

PLANNING COMMITTEE - Date: 30 September 2015

Report of the Executive Head for Economic Development, Planning and Sustainability.

Ref: D2015/72172/FUL	WARD: D17 / BEDDINGTON NTH	Time Taken: 10 weeks, 5 days
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Site: Unit 4 131 BEDDINGTON LANE Beddington CR0 4TD
 Proposal: Use of premises for a mix of clinical waste and healthcare waste transfer station (Sui Generis) and as a storage facility (Class B8) together with ancillary office accommodation and retention of parking spaces.
 Applicant: Mr Ken Fletcher
 Agent:

Recommendation:**GRANT PLANNING PERMISSION**

Reason for Report to Committee: The application is a major planning application recommended for approval.

Summary of why application proposals are acceptable:

It is considered that the proposal would be acceptable in principle in land use terms, and would not have a detrimental impact on the character and appearance of the host building or the surrounding area, the amenity of nearby residents or the public highway.

1.0 BACKGROUND**1.1 Site and Surroundings:**

1.2 The application site is an end-of-terrace double-height warehouse building located at the western end of the Beddington Lane Industrial Estate facility within a triangular corner plot. The Industrial Estate is accessed from the west of Beddington Lane.

1.3 Immediately to the west of the host unit is a large hardstanding area for vehicle parking and manoeuvring. The building covers approximately 1300sqm. It currently contains a large open space for general industrial purposes and a limited amount of ancillary facilities such as toilets and meeting rooms.

1.4 The surrounding area is mainly industrial in character comprising of a number of similar warehouse units with a busy main road to the east, a golf course to the north and a go-karting track to the south across the tram line.

1.5 The site has been vacant for at least 18 months.

1.6 Site Specific Designation:

1.7 The site is designated as being within an Archaeological Priority Area and a Strategic Industrial Location by the Council's Local Development Framework Proposals Map, and is also a designated as an Industrial Area with Sites Suitable for Waste Facilities by the South London Waste Plan.

1.8 Relevant Planning History:

1.9 The application site was granted planning permission for the erection of a warehouse in the 1970s. Planning applications covering the site approved after 1990 are indicated below:

1.10 03/50797/FUL. Installation of a 2.4m high fence and gate to the northern boundary. Granted July 2003.

2.0 APPLICATION PROPOSALS**2.1 Details of Proposal:**

2.2 This planning application seeks the change of use of the premises from general industrial use (Use Class B2) to a dual use partly for a clinical and healthcare waste transfer station (Use Class Sui Generis) and partly for a storage facility (Use Class B8) including the creation of a mezzanine floor (195sqm) to form ancillary office accommodation.

2.3 The operations forming part of the proposed waste transfer use include the transfer of cleaned feminine and nappy waste from bins into tough plastic bags, which are then stored in an enclosed container for forward transfer to tip by registered waste carriers. Clinical waste, including dental and pharmaceutical waste and related sharps, would be transferred into United Nations approved carts and would remain in the warehouse building until collection. The waste would be cleaned, treated and scented as appropriate before arriving at the application site.

2.4 Vehicles would enter the warehouse via the western side entrance, unloading waste within the building for washing, and either stored within bins inside or passed into the enclosed container outside.

2.5 The proposed use is intended to operate from 0600 to 1700 hours on a daily basis, except for on Sundays and Bank Holidays. However, the facility is also required to occasionally operate outside of typical business hours, and therefore the formal hours of operation are proposed as described below:

- Monday to Friday, 0400 to 2300 hours;
- Saturdays, 0600 to 1800 hours (occasional basis only).

2.6 Approximately 22 vehicle movements will be generated per day (153 per week) by the proposal. The majority of these will be regular vans and cars, with approximately 7 trips per week anticipated from HGVs. There are currently 20 parking spaces available within the application site with three additional 'light goods' vehicle parking spaces plus motorcycles and cycle parking areas.

2.7 The installation of a 2m high wooden palisade fence and vehicle entrance gate is proposed close to the eastern boundary of the site.

2.8 There are no employees at the site currently as it is not occupied. The proposed use would have 34 staff members.

2.9 Significant amendments to application since submitted:

2.10 None.

3.0 PUBLICITY**3.1 Adjoining Occupiers Notified:****3.2 Method of Notification:**

3.3 Letters of notification were sent to 44 properties on Jessops Way, Homestead Road, Brookmead Road, Elberon Avenue and Beddington Lane on 27th July 2015. A notice was also posted close to the site on 31st July 2015.

3.4 Number of Letters Received:

3.5 Two letters of objection from 24 Twickenham Close and 45 Lavington Road.

3.6 Summary of Material Objections:

- Excessive provision of waste facilities in this area;
- Negative impact on health of local residents;
- Existing traffic problems will be exacerbated.

3.7 Formal Consultations:**3.8 Internal**

3.9 **Policy team** – No objections

3.10 **Waste Management** – No objections

3.11 **Sustainability Officer** - No comments to make.

3.12 **Senior Highways Engineer** – No objections.

3.13 **Lead Local Flood Authority** – No LLFA assessment is required.

3.14 **Environmental Health** – No objections in terms of air pollution.

3.15 External

3.16 **London Borough of Croydon** – No objections.

3.17 **London Borough of Merton** – Any comments received will be reported orally to the Planning Committee.

3.18 **Environment Agency** – No objections.

3.19 **Transport for London** – No objections.

3.20 **Thames Water** – No objections.

3.21 **Surrey Water** – Any comments received will be reported orally to the Planning Committee.

3.22 **Tramlink** – Any comments received will be reported orally to the Planning Committee.

3.23 Councillor Representation:

3.24 None.

4.0 MATERIAL PLANNING POLICIES

- (1) The London Plan (as amended 2015);
 (2) The Local Development Framework (LDF) comprising of two main documents:
 -(a) The Core Planning Strategy (CPS);
 -(b) The Site Development Policies Development Plan Document (DPD).

In the event that there are discrepancies between the adopted CPS, DPD and the London Plan, legal guidance indicates that the latest adopted document prevails.

4.1 National Planning Guidance

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- National Planning Policy for Waste (NPPW)

4.2 London Plan 2015

- 5.16 Waste Net Self-Sufficiency

4.3 South London Waste Plan

- WP4 Industrial Areas with Sites Suitable for Waste Facilities

4.4 Core Planning Strategy DPD

- PMP4 Main Locations for Industry
- BP8 Waste Reduction and Management

4.5 Site Development Policies DPD

- DM1 Character and Appearance
- DM2 Residential Amenity
- DM10 Air Quality
- DM12 Noise and Vibration
- DM14 Hazardous Substances
- DM20 Assessing the Transport Impact of New Development
- DM33 Strategic and Established Industrial Locations

5.0 PLANNING CONSIDERATIONS

- 5.1 The principal considerations (including whether any material planning objections have been reasonably addressed) in relation to this application are:

- **Principle of Use**
- **Design Quality**
- **Impact on Neighbours**
- **Traffic, Parking and Access**
- **Financial Considerations**

5.2 Principle of Use:

- 5.3 The National Planning Policy for Waste document states that in determining planning applications for waste facilities which are not landfill sites planning authorities should:

- Only expect the quantitative or market need for new/enhanced facilities to be demonstrated where proposals are not consistent with the existing local plan;
- Will not undermine the objectives of the London Plan by prejudicing movement up the waste hierarchy;
- Consider the impact on the local environment and amenity;

- Ensure that facilities contribute positively to the character of the area;
 - Not concern themselves with pollution control matters which are the concern of other authorities.
- 5.4 Furthermore, Policy WP4 of the South London Waste Plan (SLWP) states that planning permissions will be granted for waste transfer facilities on land within the identified industrial areas, as long as all other appropriate policies of the Waste Plan and the Local Development Framework are also met. In addition, Policy DM33 of the Site Development Policies document states that Council will only grant planning permission for B1 (office, excluding freestanding offices), B2 (general industrial) and B8 (storage/distribution) uses within identified Strategic Industrial Areas, although other similar industrial uses will also be granted where the use would not impact negatively on the industrial status or operation of the area.
- 5.5 The application site is has been vacant since at least mid-2014 and was previously in general industrial use (Use Class B2) by a computer systems company.
- 5.6 The existing warehouse building has recently been renovated in an attempt to attract new investment. This proposal seeks to change the use of the site principally to a waste transfer station (Use Class Sui Generis) with part of the site also used for storage facilities (Use Class B8). A mezzanine area would be created within the existing building to be used for office purposes ancillary to the operation of the waste and storage facilities.
- 5.7 The site is one of six areas designated as being appropriate for waste uses within the wider Beddington Industrial Area (Areas 532-5, 539 and 5312 as referenced in SLWP Section 5). The site description states that these areas may be suitable for waste facilities. However, not all of the sites should be developed for waste uses and those that are furthest away from the Industrial Area's residential and supermarket uses would be the most suitable. The site is more than 200m away from any supermarket or residential property and that substantial separation distance is considered to be sufficient to permit a waste use located on the host site, given that the majority of neighbouring sites are not in similar waste uses. As such, the requirements of WP4 would be met.
- 5.8 Although the proposed use would deviate from more common B1/B2/B8 uses found within this industrial location its operation would appear similar to those more readily defined uses. For example, the facility would be used for the washing and storage of clinical/health waste, and for additional storage of cleaning materials such as soaps. Waste operations, aside from the storage of a 'roll on-off' fully-enclosed container, would be contained entirely within the host warehouse building. No waste would be ultimately disposed of or incinerated on site as these activities would take place elsewhere. Furthermore, the site is located on a triangular corner site at the end of an existing industrial site, adjacent to a tram line, golf course and immediately adjoining only one other industrial unit. As such, it is considered that the facility would have many characteristics of a joint B2/B8 facility and would not impact negatively on existing neighbouring industrial uses.
- 5.9 In terms of meeting the requirements of the NPPW, the proposed siting of a waste facility in this location is in line with the site designation within the local plan as an Industrial Area with Sites Suitable for Waste Facilities. Pollution control matters are assessed by the Environment Agency (EA) and not the Local Planning Authority. The EA have not raised any objections to the proposal. The Mayor believes that a waste hierarchy that prioritises reducing waste and recycling over disposal should be prioritised. However, the proposed use intends to manage waste that has already been created and is focussed on disposing of the waste in a safe and efficient manner by cleaning waste from a variety of healthcare and clinical sources in a single

- dedicated facility. As such, it is considered that the proposed use would not harm the Mayor's aims in terms of promoting efficient waste disposal within London.
- 5.10 Considerations in respect of design and residential amenity will be discussed in the sections below. Notwithstanding those discussions, it is considered that the proposed change of use would be acceptable in principle for the reasons outlined above.
- 5.11 **Design Quality:**
- 5.12 Core Policies BP12 and PMP2 state that the Council will seek to ensure that development respects the local context and distinctive local character. SPD14 also seeks to ensure that development should incorporate the basic elements of good urban design, respect the prevailing street scene and also the surrounding area in general.
- 5.13 No alterations to the external appearance of the existing building are proposed as part of this application. Internal changes are proposed to create 195sqm of ancillary office floor space within the existing warehouse structure but this would not impact on the external appearance of the building.
- 5.14 A wooden fence and gates would be erected close to the eastern boundary of the application site and these would not be visible from the street on Beddington Lane, or from any adjoining sites aside from those within the existing Beddington Lane Industrial Estate.
- 5.15 Therefore, it is considered that the appearance of the host building and the surrounding industrial area would not be adversely affected by the proposal.
- 5.16 **Impact on Neighbours:**
- 5.17 Site Development Policy DM2 states that the Council will not grant planning permission for any development that adversely affects the amenity of nearby residents, including in terms of noise and disturbance. DM10 states that developments which result in significant additional air pollution should be resisted. DM12 states that proposals should not adversely affect noise sensitive developments.
- 5.18 **Impact of the proposed use on residential amenity**
- 5.19 The only new-build aspects of the proposal would be a fence including gates and an internal mezzanine floor. Neither of these elements would be visible from public areas outside of the application site. As such, the proposal would not have a negative impact on the amenity of local residents in terms of a loss of day/sunlight, outlook or privacy.
- 5.20 The nearest residential property is located more than 200m away from the existing warehouse building. All operations are to be conducted within the warehouse building with the exception of movement of sealed bags of cleaned waste to the enclosed container outside. The enclosed container would be closed at all times, aside from the opening of the rear door during times when waste is deposited, and fully sealed at night. As such, the proposed use is not anticipated to result in significant smells or air pollution that would impact negatively on the amenity of local residents.
- 5.21 Although the site would occasionally operate outside of normal business hours there would be a minimal loading and unloading within the warehouse building only at the site during these additional hours. No operations are permitted at the site during Sundays and Bank Holidays. Therefore, given that the nearest residential properties are located a significant distance away from the proposed use it is not anticipated to impact negatively on the amenity of those residents.

5.22 Furthermore, the Council's Environmental Health team has raised no objections to the proposed change of use. Therefore, it is considered that the amenity of nearest residential properties would not be adversely affected by the proposed change of use.

5.23 **Impact of vehicle movements on residential amenity**

5.24 A fleet of thirteen vans would operate from this site, with only one visit per day required for each van. There would be visits from waste collection trucks three times a week, whilst another delivery truck would visit once a week. The Council's Environmental Health team has assessed the proposal and states that the number of vehicle movements per day is comparatively low for a use in the Beddington Lane area. Furthermore, the number of vehicle movements, and thus the quantity of emissions, would not be greater than would otherwise have been expected from the previous general industrial use of the application site. The Environmental Health Officer for Pollution has recommended that the potential for increased emissions from this site is sufficiently low so that it is considered unreasonable to request the applicant to provide any formal assessment of air quality in this case. As such, it is considered that the changes to pollutant concentrations that are anticipated from this development would be negligible and thus there would be no detrimental impact to the amenity of local residents from changes to air pollution levels.

5.25 Furthermore, vehicle movements are anticipated to occur mainly in the vicinity of the site entrance and to the north and south on Beddington Lane. It should be noted that the applicant have indicated they would participate in a Council-run scheme to reduce fleet emissions and to route industrial traffic away from Beddington Village.

5.26 However, it is considered reasonable in this case to impose a condition to any grant of permission limiting the number of vehicle movements per week from the site to the amount proposed (153) to ensure that air quality in the area does not reach polluting levels in the future.

5.27 Therefore, it is considered that the proposal would not result in a detrimental impact to neighbouring properties in terms of excessive noise disturbance, smells or air pollution.

5.28 **Traffic, Parking and Access:**

5.29 Policy DM20 of the Site Development Policies document states that all applications will be assessed for their impact on the public highway and local environment.

5.30 The site is located on the classified route A237 and the will be accessed via an existing entrance/exit servicing the Beddington Trading Estate from that road. The site is in close proximity to the Beddington Lane Tramlink Station and therefore benefits from a good level of public transport accessibility.

5.31 A fleet of thirteen vans would operate from this site unloading full units and collecting clean units in a single visit. The majority of visits would occur between 1pm and 4pm. No more than one visit per vehicle per day would be required. These vehicles are operated directly from the home premises of the employee and therefore vehicles would not need to return to the site at the end of the working day. This arrangement also means that staff visiting collection sites are not required to use a separate vehicle to reach their place of work.

5.32 There would be visits from waste collection trucks three times a week and another HGV delivery truck would visit once a week.

- 5.33 The majority of vehicle movements would occur in the afternoon as vehicles (mainly vans) return from their waste collection rounds. However, occasionally vehicles would access the site out of regular working hours as some customer's collection demands require this. Vehicle movements outside of the 0800-1700 time period are anticipated to be very low. It is noted that Beddington Trading Estate is currently open for a 24 hour period and as such vehicles may access other units on the industrial estate at any time.
- 5.34 The proposed change of use would seek to utilise the existing 24 parking spaces on site for the parking of staff and operational vehicles. Motorcycle and cycle spaces are also available within the site. Vehicles would access the application site without passing over existing vehicle parking spaces in the industrial estate.
- 5.35 The application site currently has the potential to be used for a wide variety of general industrial uses that could require a significant number of vehicle movements, and over which the Council would have no control.
- 5.36 The Council's Senior Highways Engineer has estimated that the site will generate 153 trips per week, which approximates to 22 vehicles per day. This includes all staff, visitor and operational vehicle movements. The amount of vehicle movements from 22 daily movements is considered not to be significant in the context of the Beddington Lane Industrial Area and also noting that the current general industrial use of the site could facilitate the operation of a business with a greater number of vehicle movements per day than is currently proposed without the requirement for planning permission. The number of vehicle movements is minimised for this use as staff take vans home in the evenings and travel directly to their point of collection from home.
- 5.37 The Engineer has stated that the anticipated number of vehicle movements to and from the application site is not significant and therefore has no objection to the proposal as it is considered that there would be no unreasonable impact on the highway network.
- 5.38 Therefore, the proposal would be acceptable in terms of its impact on the public highway.
- 5.39 **Financial Considerations:**
- 5.40 The application site was in general industrial use before it was vacated in mid-2014 and as such the building has been occupied for at least six months in the course of the last three years. Therefore, no payment in terms of the Community Infrastructure Levy for both the Mayor of London and London Borough of Sutton is required.

6.0 CONCLUSION AND RECOMMENDATION

- 6.1 It is considered that the proposal would be acceptable in principle in land use terms, and would not have a detrimental impact on the character and appearance of the host building or the surrounding area, the amenity of nearby residents or the public highway.
- 6.2 It is therefore recommended that planning permission be granted, subject to conditions as laid out in the Agenda.

Background Papers: D2015/72172/FUL

Drawings and other documents can be viewed on line –

- 1) Go to page: <http://gis.sutton.gov.uk/FASTWEB/welcome.asp>
- 2) Enter Planning Application Number: **D2015/72172**
- 3) Click on Search and View Current Applications
- 4) Click on View Plans & Documents



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D2015/72172/FUL

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

Unit 4 131 BEDDINGTON LANE Beddington CR0 4TD

Use of premises for a mix of clinical waste and healthcare waste transfer station (Sui Generis) and as a storage facility (Class B8) together with ancillary office accommodation and retention of parking spaces.

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: OS Maps (1:1250 and 1:500), Site Location Plan, Site Access plan, PR/201/01 Rev. 05, PR/201/02 Rev. 01, PR/202/01 Rev. 05, PR/201/02 Rev. 05 and PR/204/01 Rev. 02.

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

(3) The uses hereby permitted shall operate only between 0400 - 2300 hours Monday to Friday and 0600 - 1800 on Saturday, with no operation on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjacent residential properties.

(4) Before the commencement of the waste use of the site hereby permitted a written Delivery Service Plan shall be submitted to and approved by the Local Planning Authority, and the recommendations of that report shall be followed for as long as the use is in operation.

Reason: To safeguard the amenities of adjacent residential properties.

(5) The type and treatment of the materials to be used on the proposed fence and gates shall be submitted to and approved in writing by the Local Planning Authority prior to the development being carried out. The approved materials shall be used in the construction of the development hereby approved and completed prior to its occupation/use.

Reason: To safeguard the visual amenities of the area.

(6) The waste transfer activities hereby approved, and storage of waste or skips containing waste, shall not be located outside of the main warehouse building, except for the location of the outside skip as identified on drawing no. PR/204/01 Rev. 02, without the written consent of the Local Planning Authority.

Reason: To prevent disturbance to nearby business users.

(7) The existing parking area at the premises, (as shown on the application drawings), shall be permanently maintained for that purpose.

Reason: To prevent obstruction and inconvenience to other highway users (especially pedestrians, cyclists and those with disabilities), and also in the interest of highway safety.

(8) Vehicle movements to the site shall not exceed 153 movements per working week.

Reason: To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway.

INFORMATIVES.

(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) This application has been assessed against the relevant policies of the London Plan 2011, Sutton's Core Planning Strategy 2009 and the Site Development Policies DPD 2012. The proposal is generally in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and for this reason planning permission is granted.

(3) The submitted application complied with the relevant planning policies and Sutton Council has accordingly granted planning permission.

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