;
- The following species have been sited on or in the vicinity of the site: Stag Beetle, Eurasian Tree Sparrow, Common Starling, Common Frog, House Sparrow, Cornflower, Caraway
- The following protected habitats are located within a 500m radius: Standing Water and Woodland

1.8 **Relevant Planning History:**

- 06/55709/FUL – Retrospective application for continued use of land and buildings and retention of associated operational development as waste transfer, processing and recycling facility was granted planning permission on the 2 February 2007.
- 09/60763/FUL – Redevelopment of the cleared site as an enclosed and fully landscaped waste management facility comprising main waste tipping and sorting building, recovered materials storage bays, detached offices/staff welfare building and adjoining highways improvements to Beddington Lane. Provision of 23 car parking spaces, 60 HGV spaces and 30 cycle spaces was granted planning permission on the 23 May 2011.

- 09/61962 - Demolition of two existing buildings and erection of a gasification plant (incorporating 23m high chimney, together with associated lime storage sites and six cooler units) for the generation of renewable energy from waste wood and other high biomass waste was allowed on appeal on the 31 August 2011.
  - 10/63071 - Retrospective application for temporary permission for continued use of land and buildings and retention of associated operational development as waste transfer, processing and recycling facility was granted planning permission on the 1 August 2011.
  - 12/65418 - Non material amendment to planning decision D2010/63071/FUL:- Addition of free standing temporary enclosure of RDF baler plant to protect against migration of fugitive waste emissions was granted on the 10 February 2012.
  - 14/69227/FUL – Erection of an external air cooling condenser plant to serve proposed waste management facility on adjacent site approved under application reference number D2009/60763/FUL together with a green wall and extended roof at front was granted planning permission on the 22 September 2014.
  - 14/69228/FUL - Provision of flue stack above roof line of main processing building variation of condition 29 of previously approved application reference number 09/60763/FUL (as amended by non-material amendment application reference 13/68435/NMA) was granted on the 22 September 2014.
- 1.9 The site has been subject to a number of planning applications which relate to waste operations or uses. It is considered that the planning permission ref: D2009/60763/FUL has been implemented and is an extant permission which relates to the site. This is because all the necessary financial contributions required by the S106 agreement have been paid, all pre-commencement conditions have been discharged, and prior to the expiry of the permission. Council enforcement officers monitored the site to ensure that operational works had begun on site prior to the expiry of the permission.
- 1.10 The site was visited on the 20 May 2014 by the Council's Enforcement Officer who observed that works to both entrances to the site had commenced, with the layout of paving and kerb stones as well as works to the electricity sub station. Some road works had taken place as well as excavations to the north end of the site, along with the erection of hoarding for tree protection reasons. This was confirmed by a letter to the applicant on the 20 May 2014 that works that had taken place on site, constituted implementation of the permission.

## 2.0 APPLICATION PROPOSALS

### 2.1 Details of Proposal:

2.2 This application proposes the construction and operation of the Beddington Lane Resource Recovery Facility (Use Class Sui Generis), which comprises of the following functions:

- A main waste processing building;
- A two storey administration and amenity building;
- Weighbridges with associated gatehouses;
- Associated car parking (50 spaces, including 3 disabled and 11 electric charging points);
- A Refuse Collection Vehicle (RCV) fleet parking structure (14 Spaces);
- Water tanks and associated pump house;
- Vehicle refuelling area;
- Two new accesses off Beddington Lane;
- Highway improvement works to Beddington Lane;
- Surface and foul water drainage infrastructure;
- Vehicle circulation and manoeuvring space;
- Soft landscaping and other ancillary infrastructure (including fencing, gating, mobile plant service bay, cycle store, smoking shelter and electrical sub-stations).

2.3 The main processing building would measure 144.7 metres in length and 56.7 metres in depth. It would have a dual pitched roof which would measure 15 metres to the ridge and 12.4 metres to the eaves. To the southern elevation of the building a small canopy would be located which would have a ground clearance of 10.4 metres. The building would be finished in metal cladding to the walls and roof, with metal doors.

2.4 Along the western elevation a loading tunnel would be located which would have roller shutters of 7 metres in height to allow lorries to enter and exit the tunnel. The tunnel would have an odour dispersion vent measuring 19 metres in height and 2.3 metres in diameter. To the northern end of the eastern elevation a 4 metre tall welfare block containing toilets would be located. The rest of the eastern elevation would contain seven roller shutter doors which would allow for lorries to unload waste to the processing building.

2.5 The main processing building would be located centrally within the site, with separation distances of approximately 13.8 metres to the southern boundary, 20.1 metres to the western boundary, 18.7 metres to the northern boundary and 44.5 metres to the eastern boundary.

2.6 The lorry entrance to the site would be located within the south east corner of the site, with a one way route allowing the movement of lorries around the site. On the western boundary of the site adjacent to the entrance would be a small area for landscaping and ecological enhancements. North of this landscaping adjacent to the western boundary would be an enclosure with 14 spaces for the RCV fleet. An electricity substation is proposed to the eastern edge of the site.

- 2.7 North of the main processing building, a weighbridge and gatehouse would be located. Two weighbridges would be located either side of the gatehouses. The gatehouses would measure approximately 3.6 metres in height, 19.6 metres in depth and 6 metres in width. Another gatehouse and weighbridge would be located in the southeast corner of the site before the exit for lorries. The gate houses would also be metal clad, with a single ply membrane roof, with metal doors and aluminium framed windows.
- 2.8 Adjacent to the main processing buildings to the east would be sprinkler tanks and a pump house. The sprinkler tanks would be contained within cuboidal structures which would measure approximately 8 metres in height, 10.1 metres in depth and 9.8 metres in width. The pump house would have a mono-pitched roof measuring 4.7 metres in height and 7.3 metres in depth and 7.3 metre in width.
- 2.9 To the southeast corner of the site, an administrative building (fronting Beddington Lane) would be sited, which would be two storeys with a flat roof. The building would measure approximately 8.4 metres in height and 22.7 metres deep and 15.5 metres wide. It would contain a canteen, changing rooms, showers and toilets at ground floor level, with offices, meeting rooms and other ancillary uses at first floor level. This building would be constructed in brick with a metal cladding finish. The proposal would generate 61 full time employees.
- 2.10 North of the administrative building, the application proposes in total 50 car parking spaces for staff and visitors, comprising of 3 accessible car parking spaces and 10 electric car charging point spaces. This car park would be accessed from Beddington Lane and there would be no vehicular access to the wider site from the car park.
- 2.11 Soft landscaping is proposed to the west, south and east boundaries of the site, with the mature trees to the northwest corner shown to be retained. This would also include a green roof and wall to the shelter for the RCV fleet located on the eastern boundary of the site.
- 2.12 The proposed development would be for an integrated waste management facility, with an overall capacity to process 350,000 tonnes of waste per annum (tpa). The facility would operate 24 hours a day 7 days a week, and is a proposed replacement facility for the applicants existing operations at Benedict Wharf in Mitcham.
- 2.13 The site would handle mainly commercial and industrial waste, and would allow for the sorting of waste, the bulking and sorting of wooded waste and other recyclables for onward transfer to other processing facilities. The primary activity on site would be the preparation of Refuse Derived Fuel (RDF), which would be used as fuel in energy recovery facilities in the UK and Europe.
- 2.14 The facility would contain four main waste processing operations comprising of:
1. Refuse Derived Fuel (RDF) preparation operations of up to 240,000 tpa. This would involve the removal of metals and the incorporation of residual waste arising from the waste transfer operations described below.

2. Recyclable Bulking operations of up to 25,000 tpa and would involve bulking, baling and transferring recyclables.
  3. Wood Transfer operations of up to 40,000 tpa and would involve bulking and transferring wood.
  4. Waste Segregation / Transfer operations of up to 45,000tpa and would involve segregating recyclables from the incoming waste stream, with residual waste being fed into the RDF preparation operation.
- 2.15 Refuse Derived Fuel is solid fuel which has been processed from non-recyclable waste. Waste would be brought to the site, with recyclable materials being removed, leaving residual waste which through mechanical operations would be crushed, dried, sorted to remove non-combustible materials, crushed again and then pelleted or baled for transport to Energy Recovery Facilities.
- 2.16 The applicant has confirmed that during the above operation approximately 14% of the waste segregation process would be recycled with the remaining waste being utilised in the RDF processes. Whilst the total amount of waste being brought into the site would not increase, this would increase the total output of the RDF operation to approximately 278,700tpa.
- 2.17 All of the operations of the proposed use would be contained within the main processing building. Two storage areas for recyclable bales and wood would be located to the south western and south eastern corners of the building respectively. These storage areas would not be completely enclosed, but would be covered by the canopy on the southern elevation of the building in order to keep the bales dry.
- 2.18 These operations would be carried out on a 24 hour basis, though the majority of the waste will be delivered between the hours of 07:00 hours and 19:00 hours Monday to Friday. The Transport Assessment submitted shows it is expected that a total of 353 vehicles arriving to the site will occur during this period of the day with 373 trips departing the site. Of these 227 would be HGV movements arriving to the site with 224 HGV movements departing from the site. The collection of bulked waste and RDF would occur over a 24 hour period, with many of the RDF collections being carried out overnight. The proposal would generate approximately 812 movements per day, 406 arriving to the site and 406 departing the site. 688 of these movements per day would be HGVs, with 344 movements arriving to the site with 344 movements departing the site.
- 2.19 The applicant has proposed that the routing of HGV traffic to and from the site would be via Coomber Way and Ampere Way to the A23 trunk road.
- 2.20 The proposal would also involve highway improvements to Beddington Lane, with a widening of the road outside the site to provide a right turn lane, and improvements to Mile Road.
- 2.21 The below table gives a comparison of the main differences between the extant permission and the proposed development.

	Extant Permission Ref: D2009/60763/FUL	Proposed Development
Floor Space of Main Processing Building	8,335.6 m <sup>2</sup>	7,103 m <sup>2</sup>
Total Floor Space (including ancillary buildings)	14,550 m <sup>2</sup>	7,982 m <sup>2</sup>
Waste Processing Capacity	350,000 tonnes	350,000 tonnes
No. Employees	110 (1 employee per 132 m <sup>2</sup> )	61 (1 employee per 131 m <sup>2</sup> )
Estimated Daily HGV trips	788	688
Estimated Daily Trips All Vehicles	1000	812
Operations	Sorting, segregating and bulking of recyclable materials.	Sorting segregating and bulking of recyclable materials and production of Refuse Derived Fuel (RDF)

**2.22 Significant amendments to application since submitted:**

- 2.23 Following comments from the GLA a revised energy statement and roof plan showing the extent of PV panels were received on 19 December 2018.
- 2.24 Following comments from the Biodiversity Officer a revised bird breeding survey was submitted on the 14 February 2019.
- 2.25 Following comments from the London Borough of Croydon and TfL further details in respect to the traffic modelling and automatic traffic counters was submitted on the 14 February 2019.
- 2.26 Following a meeting on site with Highways Officers and Officers from Transport for London to discuss the relocation of a bus stop adjacent to the site on Beddington Lane, it was concluded by TfL that the bus stop was surplus to requirements and drawings omitting the bus stop were submitted on the 7 March 2019.

- 2.26 Following comments from the Principal Tree Officer, a revised drainage layout to avoid divers in close proximity to the retained horse chestnut tree was submitted on the 11 March 2019.
- 2.27 Following comments from the Lead Local Flood Authority (LLFA), a revised drainage layout and flood risk assessment form were submitted on the 13 March 2019.
- 2.28 In response to further comments from the LLFA a revised drainage strategy report was submitted on the 25 April 2019.
- 2.29 In response to further comments from the Environment Agency and the LLFA a revised Flood Risk Assessment was submitted on the 29 April 2019
- 2.30 In response to further comments from the GLA a revised roof plan showing an increase in PV panels was submitted on the 2 May 2019.
- 2.31 Due to the proposed increase in PV panels a revised energy statement was submitted on the 9 May 2019.
- 2.32 In response to comments from the GLA and LLFA a surface water maintenance plan, micro drainage calculations and exceedance flooding plan were submitted on the 16 May 2019.
- 2.33 In response to comments from the LLFA further micro drainage calculations, and an updated Flood Risk Assessment was submitted on the 5 June 2019.
- 2.34 In response to comments from the EA, further geotechnical information was submitted on the 13 June 2019.

### 3.0 **PUBLICITY**

#### 3.1 **Method of Notification:**

3.2 10 Letters were sent to neighbouring occupiers dated the 31 October 2018 and a site notice displayed on 13 November 2018. The application was also advertised in the local newspaper on the 22 November 2018

3.3 A further neighbour notification of 69 letters was undertaken to include the nearest residential occupiers to the site. These include the residential properties 162 -180 Beddington Lane, the Portland Cottages on Therapia Lane and 49-71 Beddington Lane. These letters were dated 26 November 2018.

#### 3.4 **Number of Letters Received:**

3.5 Four letters of representation have been received from 63 Beddington Lane, 47 Crispin Crescent, 71 Salisbury Avenue and The Wandle Valley Forum, of which three objected to the proposal.

3.6 The objections received are outlined in the table below with the officers response to each of the comments raised:

Objection Received	Officer Comments
<b>Landscaping and Biodiversity</b>	
The development should safeguard and extend the proposed Beddington Lane Ecology Reserve. Details of impact on this site have not been considered.	The proposal has been assessed by the Biodiversity Officer who has raised no objection to the impact on the adjacent SINC.
The proposal should provide a net ecological gain on site.	The proposal has been assessed by the Biodiversity Officer and would result in a net gain of biodiversity on the site. This would be in the form of landscaping and a green roof and wall to the RCV fleet storage building.
The proposal lacks information on protected species.	The Biodiversity Officer has assessed the ecology appraisal submitted with the application and the further information submitted in respect to birds and is satisfied that the proposal would not result in harm to protected species.
<b>Neighbour Amenity</b>	
Noise and Disturbance.	A noise assessment of the construction and operation phases of the development has been submitted with the application and assessed by Environmental Health who have raised no objection. A condition controlling noise generating works during construction is recommended. (See condition 28 of the draft decision notice).
Additional pollution.	An air quality assessment has been submitted and assessed by Environmental Health who have considered the impact of the proposal on air quality to be acceptable. Odour control and abatement methods are to be included within the design of the proposed facility. In addition a condition requiring further details in respect to the control of fugitive litter has been recommended. (See condition 37 of the draft decision notice).
The proposal would adversely impact on residential amenity.	The submitted ES has demonstrated in terms of noise and air quality that the proposal would not adversely impact on

	<p>the neighbouring residential occupiers. This has been assessed by Environmental Health who have raised no objection to the proposal. In terms of outlook, loss of sunlight/daylight, privacy and light spill, given the distance of separation to the nearest residential occupiers would be there would be no adverse impacts.</p>
<b>Highways and Car Parking</b>	
<p>The development should provide access for cyclists and pedestrians along Mile Road.</p>	<p>A pedestrian pavement is proposed along Mile Road. No further access past the application site will be provided other than for authorised access. Mile Road is a private road and access past the site would not be authorised for the general public. As such it is considered that a cycle route would not be required in this instance.</p>
<p>Provide guarantees that HGVs will be routed via Therapia Lane.</p>	<p>The routing of HGV traffic will be secured by condition within a servicing and delivery plan and is proposed to be via Coomber Way and Ampere Way.</p>
<p>Increased amounts of traffic and congestion.</p>	<p>The application has been assessed by both the Senior Highways Officer and Transport for London who have not raised an objection to the proposal in terms of the impact on the public highway. The site benefits from an extant permission which could generate more trips to and from the site, and the Transport Assessment submitted with the application took into account committed and proposed developments such as Pro-Logis, the ERF and 118 Beddington Lane. Therefore the cumulative impact on the development has been considered in the Transport Assessment.</p>
<p>Beddington Lane is not wide enough.</p>	<p>The proposal would give up land to allow for the widening of Beddington Lane to the front of the site to allow for a right turn only lane to Mile Road.</p>
<b>Flood Risk and Drainage</b>	
<p>Flooding of roads.</p>	<p>The GLA, EA and LLFA have assessed the proposal in terms of the drainage of the site and are satisfied with the</p>

	proposal drainage scheme with details to be secured by condition. (See conditions 22 and 23 of the draft decision notice.)
The proposal poses risks to groundwater and watercourses.	The Environment Agency and Environmental Health have assessed the Geoenvironmental information that has been submitted and has raised no objection to the proposal in terms of risk to groundwater or watercourses. A condition preventing the infiltration unless agreed by the LPA is recommended. (See condition 24 of the attached decision notice.)
<b>Archaeology</b>	
Lack of information on the potential for archaeological remains.	Historic England’s Greater London Archaeological Advisory Service have been consulted and wrote “having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. Previous archaeological fieldwork and assessments for the site have shown the archaeological potential to be very limited, therefore no further archaeological work is required.”

3.7 In response to an adjoining borough consultation to the application the London Borough of Croydon raised concerns in respect to the proposal. This is listed below with officer comments:

London Borough of Croydon’s Concerns	Officer Response
Raised concern regarding the veracity of the modelling and the potential increase of congestion on Coomber Way, Ampere Way and the A23.	The modelling has been assessed by both Transport for London and the Council’s Transport and Highways team. Both support the application subject to conditions. The A23 forms part of the Transport for London road network and TfL would have considered the impact of the proposal on their road network. Coomber Way was constructed from

	S106 money to accommodate HGV deliveries to the landfill operations on Beddington Farmlands.
The applicant must provide details of how noise and dust emissions from the site will be controlled.	A noise assessment has been submitted with the application and considered both construction and operational noise. The assessment has a number of mitigation measures to control noise emission from the site and it is recommended that these mitigation measures are secured by condition. Furthermore, the main building will operate under negative pressure with filters on the fans to control odour and dust emissions from the operations. In terms of construction a condition securing a construction management plan is recommended which would include the control of dust from the site during construction. This has been assessed by Environmental Health team who have raised no objection in terms of noise or dust emissions. (See conditions 32 and 33 of the draft decision notice.)
The air quality assessment should follow the London Borough of Croydon's planning guidance on air quality assessments.	The site is located within the London Borough of Sutton and as such the development plan against which the application should be assessed are those of the London Borough of Sutton acting in its capacity as the Local Planning Authority which are the London Plan, Sutton Local Plan and the South London Waste Plan. The submitted air quality assessment has been assessed by Environmental Health team who have raised no objections. Furthermore, odour and emissions from the site would be subject to a waste management permit required from the Environment Agency to operate the site.

3.8 **Official Consultation**

3.9 **Internal:**

<b>Principal Highways Engineer</b>	No objection subject to conditions securing a Delivery and Service Plan, cycle storage details, a development Travel Plan and S278 agreement secured by S106 agreement.
<b>Environmental Health Officer</b>	No objections subject to conditions securing remediation of contaminated land, a land contamination verification report demonstrating the effectiveness of the remediation, details of Non-Road Mobile Machinery, and hours of construction. (See conditions 19 to 27 of the attached draft decision notice).
<b>Waste Management</b>	No objection.
<b>Planning Policy</b>	No objection.
<b>Lead Local Flood Authority</b>	No objection subject to conditions securing a final detailed design of the SUDS and a condition securing evidence of implementing the SUDS scheme. (see conditions 22 and 23 of the draft decision notice).
<b>Urban Design Officer</b>	No objection to the proposal considering the logistical and functional needs of the proposal.
<b>Principal Tree Officer</b>	No objection subject to conditions securing landscaping and tree protections measures. (See conditions 16 and 17 of the attached draft decision notice).
<b>Sustainability</b>	No objection subject to conditions securing BREEAM Design Stage and post construction certificates and 'as built' BRUKL outputs. (See conditions 28, 29 and 30 of the attached decision notice).
<b>Biodiversity</b>	No objection subject to conditions securing biodiversity enhancement and protection measures, a construction method statement, preventing the storage of materials on soft landscaping and a condition securing detailed external lighting scheme. (See conditions 4, 5, 6, and 33.)

3.10 **External:**

<b>National Planning Casework Unit</b>	No comments received.
<b>Greater London Authority</b>	The application has been referred to the GLA (Stage 1). No objections subject to a stage 2

	referral, and conditions in relation to drainage, energy, and water efficiency.
<b>Transport for London</b>	No objection to the proposal. TfL have confirmed that the removal of the bus stop outside the site is acceptable and does not need to be relocated. Further to this TfL has requested conditions securing a Parking Design and Management Plan, cycle storage, a delivery and servicing plan and a construction logistics plan, as well as a Travel Plan to be secured by S106.
<b>London Borough of Croydon</b>	Raised concerns regarding modelling of HGV route reassignment, and any increase in congestion on Ampere Way and A23 and peak hour increase in HGVs on the surrounding road network. In addition concerns were raised in respect to noise and dust emissions and air quality.
<b>London Borough of Merton</b>	No comments received.
<b>The Environment Agency</b>	Raised no objection to the proposal subject to conditions securing the remediation of contaminated land, a land contamination verification report, prohibiting infiltration methods for drainage and securing a piling method statement. (see conditions 19 to 24 of the attached draft decision notice)
<b>Thames Water</b>	No objections subject to a condition securing petrol/oil interceptors to the car park and other hardstanding. (See condition 11 of the attached draft decision notice)
<b>English Heritage (Greater London Archaeological Advisory Service)</b>	No objection.
<b>Sutton and East Surrey Water</b>	No comments received.
<b>Secure by Design Officer</b>	No objection subject to a scheme to provide CCTV to prevent unauthorised access to Mile Road and fly tipping. (see condition 35 of the attached draft decision notice.)
<b>London Fire Brigade</b>	No objection subject to the provision of an additional fire hydrant. (see condition 34 of the attached draft decision notice)
<b>SGN Network</b>	No comments received.
<b>Health and Safety Executive</b>	No objection.
<b>National Grid</b>	No objection.

3.11 **Councillor Representation:**

- 3.12 Councillor Mattey the local ward Councillor for Beddington North objected to the proposal. In addition Mr Pelling who is the local ward councillor for Wadden in the London Borough of Croydon objected to the proposal.
- 3.13 The objections received are outlined in the table below with the officers response to each of the comments raised:

Objection Received	Officer Comments
<b>Land Use</b>	
The application has not assessed the carbon outcome from the development.	The main purpose of the end to end Carbon Outcome assessment is to ensure energy from waste facilities demonstrate they are extracting as much energy as possible from waste. In terms of the proposed development it is only necessary to demonstrate that the proposal is implementing the waste hierarchy, with only material which cannot be recycled used to make RDF. This has been assessed by the GLA who have raised no objection to the proposal on this matter.
The proposal would result in development on MOL.	The portion of the site designated as MOL is Mile Road and is considered to be previously developed land and so is an exception in terms of inappropriate development. Furthermore, there is also an extant permission on the site which could be implemented resulting in the use of Mile Road and it is considered that the redevelopment of the site in this instance would be acceptable.
Lack of evidence for the locational suitability of the proposal.	The London Plan, The South London Waste Plan and The Local Plan expect waste management sites to be located within Strategic Industrial Locations such as Beddington Lane and safeguarded waste sites such as the application site should be brought forward. The applicant expects that the waste which will be processed would come from the South London Waste Partnership areas

	<p>and the wider south-east region. Furthermore, it should be noted that the development has an extant permission which established that a waste management use is acceptable in principle in land use terms at this site.</p>
<p>The proposal would adversely impact on the openness of Beddington Farmlands.</p>	<p>The proposal would be viewed in the context of Beddington Lane SIL and the main operations building would be set in from the western boundary of the site. The provision of green walls and roofs to the RCV enclosure would mitigate the impact of the development on Beddington Farmlands.</p>
<p>The proposal would reduce the attractiveness of the local area to business due to increased traffic congestion, pollution and risk of odour.</p>	<p>The proposal has been assessed by both TfL, and the Senior Highways Engineer, who have raised no objection to the trip generation impact on the public highway. The odour control methods have been assessed by Environmental Health who have raised no objection and as such the proposal is considered not to prejudice the Beddington Lane Strategic Industrial Location. (See condition 33 of the draft decision notice)</p>
<p>The applicant should demonstrate the quantitative or market need for the proposed waste facilities.</p>	<p>The Local Planning Authority's Development Plan is up to date and the proposal is consistent with the Local Plan and South London Waste Plan policies in respect to waste management facilities.</p>
<p><b>Design and Layout</b></p>	
<p>Lack of fully enclosed site operations.</p>	<p>The operations of the site will be undertaken within the main building with wood and recyclable waste which have been baled stored under a canopy, which is not completely enclosed to allow for vehicle manoeuvring to collect the bales. The Environment Agency and GLA have considered this design to be acceptable.</p>
<p>Lack of wheel washing facilities.</p>	<p>A condition requiring the submission of a construction method statement includes details to be submitted in respect to dust</p>

	<p>control measures and wheel washing during construction and is recommended. In addition a condition is recommended to secure details to prevent fugitive litters from the site. (See condition 36 of the attached draft decision notice.)</p>
<p><b>Landscaping and Biodiversity</b></p>	
<p>The proposal lacks information on protected species.</p>	<p>The Biodiversity Officer has assessed the ecology appraisal submitted with the application and the further information submitted in respect to birds and is satisfied that the proposal would not result in harm to protected species.</p>
<p>The proposal would result in the loss of SINC.</p>	<p>Whilst the proposal would result in the loss of land designated as SINC this land has already been previously developed and its value in terms of biodiversity is limited. The proposal would provide a net gain in biodiversity.</p>
<p><b>Neighbour Amenity</b></p>	
<p>The proposed inspections for pests and vermin are not sufficient to prevent an increase in vermin.</p>	<p>The applicant proposes that the facility would operate under the Integrated Management Systems (IMS). The IMS combines quality, environment and health and safety operations into a single consolidated system. The IMS is accreditation system of the International Organization of Standardization. Daily site inspections form part of the accreditation and litter that would attract vermin would be collected and disposed of. However a condition requiring the further submission of details relating to pest control and vermin is recommended. (See condition 32 of the attached draft decision notice.)</p>
<p>The proposal would adversely impact on residential amenity.</p>	<p>The submitted ES has demonstrated in terms of noise and air quality that the proposal would not adversely impact on the neighbouring residential occupiers. This has been assessed by Environmental Health who have raised</p>

	no objection to the proposal. In terms of outlook, loss of sunlight/daylight, privacy and light spill, given the distance of separation to the nearest residential occupiers would be there would be no adverse impacts.
<b>Highways and Car Parking</b>	
The proposal would result in additional traffic and congestion within Croydon.	The application has been assessed by both the Senior Highways Officer and Transport for London who have raised no objection to the proposal in terms of significantly adverse impact on the public highway. Croydon Council has raised concerns of the routing of the HGV traffic along Coomber Way and Ampere Way, however the site benefits from an extant permission which could generate more trips to and from this site, and the Transport Assessment submitted with the application took into account committed and proposed developments such as Pro-Logis, the ERF and 118 Beddington Lane. Therefore the cumulative impact on the development has been considered in the Transport Assessment.
Lack of Public Transport Improvements	It is not considered that the development would result in significant traffic or trips to and from the site to warrant seeking public transport improvements along Beddington Lane. It should be noted that this has been supported by the Council's Highways and Transport team and TfL.
The proposal does not ensure that traffic will avoid sensitive receptors.	The proposed routing of the HGV traffic will be along the Coomber Road and Ampere Way to the A23. This routing will be secured by condition within the service and delivery plan. The enforcement of any traffic orders would be by the Local Highway Authority. (See condition 9 of the attached draft decision notice.)

<p>Lack of provision of disabled car parking spaces.</p>	<p>Transport for London and the Council's Principal Highways Engineer have assessed the proposed car parking provision and consider it to be acceptable and compliant with London Plan and Local Plan policies.</p>
<p>Lack of Electrical Vehicle Charging Point Provision.</p>	<p>Transport for London and the Council's Principal Highways Engineer have assessed the proposed electric vehicle parking provision and consider it to be acceptable and compliant with the London Plan and Local Plan policies. A condition for the location of the electric vehicle parking is recommended. (See condition 10 of the attached decision notice.)</p>
<p>The proposal would result in wear and tear to tramlines.</p>	<p>Transport for London have removed their concern in respect to the proposal impact on the operation of the tram service and any wear and tear to the tramlines.</p>
<p><b>Flood Risk and Drainage</b></p>	
<p>The proposal poses risks to groundwater and watercourses.</p>	<p>The Environment Agency and Environmental Health have assessed the Geoenvironmental information that has been submitted and has raised no objection to the proposal in terms of risk to groundwater or watercourses. A condition preventing the infiltration unless agreed by the LPA is recommended. (See condition 24 of the attached decision notice.)</p>
<p><b>Climate Change Mitigation, Sustainability and Environmental Protection</b></p>	
<p>The proposal does not include adequate remediation for contaminated land.</p>	<p>The geoenvironmental information has been assessed by both the Environment Agency and the Council's Environmental Health team who have raised no objection to the submitted information or the proposed remediation strategy.</p>
<p>The proposed materials would contribute to carbon dioxide emissions and climate change.</p>	<p>The proposal would result in a saving of regulated carbon dioxide emissions over Part L of the UK building regulations of</p>

	135%, of which 120% is through on renewable site energy generation through solar photovoltaic panels. In addition the BREEAM accreditation which is secured by condition takes into account the materials used in construction when the final assessment is made. (See condition 29 and 30 of the draft decision notice.)
The proposal should comply with the London Borough of Croydon's Air Quality guidance and policies.	The proposal is within the administrative boundary of the London Borough of Sutton and as such the only policies which are material in the determination of this planning application are those of the London Borough of Sutton.
<b>Archaeology</b>	
Lack of information on the potential for archaeological remains.	Historic England's Greater London Archaeological Advisory Service have been consulted and wrote "having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. Previous archaeological fieldwork and assessments for the site have shown the archaeological potential to be very limited, therefore no further archaeological work is required."
<b>Employment and Skills</b>	
Lack of Training Opportunities	The applicant has agreed to an Employment and Skills clause to be secured within a S106 agreement which will provide work experience opportunities to local people during the operational phase of the development.
<b>Other Issue</b>	
The RDF will comprise materials which should be recycled.	The National Planning Policy for Waste 2014 is clear that Local Planning

	<p>Authorities should concern themselves with implementing the planning strategy in the Development Plan but are not responsible for the control of processes which are a matter for the pollution control authorities. The Environment Agency is responsible for the licensing and permitting of waste management facilities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.</p>
<p>The proposal does not include the destination of the RDF fuel.</p>	<p>The planning statement confirms that the RDF would be used in Energy Recovery Facilities across the UK and Europe. This means that the RDF would fall within “other recovery” in the waste hierarchy.</p>

**4.0 MATERIAL PLANNING POLICIES**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the London Borough of Sutton comprises the following documents:

- The London Plan 2016
- The Sutton Local Plan 2018
- South London Waste Plan 2012

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (NPPF) 2018.
- National Planning Practice Guidance (NPPG)
- National Planning Policy for Waste (NPPW) 2014
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.
- Human Rights Act 1998
- Equality Act 2010
- Draft London Plan 2017
- Waste Management Plan for England 2013

**4.3 Public Sector Equality Duty (PSED) and Human Rights**

- 4.4 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the PSED. The application proposals are not considered to conflict with the Duty.
- 4.5 The application has also been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendations below, is compatible with the Act.

4.6 **Material Planning Policies in the Determination of this Application**

4.7 **London Plan 2016 Policies:**

- 2.17 Strategic industrial locations
- 2.7 Outer London: economy
- 4.4 Managing Industrial Land and Premises
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Waste net self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.19 Hazardous waste
- 5.22 Hazardous Substances and Installations
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.3 Designing out crime
- 7.4 Local Character
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 7.19 Biodiversity and access to nature

4.8 **Sutton Local Plan 2018 Policies:**

- 1 Sustainable Growth
- 14 Industrial Land and Waste Management
- 15 Industrial Use
- 28 Character and Design
- 29 Protecting Amenity
- 31 Carbon and Energy
- 32 Flood Risk and Sustainable Drainage
- 33 Climate Change Adaptation
- 34 Environmental Protection
- 36 Transport Impact
- 37 Parking
- 40 Site Allocations

4.9 Supplementary Planning Guidance/Documents:

- SPD14 Creating Locally Distinctive Places

## 5.0 **PLANNING CONSIDERATIONS**

5.1 The principal planning considerations are considered to be as follows:

### **A. Principle**

- i. Waste Management Policy
- ii. Land Use and Openness of Metropolitan Open Land
- iii. Impact on Metropolitan Open Land
- iv. Metropolitan Green Chain
- v. SINC and Wandle Valley Regional Park

### **B. Design Quality**

### **C. Neighbour Amenity**

- i. Sunlight/Daylight, Outlook, Loss of Privacy and Overlooking
- ii. Noise and Disturbance
- iii. Odour and Vermin and Pest Control

### **D. Highways, access and parking**

### **E. Sustainability and Biodiversity**

### **F. Archaeology**

### **A. Principle**

- i. Waste Management Policy

5.2 The NPPF states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It goes further stating that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 5.3 The NPPF should be read in conjunction with the Government's National Planning Policy for Waste (NPPW). In respect to the determination of planning applications for waste management facilities, paragraph 7 of the NPPW requires that waste planning authorities should;
- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need;
  - ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located;
  - concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced;
  - consider the likely impact on the local environment and amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies;
- 5.4 The location criteria for waste management found in Appendix B of the NPPW are as follows;
- a) protection of water quality and resources and flood risk management,
  - b) land instability
  - c) landscape and visual impacts
  - d) nature conservation
  - e) conserving the historic environment
  - f) traffic and access
  - g) air emissions, including dust
  - h) odours
  - i) vermin and birds
  - j) noise, light and vibration
  - k) litter
  - l) potential land use conflict
- 5.5 The South London Waste Plan was adopted by the Council on 5 March 2012, and is a development plan document which comprises the development plan for Sutton along with the Sutton Local Plan 2018 and the London Plan 2016. All of the development plan documents are up to date with the South London Waste Plan (SLWP) running until 2021 and commencement of work to produce a successor of that plan with the four partner Boroughs: Sutton, Merton, Croydon and Kingston.
- 5.6 The proposal, if granted planning permission, will require an Environmental Permit from the Environment Agency to operate. The Permit will set environmental standards for

the operation of the processes on site. The proposal may not operate without a Permit. (This applies also to landfill and a variety of other waste management activities.)

ii. Land Use and Openness of Metropolitan Open Land

- 5.7 The application site is allocated within the SLWP as Site 17, and also benefits from an extant planning permission ref: 09/60763/FUL.
- 5.8 The NPPW only requires the applicant to demonstrate quantitative or market need for the waste management facility where the proposal is not consistent with an up-to-date Local Plan. All the development plan documents for the Council acting in its capacity as the Local Planning Authority are up-to-date, the application site is allocated for waste management uses, and is located within a Strategic Industrial Location (SIL).
- 5.9 Policy 2.17 of the London Plan refers to Strategic Industrial Locations (SILs) and states that development proposals within SILs should be refused unless:
- a. they fall within the broad industrial type of activities;
  - b. they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework or borough development plan document;
  - c. the proposal is for employment workspace to meet identified needs for small and medium sized enterprises (SMEs) or new emerging industrial sectors; or
  - d. the proposal is for a small services for industrial occupiers such as workplace crèches or cafes.
- 5.10 It goes on to state that development within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities. Paragraph 2.79 within the London Plan discusses the suitable uses within SILs, which includes both waste management facilities and also recycling facilities.
- 5.11 Policy 5.17 of the London Plan requires that waste management proposals are evaluated against the following criteria:
- a. locational suitability
  - b. proximity to source of waste
  - c. the nature of activity proposed and its scale
  - d. minimising waste and achieving high reuse and recycling performance
  - e. achieving a positive carbon outcome of waste treatment methods and technologies (including the transportation of waste, recyclates and waste derived products resulting in greenhouse gas savings.
  - f. the environmental impact on surrounding areas, particularly noise emissions, odour, air quality and visual impact and impact on water sources.
  - g. the full transport and environmental impact of all collection, transfer and disposal movements and in particular, the scope to maximise the use of rail and water transport using the Blue Ribbon Network.  
The following will be supported:
  - h. development that included a range of complementary waste facilities on a single site

- 5.12 Policy 14 of the Sutton Local Plan states that within Strategic Industrial Locations and Established Industrial Areas, the council will grant planning permission for B1(b) (research and development), B1(c) (light industrial), B2 (industrial and manufacturing) and B8 (storage and distribution) uses or other similar industrial uses only.
- 5.13 Policy WP1 of the South London Waste Plan states that “the boroughs of the South London Waste Plan will work with the waste management industry to monitor the need and opportunity for sites. Proposals will be required to meet the apportionment requirements of the 2011 London Plan and any subsequent target.” It goes further stating “Development to meet the additional capacity needs will be within the industrial areas identified in Policy WP4, provided they meet the other policies within this South London Waste Plan and relevant policies from the appropriate borough’s Development Plan.”
- 5.14 The proposed development would essentially comprise two main elements, waste segregation, bulking and transfer operations and the processing of Refuse Derived Fuel (RDF). The waste which would be processed within the proposed facility would be commercial and industrial waste. Regional and local policy encourages the waste management facilities to be located within industrial locations and the existing site is an allocated waste site within the South London Waste Plan. Furthermore the extant planning permission (ref: 09/60769/FUL) is for a waste transfer, processing and recycling station.
- 5.15 The proposed use would be similar to the extant permission in that it includes sorting and bulking of recyclable materials and transfer of recyclable waste to be processed elsewhere. However the main difference is that the proposed facility would also involve the creation of refuse derived fuel (RDF).
- 5.16 In addition to the above the proposal would contribute to the South London Waste Partnerships apportionment targets and is also in accordance with the site allocation as a safeguarded waste management site within the South London Waste Plan.
- 5.17 For the reasons given above it is considered that the proposal would be acceptable in principle land use terms and would comply with national, regional and local policies.

iii. Impact on Metropolitan Open Land

- 5.18 Policy 24 of the Sutton Local Plan relates to the Green Belt and Metropolitan Open Land (MOL). Policy 28 of the Sutton Local Plan requires that development maintain the setting and visual amenity of MOL, whilst policy 24 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 MOL. Policy 7.17 of the London Plan reiterates the aims and objective of policy 24 of the Sutton Local Plan.
- 5.19 Part of the application site, namely Mile Road is designated as MOL. Mile Road is a defunct access road, with access along Mile Road prevented by concrete blocks on the junction with Beddington Lane as well as paladin fencing.

- 5.20 In paragraph 143 of the NPPF, guidance on Green Belt policy is that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However exceptions are given in relation to inappropriate development, one of which is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
- 5.21 Mile Road is considered to fall under the definition of previously developed land and as such the making good of Mile Road is considered to fall under the above exception in respect to development within MOL, as the provision of the road would not result in harm to the openness of the MOL over and above the existing road. Furthermore, the proposal would result in the removal of the fencing and concrete blocks which are currently being used to prevent access along Mile Road further opening up the appearance of this part of the site.
- 5.22 In respect of the remaining part of the site which is not designated as MOL, but is located adjacent to it, the proposed buildings would be of a scale and massing similar to other development within Beddington Lane. The overall height of the building would be approximately 15 metres, with the chimney measuring approximately 19 metres in height. However the main building would be sited in the centre of the application site approximately 20 metres from the boundaries adjoining the MOL.
- 5.23 An Environmental Statement (ES) accompanied the application, which has considered the visual impact of the proposed development. In terms of views from the MOL the assessment notes that the existing views from the MOL are of the industrial landscape of the Beddington Lane SIL. The proposal would be viewed in the context of the industrial landscape of the Beddington Lane SIL. The proposed green roof to the RCV parking building and green fencing along the western boundary of the site would soften the appearance of the building in views from the MOL. Whilst the proposal would have some impact on the openness of the MOL it is not considered to be significant. As such, the proposal would not result in harm to the openness of the adjacent MOL due to the reasons given above. In this instance the proposed development of MOL land would be acceptable. This is also supported by the Greater London Authority (GLA).
- iv. Metropolitan Green Chain
- 5.24 Policy 25 of the Sutton Local Plan states that the Council will seek to retain the existing level of open space in the borough by:
- iv. Enhancing the role of Metropolitan Green Chains within the borough by protecting the open spaces within them from inappropriate development and improving walking and cycling links between them.

- v. Working with partners and stakeholders to support and promote measures to help deliver the vision of the Wandle Valley Regional Park as a network of high quality, accessible and interconnected open spaces around the River Wandle.
- 5.25 Policy 7.17 of the London Plan which refers to MOL states in the supporting text to the policy that “Green Chains are important to London’s Open space network, recreation and biodiversity. They consist of footpaths and the open spaces that they link, which are accessible to the public. The open spaces and links within a Green Chain should be designated as MOL due to their London wide importance.
- 5.26 The only part of the site which is designated as Metropolitan Green Chain is Mile Road. As mentioned before the proposal would result in the making good of Mile Road. The quality of open space that Mile Road provides is poor and is not accessible to the public. However the proposal would include the formation of a road with a pavement which in the future could be continued into the Beddington Farmlands once the restoration of the landfill site has been completed.
- 5.27 As such it is considered that the quality of open space lost, as a result of the proposal, is not of high quality, and has not been used as a park or forms part of any wider park or public recreational use and is not accessible to the general public. In addition the resurfacing of Mile Road would provide a potential access point to the Beddington Farmlands, and the wider Wandle Valley Regional Park once the landfill restoration works have been completed.
- 5.28 It is therefore considered that the proposal would be in accordance with Policy 7.17 of the London Plan and Policy 25 of the Sutton Local Plan.
- v. Site of Importance of Nature Conservation (SINC) and Wandle Valley Regional Park
- 5.29 The only part of the site which is designated as SINC is Mile Road.
- 5.30 The creation of the Wandle Valley Regional Park is a strategic objective of the London Plan. In Policy 2.18, it is stated: “In areas of deficiency for regional and metropolitan parks, opportunities for the creation of green infrastructure to meet this deficiency should be identified and their implementation supported, such as in the Wandle Valley Regional Park.”
- 5.31 In 2012, the Mayor gave further expression to this policy in the Green Infrastructure and Open Environments: The All London Green Grid SPG. Figure 21 identifies the application site as part of the Wandle Valley Green Grid and Paragraph 5.99 states: “The Wandle Valley Regional Park initiative sets out a vision for the creation and improvement of a linked network of open spaces along the river corridor. The park will connect to town centres, transport hubs, communities and business areas, extending out to connect to the open spaces in the surrounding area. This includes Mitcham Common, a large area of grassland and woodland, when added to the proposed new country park, would provide an extensive open space corridor to Beddington Park in

the south. The protection and restoration of the river corridor's natural qualities will play an important role in making a vital and vibrant piece of green infrastructure in this part of London."

- 5.32 In addition, Policy 25 of the Sutton Local Plan states:
- a. The council will seek to retain the existing level of open space in the borough by:
  - v. working with partners and stakeholders to support and promote measures to help deliver the vision of the Wandle Valley Regional Park as a network of high quality, accessible and interconnected open spaces based around the River Wandle.
- 5.33 The site allocation requires any development to take measures to maintain the existing nature conservation value of the site and providing offsite mitigation measures if this is not possible.
- 5.34 Policy 26 of the SLP states that the council will protect and enhance SINC's and biodiversity and requires all major developments to result in a no net loss in biodiversity. The council will not grant planning permission within or adjacent to a SINC unless the need and benefits of the development clearly outweigh the harm, where development can demonstrate no net loss for biodiversity and where possible net gains for biodiversity by providing mitigation and or compensation measures.
- 5.35 As will be discussed in more detail later in this report, the proposal provides biodiversity enhancements on site in the form of landscaping, a green roof and a green fence to the western boundary of the site. In addition further mitigation is proposed in terms of light pollution, noise and disturbance and odours to minimise the impact on the SINC and the Wandle Valley Regional Park.
- 5.36 The ecological value of Mile Road is not considered to be significant and in making good Mile Road the proposal would provide a potential access to the Wandle Valley Regional Park. In addition the area of the SINC affected has little or no nature conservation value or integrity. This has arisen from the history of authorised and unauthorised uses of the land and there is no persuasive evidence as to the condition of this land immediately before it was developed as a waste transfer station. The proposal would provide a small net gain in Biodiversity to the site. Noting that the proposal would have limited impact on the adjacent MOL and would provide a potential access to the Wandle Valley Regional Park it is considered that the proposals impact on the Wandle Valley Regional Park is acceptable.
- 5.37 As such the proposal is considered to be acceptable in terms of its impact on the SINC and Wandle Valley Regional Park and would be in accordance with policies 2.18 of the London Plan, policies 1 and 25 of the Sutton Local Plan and policy WP4 of the South London Waste Plan 2012.

**B. Design Quality**

- 5.38 The NPPF states that planning authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policies 7.4 and 7.6 of The London Plan (2016) state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 5.39 Policy 28 of the Sutton Local Plan states that the council will grant planning permission for new development, including new buildings, alterations and extensions, providing that the new development:
- A. Is attractive, designed to the highest standard, especially with regard to architectural detailing, and uses high-quality materials.
  - B. Respects the local context and responds to local character and heritage assets.
  - C. Is of a suitable scale, massing and height to the setting of the site and/or townscape.
  - D. Seeks to improve an area of poor character.
  - E. Makes a positive contribution to the street frontage, streetscene and / or public realm, such as using railings and low walls where practicable.
  - F. Is inclusive and accessible for all and improves movement through areas with direct, accessible and easily recognisable routes.
  - G. Is secure and designed to minimise crime and anti-social behaviour.
  - H. Is robust and flexible in use.
  - I. i Responds to natural features and retains trees, hedges and other landscape features and spaces of amenity value, where possible.
  - J. Is not dominated by car and cycle parking.
  - K. Creates attractive, functional and clearly defined public and private space.
  - L. Protects any important local views and creates new ones wherever possible.
  - M. carefully integrates building service equipment and, in industrial areas, operating equipment.
  - N. Maintains the setting and visual amenity of the Green Belt, Metropolitan Open Lane, Public Open Space and Urban Green Space.
- 5.40 The proposal would result in the erection of a main processing building, office and welfare building as well as two gatehouses, three sprinkler water tanks and associated electricity substations of various sizes on site. The main building would be of a similar scale and massing to other industrial buildings found within the Beddington Lane SIL. The design is functional, however, the site allocation within the South London Waste Plan requires that any waste management facility on the site should be completely enclosed. This therefore provides little opportunity to provide detailing to the building such as fenestration. The design of the building is a response to functional requirements and this should be taken into account. The building is sited within the centre of the site with landscaping along the Beddington Lane frontage, which would

soften the appearance of the building. The building would be finished in metal cladding, however a condition is recommended to secure the final details of the external materials.

- 5.41 The ancillary office and staff amenity building would be located on the southeast corner and would be 2 storeys in height with a flat roof. The building would have fenestration on all its elevations and would provide some interest to this corner of the site which does not have a significant level of landscaping within the overall landscaping proposals.
- 5.42 Whilst a significant portion of the western boundary would have car parking, there is scope for soft landscaping along this boundary of the site to soften the appearance of the car park. The indicative landscaping design includes tree planting along the western boundary and around the junction of Mile Road, whilst the mature trees to the northwest of the site will be retained.
- 5.43 The other ancillary buildings, including water tanks, gatehouses and substations in comparison with the processes building would be of an acceptable scale and massing and again are limited in their design due to their utilitarian nature.
- 5.44 The design of the buildings and the layout of the proposed scheme has taken into account good urban design principles of providing activity along the main frontages of the site namely Beddington Lane and Mile Road. The scale and massing of the buildings is similar to other developments within the Beddington Lane SIL and is dictated by the function of the buildings.
- 5.45 The Secure by Design Officer and Urban Design Officer have not raised any objection to the proposal apart from a recommendation that CCTV surveillance of Mile Road is obtained to monitor unauthorised access. A condition has been attached to this effect within the draft decision notice.
- 5.46 For these reasons it is considered that the design and layout of the proposal would be acceptable. As such the proposal conforms with policies 7.4 and 7.6 of the London Plan and Policy 28 of the Sutton Local Plan.

### **C. Neighbouring Occupiers Amenity**

- 5.47 Policy 29 of the Sutton Local Plan states that the Council will not grant planning permission for any development that adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties, with regard to considerations of overlooking, outlook, light, noise and vibration, traffic movement amongst other things. These aims and objectives are echoed in policy WP7 of the South London Waste Plan 2012.
- i. Sunlight/Daylight, Outlook, Overlooking and Loss of Privacy
- 5.48 The nearest residential neighbours to the application site are terraced dwellings on Therapia Lane approximately 170 metres from the site. These dwellings are adjoined

to the west by a small industrial unit occupied by a removal and storage firm along with a motor vehicle washing and valeting firm. To the south of these residential dwellings is a large warehouse building.

- 5.49 Two dwellings which form a semi-detached building are located to the south of the site fronting onto Beddington Lane. These dwellings are approximately 250 metres from the site. These dwellings are enclosed to the north, south and west by the Thames Water treatment works.
- 5.50 Due to the separation distances to the application site and the presence of other built form between these residential dwellings and the application site it is considered that the proposal would not result in loss of outlook, sunlight/daylight, loss of privacy by way of overlooking or by way of light pollution.

ii. Noise and Disturbance

- 5.51 Both operational and construction phases of the proposed development have been considered within the ES submitted with the planning application. Environmental Health were consulted in respect to the application and raised no objection to the proposal, recommending a condition securing hours of construction works between the hours of 8am to 6pm Mondays to Fridays, and 8am to 1pm on Saturdays with no noise generating works permitted on Sundays or Bank Holidays.
- 5.52 In terms of the operational phase of the development the ES identified the need for mitigation measures in relation to both the day time and night time operations to ensure compliance with relevant standards and guidance in relation to noise. It is recommended that these mitigation measures which generally relate to further sound proofing of the building, use of acoustic enclosures for plant and the use of particular types of plant are secured by condition.
- 5.53 It is noted that Croydon Council has raised concerns in relation to noise and how it would be controlled. As described above the ES contained mitigation measures which have been considered by the Council's Environmental Health department to be acceptable. The nearest residential dwellings located in Croydon are approximately 440 metres from the site on Wimshurst Close.
- 5.54 As such the proposed development would meet the relevant guidance and standards in relation to noise and would not have a significant impact on the neighbouring occupiers of the site, and as such is considered to be acceptable.

iii. Air Quality, Odour and Vermin and Pest Control

- 5.55 The ES accompanying the application has considered the proposals impact on air quality to the surrounding area and includes assessment of the generation of dust emissions onsite during the construction phase, the generation of exhaust emissions from road traffic during the construction and operational phases and the fugitive release of odours and dust during the operational phase.

- 5.56 The assessment also considered the cumulative impacts on other development within the area, including the Viridor ERF, 118 Beddington Lane and the proposed development on land west of Beddington Lane (Prologis site, which was granted planning permission, August 2019).
- 5.57 The mitigation measures which are proposed for the operational phase of the development, would generally result in the sorting and processing of odorous or dusty waste within the enclosed building relying on the ventilation system of the building to abate any odour. In addition the proposed development in order to operate would require an Environmental Permit which would require all emissions, including fugitive dust and odour, to be controlled to ensure there is not any impact beyond the boundary of the site.
- 5.58 A condition is recommended to ensure the mitigation measures included in the ES in relation to dust and odour emissions and air quality are implemented on site and retained for the lifetime of the development.
- 5.59 Environmental Health have assessed the application and the impacts on air quality and odour and have raised no concerns regarding the proposed development and the mitigation measures. As such it is considered that the proposal would not result in an adverse impact on air quality or result in fugitive odours during the construction or operational phase of the development.
- 5.60 It is noted that Croydon Council has raised concerns regarding the air quality assessment stating it should adhere to the requirement of Croydon Council's Interim Policy Guidance. As the site is located within the London Borough of Sutton, the application should be determined in accordance with the Sutton's development plan and associated policy documents, which include the Sutton Local Plan, the London Plan and the South London Waste Plan.
- 5.61 In terms of vermin and pest control the ES states that the site would be subject to daily inspections to ensure that litter that would attract vermin does not accumulate and is collected and disposed of. In addition regular inspections by pest control specialist will also take place if a pest issue is identified. It is considered that further details in respect to vermin and pest control is required and as such a condition is recommended that further details are submitted to the Local Planning Authority for its approval.
- 5.62 For the reasons above and with the recommended conditions securing mitigation measures proposed it is considered that the proposal would not result in significant harm to the amenity of neighbouring occupiers and would be in accordance with Policy 29 of the Sutton Local Plan 2018 and policy WP7 of the South London Waste Plan 2012.

#### **D. Highways, Access and Parking**

- 5.63 Policy 36 of the Sutton Local Plan states that the Council will assess all new development applications for their impact on the existing and proposed transport infrastructure and services, and the local environment. Policy 37 of the Sutton Local

Plan states that ‘new developments will be expected to provide car parking in accordance with the council’s restraint based maximum car parking standards taking into account public transport accessibility levels, existing publicly available parking provision and usage in the vicinity of the site and the need to deter unnecessary car use while avoiding overspill parking problems’.

- 5.64 Paragraph 109 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 5.65 The site has a PTAL of 1b ‘poor’. The proposal would provide a total of 50 car parking spaces of which, 3 would be blue badge spaces and 11 would be electrical vehicle charging points. The level of car parking provided has been assessed by both TfL and the Principal Highways Engineer, both of whom have raised no objection to the level of car parking which is in accordance with both the Sutton Local Plan maximum standards, but also London Plan standards in terms of electrical car charging points. A condition is recommended to secure the layout and level of car parking provision, and the provision of electrical vehicle charging points.
- 5.66 The proposal would also provide a total of 10 cycles spaces which is in accordance with the Council’s cycle parking standards, and a condition is recommended to secure the provision of cycle parking.
- 5.67 In terms of trip generation the Transport assessment indicates that the overall daily demand of the site would be spread throughout the day. The level of traffic during peak periods would be less than the extant planning permission ref: D2009/60763/FUL. The highest levels of hourly traffic are expected during the 11am to 1pm period. The trip generation has been assessed by both TfL and the Principal Highways Engineers who have raised no objection to the proposal.

Table 1: Predicted Operational Traffic Demand

Time (Hour Start)	Car Arrival	Car Depart	Op LGV Arrival	Op LGV Depart	Op HGV Arrival	Op HGV depart	Total Arrival	Total Depart
07:00	0	0	12	9	26	25	38	34
08:00	3	0	9	10	20	23	33	33
12:00	4	12	10	10	30	24	45	47
16:00	1	8	3	5	7	14	11	27
17:00	0	7	0	0	0	2	0	9
24 Hours	63	63	97	97	247	246	406	406

- 5.68 It is noted that Croydon Council has raised concerns to the proposal with respect to the routing of the HGV traffic and potential for congestion along Coomber Way, Ampher Way and the A23 but also the veracity of the modelling of the traffic assignment. The modelling has been assessed by both TfL and the Council's Highways Department who both support the proposal and raise no objection to the routing of the HGV traffic along Coomber Way and Ampere Way to the A23. It should also be noted that the A23 forms part of TfL's road network with TfL acting as the Highway Authority. Considering that TfL have no objection to the routing of the traffic onto the A23, this should be given the requisite weight when considering the highways impact of the proposal. Furthermore the Transport Assessment submitted has included modelling for committed and proposed developments including the ERF, the Prologis Site and 118 Beddington Lane.
- 5.69 This was also highlighted within the Pro-Logis report as being adequately modelled and this was evidenced within the submitted ES report which was accepted by Planning Committee. Furthermore, the trip generation from the current proposed would be less than the extant permission and as such the proposed traffic generation is considered to be acceptable. This is supported by the Councils Highways and Transport team and TfL.
- 5.70 It should also be noted that the Coomber Way was built using S106 money to provide a route for HGV traffic to and from the Beddington Farmlands landfill site and so it was always intended to facilitate the movement of HGV's to serve wider cross Borough strategic objectives.
- 5.71 The Principal Highways Engineer has recommended conditions securing a Delivery and Service Plan, cycle storage arrangements. A site Travel Plan has also been recommended and would be secured by a S106 agreement. The Principal Highways engineer recommends that the travel plan includes monitoring of the traffic to and from the site to ensure the spread of traffic through the day.
- 5.72 The proposal would also include improvements to Beddington Lane. It is proposed to widen Beddington Lane outside the site to provide a right turn lane for southbound traffic to access Mile Road and a pedestrian refuge island. This would improve the overall public realm surrounding the application site.
- 5.73 In terms of the construction traffic, the proposal would result in a demand of an additional 19 vehicles (10 HGVs) per hour. This would result in an additional 1 vehicle movement every 3 minutes. Again this has been assessed by the Principal Highways Engineer and TfL both of whom have requested that a construction logistics plan is secured by condition.
- 5.74 As such it is considered that the proposal would provide adequate car parking provision for the proposed use and would not result in a detrimental impact on the local highway network to warrant refusal of the application and as such it is considered that the proposal would be in accordance with policies 36 and 37 of the Sutton Local Plan.

**E. Sustainability, Flooding and Biodiversity:**

- 5.75 The London Plan policies 5.1, 5.2, 5.3, 5.9, 5.12, 5.13 and the Sutton Local plan policies 31, 32, 33 and 34 require new developments to achieve reductions in CO<sub>2</sub> emissions, water efficiency and flood risk mitigation measures and the installation of Sustainable Urban Drainage Systems. These aims and objectives are echoed in policy WP6 of the South London Waste Plan 2012.
- 5.76 The Council's Sustainability Officer has raised no objection subject to conditions securing BREEAM Design Stage and Post Construction certificates, details of the 'as-built' BRUKL statements and water efficiency measures.
- 5.77 It should also be noted that the proposed scheme would provide a 139.5% reduction in regulated CO<sub>2</sub> emissions over Part L, 120% of which is by on site renewable energy generation by solar photovoltaic panels on the roof of the main building, which goes beyond the minimum requirements. This results in the proposed development being carbon neutral in terms of its regulated CO<sub>2</sub> emissions.
- 5.78 The Lead Local Flood Authority has assessed the drainage details submitted. The scheme is considered to be acceptable but a condition has been recommended to provide further information regarding the detailed design of the SUDS on site.
- 5.79 The Biodiversity Officer has assessed the application and is satisfied that the proposal would result in a no net loss of biodiversity. This is being achieved through biodiversity enhancements along the western boundary of the site as well as a biodiverse roof and wall to the RCV parking area. The biodiversity improvements along the western boundary would involve soft landscaping, and the proposed landscaping along the southern boundary would also contribute to the biodiversity enhancements proposed. A condition securing the final details of the biodiversity improvement to the site is recommended and is attached in the draft decision notice.
- 5.80 A lighting scheme has been submitted which demonstrates that the proposal would not result in significant overspill light to the adjacent SINC and it is recommended that this is secured by condition.
- 5.81 For the reasons given above it is considered that the proposal would result in a no net loss of biodiversity on site and would exceed the requirements in terms of carbon dioxide emissions, and would provide a policy compliant surface water drainage system. As such the proposal is considered to be in accordance with policies 26, 31, 32 and 33 of the Sutton Local Plan.

**F. Archaeology**

- 5.82 The site is located within an area of Archaeological Priority. Historic England has been consulted and raised no objection to the proposal, stating that having regard to the information held in the Greater London Historic Environment Record, the proposal would not have a significant effect on heritage assets of archaeological interest.

**5.83 Community Infrastructure Levy**

5.84 The London Borough of Sutton introduced its Community Infrastructure Levy (CIL) charging schedule in April 2014. Any new build, that is a new building or an extension, is only liable for the levy if it has 100 square metres, or more, of gross internal floor space and is charged at a rate of £100 per sqm. This is in addition to the Mayor's CIL charged at £25 per sqm. CIL is charged on the total net additional floorspace created (measured as Gross Internal Area).

5.85 All Local Authorities are required to index the CIL charges to take account of price increases between the time when charging schedules setting out an authority's rate come into force, and the time at which planning permission is granted. In this instance the London Borough of Sutton's CIL has been indexed from its adoption in April 2014 and the Mayoral CIL indexed from its adoption in April 2012.

5.86 The proposal would be CIL liable for Mayoral CIL, but not Sutton CIL.

**6.0 CONCLUSION AND RECOMMENDATION**

6.1 The proposal would provide a waste processing facility on an existing waste processing site in accordance with the adopted South London Waste Plan 2012, London Plan 2016 and Sutton Local Plan 2018 and is considered to be acceptable in principle and land use terms.

6.2 The proposal would have a limited impact on MOL land and the making good of Mile Road is considered to be an exception to inappropriate development on MOL. The proposal with the recommended conditions would not adversely impact on the adjacent SINC and Wandle Valley Regional Park.

6.3 The design and layout of the proposal is considered to be acceptable and would provide soft landscaping to the boundaries of the site and is considered to be acceptable.

6.4 The proposal with the appropriate mitigation measures secured by condition would not have an adverse impact on the amenity of neighbouring occupiers.

6.5 The proposal would provide an enclosed waste processing building which would meet and exceed the policy requirements in terms of sustainable construction and would provide a no net loss of biodiversity and would provide a policy compliant sustainable surface water drainage system.

6.6 The proposal would not result in an adverse impact on the safe and efficient operation of the public highway.

6.7 It is therefore recommended that planning permission is granted subject to the recommended conditions, completion of the Section 106 Agreement and Stage 2 referral to the GLA



**G**

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DM2018/01865

# DRAFT

WARNING: It is in your interests to ensure you obtain the approval of the Local Planning Authority, where the conditions require that to occur. Failure to comply with the following conditions may lead to enforcement action to secure compliance.

## FIRST SCHEDULE

79 - 85 Beddington Lane, Beddington

Proposed construction and operation of the Beddington Lane Resource Recovery Facility, comprising a main waste processing building, two storey administration and amenity building, weighbridges with associated gatehouses, car park (50 spaces, including 3 disabled and 11 electric charging points), enclosed RCV fleet parking structure (14 Spaces), water tanks and associated pump house, vehicle refuelling area, two new accesses off Beddington Lane, highway improvement works to Beddington Lane, surface and foul water drainage infrastructure, vehicle circulation and manoeuvring space, soft landscaping and other ancillary infrastructure (including fencing, gating, mobile plant service bay, cycle store, smoking shelter and electrical sub-stations).

## SECOND SCHEDULE

- 1) The development must be begun not later than the expiration of three years beginning with the date hereof.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans; 1316\_PL100, 1316\_PL101, 1316\_PL110 Rev. A, 1316\_PL111 Rev. A, 1316\_PL112 Rev. A, 1316\_PL113 Rev. A, 1316\_PL114, 1316\_PL115, 1316\_PL200, 1316\_PL201 Rev. A, 1316\_PL210, 1316\_PL211, 1316\_PL300, 1316\_PL400, 1316\_PL410, 1316\_PL500, 1316\_PL600 Rev. A, 1316\_PL601, 1316\_PL602, 1316\_PL603, 1316\_PL604, 1316\_PL800, 1316\_PL801, 1316\_PL802, 1316\_PL803, 1316\_PL804, 1316\_PL805, 55-01 Rev P6, 55-02 Rev. P1, 55-03 Rev. P1, 55-04 Rev. P4, April 2019 Flood Risk Assessment, April 2019 Surface Water Management Strategy, May and July 2019 MicroDrainage calculations, Terra Consult Site Investigations ref: 10416/L02-2/JT, Energy Report ref: HLEU62367/001Rv5, Breeding Bird Survey Report dated October 2018, Design and Access Statement dated October 2018, Environmental Statement dated October 2018.
- 3) Prior to the commencement of the superstructure of the building, the type and treatment of the materials, including samples, to be used on the exterior of the building(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the construction of the development hereby approved, completed prior to its occupation/use and retained thereafter.

Reason: To safeguard the visual amenities of the area and to ensure compliance with Policy 28 of the Sutton Local Plan 2018. This condition is required to be pre-commencement to ensure that materials are considered at an early stage of the construction process and it is important that details are agreed at this stage as this could potentially impact on construction methods.

- 4) 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.

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 2016-2031. This condition is required to be pre-commencement to ensure that protected species and the biodiversity value of the land are not harmed / mitigated for prior to the demolition / construction process.

- 5) 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 0.2 lux on the western boundary of the site and no more than 0.5 lux within 5m of the southern boundary 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.

Reason: To protect existing and proposed biodiversity of adjacent protected land in accordance with Policy 26 of the Local Plan 2016-2031.

- 6) No raw materials, finished or unfinished products or parts, packing, waste, refuse, plant, machinery or vehicles shall be stacked, stored or otherwise placed on the created habitats for any period of time over the lifetime of the development.

Reason: To protect created biodiversity and habitats from disturbance and destruction during the operational process of the Resource Recovery facility in accordance with Policy 26 of the Local Plan 2016-2031 to deliver long-term net gain.

- 7) No development shall begin, including demolition and site clearance works, until a Construction Logistics Plan (CLP), to include details of: (a) loading and unloading of plant and materials; (b) storage of plant and materials; (c) programme of works (including measures for traffic management); (d) provision of boundary hoarding, behind any visibility zones of construction traffic routing; (e) hours of operation; (f) and means to prevent deposition of mud on the highway have been submitted to and approved in writing by, the Local Planning Authority. The development shall be constructed in accordance with the approved statement.

Reason: To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway, and to ensure the development process does not have a significant adverse impact on the amenities of nearby residential properties.

- 8) The proposed development shall be carried out in accordance with the submitted Construction Environmental Management Plan (appendix 4-1 of the Environmental Statement).

Reason: To ensure that the proposed development does not have a significant adverse impact on the amenities of nearby residential properties and to minimise the impacts on local air quality.

- 9) Prior to the occupation of the development hereby approved, a full Delivery and Servicing Plan (DSP) shall be submitted to, and approved in writing by, the Local Planning Authority. The Delivery and Servicing Plan shall include details of the HGV haulage routing to and from the site which shall be along Coomber Way and Ampere Way and shall also include details of how future customers of the site shall be informed of this HGV haulage route. The approved details shall be implemented and permanently retained thereafter.

Reason: In the interest of road safety and to safeguard the amenity of nearby residential properties in accordance with Policy 29 of the Sutton Local Plan 2018.

- 10) Prior to the occupation of the development, car parking provision for 50 spaces shall be laid out in accordance with the approved drawing no.1316 PL110. A drawing showing the location of the 11 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 11 electric vehicle charging points shall be included within the total of 50 car parking spaces.

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

- 11) Prior to the occupation of the development hereby permitted, details of petrol and oil interceptors which are to be fitted in all car parking, washing and repair facilities and areas shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the development and shall be maintained and retained for the life of the development.

Reason: To prevent oil-polluted discharges entering local watercourse, in accordance with policy 34 of the Sutton Local Plan.

- 12) Prior to the occupation of the development, details of the cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved

details shall be implemented prior to the occupation of the development and shall be retained thereafter for the life of the development.

Reason: To ensure sufficient cycle parking provision is provided in accordance with Policy 37 of the Sutton Local Plan.

- 13) Prior to the commencement of the development hereby approved, full details of the improvement works to be carried out on the service road which provides access to the development, shall be submitted to, and approved in writing by the Local Planning Authority which demonstrate that the means of access shall be resurfaced and made suitable for regular use by vehicles and pedestrians. The improvement works to this access road shall be implemented prior to the first occupation of the development hereby approved, and this access road shall thereafter be permanently maintained as such.

Reason: In the interests of vehicle and pedestrian safety, and in accordance with Policy 36 of the Sutton Local Plan 2018. This condition is required to be pre-commencement as the design of the service road needs to be considered at an early stage of the construction process.

- 14) The development shall not be occupied until details of the management and use of the 50; parking spaces have been submitted to and agreed in writing by the Local Planning Authority. Only the approved details shall be implemented and thereafter be permanently maintained.

Reason: To prevent obstruction and inconvenience to other highway users, in the interest of highway safety, and in accordance with Policy 37 of the Sutton Local Plan 2018.

- 15) Prior to the occupation of the development hereby approved, all redundant accesses and crossovers shall be reinstated and returned to a raised kerb, in a manner to be agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and vehicle safety.

- 16) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking

areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.

f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.

g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

h) A specification for scaffolding and ground protection within tree protection zones.

i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

k) Boundary treatments within the RPA

l) Methodology and detailed assessment of root pruning

m) Arboricultural supervision and inspection by a suitably qualified tree specialist

n) Reporting of inspection and supervision

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the tree (s) to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality with best practice and Policy 28 of the Sutton Local Plan 2018 and pursuant to section 197 of the Town and Country Planning Act 1990.

- 17) Prior to the occupation of the development, full details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscaping and tree planting shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards (in particular, BS 3882: Specifications for Topsoil, Recommendations (2015) and BS 8545: Trees from Nursery to Independence in the Landscape, Recommendations (2014) or other recognised codes of good practice). The works shall be carried out prior to the occupation of any part or relevant phase of the development or in accordance with the timetable agreed with the Local Planning Authority. Any tree(s) or plants that (within a period of five years after planting) are removed, die, or (in the opinion of the Local Planning Authority) are damaged or defective shall be replaced as soon as is reasonably practicable with others of a similar size/species/number as originally approved, unless the Local Planning Authority gives its consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policy 28 of the Sutton Local Plan 2018.

- 18) Prior to the occupation of the development hereby approved, a final Work Place Travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of security and surveillance for the cycle storage, quantity of showers and lockers and provision of drying rooms for cyclists.

Reason: To encourage non-car modes of transport in accordance with Policy 37 of the Sutton Local Plan.

- 19) Prior to the commencement of the super structure of the building starting on site, the approved remediation works shall be completed on site in accordance with the approved measures and timescale contained within the Environmental Statement.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy 34 of the Sutton Local Plan.

- 20) 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.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters in accordance with Policy 34 of the Sutton Local Plan.

- 21) Prior to occupation of the development, a verification report demonstrating the completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

- 22) Prior to commencement of groundworks (excluding site investigations and demolition), where changes are requested or required to the drainage proposals, the applicant must submit a final detailed drainage design including drawings and supporting calculations to

the Lead Local Flood Authority for review and approval, aligned with the April 2019 Flood Risk Assessment, April 2019 Surface Water Management Strategy, May and July 2019 MicroDrainage calculations and associated drawings no. 55-04 Rev. P4, 55-01 Rev P6. 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.

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.

- 23) 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. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components, and the responsible party for the maintenance must be confirmed.

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.

- 24) Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

- 25) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. It is recommended that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated

Sites'. No piling activities will be permitted on parts of the site where an unacceptable risk is posed to Controlled Waters.

- 26) Prior to the occupation of the development, details demonstrating that access for fire appliances as required by Part B5 of the Current Building Regulations Approved Documents and that adequate water supplies for firefighting purposes will be provided shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to occupation and shall be retained for the life time of the development.

Reason: To ensure that emergency vehicles can access the site and that adequate water supplies will be provided in the case of a fire.

- 27) No development shall take place until the site has been registered on the NRMM database ([www.nrmm.london](http://www.nrmm.london)) and the details of any non-road mobile machinery to be used on site during the construction of the development with net power between 37kW and 560kW have been provided to demonstrate compliance with the standards of the Low Emission Zone for NRMM.

Reason: In accordance with Policies 29 and 34 of Local Plan and to safeguard the amenity of surrounding occupiers during the construction phase.

- 28) Any works during the demolition / construction phase that generate noise beyond the site boundary shall be only carried out between the hours of 08.00 and 18.00 Mondays to Fridays and between 08.00 and 13.00 on Saturdays and at no time whatsoever on Bank Holidays and Sundays.

Reason: In accordance with Policies 29 and 34 of Local Plan and to safeguard the amenity of surrounding occupiers during the construction phase.

- 29) Prior to commencement of the super structure of the development hereby approved, BREEAM New Construction Interim (Design Stage) Certificates issued by the Building Research Establishment (BRE) or equivalent authorizing body, must be submitted to the Local Planning Authority and approved in writing to show that 'Very Good' and 'Excellent' BREEAM ratings will be achieved for the main building and admin building respectively.

Reason: To comply with Policy 31 of the Local Plan 2018

- 30) Prior to first occupation of the development, a BREEAM New Construction 2018 Final (Post-Construction) Certificate, issued by the BRE or equivalent authorizing body, must be submitted to the Local Planning Authority and approved in writing 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.

Reason: To comply with Policy 31 of the Sutton Local Plan 2018.

31) Prior to the occupation of the development, 'as-built' BRUKL outputs prepared under the Simplified Building Energy Model (SBEM) shall be submitted to the Local Planning Authority and approved in writing to demonstrate that the targeted reduction in CO2 emissions has been achieved in accordance with the approved Energy Strategy prepared by RPS Ltd in October 2018 (Ref: HLEU62367/001Rv5). If the development is unable to deliver the targeted reduction in CO2 emissions, then any shortfall shall be made up through the implementation of further sustainability measures unless otherwise approved by the Local Planning Authority in writing"

Reason: To comply with Local Plan Policy 31.

32) The mitigation measures in relation to noise and disturbance described within the Environmental Statement on pages 7-34 and 7-35 shall be implemented on site prior to occupation and use of the development and shall be retained thereafter for the life time of the development.

Reason: To comply with policies 29 and 34 of the Sutton Local Plan 2018.

33) The mitigation measures in relation to air quality, dust and odour emissions described within the Environmental Statement on pages 8.6.1 to 8.6.5 shall be implemented on site prior to occupation and use of the development and shall be retained thereafter for the life time of the development.

Reason: To comply with policies 29 and 34 of the Sutton Local Plan 2018.

34) Prior to the occupation of the development hereby approved, details in respect to the control of pests and vermin on the site shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to the operation of the development and retained thereafter for the lifetime of the development.

Reason: To protect the amenity of the neighbouring occupiers in accordance with policy 29 of the Sutton Local Plan.

35) Prior to the commencement of the superstructure of the development, a scheme for biodiversity protection and enhancements (including the green roof and fencing) shall be submitted to and approved in writing by the Local Planning Authority. This will take the form of an updated No Net Loss and Net Gain evaluation, working to the provided methodology and in accordance with BS42020:2013. Full details of habitat creation, aftercare, management and monitoring of enhancements will be included in the plan, expanding on illustrative drawing 2347-01-01 Landscape Design. Details on all proposed planting substrates (including Green Infrastructure) will provide physico-chemical data (nutrient values, pH, particle size, composition etc.), all trees, shrubs and other flora will include species, numbers, sizes, planting plans & provenance, whilst all other features (including nesting and roosting sites) will provide full specifications, including plan and elevation views. Work shall be undertaken in accordance with the approved scheme in

the first season after approval of the condition details and thereafter retained for the life of the development.

Reason: To enhance and protect the biodiversity value of the land in accordance with Policy 26 of the Local Plan 2016-2031. This condition is required to be pre-commencement to ensure that protected species and the biodiversity value of the land are not harmed / mitigated for prior to the demolition / construction process.

- 36) Prior to the occupation of the development hereby approved, details of a scheme to prevent unauthorised access along Mile Road shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include CCTV monitoring to prevent unauthorised access and the unlawful dumping of waste.

Reason: To mitigate against unauthorised access and criminal opportunity in accordance with policy 28 of the Sutton Local Plan.

- 37) Prior to the occupation of the development hereby approved details in respect to the prevention of fugitive litter and waste from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to occupation and shall be retained thereafter for the life time of the development.

Reason: To protect the amenity of neighbouring occupiers and in the interest of environmental protection in accordance with Policies 29 and 34 of the Sutton Local Plan.

- 38) Prior to the occupation of the development hereby approved, the fencing, gates and other boundary treatments shall be implemented in accordance with the approved drawing nos. 1316\_PL\_111, 1316\_PL\_603, 1316\_PL\_604, and shall be retained thereafter for the lifetime of the development.

Reason: To protect the visual amenity and character of the area in accordance with policies 28 of the Sutton Local Plan.

- 39) Prior to the occupation of the development hereby approved, cycle storage shall be implemented in accordance with the approved drawing nos. 1316\_PL\_602 and 1316\_PL\_110 and shall be retained thereafter for the lifetime of the development.

Reason: To promote non-car modes of transport in accordance with Policy 37 of the Sutton Local Plan and Policy 6.9 of the London Plan 2016

## INFROMATIVES

- (1) This approval only grants permission under section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 5000 before proceeding with the work.

- (2) The Council was able to negotiate successfully with the applicant to amend the application so that it complied with the relevant policies. Sutton Council has accordingly granted planning permission.
- (3) The Council consider that this permission is liable for a contribution under the Community Infrastructure Levy (CIL).

Before work commences there are certain forms which you must complete and return to [planningobligations@sutton.gov.uk](mailto:planningobligations@sutton.gov.uk). Please note that penalty surcharges will be added to contributions should CIL regulations not be followed.

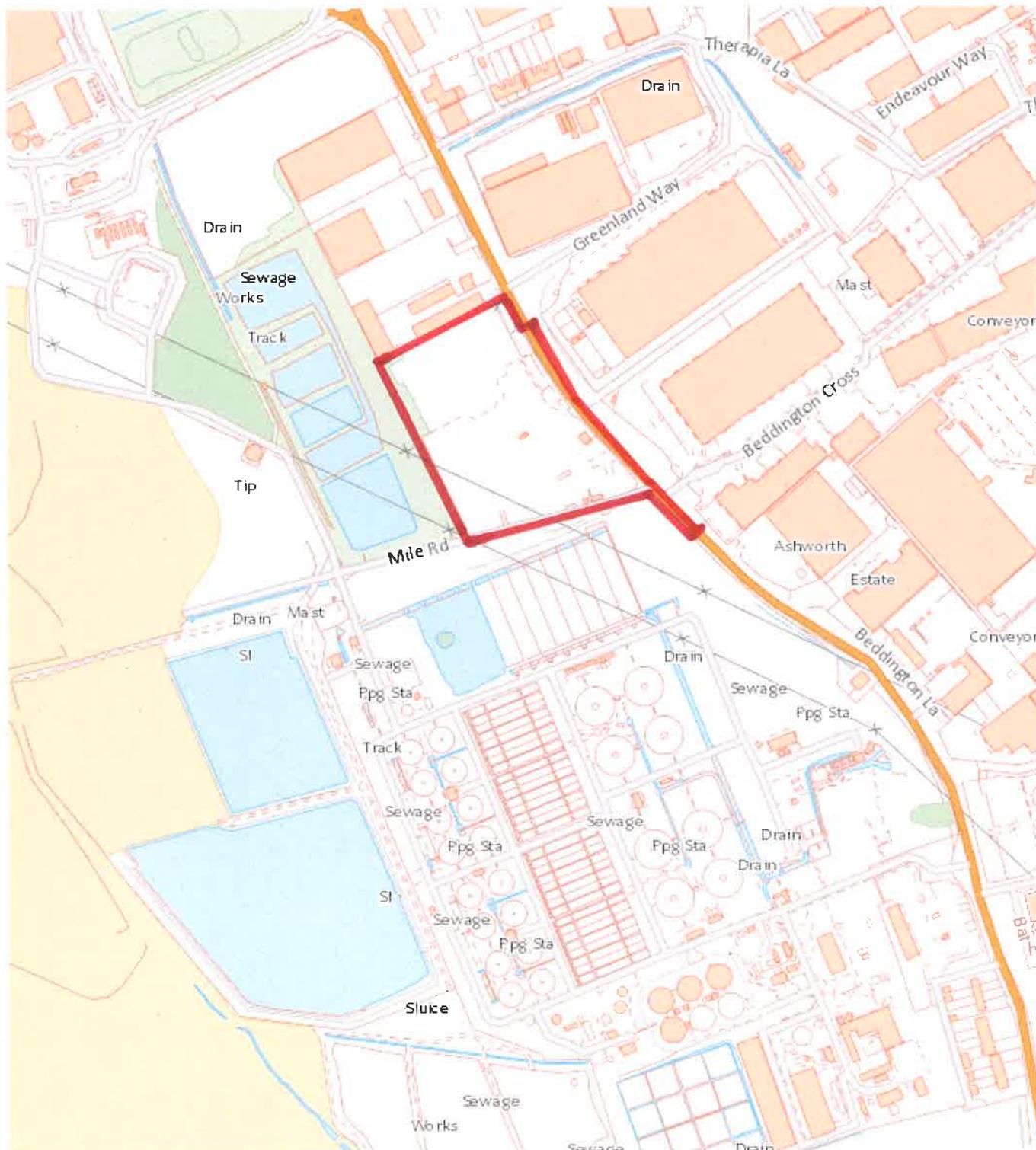
CIL forms can be found at -

[https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5)

- (4) The developer is reminded that under the Highways Act 1980 Sections 131, 148 and 149, it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and also to prosecute persistent offenders.
- (5) This decision notice should be read in conjunction with the agreement or Unilateral Undertaking submitted under Section 106 of the Town and Country Planning Act 1990 dated xxx.  
Before work commences there may be notices or payments due in relation to this agreement and the obligations contained within. Please send any notices or queries to [planningobligations@sutton.gov.uk](mailto:planningobligations@sutton.gov.uk).

Please note that failure to follow the obligations as stated in the agreement could result in penalty charges being added.

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79 - 85 Beddington Lane

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