

PLANNING COMMITTEE – Date: 05 September 2018

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

Ref: DM2018/00156/FUL	WARD: D17 – Beddington North	Time Taken: 28 weeks 1 day
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Site: 118 Beddington Lane, Beddington, CR0 4TB  
 Proposal: Erection of an industrial unit to provide 2,149 sq m (GIA) of flexible employment purposes within use classes B1c/B2/B8 with ancillary offices, 89 car parking spaces, 4 motorcycle and 12 bicycle spaces, landscaping, service yard areas and ancillary uses together with associated external works.  
 Applicant: Maizelands Limited and Arringford Limited  
 Agent: Matthew Thomas

**Recommendation:**

**REFUSE PERMISSION**

**Summary of reasons why proposal is unacceptable:**

- The proposed development would represent an under-development of the site, would not make the most efficient use of the land, and would be harmful to the objectives of the Beddington Strategic Industrial Location (SIL) in seeking to deliver additional industrial floorspace through the intensification of existing sites.
- The proposal would provide an over provision of car parking which would not deter unnecessary car use and would be contrary to the Council's and London Plan maximum car parking standards and sustainable development.
- Whilst the development would provide a high density of job creation, which is acknowledged as making a contribution towards the employment objectives of the Borough and would add much needed economic vitality, the proper planning of the Borough is to consider the long term objectives and it is considered that this development would not align with the need to create the best opportunities for the intensification of this SIL, noting that any permission granted permits future land uses over which the continued occupation by a particular commercial operator cannot be guaranteed.
- Whilst the job creation and mitigation offered towards improvements in public transport are noted, they do not justify a departure from the adopted policies of the Local Plan and do not outweigh the detriment to the long term objectives of the Beddington Strategic Industrial location.

**Reason for report to Planning Committee: At the discretion of the Head of Development Management and Strategic Planning as this is a major strategic application which raises issues that merit consideration by members.**

1.0 **BACKGROUND**

1.1 **Site and surroundings:**

1.2 The application site is situated on the eastern side of Beddington and comprises a vacant plot of land with some planting along the boundary which is of low landscape quality. The site originally contained a warehouse building and car parking associated with 'Superdrug'. The site has been cleared and is currently clear of any buildings or structures other than national grid infrastructure.

1.3 The application site has a frontage to Beddington Lane and Bath House Road and is located on that junction. Access to the site is currently from Bath House Road. The north eastern corner of the site is partly constrained by the presence of a national grid pylon support and overhead cables. In addition there are other easements, access arrangements and a small strip of land on the east side of Beddington Lane required as part of the improvements to Beddington Lane which act as constraints to development.

1.4 The site is location within the Beddington Lane Strategic Industrial Location (SIL) which predominantly comprises industrial and storage uses. The site is bound to north, south and east by industrial uses and buildings and the Beddington Sewage Treatment Works to the west. The nearest residential properties are located approximately 80 metres to the south.

1.5 **Site specific designation:**

- Archaeology Priority Area
- Area at Risk of Flooding
- Strategic Industrial Location.

1.6 **Relevant Planning History:**

1.7 The site has an extensive planning history. The most relevant to this application being:

- D2017/76483/DEM – Demolition of buildings at 118 Beddington Lance consisting of office buildings and rear loading deck. Consent granted 21 March 2017.
- D2017/76957/FULL - Demolition of existing buildings and erection of two industrial units providing 4,150 sqm (GIA) for flexible employment purposes within use classes B1c/B2/B8 with ancillary offices, car parking, landscaping, service yard areas and associated external works. Permission granted 18 July 2017.

## 2.0 APPLICATION PROPOSALS

### 2.1 Details of Proposal:

2.2 Planning Permission is sought for the erection of an industrial unit to provide 2,149 sqm (GIA) of flexible employment purposes within use classes B1c/B2/B8 with ancillary offices, 89 car parking spaces, 4 motorcycle and 12 bicycle spaces, landscaping, service yard areas and ancillary uses together with associated external works.

2.3 The proposed building would measure a maximum depth at ground floor level of 64m, 37 metres in width and 12 metres in height falling to 10 metres at the eaves. The building would be situated along the northern boundary of site approximately 34 metres from the eastern boundary and 39 metres from the western boundary fronting Beddington Lane.

2.4 The area to the south of the building will comprise 89 car parking spaces split into two areas, 52 dispatch bays and 12 cycle spaces all of which area accessed from Bath House Road. The application includes additional landscaping features along northern, eastern and western boundary of the sites.

2.5 The proposed development is for use as a storage and distribution centre (Class B8). The proposed end user would be Ocado, as a final mile distribution centre broadly serving south west London including Sutton, Merton and Croydon. The applicant has stated that the site will operate 24 hours a day and provide 200 FTE jobs with staff working in shift patterns.

### 2.6 Amendments

2.7 None.

## 3.0 PUBLICITY

### 3.1 Adjoining Occupiers Notified

#### 3.2 Method of Notification:

3.3 Letters were delivered to 32 adjoining occupiers on 21 February 2018 and a site notice was erected within the vicinity of the site on the 13 March 2018.

#### 3.4 Number of Letters Received in response to the proposal:

3.5 None.

#### 3.6 Official Consultation:

#### 3.7 Internal:

3.8 **Senior Highways Engineer:**

3.9 The Principal Highways Engineer initially recommended the application be refused on the ground that the proposal represented an over provision of car parking spaces. No objection was raised regarding access to the site or traffic impacts on surrounding roads.

3.10 Whilst the applicants offer to contribute to extending the 455 bus service along Beddington Lane by two hours Highways have advised that in isolation it is considered that it will not make a significant contribution to a Travel Plan for it to be considered a robust solution, and as such the highways objections remain.

3.11 **Local Lead Flood Authority:**

3.12 Objection and refusal recommended on the grounds that the applicant has failed to demonstrate the full use of London Plan Policy 5.13s drainage hierarchy.

3.13 Further information has been submitted by the applicant to address the above concerns. Any further comment received shall be reported orally to committee.

3.14 **Waste Management**

3.15 No comments received.

3.16 **Sustainability Officer**

3.17 No objection subject to conditions securing carbon reduction measures, energy efficiency and water efficiency measures.

3.18 **Principal Tree Officer**

3.19 No objection subject to conditions securing a hard and soft landscaping scheme.

3.20 **Environmental Health**

3.21 No objection subject to conditions to secure a construction management plan and details of land contamination.

3.22 **Local Lead Flood Authority (LLFA):**

3.23 Object and request further information regarding run off rates and volumes for the site and surface water drainage system.

3.24 **Biodiversity Manager:**

3.25 No objection subject to conditions relating to the submission of an Invasive Species Method Statement, landscaping and green infrastructure.

3.26 **External:**

3.27 **Environment agency:**

3.28 No objection subject to a condition regarding ground water protection, SUDS and piling.

3.29 **Secure By Design Officer**

3.30 No objection subject to a condition regarding secured by design.

3.31 **TFL:**

3.32 The proposed development does not comply with transport policies of the London Plan. For the application to be considered acceptable a significant reduction in the proposed level of car parking should be secured along with suitable mitigation for the expected impacts on the local transport network.

3.33 Following on from the applicants agreement to provide a contribution towards extending the 455 bus route, TFL provided additional comments stating that their position in regards to car parking has not changed as the level is considerably higher than the maximum standards set out in the London Plan.

3.34 **National Grid:**

3.35 No objection

3.36 **Councillor Representation**

3.37 There has been no Councillor representation made on this application

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

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework (NPPF) 2018.
- National Planning Practice Guidance (NPPG)
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.

- Human Rights Act 1998
- Equality Act 2010
- Draft London Plan 2017

#### 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 recommendation 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
- 3.16 Protection and enhancement of social infrastructure
- 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
- 5.17 Waste capacity
- 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
- 7.2 An inclusive environment
- 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

#### 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

#### 4.9 Supplementary Planning Guidance/Documents:

- SPD14 Creating Locally Distinctive Places

#### 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 Development**
- **Design Quality**
- **Neighbour Amenity**
- **Highways and Parking**
- **Sustainability and Flood Risk**
- **Air Quality and Land Contamination**
- **Trees, Landscaping and Biodiversity**
- **Archaeology:**
- **Planning obligations and CIL**

#### 5.2 **Principle of Development:**

5.3 Policy 1 and 14 of Sutton's Local Plan sets out the expectation that the Council will provide an additional 10 hectares of industrial land with an expected plot ratio of 40% with the intention of delivering 40,000sqm of industrial floorspace. The Beddington Lane Strategic Industrial Location (SIL) is expected to provide nearly all of that floorspace. Policies E4 and E7 of the draft London Plan state that industrial developments should seek to deliver a plot ratio of 65% (as a minimum) and there is clear emphasis both within the Local Plan and emerging London Plan that the delivery of industrial land will be from the intensification of existing sites.

- 5.4 The Inspector at the Local Plan Examination in Public (EIP) concluded that, even with the intensification of existing land, the borough would not be able to meet the expected demand, noting that the London Borough of Sutton is designated as one of only five boroughs (the others being Brent, Ealing, Enfield and Wandsworth) that is expected to increase industrial capacity within London, with all other boroughs expected to retain or release industrial land. This further heightens the need for each site within the borough's SIL to provide the maximum amount of floorspace that can be provided.
- 5.5 The site would deliver 2,149 sqm of floorspace which equates to a plot ratio (floorspace creation within an application site) of just 16.7%. The potential for maximising the floorspace on this site is evidenced by a previously approved scheme on the site (Ref: D2017/76957), which would provide approximately double the floorspace within the same plot, taking account of the same site constraints against which the current application is assessed.
- 5.6 In addition to this, a review of the planning history has shown that the previous use of the site by 'Superdrug' included the demolition of a building that resulted in the loss of 4,605 sqm of floor space. This loss was considered acceptable when determining the previous application as that proposal included the re-provision of 4,150 sqm of flexible floor space. Whilst this has resulted in a net loss of 455sqm, the proposal was considered to provide an improved quality of floorspace that was more fit for modern purposes, taking into account the need for flexible and adaptable floorspace, which can be used for a number of uses. The current proposal would result in a net loss of 2,001 sqm of floorspace when compared to the previous Superdrug building.
- 5.7 The applicant has confirmed that the layout of the site has evolved since the granting of the previous permission in response to the needs of Ocado as the end user, with a large delivery and servicing area to serve the function as a final mile distribution centre reliant on an operating fleet. The main crux of the argument for the development put forward by the applicant is that the site will generate very high levels of employment, with a ratio of one FTE job for every 9 sqm of floorspace. It is worth noting that this would be a significantly greater ratio than the proposed job density matrix set out in the draft Local Plan before it was removed by the Inspector, which would have equated to one job for every 60sqm. Overall, the applicant anticipates that proposal would result in 200 FTE jobs directly employed by Ocado.
- 5.8 It is officer's view that there is considerable merit in the case that job creation where it appears to fulfil the objective behind the creation of employment floorspace and must be a material consideration of some weight. Moreover, should the applicant generate 200 FTE jobs this could be a potentially greater number than an alternative scheme for the site even if a scheme delivered 4000 sqm of floorspace. For instance a cold storage unit could meet the floorspace requirements but deliver less jobs. Such a scheme could be hypothetically more policy compliant, and yet fail to provide as many employment benefits as the current proposal.



5.9 Whilst there is weight to the argument of jobs creation, the effective measures that monitor the performance of Council policies contained within the Local Plan is not from job creation but by floorspace. At 16%, the plot ratio falls below the requirement of Policy 1 and 14 of the Local Plan which seeks to intensify existing industrial sites. As such, whilst the contribution that this proposal could make to the economic vitality of the area is acknowledged, there is no guarantee that this level of job density will be sustained over the Plan period as any permission granted is for a particular land use. Whilst the end user is acknowledged to be a material consideration in this case, the weight that can be attached to the end user is very limited as there is no guarantee that this occupier will be committed to this site over a longer term. The site could change ownership with an occupier either with a much lower job density ratio and/or one that does not have the same requirements for the amount of car parking provided. The Inspector presiding over the Examination in Public advised the Council that there was no realistic mechanism for securing job densities in planning permissions as it is not enforceable. In this case, the balance of the argument is towards securing the long term economic prosperity of the Borough and whilst this proposal does offer genuine employment opportunities there is no guarantee that these can be secured in the long term and in granting permission, the site may be developed in a way that limits future opportunities for intensification. As such, on balance, whilst the principle of the use is acceptable, the amount of development is not for the reasons given as it represents an underdevelopment of the site, allied to the overprovision of car parking as set out in more detail below, contrary to the above policies.

5.10 **Design Quality:**

5.11 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.

5.12 Policy 28 of the Sutton Local Plan states that the council will grant planning permission for new development providing it respects local context is of suitable scale, massing and height, makes a positive contribution to the street frontage.

5.13 The proposed building would measure a maximum depth at ground floor level of 64 metres, 37 metres in width and 12 metres in height falling to 10 metres at the eaves. The building would be clad in a mixture of grey coloured metal and composite cladding. The building would be situated along the northern boundary of site approximately 34 metres from the eastern boundary and 39 metres from the western boundary fronting Beddington Lane. The area to the front and side is dominated by hardstanding incorporating loading bays, staff car parking and dispatch bays.

- 5.14 The context of the setting of Beddington Lane is typified by its industrial appearance. The overall scale, layout and design of the proposal would reflect the character and appearance of surrounding industrial development and the building would not appear obtrusive from the surrounding area when viewed in the context of the established industrial aesthetic, neither would it impact on significant views to and from the site. The proposed building would sit comfortably on the site and would be set back from Beddington Lane and Bath House Road. The proposed design and choice of materials for the building are typical of an industrial location. In order to further reduce and soften the visual impact of the development a condition would have been recommended had the application been considered acceptable in all other respects to secure soft landscaping.
- 5.15 Overall, it is considered that the proposed height, bulk, design, siting and finish of the building is acceptable in this location and consistent with that of other built form within this Strategic Industrial location
- 5.16 **Neighbouring Amenity:**
- 5.17 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.
- 5.18 The application site is located within the Beddington Lane SIL and has industrial uses to the south, east, west and north. The closest residential property to the application site is 71 Beddington Lane, which is located 82 metres to the south west of the application site. Given the significant distance to this property, it is not considered that the proposal would affect the amenities of the occupants of this property to an unacceptable level.
- 5.19 With regard to noise, the applicant submitted an acoustic report that has been assessed by the Council's Environmental Health Service. The noise from the plant and vehicle movements is not likely to cause an unacceptable impact on the nearest residents and as such, no objection is raised.
- 5.20 For the reasons given above, the proposal would not result in a significant impact on neighbouring amenity.
- 5.21 **Highways and Parking:**
- 5.22 London Plan policy 6.13 permits a maximum of 4 car parking spaces (based on 1 per 500sqm of B2/B8 use). 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'

- 5.23 The intention of the maximum parking standards set out in the Local Plan 2018 and the London Plan 2016 is to limit the reliance on private car use, especially as a means of getting to and from work, and the Mayor has set out a target within the Mayors Transport Strategy that 80% of trips made by non-car modes of transport by 2041.
- 5.24 The proposal is for 89 parking spaces, split into two areas accessed from Bath House Road. The maximum parking standards for the Local Plan and The London Plan 2016 are 42 spaces and 21 spaces respectively. The 42 spaces takes into account the poor Public Transport Accessibility Level (PTAL) of Beddington SIL: the area has a PTAL of 1b. The parking level is double Sutton's maximum parking standards, and four times that of the London Plan. The Council's highways team and TFL lodged objections on these grounds.
- 5.25 The applicant has submitted a Transport Statement, which has been reviewed by TFL, in which it is stated that there is a need for above maximum car parking standard provision due to the low PTAL (1b) of the site, the unavailability of frequent buses at the right times (noting the 24 hour use of the building) and have predicted a modal share of 44% of employees to arrive by private car. The developer has based this on modal shares of other similar final mile distribution centres within London.
- 5.26 The applicant has confirmed that the amount of car parking proposed is an operational requirement for staff change overs to prevent car parking on the estate or in surrounding roads. However, the Council's parking standards for industrial use are based on floorspace creation, and as referenced above, whilst the proposed development would increase job creation with a smaller than expected creation of floorspace, the applicant's case is that the high density of jobs created accounts for the substantial over provision of parking.
- 5.27 Whilst this argument has some merits in principle, the Council has a duty to discourage single-occupancy uses of the private car, and the need to encourage both active and passive sustainable modes of transport, and so it is considered to be a relatively weak argument for the level of parking proposed read in conjunction with the principal objection to the underdevelopment of the site by floorspace, particularly as a greater amount of site coverage by built form would drive down the available space for parking.
- 5.28 The Council acknowledges that an appropriate balance needs to be struck between new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use. However, adequate justification for the provision of 68 spaces above the maximum standards has not been provided, and is therefore unacceptable and fails to comply with policies of the London Plan and the Mayors Transport Strategy.

- 5.29 Policy 6.3 of the London Plan advises that the impact of the development should be mitigated through the provision of improvements to public transport. Policy 15 of the Local Plan states that within SILs, development will be expected to contribute to environmental and transport improvements, either through on site works or through planning obligations, where necessary. Given that the proposed development is likely to result in high levels of vehicle movement, the case has been made that the existing public transport infrastructure is insufficient to accommodate the additional vehicle movements. However, the Council has a duty to discourage the private car as a mode of transport, and it is noted that improvements to transport infrastructure are needed, to be secured through a legal agreement. However, in this case, the applicants offer of funding towards public transport improvements is not in isolation sufficient to overcome the objection to the amount of car parking provided and would have to be considered in addition to a reduction in on-site parking provision to align with Development Plan policy
- 5.30 Following discussions with TFL, the applicant has offered to make a financial contribution of £200,000 over a 5 year period to extend the 455 bus route by 2 hours. Whilst the Council and TFL welcome the contribution, this does not overcome the objection to the considerably higher than maximum parking provision. TFL confirm that given the commitment to provide a contribution towards bus service improvements, this should ultimately lead to a reduction in the need for the quantity of car parking proposed.
- 5.31 The applicant has submitted a Transport statement and from the analysis contained within it the Principal Highways Engineer has concluded that the net traffic impact that would arise from the development would be limited and represents a reduction during peak hours over that pertaining from the former B1 office use. In addition, access to and from the site from both Beddington Lane and Bath House Road is considered acceptable in highway terms.
- 5.32 Given the above, and notwithstanding the offer made towards enhancing the 455 bus service, the amount of car parking proposed on site remains a concern and it is considered that the proposed development would fail to deter unnecessary car use through the provision of an excessive and inappropriate amount of car parking contrary to London Plan Policy 6.13 and Sutton Local Plan Policies 36 and 37.
- 5.33 **Sustainability and Flood Risk:**
- 5.34 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.
- 5.35 An Energy Statement (ES) was also submitted and was assessed by the Council's Sustainability Officer. They were satisfied with the ES as submitted and it is recommended that a condition securing the provisions of the energy statement are appended to any decision notice should planning permission be granted

5.36 A site specific flood risk assessment (FRA) was submitted with the application. The document has been reviewed by the Local Lead Flood Authority and the Environment Agency. Whilst the Environment Agency has raised no objection to the proposal (subject to conditions) the LLFA has objected to the proposal on the grounds that the development does not demonstrate the full use of London Plan policy 5.13, run off rates have not been calculated for the whole site and no demonstration that the proposed surface water drainage system will be able to sufficiently attenuate surface water run off on the site or that the development will not increase flood risk on or off the site. Further information has been provided by the applicant and this is currently being assessed by the LLFA. Any further comments will be reported orally to Planning Committee.

5.37 **Air Quality and Land Contamination:**

5.38 Policy 34 of Suttons Local Plan requires all major development be accompanied by an Air Quality Assessment and Land contamination preliminary risk assessment.

5.39 An Air Quality Neutral Assessment has been submitted in support of the application. The building related emissions associated with the proposed development are below the relevant benchmark. However, the 'total development Transport Emissions' exceed the total benchmark and as such, further action is required either by on-site mitigation or by off-setting. The applicant has agreed the following mitigation measures:

- A total of 27 of the 89 car parking spaces will be configured for electric vehicles
- The provision of shower and changing facilities
- Cycle parking.

5.40 The Council's Environmental Health Service welcomes the above mitigation measures and had the application been considered acceptable a condition would have been included to secure the above measures.

5.41 A Phase 1 Environmental Risk Assessment and Stage 2 site Investigation has also been submitted in support of the application to address the above policy requirements. The Council's Environmental Health Service has assessed the submitted documents and raised no objection to the proposal subject to conditions relating to a construction management plan and an updated study should further contamination be found.

5.42 As such, no objection is raised regarding air quality and land contamination.

5.43 **Trees, Landscaping and Biodiversity**

5.44 Policy 28 of the Local Plan states that developments should, where appropriate, make provision for suitable new planting, trees and boundary treatments and incorporate well-designed soft landscaping.

- 5.45 The site has been cleared and retains only limited planting along the site boundaries. The Principal Tree Officer has raised no objection to the proposal subject to a condition regarding the submission of a landscape proposal.
- 5.46 A Preliminary Ecological Assessment has been provided for the site. The site is predominantly hardstanding with some poor semi-improved grassland, introduced shrubs and species poor hedgerow. These habitats are considered to be of value within the immediate vicinity of the site only. The report has been assessed by the Council's Biodiversity Manager and no objection is raised to the proposals and recommendations made in the report. Had the application been considered acceptable in all other respects conditions would have been recommended regarding landscaping, green roofs and invasive species.
- 5.47 **Archaeology:**
- 5.48 The site lies within an Archaeological Priority Area. Whilst the application was not accompanied by an Archaeological report, Historic England raised no objection to the previous application concluding that there would only be marginal potential for archaeology to be present within the site and that no on-going archaeological investigation is required.
- 5.49 **Planning Obligations and CIL:**
- 5.50 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 only relates to residential and retail development only. The Mayor's CIL is charged at £20 per sqm. for a wider range of developments and is CIL charged on the total net additional floor space created (measured as Gross Internal Area). The development therefore is liable for £42,580 Mayoral CIL.
- 5.51 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.
- 5.52 As outlined above, the applicant has agreed to provision of a financial contribution of £200,000 towards public transport improvements in Beddington Lane. Had the application been considered acceptable in all other respects this contribution would have been secured via a S106 agreement.
- 6.0 **CONCLUSION AND RECOMMENDATION**
- 6.1 The proposed development would represent an under-development of the site, would not make the most efficient use of the land, and would be harmful to the

objectives of the Beddington Strategic Industrial Location in seeking to deliver additional industrial floorspace through the intensification of existing sites.

- 6.2 The proposal would provide an over provision of car parking which would not deter unnecessary car use and would be contrary to the Council's and London Plan maximum car parking standards and sustainable development.
- 6.3 It is considered that the proposed height, bulk, design, siting and finish of the building is acceptable in this location and consistent with that of standard industrial development.
- 6.4 The proposal is not considered to result in harm to the neighbouring occupiers.
- 6.5 As such it is recommended that the proposal is refused planning permission.

R

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DM2018/00156/FULL

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

118 Beddington Lane, Beddington, CR0 4TB

Erection of an industrial unit to provide 2,149 sq m (GIA) of flexible employment purposes within use classes B1c/B2/B8 with ancillary offices, 89 car parking spaces, 4 motorcycle and 12 bicycle spaces, landscaping, service yard areas and ancillary uses together with associated external works.

#### SECOND SCHEDULE

(1) The proposed development, by reason of the overprovision of off-street car parking spaces for the future employees, would substantially and unacceptably increase reliance on the private car as the main method of accessing the site, and this is not mitigated by the limited proposals put forward to improve the existing transport infrastructure in the area to encourage the utilisation of more sustainable modes of transport. The proposal would therefore be contrary to Policy 6.13 of the London Plan and Policies 15, 36 and 37 of Sutton's Local Plan 2018.

(2) The proposed development would represent an under-development of the site, would not make the most efficient use of the land, and would be harmful to the objectives of the Beddington Strategic Industrial Location in seeking to deliver additional industrial floorspace through the intensification of existing sites. The proposal would therefore be contrary to Policies 2.17 and 4.4 of the London Plan 2016, Policies E4, E5 and E7 of the draft London Plan and Policies 1 and 14 of Sutton's Local Plan 2018.

#### INFORMATIVES

(1) Should you require details of the consideration of the application that has led to this decision, the file may be inspected under the provisions of the Local Government (Access to Information) Act 1985. An appointment can be made for this purpose by telephoning 020 8770-5070.



(2) The applicant did not seek pre application advice and the application does not comply with the relevant planning policies. The scale of amendments required to make the application acceptable are such that it would be a materially different application. Sutton Council therefore had no alternative but to refuse planning permission. The applicant is advised to obtain pre application advice before submitting any new application.

(3)The refused development has been assessed in accordance with the following drawings/details:

188NLDDN008

118BLDDN008

30904-PL-100

30904-PL-120

30904-PL-121

30904-PL-122

Paragon Preliminary Ecological Report

Planning Statement

Envision Sustainability and Energy Statement

TPA Transport Statement

Design and Access Statement

Geosmart Flood Risk Assessment

Auricl Acoustic Consulting

Paragon Air Quality Neutral Assessment

Paragon Stage 2 Site Investigation

Paragon Environmental Risk Assessment

Bradbrook Drainage and Design and Maintenance statement

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