



Friday, 17 January 2025

Ask for: Richard Kevan

Dimitra Angelopoulou
Deputy Planning Manager
Development Management
Planning Department
Civic Offices
St Nicholas Way
Sutton
SM1 1EA

Dear Dimitra

**LAND AT BEDDINGTON LANE, BEDDINGTON, CR0 4TD – BEDDINGTON FARMLANDS. RESPONSE TO
CONSULTEE RESPONSES (DM2004/00199)**

On behalf of our Client Valencia Waste (Thames) Ltd we are pleased to submit our response to the London Borough of Sutton's formal response to planning application DM2024/00199 in relation to the Revised Restoration Management Plan (RRMP) for Beddington Landfill site.

Much of the work further undertaken has been in relation to water and ecology. It has been established that wet grasslands phase 1 and 3, which are already established require an improved water supply. Phase 2 needs to be fully established and requires notable earthworks as shown on the submitted drainage layouts. The revised water resources assessment has concluded that the most reliable and abundant water resource is abstracted treated effluent from the Main Effluent Carrier (MEC). This type of abstraction does not require a licence from the Environment Agency. A key outcome of the assessment was to determine the water requirements of wet grasslands phase 1 and 2 as a linked system. Wet grassland Phase 1, 2 and 3 will not be lined and the intended nominal pond water depth is 400mm. Meetings have been held with Thames Water who have given their technical support to the proposals including the abstraction of treated effluent from the MEC.

In terms of ecology a revised Biodiversity Net Gain (BNG) assessment has been prepared which includes new updated baseline surveys of the site. The report provides an outline of the proposed post development habitats for grasslands, woodlands, freshwater, sparsely vegetated land, scrub, hedges, ditches and watercourses.

The mechanisms for habitat creation and enhancement are described in the separate Revised Restoration Management Plan (RRMP). The revised RRMP essentially combines the previous RRMP and habitat management plan into a single document. All changes proposed are reflected in the revised Landscape Restoration Masterplan.

Set out below is a table which provides a summary of the consultation responses received and how the Applicant has responded to them.




Consultee	Date Issued	Summary of Comments	Applicant Response
Biodiversity Team – David Warburton	2 nd May 2024 (detailed response) 22 nd May – Letter from LBC	<ul style="list-style-type: none"> • Provide new surveys undertaken during summer 2024 that address the lack of evidence base provided for the 2023 surveys, to ensure baseline values can be agreed. Based on this, the baseline values will be as of summer 2024. • Address the lack of consideration of faunal surveying (especially target species) • Amend the inconsistencies between documents and the submitted information, particularly around the Metrics and BNG Report, including habitat areas (both baseline and proposed). Present this as one consolidated document for the restoration of the site, covering both extant habitats, and those to be created, with a clear vision and measurement of progress (including milestones) • RRMP to clearly set out site baseline as per BNG report and incorporate 	<p>Updated baseline surveys have been undertaken and have covered all terrestrial habitats, lakes and wetlands and other wetlands. The surveys have been completed using UKHabs methodology with condition assessment undertaken in the field using the habitat condition criteria for the statutory metric. The ditch/stream/watercourse element have been undertaken using the River MoRPH survey methodology.</p> <p>Suitable habitat management for target bird species is included within the Revised Restoration Management Plan.</p> <p>A new BNG metric has been provided with a ‘post development’ section for the BNG report that accurately describes the post restoration habitats, drawing a clear distinction between habitat restoration that has already been agreed under previous versions and habitats that will be delivered under the revised restoration plan.</p> <p>The habitat management proposals have been fully reviewed and updated to take into account practical considerations e.g. water management, target bird species, public access and soil types.</p> <p>The following documents have been prepared:</p> <ul style="list-style-type: none"> • BNG Report (single document which includes the update baseline surveys, BNG metric and supporting drawings) • Revised RRMP (single document setting out WHAT is required) and supported by a LEMP/HMMP which details

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		the HMR information on habitat management. LEMP to become an appendix to set out actions each year based on revised RMP	<p>HOW it will be delivered including timebound actions & monitoring schedules</p> <ul style="list-style-type: none"> The Revised Landscape Restoration Masterplan Drawings
London Borough of Sutton – Water Provision	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Provide the Council with written evidence to demonstrate that the EA will grant a permit or not. As such, works for an abstraction permit need to be swiftly advanced and agreed, prior to determination. 	A permit application for abstraction is not required as all the water required will be taken from the MEC and exclude surface water. This has been agreed with Thames Water. We are awaiting a response from the Environment Agency.
London Borough of Sutton – Planning Obligations	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Set out clearly that the necessary work to deliver this scheme is fully costed and that a bond is set aside for this amount; to cover any necessary intervention by the Council (or other parties), should the applicant fail to achieve their milestones. This obligation needs to ensure that the bond can be quickly and simply accessed (by Council or nominated parties), to reduce any further delays for site restoration and management. 	<p>Under paragraph 15 of the S106 agreement dated 13th March 2014. Valencia and LBS covenanted with each other to maintain a Bond to the sum of £2,185,000. The purpose of the Bond is intended to provide financial security for the restoration scheme at Beddington Farmlands. The Bond has been renewed on several occasions between 2014 and 2024, however, despite concerted efforts Valencia has been unable to secure a new Bond. Although Valencia has been unable to secure a new Bond, the Bond was cash collateralised. This means that a cash deposit, equivalent to the value of the Bond, is held by a recognised, regulated financial institution and this cash deposit is secure.</p> <p>The proposed RRMP has been costed in terms of capital expenditure and will be provided by the 31st January 2025.</p>
London Borough of Sutton – Communication and Access	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Produce a final draft, including site branding and access information, in addition to that already submitted, to give the Council confidence it can support a planning condition around Communications and Access that has been currently suggest in principle. A 	<p>Site branding information is provided with this submission.</p> <p>In terms of the proposed conditions the following wording is proposed:</p> <p><i>Prior to commencement of development a temporary access and signage strategy shall be submitted and approved by the Waste</i></p>

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		wording of the suggested condition must be provided in this regard for review, along with the final amended draft, for the Council to understand if that condition could be supported.	<i>Planning Authority. The plan shall be implemented in full until the RRMP has been fully implemented.</i> <i>Within 12 months of this permission a permanent access and signage strategy shall be and approved by the Waste Planning Authority. The plan shall be implemented in full until the RRMP has been implemented.</i>
London Borough of Sutton – Biodiversity Gain plan	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Clarity must be provided to the Council how the applicant intends to address the general requirement for the pre-commencement Biodiversity Gain Plan and how this ties into the post-development information (RRMP etc) and when this would be submitted for discharge, subject to planning permission being granted. 	The Biodiversity Gain Plan will need to reference the significant on-site enhancements that are being provided and will include details of how these measures will be secured. The maintenance of these enhancements will be secured with a legal agreement or planning condition for 30 years. We would welcome the Local Authorities view on the most appropriate mechanism which will need to be agreed before determination.
London Borough of Sutton – Sustainability Team	22 nd May – Letter from LBC	<ul style="list-style-type: none"> No objection subject to conditions 	No comment
London Borough of Sutton – Tree Officer	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Officer has queried some of the species proposed for the mixed deciduous woodland, as detailed at page 41 of the Habitat Management Plan document. The preference would be for a final species selection to be more closely allied with local native species. The proposals for Sessile Oak, for example, stand out as not being ideal for the site 	No action required as this can be covered by condition

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		<p>conditions, based on its preference for freely draining hill-side conditions. The expectation is that further details and justification would be covered via a Landscaping Condition, tallied with the biodiversity requirements.</p> <ul style="list-style-type: none"> Wishes to see a more detailed and time-allocated schedule for woodland creation and maintenance, than currently set out in the LEMP. This however could be covered via Condition and would expect that this will be included in the Biodiversity Condition requirements. 	
GLA		<ul style="list-style-type: none"> No comments received and Mayor of London has confirmed they do not need to be consulted further 	No Comment
Environment Agency	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Revised Restoration Management Plan should be updated to capture likely abstraction licence constraints. 	A permit application for abstraction is not required if the abstraction point on the MEC is just outside the sewage treatment works. This is based on the premise that the MEC pipe conveys treated effluent and there is no additional supplementary flow from surface water runoff or groundwater. This has been agreed with Thames Water. We are awaiting a response from the Environment Agency.
Thames Water	22 nd May – Letter from LBC	<p>Holding objection due to following:</p> <ul style="list-style-type: none"> Applicant has not considered the 3 Corner Field and the land to form part of a future footpath to the southeast of the site around the Scheduled Ancient Monument (SAM) land, as the applicant has leasehold interests in these adjoining parcels 	<p>The Applicant does not have any leasehold interest in 3 Corners Field (3CF) or the Scheduled Ancient Monument land. As per the attached lease plan (Appendix 1), Thames Water are the free holder of 3 Corners Field. This land was removed in 2015 and VWM no longer have any leasehold interest in the land.</p> <p>Within Appendix 1 the extent of the land leased to Valencia is edged green, (dark green edging) and their lease runs to 2122.</p>

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		<p>and relevant extant obligations secured by s106 agreement.</p> <ul style="list-style-type: none"> Difficult to consider the application without understanding the condition and management arrangements of land within the control of Thames Water. The three bullet points contained in Thames Water's response must be addressed: <ul style="list-style-type: none"> Thames Water is continuing to work with our contractor to maintain access pathways, distribute water & manage these habitats but the resources available to do so fall significantly short of meaningful provision as Displacement Habitat even in the short term. The applicant cannot rely on Thames Water - where it has no legal obligation - to continue this activity insofar as it supports the delivery of the Restoration Management Plan. Thames Water no longer carries out the operational activities (sludge settlement) which provided the historic conditions suited to target wetland bird species, most notably on the land known as 100 acre site and SAM site. Updated processes (e.g. digestion of sludge for sustainable energy production) have replaced this historic methodology. The land directly to the west on land known as Lagoons 5 and 6 remains part of the operational Sewage Treatment Works. Thames Water requests the LPA condition and separately approve detailed arrangements in consultation with Thames Water for this land and in particular the Proposed Storage Basin for Wet Grassland 3 and associated planting in order to appropriately safeguard waste water operational requirements. <ul style="list-style-type: none"> Limited engagement with the applicant prior to the submission of the planning application, and Thames Water wants further discussion with the applicant and the Council to be satisfied on the robustness of the proposals and to reach a common understanding Further details are required on any proposed abstraction and ground water flows and how these impact on neighbouring Thames Water owned land and the current 	<p>The red triangle relates to the ERF. All land is leased to Valencia who sub-let the EfW land to Viridor.</p> <p>The additional nature conservation land includes 3CF. 3CF is to remain under the management of the CAMC and/or Council and will be paid for by the £50,000 bond funded by Valencia. The obligations are as per the extract below from the s106 legal agreement and we are not proposing to amend them.</p> <p>ADDITIONAL NATURE CONSERVATION LAND AND ACCESS</p> <p>5 Thames and Viridor covenant with the Council that:</p> <p>5.1 following receipt of a written request from the Council or the CAMC Thames and Viridor shall:</p> <p>5.1.1 permit access to the Additional Nature Conservation Land and/or the Footpath Land by the Council and/or the CAMC at all reasonable hours;</p> <p>5.1.2 permit the Council and/or the CAMC to carry out the Additional Nature Conservation Land Works on the Additional Nature Conservation Land and the construction of the Footpath on the Footpath Land; and</p> <p>5.1.3 permit the Council and/or the CAMC access to the Additional Nature Conservation Land and the Footpath Land to facilitate ongoing management of the Additional Nature Conservation Land and maintenance of the Footpath</p> <p>5.2 on completion of the Footpath Thames and Viridor shall permit access onto and over the Footpath for not less than 364 days in every year.</p> <p>6 Upon receipt of the written request described in Paragraph 5.1 of this Schedule 1 Viridor covenants to increase the amount of the bond that is required to be provided pursuant to Clause 5.1.2 of the Original Section 106 Agreement by the sum of £50,000 (FIFTY THOUSAND POUNDS) to take account of the cost of the Additional Nature Conservation Land Works and the construction of the Footpath</p> <p>Displacement habitats (100 Acre and SAM) areas were handed back to Thames Water in 2023. Valencia has no leasehold interest in these areas of land.</p> <p>For clarity, the Footpath Land is defined as follows and shown on the plan below.</p>

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		<p>operational and ecological activities already taking place.</p> <ul style="list-style-type: none"> Thames Water will be required to be a signatory to any Deed of Variation to the s106 agreement, and the applicant has not engaged with Thames Water on the proposed Heads of Terms directly. 	<p>"Footpath Land" means a strip of land 3 metres in width between points 'X' and C and D on Plan 1 or as otherwise agreed in writing between Viridor and the Council</p>  <p>In terms of the 3 bullet points noted in the Thames Water consultation response:</p> <ul style="list-style-type: none"> Whilst habitats were being created on site there was a requirement on Valencia to maintain the displacement habitats under a lease which expired in May 2023. This lease has been handed back to Thames Water, so the obligation is on Thames Water to maintain the 100 acres land and schedule monument land. Applicant notes Thames Water comments that the operational activities (sludge settlement) which provided the historic conditions suited to target wetland bird species

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			<p>is no longer carried out. No response is required from the Applicant.</p> <ul style="list-style-type: none"> Valencia has no control or interest in the land known as Lagoons 5 and 6 which remain part of the operational Sewage Treatment Works <p>The applicant does not agree that only limited engagement was undertaken with Thames Water. A pre-application meeting was held on 3rd October 2023 and further correspondence undertaken in November 2023. Further meetings have been held between the Applicant and Thames Water on the 11th of October and 5th December to agree a collaborative approach and water requirements for the site. Thames Water have no objection to the abstraction of water from the MEC.</p> <p>A water resource assessment report is included in this submission which provides an overview specific to water management for the wet grasslands and a review of the viable methods to secure a reliable water source to be used to fill up, supply for the long term the proposed wet grasslands. The water resource assessment includes the water balance calculations and MEC demand calculations.</p> <p>Draft heads of terms for the S106 have been issued to Thames Water and were included in the original planning submission.</p>
Local Lead Flood Authority (LLFA)	22 nd May – Letter from LBC	<p>Objection:</p> <ul style="list-style-type: none"> LLFA requires the applicant to demonstrate permission to discharge to the EA's Main Effluent Carrier and details of a pre-planning enquiry response from EA which will 	<p>An addendum to the Flood Risk Assessment and Surface Water Drainage Strategy has been prepared in response to the LLFA comments. It responds to the comments received from LBS as Lead Local Flood Authority (LLFA) and also sets out the details agreed with Thames Water through recent meetings.</p>

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		<p>demonstrate whether there is sufficient capacity in the system to accommodate the additional flows. Additional information is also required as follows:</p> <ul style="list-style-type: none"> • (floatation calcs) that demonstrate that high groundwater levels will not compromise the storage system • A drainage layout to show the location of the proposed drainage system components and the connectivity of the system to the point of discharge. The drainage layout must also show pipe numbers, gradients and pipe sizes as completed. The invert levels of the proposed discharge point need to be confirmed to consider the drainage system finalised. • A revised maintenance plan to include the maintenance schedule for all proposed SuDS (however, this may be discharged via condition). 	<p>It includes providing further commentary of the site constraints detailing selection of grey infrastructure over green infrastructure. As part of this assessment, the feasibility of incorporating additional green infrastructure in the vicinity of the Agricultural Shed has been explored.</p> <p>Floatation calculations are not required as underground tanks are no longer proposed.</p> <p>A detailed surface water drainage layout has been prepared to demonstrate the proposed drainage system can drain via gravity. The maintenance of the SUDs features is set out in the revised restoration management plan</p> <p>The following documents have been prepared in relation to the water environment:</p> <ul style="list-style-type: none"> • Addendum to FRA and surface water drainage strategy in response to the LLFA, Thames Water and EA comments which includes the detailed surface water drainage layout, additional SI information and surface water modelling calcs • Water Resources Assessment
Transport for London	22 nd May – Letter from LBC	<ul style="list-style-type: none"> • Cycle parking required for staff and visitors • Clarification required as to why 4 car spaces are required • Detailed delivery and servicing plan with HGV routing strategy to be secured by condition 	<p>A transport note addendum has been produced to response to the comments received from Transport for London (TfL) and LBS Highways Department. It covers the principles of the site access arrangements, justification for the proposed four car parking spaces and calculation for the provision of staff and visitor cycle parking.</p>
Highways	22 nd May – Letter from LBC	<ul style="list-style-type: none"> • Zebra-type crossings are proposed; the reasoning for this choice of controlled crossing has not been 	<p>A swept path analysis has been prepared to demonstrate how delivery and construction vehicles will access the site and is provided</p>

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		<p>provided and the appropriateness of these crossings cannot therefore be determined. Details of the pedestrian crossing analysis is required.</p> <ul style="list-style-type: none"> the proposed zebra crossings do not meet current design standards and placing a yellow box marking directly in front of a zebra crossing will make it unworkable and create a risk to pedestrian safety. The Beddington North Major Scheme will provide a segregated cycle track and improvements for pedestrians on Beddington Lane, including the section adjacent to the site access. The proposals should complement the wider Beddington Lane scheme, and the applicant should work closely with the Council in the delivery of the highway works. There is no current provision of cycle parking. This must be amended in line with London Plan Policy T5 (Cycling) for both staff and visitors of the restoration site. It is proposed to provide 4 car parking spaces. clarification is required on the need for this quantum of car parking. The submitted Construction Logistics Plan and Construction Management plan is unsatisfactory as the plan fails to describe how the construction 	<p>as part of the Transport Addendum (Drawing Number 10136-ECL-XX-XX-DR-C-005 Vehicle Tracking).</p> <p>An outline of the crossing facilities is also provided as part of the Transport Addendum (Drawing ECL.10136.R08.001 P01 Proposed Site Entrance General Arrangement).</p> <p>Comments were received from both TfL and LBS that a routing and restriction on movements strategy should be secured in a Detailed Serving Plan via appropriate planning conditions. This is agreed by the Applicant.</p>

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		would be managed, fails to provide the delivering route strategy, and the details of size/type of delivery vehicles. Additionally, the delivery time should be specified and restricted to 09:30 – 15:00 to avoid any peak time. A SWEPT analysis is also needed to demonstrate how delivery/construction vehicles are accessing/turning on site.	
London Fire Brigade	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Need to include one new private fire hydrant 	A new private Fire hydrant is included as part of the proposed revised restoration management plan adjacent to the agricultural shed. A drawing to show the water main route and fire hydrant is included within this submission (Drawing 10136-ECL-XX-XX-DR-C-0903 P02 Proposed Fire Hydrant)
Historic England	22 nd May – Letter from LBC	<ul style="list-style-type: none"> Concerns that the applicant has failed to note that the proposed development site is immediately adjacent to, and very slightly within, a scheduled monument. The 'Roman villa E of Beddington Park' (list entry 1001990) scheduled monument has archaeological remains which indicate that there was occupation at this site as early as the Late Bronze/Iron Age. The Council takes this representation into account and further information is sought to address this concern as set out in their advice. 	An Archaeological desk-based assessment has been prepared and provided as part of this submission.
Viridor	22 nd May – Letter from LBC	<p>No objection the following concerns have been raised:</p> <ul style="list-style-type: none"> The pedestrian gate proposed at the end of the access road (Endurance 	The Transport Addendum note provides the revised access arrangements.

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		<p>Way) leading to Beddington Farmlands ERF and its safety (because of HGVs and waste vehicles) and;</p> <ul style="list-style-type: none"> The contents of the draft Deed of Variation; that they need to be part of it, that there is no clarity and certainty over the Local Employment Opportunities and Access obligations etc. The whole letter must be reviewed and responded to. 	<p>Following the outcome of the statutory consultation process as part of this planning application, the Applicant will engage proactively in discussions with LBS in respect of any amendments to the potential on-site or off-site planning obligations related to the Proposed Development.</p>
Environmental health	5 th November	<p>No objection subject to construction hours condition: <i>The site and building works required to implement the development 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 not at all on Bank Holidays and Sundays</i></p>	<p>This is agreed by the Applicant.</p>



Submitted Material

The following documents have been submitted in response to the consultation responses received:

- BNG Report which includes the updated baseline surveys, BNG metric, BNG Plan, and supporting drawings
- Revised RRMP
- Revised Landscape Restoration Masterplan drawing
- Site Branding information
- Costings of Proposals (will follow by 31st January 2025)
- Water Resources Assessment
- Addendum to the FRA and Surface Water Drainage Strategy which includes detailed surface water layout, additional SI and surface water modelling calculations
- Transport Addendum note including swept path analysis and proposed site entrance general arrangement.
- Drawing to show the water main route and details for the fire hydrant (Drawing 10136-ECL-XX-XX-DR-C-0903 P02)
- Archaeological Desk based assessment

We would be grateful if you could confirm receipt of the information, and we look forward to receiving feedback in due course. Please do not hesitate to contact me if you require any further information or have any queries.

Yours faithfully,

Richard Kevan
for Egniol Planning Ltd.

Enc
Appendix 1: 2015 Lease Plan



THIS DRAWING IS
UNCONTROLLED
CONTACT D.O.
FOR LATEST ISSUE



SITE NAME
BEDDINGTON
LANDFILL SITE
DRAWING TITLE
NEW PLAN
REVISIONARY LEASE

BTN069

SCALE 1:1000
DATE 10/12/14
DRAWN BY
CHECKED BY
APPROVED BY
FOR LATEST ISSUE CONTACT D.O.
FOR LATEST ISSUE CONTACT D.O.

This area was included
in the 2013 variation
but removed in 2015

The path to Beddington
Lane was in the 2013
variation but removed in
2015.

NO UNAUTHORISED REPRODUCTION OR DISTRIBUTION OF THIS DRAWING WILL BE ALLOWED WITHOUT PRIOR PERMISSION OF THE VIRIDOR DRAWING OFFICE TEL 01752 22020