



Beddington Farmlands

Planning Statement

On behalf of **Valencia Waste Management**

Project Ref: 331201345 | Date: February 2024

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For and on behalf of Stantec UK Limited				

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Acronyms / Abbreviations

BNG	Biodiversity Net Gain
BFBG	Beddington Farmlands Bird Group
CMS	Conservation Management Scheme
CSG	Conservation Science Group
DfT	Department for Transport
DoV	Deed of Variation
EA	Environment Agency
ERF	Energy Recovery Facility
ERMP	Extant Restoration Management Plan
FAS	Flood Alleviation Scheme
GLA	Greater London Authority
HMP	Habitat Management Plan
LBS	London Borough of Sutton
LEMP	Landscape and Ecological Management Plan
LPA	Local Planning Authority
LRM	Landscape Restoration Masterplan
MEC	Main Effluent Carrier
MoL	Metropolitan Open Land
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
PPA	Planning Performance Agreement
RRMP	Revised Restoration Management Plan
SCI	Statement of Community Involvement
SINC	Site of Importance for Nature Conservation
SSSI	Site of Special Scientific Interest

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1 Introduction

- 1.1 This Planning Statement has been prepared by Stantec UK Limited in support of a planning application by Valencia Waste Management (“the Applicant”) for revised restoration and Revised Restoration Management Plan (RRMP) for the 88.4ha Beddington Landfill Site, Beddington Lane, Beddington, CR0 4TH (“the Site”). The Site is within the administrative area of the London Borough of Sutton (LBS).
- 1.2 The Site comprises a former landfill site, identified for closure in 2023 in the Development Plan and which is now in its restoration phase. The restoration involves, inter alia, the importation of soils to achieve a suitable landform, provision of public access routes and habitat creation to form a nature conservation site. The Applicant has reviewed the long-term viability of the habitats approved within the Extant Restoration Management Plan (ERMP) and is proposing amendments as part of this planning application to ensure they are ecologically sustainable. Details on target species that habitats could support, as well as habitat restoration, controlled public access routes, fencing, amenity, wetland /grassland creation boundary treatments and access points across the Site, as well as management plans for each habitat are included within the Application. A draft Deed of Variation to the s106 Legal Agreement is also included within the Application to assist with the determination process.
- 1.3 The Proposed Development comprises:
- “Proposed revised restoration and revised restoration management plan for the Beddington Landfill Site and implementation of the restoration works*** (“the development”).
- 1.4 Restoration of the former landfill is controlled by planning permission D2015/72898/FUL that was granted on the 25th January 2016. Final restoration of the Site should have been completed on or before 31st December 2023 pursuant to this permission (Condition 42). This is a complex restoration project and it is regrettable that substantial delivery has not been achieved in accordance with the timeframes previously conditioned. However, a substantial part of the former landfill site requires continued soil importation to take place as part of the restoration works.

- 1.5 The Applicant fully acknowledges that there has been project slippage and note that LBS, stakeholders and the local community are keen to see the restoration delivered as soon as possible. There is genuine frustration and this is acknowledged, however, this is a complex landfill restoration project with many different and sometimes competing synergies that need to work in harmony. The Applicant is fully committed to delivering the project in accordance with the phasing and construction details submitted as part of this Planning Application. As set out within this Planning Statement the proposals comply with the Development Plan and mechanisms are proposed to monitor and manage delivery in the future, a protracted and costly planning process would stymies' delivery and it is considered that proactively working together and building upon the good pre-application dialogue that has taken place with LBS officers, stakeholders and the local community over the last 12 months is the best approach.
- 1.6 Ecologically there are two habitats within the ERMP that were found to be unviable going forward. These are Acid Grassland and Heathland. Acid Grassland and Heathland were found to be unviable as the underlying soil (and other potentially available restoration soils) is the opposite pH than required. An amendment from Acid Grassland / Heathland to a meadowland habitat is therefore proposed.
- 1.7 Stantec has also comprehensively reviewed the water availability on Site and engaged with the Environment Agency to confirm the potential long-term viability of the wet grassland habitats as part of this Planning Application.
- 1.8 The ERMP included the creation of habitats to support four key target bird species identified within the Conservation Management Strategy (CMS) Report (SLR, July 2012): lapwing, redshank, tree sparrow and yellow wagtail. Other objectives included improving the site for other birds, passage and wintering bird species, bats and other fauna, whilst ensure public access. The RRMP is still focused on creating habitats for target species whilst enabling local residents to have appropriate access to the Site.
- 1.9 The documents submitted with this planning application are set out in detail at the end of Section 1, however, the main control documents and their scope are summarised below:
- ***Revised Restoration Management Plan***
- Overarching document linking restoration plan to CMS Objectives;
 - Contains signposts to other documents: Landscape and Ecological Management Plan (LEMP) and Habitat Management Plan;
 - Biodiversity Net Gain (BNG) overview;
 - Provides some detail on baseline habitats and survey results;

- Reasons for changes to the ERMP;
 - Description of Landscape Restoration Masterplan and final intended target condition; and
 - Includes Landscape Restoration Masterplan, Phasing Programme, Phasing Figures, Water Resources Report, Nutrient Assessment, Ground Investigations and Bird Population Trends.
- ***Habitat Management Plan – Creation Document***
- Includes habitat management plans for each habitat (Baseline, end point, monitoring and interventions);
 - Sets out creation descriptions and monitoring for each habitat;
 - Species mixes for seeding and planting for each proposed habitat;
 - Aftercare and long term habitat monitoring: yrs 1,2,3,5,7 and 10 and remedial mechanisms if habitats are not establishing;
 - Long term monitoring mechanisms to ensure habitats are maintained from years 1-60; and
 - Appropriate surveys in accordance with monitoring.
- ***Landscape and Ecological Management Plan – Aftercare Document***
- Landscape and ecological aftercare management prescriptions following habitat creation periods for each. (5 year aftercare period);
 - Long term management regimes (years 6-60); and
 - Detailed landscape management prescriptions and timings in tabular form for ease of use on site.
- ***Biodiversity Net Gain Assessment***
- Presents BNG assessment of baseline, the RRMP and a comparison against the ERMP;
 - Demonstrates change in habitat type and extent between baseline and each management plan;
 - Discusses habitat classifications from UKHab and Defra Metric 4.0, Trading rules;
 - Gives results on BNG.

- 1.10 The RRMP would deliver a number of additional public benefits in comparison to the ERMP, including:
- Habitats that are viable and sustainable in the long term;
 - Permissive east to west linkage route across the Site;
 - A dedicated full time onsite RRMP Site Manager;
 - Automated gates at key points across the Site;
 - Additional flood storage and reduced flood risk to surrounding areas;
 - A Visitor and Agricultural Shed for livestock and the storage of machinery with barn owl boxes and rainwater harvesting integrated into the design;
 - An uplift in BNG of 17.47%; and
 - A financial contribution towards off site signage and lighting.
- 1.11 This Planning Statement describes the Application Site and surrounding area, details the Proposed Development, sets out the relevant planning policy framework and provides an assessment against this framework.

SCOPE OF APPLICATION

- 1.12 This planning application seeks planning permission in full for the Proposed Development. This Planning Statement is one of several reports and technical documents which have been prepared in support of the Application. The other submission documents are listed below:

TABLE 1: PLANNING APPLICATION SUBMISSION DOCUMENTS		
	<i>Report title</i>	<i>Author</i>
1.	Covering Letter	Stantec UK Limited
2.	Planning Application Form, including Certificate of Ownership	
3.	CIL Additional Information Form	
4.	Revised Restoration Management Plan	
5.	Habitat Management Plan	
6.	Landscape and Ecological Management Plan	
7.	Biodiversity Net Gain Report	
8.	Architectural Drawings	
9.	Detailed Path Drawings	
10.	Statement of Community Consultation	Camarco
11.	Flood Risk Assessment and Drainage Strategy	Stantec UK Limited

	<i>Report title</i>	<i>Author</i>
12.	Planning Statement	
13.	Access Strategy	VWM
14.	Transport Note	Stantec UK Limited
15.	Fire Statement - Reasonable Exemption Statement	Fire Safety Services
16.	Land Stability Information	VWM
17.	Outline Construction Logistics and Management Plan	
18.	Employment Strategy	
19.	Archaeological Report	
20.	Air Quality Assessment	Stantec UK Limited
21.	Circular Economy and Whole Life Cycle Reports	
22.	Landscape and Visual Appraisal (LVA) & Metropolitan Open Land (MOL) Review	
23.	Tree Survey and Arboriculturally Method Statement	Treework Environmental Practice
24.	Planting specification and species selection.	Stantec UK Limited
25.	Gate, fencing and bench specifications.	
26.	Draft Deed of Variation to the s106 Legal Agreement	Pinsent Mason
27.	Contamination Report	VWM

1.13 A full schedule of drawings and documents submitted for approval accompanies the Application.

2 Application Site and Surrounding Area

- 2.1 This section provides a brief description of the application site and the surrounding area.
- 2.2 The Site is an 88.4ha area of a former landfill site, located in Beddington, London, UK (approximate centre grid reference: TQ 290 663). A site location plan is included within Appendix 1.
- 2.3 The site is bound to the east by the Beddington Energy from Waste facility and Beddington Sewage Treatment Works, to the south by Beddington Park and to the west by the residential area of Hackbridge and Hackbridge railway station. The Thames Water land know as '3 corner field' and '100 acre lagoons' lies to the north of the Site.
- 2.4 The land uses further from the Site comprise a mix of commercial, residential and industrial uses, as well as Micham Common and Beddington Park. As illustrated by Figure 1 below, the Site is of strategic significance and will form part of the Wandle Valley Regional Park upon completion.

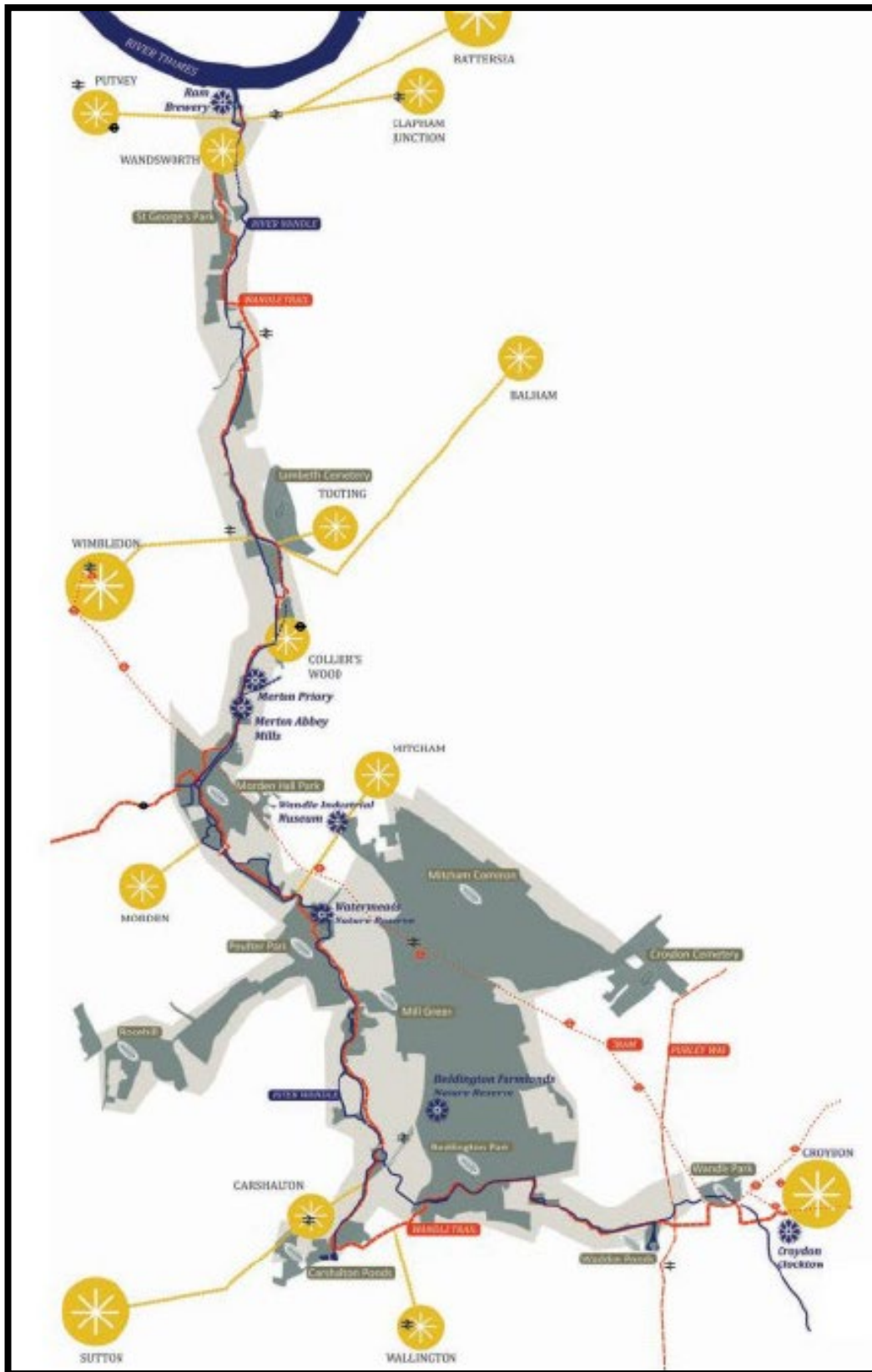


Figure 1: Wandle Valley Regional Park (Source: Wandle Valley Regional Park Trust)

- 2.5 The restoration of the Beddington Landfill Site started in 2015 and by 2019 new wet grassland habitats had been introduced along with 4 bird hides, cycle paths, and fencing. Landfill officially ceased in December 2018 with agreement to accept ERF waste during outages until December 2019 and soil importation continues into Cell 10. Therefore a central part of the ERMP is still ongoing and is shown as the 'Area of Cut' on Figure 2 below. A panoramic view across London is provided from the high point within the central meadowland habitat but this is not currently publicly accessible.
- 2.6 As shown by Figure 2 the Site currently consist of a mix of habitats. An assessment of the habitats on the Site has recently been undertaken and is included in the reports submitted with the Planning Application.

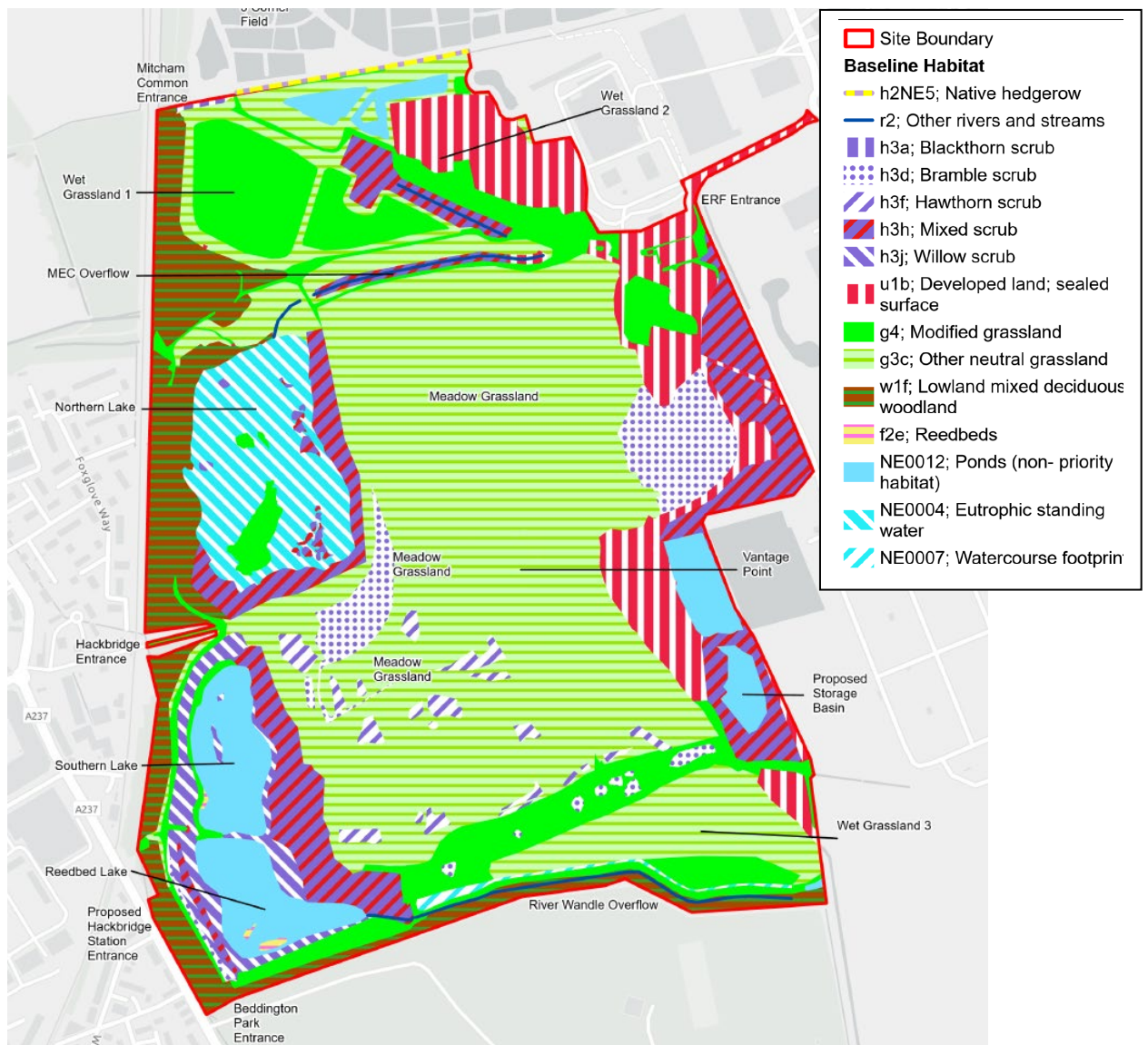


Figure 2: Baseline Habitats on Site

2.7 Existing access to the Site is from Coomber Road which services an industrial estate and links to the Site at the northeast boundary. There is a permissive path that runs along the western edge of the Site and construction work to create an accessible route has commenced pursuant to the extant planning permission. There are no Public Rights of Way (PRoW) within the Site. PRoW's are approximately located 0.3km from the northwest of the Site, and 0.2km to the southwest, respectively. The Wandle Trail, a National trail, is situated 0.4km to the south in Beddington Park.

2.8 Figure 3 below shows the hydrological processes at Beddington Farmlands. The River Wandle is a Main River located to the south and west of the Site approximately 0.5km away. The River Wandle has an offtake weir to the south of the Site located east of Beddington Park. The weir diverts flood flows northwards into the Wandle Overflow Channel, which enters the Site at the

south-eastern corner. It passes through Reedbed Lake, Southern Lake and the Northern Lake. The Overflow Channel and aforementioned waterbodies are all designated Main River and together form the Wandle Flood Alleviation Scheme (FAS).

- 2.9 The Main Effluent Carrier (MEC) channel transports treated effluent discharged from the Beddington Sewage Treatment Works (STW). It runs along the east boundary of the Site via a culverted channel, turning to run north-westwards across the site to the north-western corner. The MEC is open channel (concrete lined) for a brief stretch as it passes through the Site. It returns to culvert before it combines with the outflow for the Wandle FAS, leaving the site and discharging to the River Wandle adjacent to Poulter Park, approximately 900m west of the north-west corner of the site.
- 2.10 The MEC Overflow Channel is a concrete-lined overflow channel. It is fed from an offtake weir of the MEC, immediately upstream of where it is open channel. Its primary purpose is to divert excess flows from the main MEC channel into the Northern Lake.
- 2.11 The Northern Drain is a drainage ditch which flows from east to west along the northern boundary of the Site. The Northern Drain is an 'ordinary' watercourse and collects runoff from the Prologis development area and associated hardstanding's to the east of the Site. It discharges into the culverted outflow from the Northern Lake and eventually into the River Wandle.



Figure 3: Hydrological Processes

3 Planning History

- 3.1 This section of the Planning Statement provides an overview of the planning history associated with the Site. There have been a number of planning applications relating to the wider Energy Recovery Facility (ERF) site and Beddington Farmlands. The most relevant applications are set out below.

2005 Planning Permission (D2005/54792/FUL)

- 3.2 The following planning permission was granted on the 5/9/2005:

“Extension of an existing waste management Centre comprising the construction of a plant for AD of household waste and 2 additional gas engines, the lateral extension of landfill activity to encompass a lagoon, the export of clay from the base of the existing LF phases and formation of a temporary clay stockpile, revisions to the landfill phasing plan and extension of the duration of waste management activities at the site to 2023.”

- 3.3 Condition 40 required the submission and approval of a scheme for restoration and landscaping (a ‘RAMP’) within 6 months of the permission being granted.

2013 Planning Permission (D2005/54794/FUL)

- 3.4 Planning permission (D2005/54794/FUL) was granted on the 13.06.13 for the following:

“Extension of an existing waste management centre comprising the construction of a plant for the anaerobic digestion of household waste and two additional gas engines, the lateral extension of landfill activity to encompass a lagoon, the export of clay from the base of the existing landfill phases and formation of a temporary clay stockpile, revisions to the landfill phasing plan and extension of the duration of waste management activities at the site to 2023.”

- 3.5 Part C of Condition 41 on the decision notice for application D2005/54794/FUL states the following:

“Final restoration of the site is to be completed on or before 31st December 2023.”

2014 Planning Permission (2012/66220/FUL)

3.6 Planning permission was granted in 2014 (ref: D2012/66220FUL) for the following:

“Phased demolition of existing buildings and development of an energy recovery facility (ERF) and buildings ancillary to the ERF, construction of two combined heat and power (CHP) pipelines, revisions to the approved restoration plan for the Beddington landfill site, amendments to the existing in-vessel composting operations, removal of existing access and provision of new access road and reconfiguration of access to Thames Water site to north.”

2015 Planning Permission (D2015/72898/FUL)

3.7 A subsequent planning permission (ref: D2015/72898/FUL) was granted on the 25/01/2016 and as set out in the description of development, is an amendment to the 2013 Planning Permission.

“Variation of Condition 13 of previously approved application D2005/54794/FUL, to permit the disposal of Local Authority waste between 13.00 and 16.30 for six Saturday afternoons in any one calendar year.”

3.8 Condition 41 and 43 on the decision notice state the following:

“The development shall be constructed in accordance with the approved RAMP as detailed in Version 5 (13-1595 3204 D18 v5, dated 23/06/14) submitted under condition 40 of planning permission D2005/54794.

3.9 Condition 42 Part c of 2015 consent states the following:

“Final restoration of the site is to be completed on or before 31st December 2023.”

Extant Restoration Management Plan

3.10 The ERMP for the landfill site consists of restoration of areas of multiple habitats, including:

- Acid grassland (12.60 ha, in the centre of the Site);
- Meadow grassland (17.59 ha, located in the southern section of the Site);
- Neutral grassland (12.48 ha, multiple locations around the site, primarily around edges of proposed acidic grassland and lakes);
- Wet grassland (14.55 ha, primarily in the north of the Site with a smaller area in the southeast corner);

- Ruderal vegetation (1.66 ha, patchy areas across the Site, usually on the border between other habitats);
- Heathland (3.15 ha, in the centre of the Site);
- Native scrub (4.58 ha, patchy areas across the Site, usually on the border between other habitats);
- Wet woodland (0.21ha, between the southern lake and the southwest corner of the meadow grassland);
- Broadleaf woodland (5.71 ha, mostly along the borders of the Site with gaps around access points);
- Sacrificial crops (2.08 ha, a few areas around the site, generally between other habitats);
- Lakes (6.28 ha, 3 along the southwest edge of the Site);
- Islands (1.26 ha, one island in the central lake, multiple islands in the northern lake);
- Reed beds (2.70 ha, located in the southern lake);
- Hedgerows (4,453m, various locations around the Site); and
- Sand martin colony (1 set of structures intended to provide nesting habitat for sand martins).

3.11 The ERMP also included 7 hides, 2,899 m of footpaths and 1,564 m of cycleway for public use. The ERMP identifies the CMS objectives that are relevant to each habitat.

3.12 The ERMP is intended to be a live document, with alterations and updates allowed to take into account changing circumstances¹.

3.13 Figure 4 below shows the ERMP Landscape Masterplan.

¹ It has been discussed and agreed with LBS that the nature of the proposed amendments to the ERMP require a new full planning application.

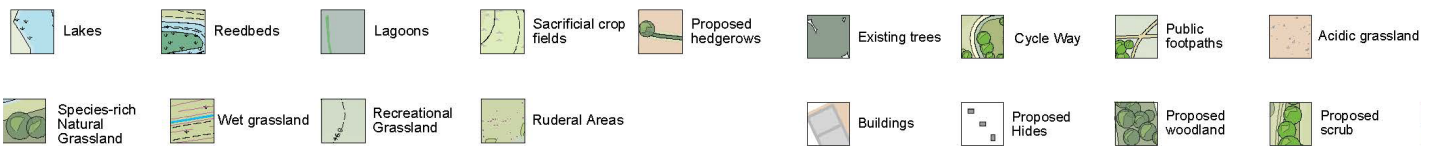


Figure 4: ERMP Landscape Masterplan

Approved 2012 Conservation Management Scheme

3.14 The 2012 CMS is a framework for the management of the Site during its operational phase to maintain the key ecological interest features and to develop a long term habitat resource that sustains target bird species and other fauna present and provides additional enhancements alongside biodiversity net gain. The 2012 CMS includes 7no. objectives, as set out below, that must be included within the RRMP and be subsequently delivered.

3.15 The 2012 CMS objectives are as follows:

- Objective 1: To develop and manage key habitats on site for the main target species of lapwing, redshank*, tree sparrow and yellow wagtail*;
- Objective 2: To develop and manage key habitats on site for target species associated with ecologically immature wetland habitats such as little ringed plover, ringed plover and common tern;
- Objective 3: To develop and manage the site for passage and migrant wildfowl and passerine community by appropriate hydrological management (also to consider water pipit and green sandpiper);
- Objective 4: To develop and manage the site for breeding reedbed species (such as reed and sedge warbler, reed bunting (potentially bearded tit) and for wintering species such as bittern;
- Objective 5: To develop and manage the site as a continuing part of a Site of Metropolitan Importance to bats;
- Objective 6: To increase the biodiversity of the site by restoring sustainable areas of habitat that is of value in its own right as well as for other fauna too; and
- Objective 7: To create and appropriate level of public access to allow enjoyment of the restored landform without impacting upon the nature conservation interests of the site.

*not present at site but habitat would be maintained to allow its re-establishment.

3.16 We have produced the table below to illustrate how the target habitats in the ERMP relate back to the objectives in the 2012 CMS.

TABLE 3: ERMP HABITATS AND CMS OBJECTIVES	
Extant RMP Habitat	CMS Objectives
Acid grassland	1, 2 and 6
Meadow grassland	1 and 7
Neutral grassland	1 and 6
Extant RMP Habitat	CMS Objectives
Wet grassland	1, 2, 3, 5 and 6
Ruderal vegetation	1 and 6
Heathland	5 and 6
Native scrub	1 and 5
Wet woodland	5 and 6
Broadleaf woodland	5 and 6
Sacrificial crops	1 and 6
Lakes	1, 2 and 3
Islands	1, 2 and 3
Reed beds	4 and 6
Hedgerows	1 and 5

4 Pre-Application Engagement

- 4.1 This section of the Planning Statement provides an overview of the consultation and stakeholder engagement that has been undertaken for the Revised Restoration Management Plan. We have set this out in chronological order.
- 4.2 Paragraph 39 of the National Planning Policy Framework (2023) states that, “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better co-ordination between public and private resources, and improved outcomes for the community”.
- 4.3 In addition, National Planning Policy Guidance (NPPG) outlines that “pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success.” Furthermore, the NPPG goes on to state that “a planning performance agreement (PPA) can be a useful tool to focus pre-application discussions on the issues that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required”.
- 4.4 The Applicant has entered into a PPA with LBS to structure the pre-application engagement process. We have however, provided a summary of committee meetings in the last year and engagement that has taken place with LBS, the Conservation Access and Management Committee (CAMC), the GLA and other stakeholders such as the Environment Agency and Thames Water as well as the local community below.
- 4.5 Whilst the proposed mandatory injunction against VWM is separate to this planning application, there are updates / correspondents that refer to the forthcoming application. We have therefore included those within Appendix 2 of this Planning Statement.

➤ **6th December 2022 – LBS: Housing, Economy and Business Committee**

- 4.6 The Committee Report provided an update on the status of the restoration of the Beddington Farmlands Site from a former landfill site to a high quality nature reserve. The Committee Report highlights that the Council had requested a detailed programme of works in 2019, with costings explaining how the end date for the restoration works of December 2023 can be achieved.
- 4.7 The requested programme of works had not been received by the Council and the Committee Report conclusion was as follows:

“VWM have repeatedly been asked to give this project their urgent attention but there is an overwhelming concern by the Council that there is insufficient time and resources available for VWM to complete the restoration by December 2023.

The Council is now considering the full range of potential enforcement powers available as it appears increasingly unlikely that the restoration will be completed on time.”

➤ **8th March 2023 – CAMC Meeting**

4.8 Stantec presented the headlines from an initial review of the viability of the proposed habitats within the ERMP. This informed a master planning session where the key themes of discussion focused on the following matters:

- Management capabilities and capacity to deliver the Beddington Farmlands nature reserve;
- Planning process and the need to vary the ERMP via a planning application to LBS;
- Amendments to the habitats versus CMS target species;
- General acceptance that acidic grassland is undeliverable;
- The importance of the wetland habitats to the farmlands scheme and the need to fully understand water availability. The need for ongoing dialogue and joint working with Thames Water was also discussed;
- Further management of existing habitats is required to achieve the necessary standards;
- The need for a footpath connection between Hackbridge Station and the permissive pathway;
- Concern that an east / west route with access at Mile Road was not appropriate; and
- Quality of the footpaths and cycleways proposed and implementation of a phased access strategy across the Site quickly.

➤ **6th June 2023 – LBS: Housing, Economy and Business Committee**

4.9 The Committee Report highlighted that the approved restoration will not be completed by the end of 2023 and that the Council has initiated formal enforcement action against the breach of the planning permission(s) and legal agreement(s) by the failure to provide the Restoration, with the aim of progressing the required works on the site.

➤ **7th June 2023: CAMC Meeting**

4.10 VWM provided an update to the CAMC and said that Stantec were continuing to explore the viability of key habitats including the wet grasslands, their ability to recharge, along with the acidic grassland. It was confirmed that a pre-application request had been submitted to LBS by VWM capturing the key elements of the scheme.

4.11 LBS explained that they were keen for VWM to quickly establish and communicate the elements of the scheme that could be completed by the end of 2023 and those elements that could be varied.

➤ **7th June 2023: LBS Meeting**

4.12 Following the CAMC meeting, a meeting was held with LBS where they outlined their concerns about the restoration and the lack of progress being made. They reiterated that they want to see a high quality nature reserve delivered that is an asset to LBS. The Applicant should be progressing with implementation of parts of the ERMP that can be delivered whilst a RRMP is developed.

4.13 It was agreed that VWM would prepare a project programme and share this with LBS in 4 weeks.

➤ **15th June 2023: LBS Pre-Application Meeting**

4.14 An initial pre-application meeting was held. The proposed Planning Strategy was discussed, and it was agreed that VWM would share a programme with LBS to enable drafting of the PPA to commence.

➤ **28th July 2023: LBS Pre-App Meeting**

4.15 A pre-applicant meeting was held on the 28th July 2023 and a formal written response was received on the 1st August 2023. It highlighted the need to work with Officers in accordance with the PPA programme and that in principle there was no objection to the amendment to the redline site boundary.

4.16 Comment on the Planning Strategy was reserved until receipt of the Legal Strategy Note. We were encouraged to see the Environment Agency as soon as possible and to share a RRMP with Officers at the earliest opportunity.

4.17 The need to demonstrate BNG betterment with the RRMP when compared to the approved was also highlighted. Feedback on the draft EIA Screening Report was also provided.

➤ **7th September 2023: GLA Pre-App Meeting**

4.18 The Applicant team held a pre-application meeting with the GLA on the 7th September 2023. A formal written response was received on the 3rd October 2023.

4.19 The principle of development was supported but the GLA stated that it is important for the project to be delivered in a rapid timeframe. They also highlighted that access from east to west across the nature reserve should be enabled as part of the proposals.

4.20 GLA Officers considered that the proposals may not raises any strategic issues and therefore the application may not necessarily be taken to the Mayor. However, GLA Officers will review the application once submitted.

➤ **8th September 2023: Environment Agency Meeting**

4.21 The Applicant and Stantec provided the EA with an update on the emerging proposals for a RRMP. The EA feedback was as follows:

- Abstraction from groundwater and from water bodies would not be permitted. They would prefer water to be taken from channels;
- Any amendments that reduce the flood storage or alter flooding mechanisms on Site (such as new crossings), should be modelled as part of the Flood Risk Assessment to confirm that flood risk in not increasing elsewhere;
- They wanted the network of channels and flow movement through the Site to be mapped to assist with determining the need for an Abstraction Permit;
- They wanted to know the magnitude of flow through the MEC channel and watercourses to determine the potential impact on the River Wandle ; and
- They confirmed that no piling on the site for any built structures would be permitted.

4.22 It was agreed that the requested information would be supplied, and a subsequent meeting held to discuss abstraction.

➤ **22nd September 2023: LBS Pre-App Meeting**

4.23 A meeting was held on the 22nd September 2023 and a formal written response was received on the 27th September 2023. The feedback was that Officers were extremely disappointed with the lack of progress and wanted to see a draft of the RRMP. They did not find the updated in

evidence gathering, dialogue and the emerging Access Strategy worthwhile. They advised that consultation on the RRMP should be paused until a further update on the RRMP is provided.

4.24 The habitat based approach to the Site management is not objected to in principle but the need to focus on the impact of the proposed alterations to the CMS Target species was highlighted. Any significant changes to, or reductions of, seasonally wet habitats (the removal of Phase 2 wet grassland, in particular) will alter the viability of these species and therefore, the required mitigation based on the original (and subsequent) planning permission(s). Any revisions to the ERMP proposed should be based on the best available scientific evidence.

4.25 Officers highlighted that the revised access plan/strategy needed to provide information about access hours, infrastructure, and ways to control access/behaviour.

➤ **3rd October 2023: Thames Water**

4.26 Flow rate data from the STW between 2017-2022 was provided in advance of the meeting.

4.27 TW are currently abstracting some water from Cemetery Drain to support the lagoons to the south - not intended to be a long term solution. Some water is also being pumped from the MEC to support 100 Acre lagoons but low volumes. The total volume being abstracted is less than the allowable unlicensed volume of 20m³/day.

4.28 Stantec also discussed the surface water inputs to site using TW drainage maps. Northern Drain (aka Oily Ditch/ Cuckoo Brook) confirmed as a surface water drain, it appears to receive flow from a large catchment to the east – but observations on site indicate a sluggish/low flow in this channel, often damp but not wet. No monitoring of flows/water quality are currently available.

➤ **6th October 2023: Environment Agency Meeting**

4.29 Stantec held a meeting with the Environment Agency's, Ground Water and Hydrology Officer (Layla Stevens) on the 6th October 2023 to discuss abstraction from the onsite watercourses. The meeting was very helpful and the EA confirmed that the MEC is not classed as a watercourse, therefore an abstraction licence is not required provided the following conditions are met:

- Flow is 100% effluent into an impermeable channel; and
- No other channels/watercourses join to, or are joined by, the MEC.

4.30 The EA confirmed that if there's any mixing of MEC flows with 'natural water' then an abstraction license would be required.

- 4.31 Stantec presented initial thoughts on water resource strategy for the wet grasslands which includes:
- a. Abstraction of water from the MEC to supplement direct rainfall to the northern wet grasslands. Data from Thames Water indicates year-round water supply is available.
 - b. Abstraction of water from Wandle overflow channel in times of flood (i.e. determined by overtopping of the offtake weir from the River Wandle) to supplement rainfall to the southern wet grasslands.
- 4.32 In regard to the Wandle FAS overflow channel, the EA confirmed that any water flowing over the weir is classed as flood flow / flood alleviation and therefore exempt from requiring an abstraction license. If flood flow is stored and then used to top up the southern wet grassland then a Flood Risk Activity Permit would be required from the EA. A discharge permit may also be required if flood water is mixed with freshwater on site and then discharged. The EA confirmed that they would need a letter from Stantec outlining the strategy to abstract floodwater and this would be held as evidence that the EA have been consulted even though no licence is required.
- 4.33 The EA said they would consult with their hydrogeology team and see if there was any groundwater information that could be shared with Stantec.
- **13th October 2023: CAMC Meeting**
- 4.34 VWM provided an update on delivery of the restoration works and highlighted that the summer had seen weather that made the restoration programme extremely challenging. However, VWM remain committed to delivering the programme of works in 2023.
- 4.35 VWM highlighted that they are acting with due diligence and in the best interests of the Farmlands site, so as to not remake the masterplan without robust technical work to validate the assumptions and proposals.
- 4.36 The team at Stantec provided an update on the planning process and presented an update on the RRMP, which included updates on the land included in the Masterplan, the access routes across the Farmlands including the permissive footpath and the network of footpaths across the landfill. It was noted that gated controls would manage access from cycles and to restrict access at certain times of the year for ecological purposes. The Meadowland would be divided into parcels to enable management of cattle, and there would be predator fencing installed around the Wet Grassland and Lake habitats. There would be a pedestrian and vehicular access to a

hard standing (the former landfill tipping pad) where storage for machinery, an office and livestock handling could occur.

- 4.37 Stantec advised that they are working through water balance calculations to quantify the water needs for the wet grasslands. This work had determined that there may not be a need for formal abstraction, and an associated permit from the EA, following the meeting with the EA on the 6th October 2023. Stantec confirmed that further work was required, but the next steps were to analyse the historic data from the Wandle overflow channel (in Beddington Park) to understand the potential for this to form a core part of the habitat sustainability proposals. It was understood that the winter water flows would be sufficient to sustain the wet grassland.
- 4.38 It was confirmed that the locations of four further bird hides were being developed, with one near to the southern wet grassland requiring further assessment owing to the contours of the site. There would be further tree planting to enhance the established native scrub, along with management to avoid predator habitats forming to an extensive level. The parcels of land within the meadowland would offer sightlines for the lapwing and target species.
- 4.39 Stantec highlighted that the islands across the lakes would require management, but across the lakes and wet grassland there would be plentiful habitat for little ringed plover and lapwing. The wet grassland habitats would include 'wobble edges' to encourage habitats for bird foraging. There was commitment to developing a sacrificial crop and hedgerows suitable for passerines, including tree sparrow should they return to the site.
- 4.40 LBS were concerned that the material presented on the RRMP was the first time they had seen it but VWM highlighted that they were following an iterative process of masterplan development and that the material was work in progress and be presented in good faith in order to provide an update on the progress that the Applicant team were making.

➤ **6th November 2023: LBS Pre-App Meeting**

- 4.41 Stantec prepared and issued the following draft material to LBS in advance of the meeting:

- Revised Restoration Management Plan;
- Landscape and Ecological Management Plan;
- Restoration Management Plan – Masterplan;
- Construction Programme and Phasing Plans;
- Agricultural / Visitor Shed Plans;
- Access Strategy Drawings;
- Circular Economy and Carbon Report;

- Access Strategy;
 - Air Quality Note;
 - Planning Statement;
 - Transport Note; and
 - Water Balance Report and minutes from meeting with the EA.
- 4.42 Pre-application feedback was received from LBS on the 20th November 2023 and is set out within Appendix 3, along with responses from the Applicant and consultant team as to how each of the points raised by LBS are being addressed.
- **13th November 2023: CAMC Meeting**
- 4.43 Members of the applicant and consultant team met with CAMC members and LBS Officers to walk around the Site and see the onsite progress that the Applicant has made.
- **22nd November 2023: Environment Agency Letter**
- 4.44 The EA issued a letter with their response on the draft water resource strategy.
- 4.45 With regards to flood risk, it was confirmed that the Flood Risk Assessment would need to demonstrate that discharge of water from Wet Grassland 1 and 2 would not occur during a flood event.
- 4.46 The EA raised concerns about water quality and that the addition of treated effluent in the lake has the potential to increase eutrophication as it is standing water.
- 4.47 The EA wished to undertake a site visit to view the potential abstraction points to guide the decision on whether the proposals constitute an exemption from a permit. Should the proposals meet the criteria for an exemption, the EA would require information on an assessment of impacts resulting from abstraction from the MEC.
- **24th November 2023: Environment Agency Site Visit**
- 4.48 A Site Visit was attended by the EA, Stantec, LBS and VWM to review the on-Site situation. The EA confirmed that the nature of the water resource strategy for the Site is a bespoke request for an abstraction exemption. As it is bespoke, it needs National Team approval.
- 4.49 If abstraction from the River Wandle is proposed then the EA want to see details (concept drawings) on how we will ensure only flood flows are abstracted. They were happy with the

concept of working out the water level in the overflow channel in times of flood and setting the culvert invert to this level.

4.50 The site visit identified a surface water outfall discharging into the open channel stretch of the MEC. This may constitute mixing of water from the natural environment with treated effluent, and hence abstraction at this location may require a permit.

4.51 The Site Warden identified an alternate abstraction location from a manhole, closer to the discharge point from the Sewage Treatment Works. The MEC is culverted at this location with no known connections. Abstraction from this location may not require a permit.

➤ **1st December 2023: Environment Agency Meeting**

4.52 Potential abstraction points were discussed with the EA and the need for National Team approval was reiterated. The water needs of the habitats and the need to account for seasonal variance was also discussed.

4.53 Stantec were required to provide an updated technical note with water volume/pump information (specification, pump duration) and locations for abstraction.

➤ **12th December 2023: LBS Biodiversity Net Gain Workshop**

4.54 Stantec shared a draft BNG report with LBS Officers in advance of the meeting and talked through the draft assessment against the ERMP and RRMP that had been undertaken.

➤ **13th December 2023: LBS Pre-App Meeting**

4.55 Stantec discussed the following matters with LBS at this meeting:

- Pre-App 3 Feedback and Applicant Responses
- Phasing Amendments
- 3 Corner Field
- Environment Agency Dialogue and Water Availability
- Planning Conditions and Planning Obligations
- RMP Masterplan Recap; and
- Public Consultation

4.56 Following this meeting feedback from LBS was received on the 12th January 2024. Appendix 4 includes the feedback along with a summary of how the feedback received has been addressed within the planning application.

4.57 With regards to 3 Corner Field, Thames Water are the free holder of this land and VWM no longer have any leasehold interest in the land. The planning obligations regarding the additional nature conservation land includes 3 Corner Field. This planning obligation would not be amended as part of the RRMP Planning Application, therefore 3 Corner Field is to remain under the management of the CAMC and/or Council and will be paid for by the £50,000 bond funded by VWM.

➤ **Public Consultation Period: 13th December 2023 to 19th January 2024**

4.58 A Statement of Community Involvement (SCI) has been prepared and submitted with the Planning Application which details the community consultation that the Applicant has undertaken prior to submission of the Planning Application.

4.59 The key themes emerging from the public consultation are summarised in the SCI, with responses set out against each of the key themes.

➤ **15th January 2024: Environment Agency Meeting**

4.60 Stantec issued the EA with an updated technical note on 5th January 2024. The meeting discussed the content of the note including additional information on potential abstraction locations, calculations on when and how much water is expected to be abstracted, details on the pumping specification and anticipated pump durations, and commentary on how management of the wet grasslands would be undertaken to safeguard the water needs of the River Wandle.

4.61 EA confirmed that the note issued had been passed onto the National Team for review. They requested in addition a summary table of water needs, which Stantec provided post-meeting on 16th January 2024.

4.62 The EA confirmed that if an abstraction permit was required, they were seeking to relax constraints around abstraction as it is recognized the restoration proposals provide environmental benefit through the creation of habitat. This would likely be limiting abstraction to the Q95 flow as opposed to the Q50 flow, thereby permitting abstraction for a greater period in any given year. If an abstraction permit was not required, the EA would be seeking to agree with the Applicant voluntary constraints.

4.63 The EA have requested a Drought Management Plan be prepared. Stantec confirmed this would be included within the Habitat Management Plan alongside text on Flood Management.

➤ **16th January 2024: Environment Agency Meeting**

- 4.64 A separate consultation meeting was held with members of the EA Fisheries team to discuss options around the proposed pumping infrastructure and the need to comply with the Eels Regulations 2009.
- 4.65 EA confirmed that eels measuring between 200-800mm have been spotted in and around the areas near to Beddington. It is likely that elvers are present within the discharge from the Treatment Works and the habitat is suitable to support aquatic life.
- 4.66 Stantec presented potential pumping infrastructure arrangements at both potential abstraction locations along the MEC channel. Both arrangements conform to latest Best Achievable Eel Protection requirements. As both options conform, EA have confirmed no preference for either.

5 The Proposed Development

5.1 This section provides details of the Proposed Development. The description of development for the application is as follows:

“Proposed revised restoration and revised management plan for the Beddington Landfill Site and implementation of the restoration works”.

5.2 As previously highlighted the main amendment from the ERMP is the omission of the acid grassland and heathland. Acid grassland and heathland were found to be unviable as the underlying soil is a significantly higher pH than required for the formation of acidic soils. It is proposed that these habitats are replaced with meadowland. We have also comprehensively reviewed the water availability on Site to support the wet grassland habitats as part of this planning application.

5.3 The 2012 CMS has been reviewed as part of this planning application to ensure that it is aligned with current evidence, policy objectives and conservation objectives. The CMS Objectives are considered to still be appropriate and are as follows:

- Objective 1: To develop and manage key habitats on site for the main target species of lapwing, redshank*, tree sparrow and yellow wagtail*;
- Objective 2: To develop and manage key habitats on site for target species associated with ecologically immature wetland habitats such as little ringed plover, ringed plover and common tern;
- Objective 3: To develop and manage the site for passage and migrant wildfowl and passerine community by appropriate hydrological management (also to consider water pipit and green sandpiper);
- Objective 4: To develop and manage the site for breeding reedbed species (such as reed and sedge warbler, reed bunting (potentially bearded tit) and for wintering species such as bittern;
- Objective 5: To develop and manage the site as a continuing part of a Site of Metropolitan Importance to bats;
- Objective 6: To increase the biodiversity of the site by restoring sustainable areas of habitat that is of value in its own right as well as for other fauna too; and
- Objective 7: To create and appropriate level of public access to allow enjoyment of the restored landform without impacting upon the nature conservation interests of the site.

*not present at site but habitat would be maintained to allow its re-establishment.

5.4 The Table below provides an overview of key aspects of the RRMP.

TABLE 4: PROPOSED DEVELOPMENT – KEY INFORMATION	
RRMP Habitat	Size
Modified Grassland	2.98ha
Meadow Grassland	37.02ha
Neutral Grassland	19.9ha
Native scrub	2.72ha
Willow Scrub	2.21ha
Broadleaf woodland	8.92ha
Sacrificial crops	0.67ha
Lakes	7.82ha
Islands	0.90ha
Reed beds	0.84ha
Hedgerows	6,852m
Paths	5,167m
Tree Planting	662 substantial trees and 30,000+ whips.
Biodiversity Net Gain	17.47%
Target Species	<ul style="list-style-type: none"> • lapwing • redshank • tree sparrow • yellow wagtail • little ringed plover • ringed plover • common tern • water pipit • green sandpiper • reed warbler • sedge warbler • reed bunting • bearded tit • bittern • bats – all local species
Visitor and Agricultural Shed	900sqm GEA. 5.5m tall.

5.5 Figure 5 below shows the LRM. The landscape design seeks to minimise potential adverse landscape, visual and ecological effects and maximise mitigation benefits within the habitat restoration scheme. Specifically, the long-term design objectives for the scheme are to:

- Create meadow grassland to provide habitats for birds and insects and foraging opportunities to boost biodiversity.

- Create native scrub habitats for ground nesting birds and mammals, to strengthen ecological connectivity across the Site.
- Provide new native hedgerows to delineate access routes, screen and mitigate against visual disturbance to over-wintering bird colonies through movement along public access routes.
- Enhance lake island habitats with native marginal planting and aquatic reed margins.
- Provide a series of vehicle maintenance and footpath routes that open up the Site and link it to the existing local PROW network, whilst seasonally controlling public access to ecologically sensitive areas.
- Establish successful areas of reed bed at the margins on the lakes and wetland areas to provide suitable conditions for target species of birds, i.e., Reed Bunting.
- Provide habitats specific to the results of the ecology baseline survey work and the assessed important ecological features.
- Provide a climate resilient landscape design based upon a planting palette comprising native, locally occurring species of known benefit to wildlife, accounting for potential changes in rainfall and temperature in the future by accommodating a mix of species planting and allowing for natural adaptation.
- Facilitate landscape scale connectivity; and
- Result in net gain to biodiversity.

5.6 The proposals are described through a series of headings set out below. For further details on each matter, please refer to the relevant supporting documents submitted with this Planning Application.



Figure 5: RRMP LRM

Habitats

5.7 A description of the existing and proposed habitats being developed at the Site, as part of the RRMP and the CMS objectives which they fulfil are presented below. Some habitats have been delivered prior to landfill operations ceasing, however Figure 6 below shows each of the proposed habitats clearly and then a summary below explains the LRM for the restoration of the Site.

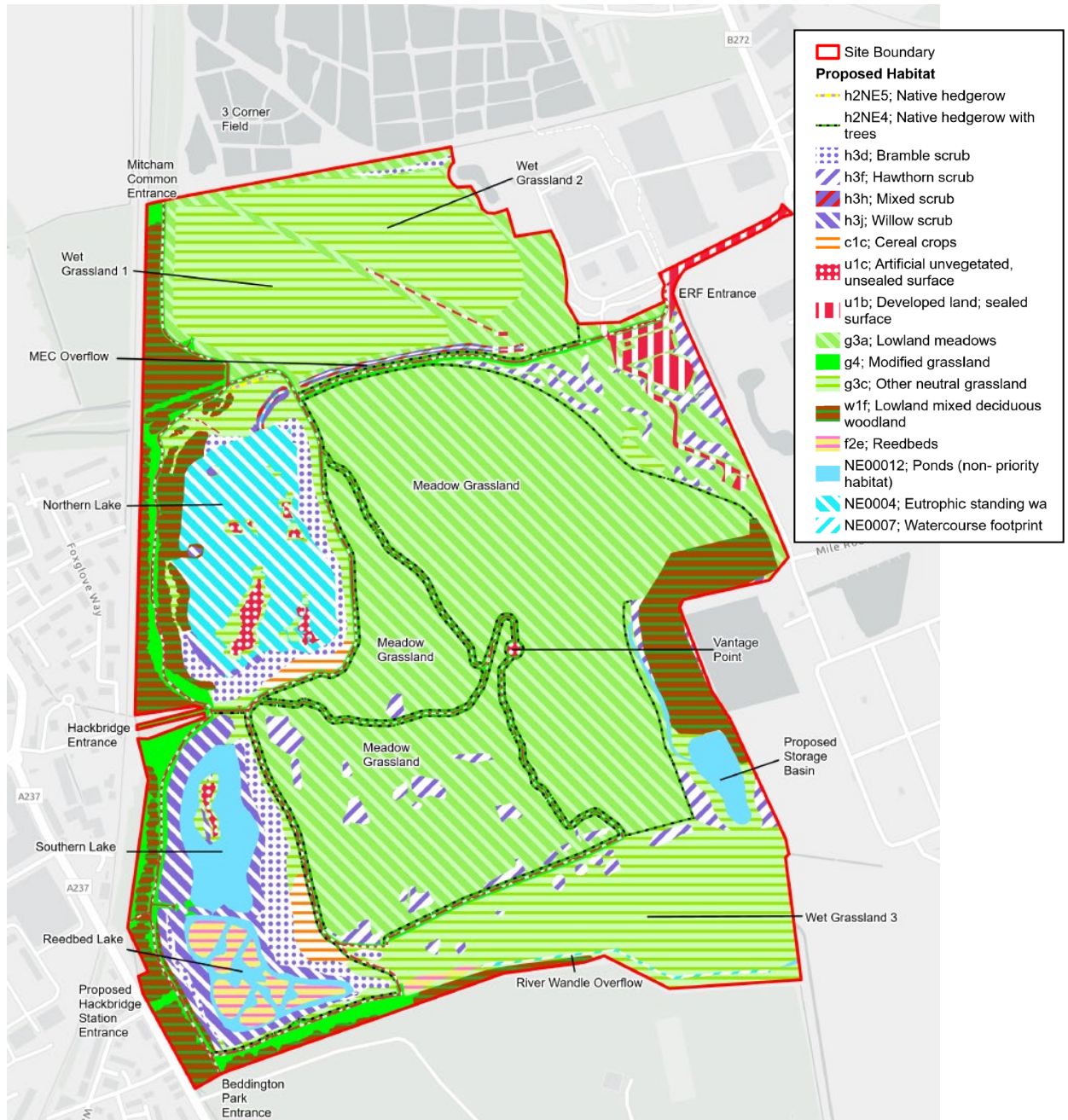


Figure 6: LRM Habitats

➤ **Proposed Meadow Grassland**

5.8 The Meadow Grassland would occupy the centre of the Site which was the former landfill and would replace the heathland and acidic grassland that was approved in the ERMP. The surface of the grassland will be punctuated by the former by the gas leachate, water and other monitoring wells. It will extend as far north as the Wet Grasslands west of the ERF, to the northern and southern lakes inside the western boundary and as far south as the Southern Wet Grassland.

5.9 The Meadow Grassland would meet the following CMS Objectives: 1, 6 and 7.

5.10 The grass seed heads will offer a winter feed source for tree sparrow with a proportion of the sward retained uncut each year to preserve this. This habitat will promote biodiversity at the Site by offering nesting habitat for ground nesting species such as skylark and meadow pipit, small mammals such as field vole and shrew will become established species and thereby prey for birds such as owls and kestrel. By leaving parts of the sward uncut, flowers will act as food sources for butterflies, moths and other pollinator species. An appropriate mowing regime will encourage grass growth of key indicator species and encourage floristic diversity.

➤ **Proposed Neutral Grassland**

5.11 The Neutral Grassland habitat will follow the outer margins of the wet grassland restoration to the north and south of the Site; the higher ground around the lakes to the west and adjacent to the River Wandle overflow to the south. It will also form the perimeter of the Reedbeds in the south-west corner of the Site.

5.12 The Neutral Grassland would meet the following CMS Objectives: 1 and 3.

5.13 This habitat will be good for wader species such as lapwing, supporting multiple potential food sources for both adults and chicks which may occupy the adjacent wet grassland. The abundance of invertebrate food within neutral grasslands will convey benefit to other passerines which occupy the site.

➤ **Existing and Proposed Wet Grassland**

5.14 Wet Grassland has already been established in both the south-east (Wet Grassland 3) corner of the Site and to the north-west (Wet Grassland 1) and are continuing to be developed. Wet Grassland 2 is currently being developed and will lie between Wet Grassland 1 and the ERF. It is proposed to make use of surface water flows just south of the ERF. Water captured from the

east of the Meadow Grasslands will be captured in a storage basin and a culvert connection provided to Wet Grassland 3.

- 5.15 Hydrologically, the Applicant has reviewed water availability and engaged with the Environment Agency (EA) and Thames Water to ensure that the Wet Grasslands are a habitat that is viable in the long term. The ERMP was predicated on exposing the perched groundwater table in all wet grassland areas. The available borehole information illustrates the groundwater table is lower than anticipated. Therefore, the proposed water resource strategy has focused on capturing of rainfall and abstraction of water from the MEC to sustain the wet grasslands throughout the year. Additionally, the Wet Grasslands and associated storage area will be lined to limit infiltration losses.
- 5.16 How the wet grasslands will be managed during both flood and drought conditions has been considered and influenced both the design and ongoing management recommendations. Through these measures, a higher degree of confidence can be placed in the ongoing success of the habitats, despite the uncertainty posed by the impacts of climate change.
- 5.17 The Wet Grassland would meet the following CMS Objectives: 1, 2, 3, 5 and 6.
- 5.18 Wet Grasslands are key to several of the target species, in particular lapwing and redshank. This habitat is key to providing invertebrate food adults and chicks and also can provide nesting opportunities. Yellow wagtail and tree sparrow will also benefit from invertebrate prey as will several other species, including reed bunting.
- 5.19 The Wet Grasslands will provide suitable food resources for adults and chicks during summer while muddy edges, created as water levels recede in summer, provide a source of mud for nest building. Over wintering species, including passage migrant wildfowl and passerines. Also benefit from food sources while islands created during high water provide a safe refuge from predators.
- 5.20 The standing water which will gather around wet grasslands and the high diversity of invertebrates it promotes will be beneficial to several species of bats. The Wet Grassland will not only benefit bird species, but small mammals such as voles and shrews will also make use of the greater number of invertebrates. Floristic diversity will differ from meadowlands and encourage butterflies, moths and other pollinators to make use of nectar bearing flowers.

➤ **Existing and Proposed Native and Bramble Scrub**

- 5.21 Native scrub currently dominates the eastern fringe of the northern lake, and the western edge of the southern lake, although some dense stands occur on the eastern edge of the latter. Small stands are present to the north of Wet Grassland 3. Bramble scrub is proposed for the meadowland to the south of the site and will be enclosed by the public access routes.
- 5.22 The Native and Bramble Scrub would meet the following CMS Objectives: 1,5 and 6.
- 5.23 Both native and bramble scrub will offer good cover for breeding passerines including tree sparrow as well as encouraging greater invertebrate abundance which make use of nectar bearing flowers.
- 5.24 Dense areas of scrub, and those which are encouraged to develop into linear features will benefit bats which forage along edge habitats. The increased invertebrate abundance, which may accumulate in leeward sides of stands of scrub will increase the suitability of the habitat for bats.
- 5.25 Scrub will form areas of suitable cover for a wide range of terrestrial species of invertebrate, birds and mammals, including hedgehogs, voles, mice, and shrews. Flowers and berries will act as suitable food sources for these groups.

➤ **Existing Broadleaf Woodland**

- 5.26 The Broadleaf Woodland is prevalent along the western boundary of the Site where it exists as a linear boundary but also encloses the permissive path west of the northern lake. There is a more extensive stand between the Northern Lake and Wet Grassland 1, while a narrow stand separates Wet Grasslands 1 and 2 from Three Corner Field.
- 5.27 The Broadleaf Woodland would meet the following CMS Objectives 5 and 6.
- 5.28 The Broadleaf Woodland will provide ideal edge habitat for several bat species, while those which feed on invertebrates at greater altitude will benefit from the tree canopy. Trees will also provide shelter for foraging bats during high winds as well as dark habitats for light sensitive species. Trees will benefit invertebrate, bird and mammal species through both shelter, cover and by providing greater food resources.

➤ **Proposed Winter Seed Crops**

5.29 Two stands of winter seed bearing crops are proposed. They will be located adjacent to the southern and northern lake.

5.30 The Winter Seed Crops would meet the following CMS Objectives: 1, 3 and 6.

5.31 Overwinter crops will be of benefit to tree sparrows. Several overwintering passerines will benefit from winter seed crops. They will also provide a food source in winter when invertebrate prey may be reduced in abundance, winter seed crops will be beneficial to birds and small mammals.

➤ **Existing Lakes**

5.32 The Northern and Southern Lakes have already been established on Site.

5.33 The Lakes would meet the following CMS Objectives: 1, 2, 3 and 5.

5.34 The standing bodies of water and their wetted edges will be beneficial for all target species as well as others which may occupy the site throughout the year. Some species of bats utilise standing water to catch invertebrates on or close to the waters' surface (e.g. Daubenton's bats). The increased invertebrate resource around the edges will also benefit those which occupy the Site.

➤ **Existing Islands**

5.35 Islands are present in the Northern and Southern Lakes which are already present on Site. They include areas of wet grassland and gravel for a variety of breeding waders.

5.36 The Islands would meet the following meet CMS Objectives: 1, 2 and 3.

5.37 The Islands will provide a safe refuge for waders during the summer breeding and overwintering period. As water receded during summer the muddy edges will provide access to aquatic invertebrates and a substrate which may be used in nest building (e.g. hirundines).

➤ **Existing and Proposed Reedbeds**

5.38 Reedbeds will be managed to occur on the fringes of the Southern Lake. However, there are 7 reedbed islands which are still proposed within the Landscape Restoration Plan. These

reedbeds will be created using floating pontoons and reed-bed planting where possible around the margins of Reed Bed Lake.

5.39 The Reedbeds meet CMS Objectives: 4 and 6.

5.40 Sedge and reed warbler and reed bunting will benefit from well established reed beds for breeding. Reedbeds provide shelter for a number of species, including some key invertebrates such as moths, dragonflies and damselflies.

➤ **Proposed Hedgerows**

5.41 6,852m of hedgerows are included within the RRMP. However, as hedgerows may impact on the ability of waders to detect predators, they will be limited to areas away from suitable wetland habitats.

5.42 The Hedgerows meet CMS Objectives 1, 5 and 6.

5.43 Hedgerows will provide suitable cover for tree sparrows, as well as other breeding and over wintering passerines.

5.44 Hedgerows act as linear features and can support echolocating bats at night allowing them to commute from roosts to feeding grounds. Hedgerows will provide additional food resources for bats across the wider site. The Hedgerows also provide suitable cover for small mammals and birds, while nectar bearing plants and berry production will also generate food resources for several species groups.

Phasing, Habitat Creation and Management

5.45 Whilst some of the habitats have been delivered on the Site, the RRMP includes details of the Phasing programme proposed to establish the remaining habitats. This has been structured to ensure that on site works do not disturb the bird breeding season. Work on creating the Meadow Grassland would commence in Q3 2024 (Summer/Autumn) subject to Planning Permission. Construction of all footpath routes is programmed to start early in 2025. Substantial access to the footpath network is programmed for Q2 2027.

5.46 As set out within Section 1 of this Planning Statement, the Applicant has submitted a Landscape and Ecological Management Plan and Habitat Management Plan with this Planning Application. These documents provide details as to how the habitats will be established and then managed in the long term.

5.47 Detailed landscaping plans have also been prepared and submitted with the Planning Application to provide certainty at the determination stage regarding the proposed planting specification and species selection.

Biodiversity Net Gain

5.48 The Applicant has undertaken a BNG Assessment and is included within the Planning Application. This demonstrates that a BNG well over the target 10% would be achieved by the RRMP.

Visitor and Agricultural Shed

5.49 A 900sqm GEA Visitor and Agricultural Shed is proposed on previously developed land on the eastern side of the Masterplan. The Shed will provide a secure space for the storage of the following equipment:

- Tractor;
- 4x4 Pickup;
- Drum Mower;
- Baler (small rectangular);
- Flail;
- Articulated Flail;
- Tedder; and
- Small Rowing Boat.

5.50 A small 5 ton trailer, 20ft flatbed trailer and a small boom sprayer will be stored outside of the Shed. There is also space for 4 vehicles to be parked outside of the Shed.

5.51 The Shed will also provide space for cattle to be housed, hay/straw and for community groups / visitors to store bags and equipment when visiting the Site. Barn owl boxes have been appropriately located on the Shed, as well as CCTV cameras. The Shed has also been designed to enable rainwater harvesting.

5.52 Cattle will be used to graze areas of wildflower meadow and neutral grassland, on a rotational and seasonal basis. These grassland areas have been sub-divided on Site to facilitate the rotational management regimes set out in the Landscape and Ecological Management Plan

(LEMP). The water provision for cattle has been considered and proposed water stations have been proposed within grazing areas near to the gateway/access points.

Bird Hides

- 5.53 A total of seven bird hides will be positioned within the Beddington Farmlands restoration plan, as shown within Figure 7 below. Some of these bird hides have been installed, whilst others are proposed.
- 5.54 The inclusion of bird hides provides recreational facilities for people to use and distributed across the Site. The hides will also facilitate the long-term monitoring of habitats which have been developed to support target species, including waders, passage migrant wildfowl and passerines, as well as reed bed species.

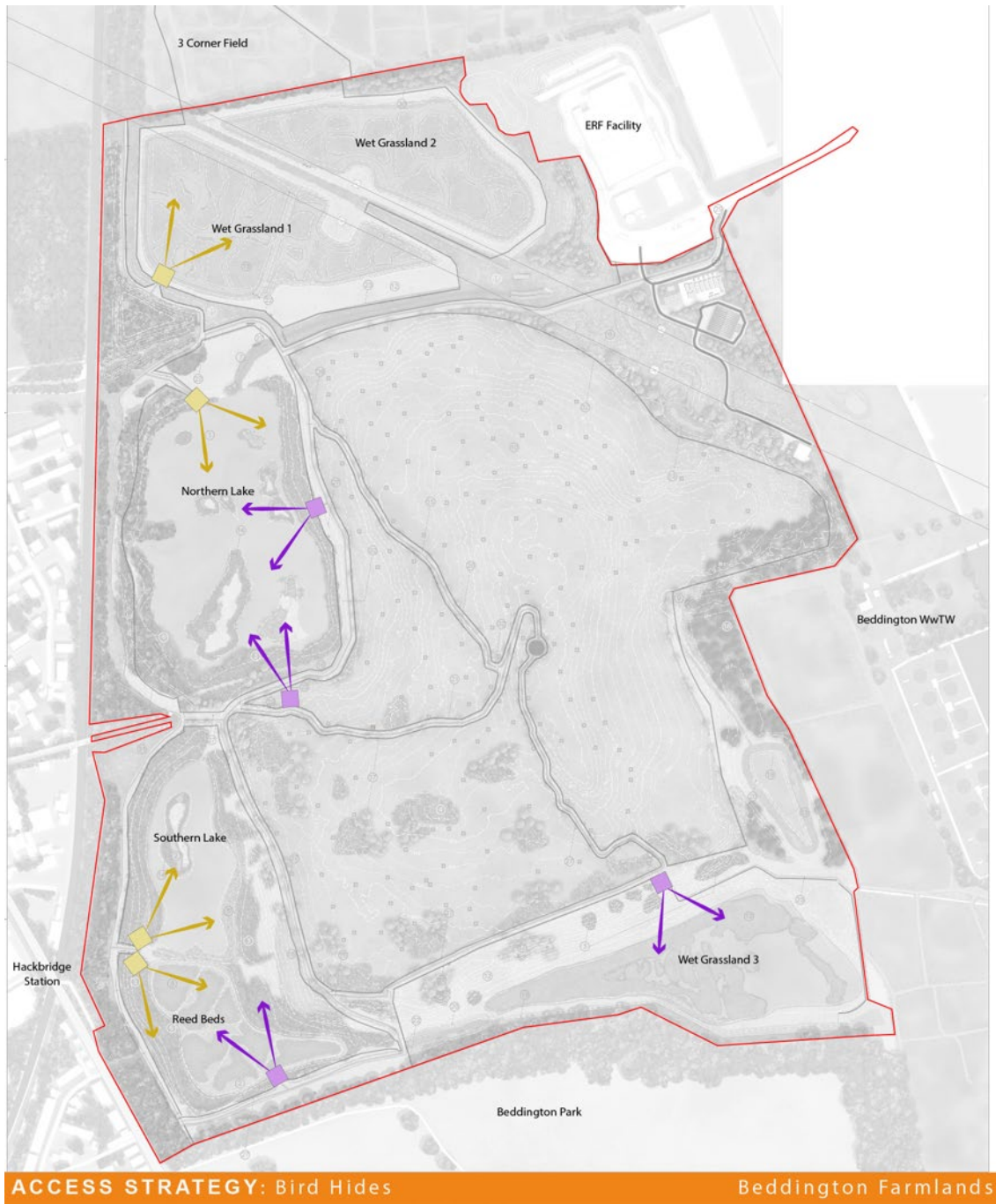


Figure 7: Bird Hide Locations

Access Strategy

- 5.55 The Access Strategy has been designed to balance the competing demands of nature conservation and public access for recreation. As illustrated by Figure 9 below, year round access would be possible along the existing permissive path along the western boundary of the Site and around the Southern Lake (Route 1). Access from the permissive path into the Site would be controlled via automatic gates.
- 5.56 Across the northern part of the masterplan a route from east to west, is proposed thereby linking the industrial and residential areas, and has been sensitively located to minimise impact on the proposed habitats. The east to west path (Route 2) would be open for the public to use during daylight hours but closed at night to help mitigate against potential anti-social use of the path. Automatic gates are proposed at either end of this route to help manage access.
- 5.57 Access along the eastern edge of the Northern Lake would be permitted during the summer and access to this path would be managed by the Site Warden to take account of seasonal variations on site each year (Route 3). Route 4 would provide access up to the Vantage Point and provides three paths across the Meadowland Habitat.
- 5.58 As shown within Figure 10 below, access is seasonally controlled, to limit disturbance to important habitats during bird breeding times in the calendar year. This control will be achieved by lockable and automatic gates along the public routes to prevent access during sensitive periods and reduce disturbance for adjacent habitats. This disturbance will be further mitigated through the boundary treatments along public routes within these zones, which are as follows;
- Public access routes to be 3m in width;
 - 2m mown grass margins either side of path;
 - Native hedgerow (proposed at 1.2-1.5m in height and 2.5m in width); and
 - Post & wire stockproof fence (in areas where grazing cattle will be present).
- 5.59 We are adopting the recommended effective width (3m) of shared use routes (Route 1, 2 and 3) from Sustrans guidance and inclusivity based on the need for these routes to be utilised by foot and wheelchair users, as illustrated within Figure 8.

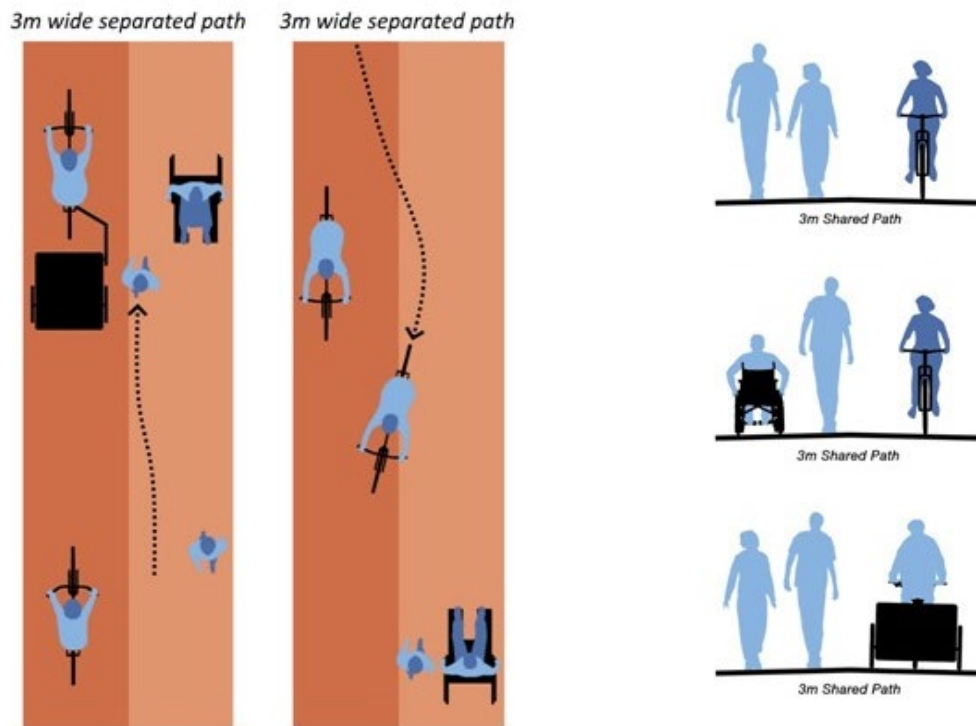


Figure 8: Sustrans Guidance on 3m wide Paths

5.60 For more information, please refer to the separate Access Strategy submitted with the Planning Application.

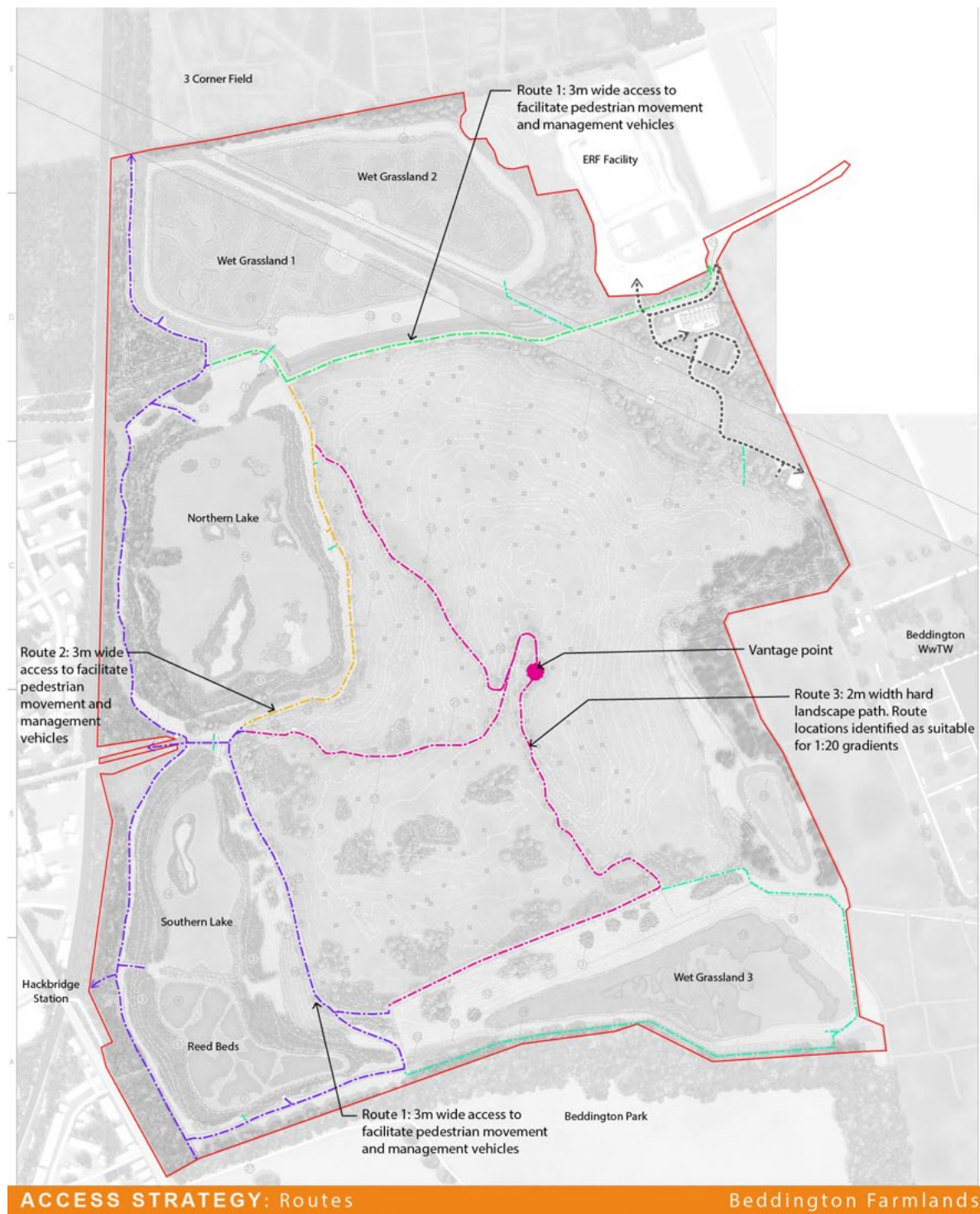


Figure 9: Access across the Masterplan



Figure 10: Gates and Fencing across the Masterplan

Environmental Impact Assessment

- 5.61 As part of this Application, an Environmental Impact Assessment (EIA) Screening Request was submitted to LBS on 4th August 2023 (LPA Ref. EIA2023/00003). On the 25th August 2023, we received an EIA Screening Opinion from LBS which confirmed that they considered the proposals to be EIA development.
- 5.62 On the 28th September 2023, Stantec wrote to the Secretary of State for an EIA Screening Direction on the revised RMP.
- 5.63 On the 2nd November 2023, the Secretary of State confirmed that the proposal is not likely to have significant effects on the environment and is not 'EIA development'. Therefore, an EIA has not been prepared and submitted with the Planning Application.

6 Conformity of the Proposed Development with Planning Policy

Introduction

- 6.1 This section sets out relevant policy and material considerations and demonstrates how the Proposed Development complies with relevant national, strategic and local planning policy. Compliance with national planning policies is firstly set out followed by a summary of the Development Plan documents. A summary of emerging planning policies is then provided followed by an assessment of the Proposed Development against a number of relevant matters before conclusions are drawn.

The Development Plan

- 6.2 Section 38(6) of the *Planning and Compulsory Purchase Act (PCPA) 2004* requires that applications should be determined in accordance with the Development Plan unless other material considerations indicate otherwise. In this case, the adopted Development Plan comprises:

- The London Plan (2021);
- Sutton Local Plan (2018); and
- South London Waste Plan (2022).

- 6.3 In the event of a conflict between the provisions of these documents, and in accordance with Part 3 of the PCPA, such conflict must be resolved in favour of the most recently published or adopted document, in this case the South London Waste Plan (2022).

The London Plan

- 6.4 The London Plan is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.
- 6.5 The London Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. The policies relevant to this proposal are referenced in the planning assessment below.

- 6.6 The All London Green Grid SPG (March 2012), provides additional supplementary guidance to the London Plan (2021) and identifies Beddington Farmlands as a regional park opportunity. It states the following:

“Create a 200 hectare country park at Beddington Farmlands through the restoration of land used for gravel extraction and landfill tipping, linking Beddington Park with Mitcham Common”.

Sutton Local Plan

- 6.7 The Sutton Local Plan sets out the planning strategy and policies in which planning applications are to be assessed against for the borough until 2031. The Sutton Local Plan replaces the Core Strategy (2009) and the Site Development Policies DPD (2012).
- 6.8 The spatial diagram on page 15 of the Local Plan identifies Beddington Farmlands as a ‘large open space/green belt’ site. Policy 5 concerns the Wandle Valley Renewal and states the following in relation to New Open Space:

“The council will: ensure that Beddington Farmlands is restored according to the Conservation Management Scheme, Section 106 Agreements and Restoration Management Plan to become the significant new element of Wandle Valley Regional Park. The council will also ensure that Beddington Farmlands provides high-quality green space, progressively becoming open to the public, and high-quality habitats for common and protected species.”

- 6.9 The supporting diagram to Policy 5, identifies part of the Beddington Farmlands Site that are publicly accessible and those subject to restricted access. It also broadly identifies the Site as an area where new and improved recreational facilities should be provided.

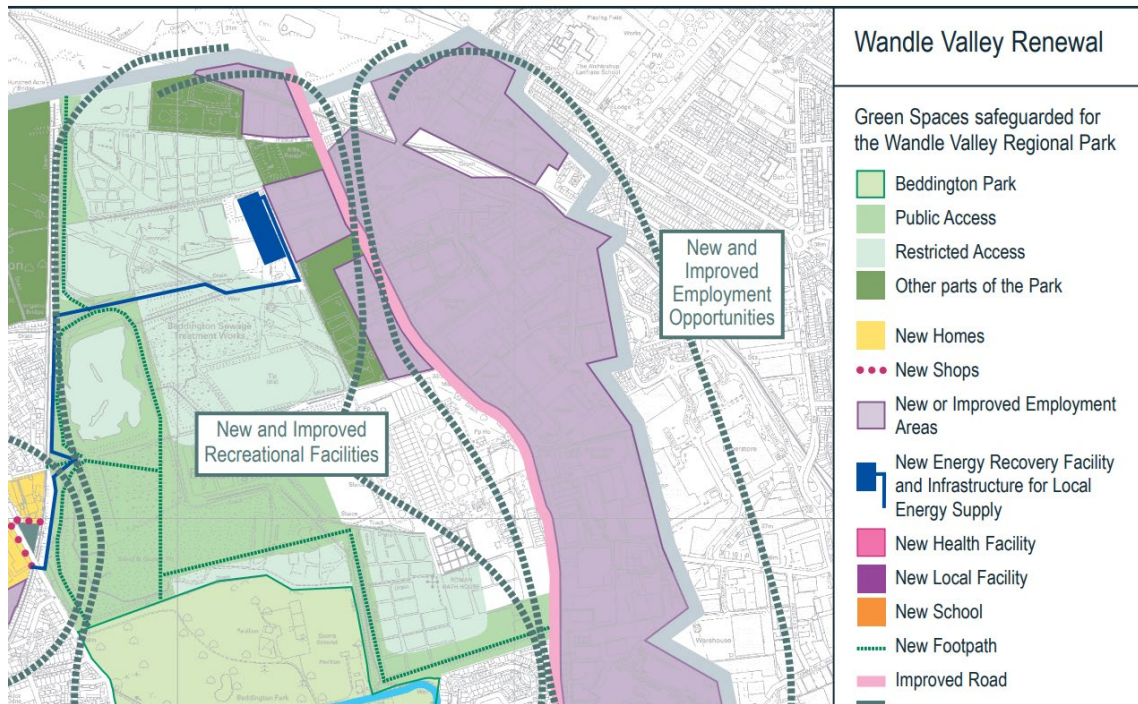


Figure 11: Sutton Local Plan Extract – Wandle Valley Renewal

6.10 Policy 25 highlights the importance of the Wandle Valley Regional Park, which include Beddington Farmlands and Policy 26 echoes the need to restore the former landfill to high quality in accordance with its Biodiversity Action Plan and agri-environment schemes.

South London Waste Plan

6.11 The London Boroughs of Croydon, Kingston, Merton and Sutton have jointly prepared a new South London Waste Plan (SLWP). The SLWP was adopted in 2022 and sets out the partner boroughs’ long-term vision, spatial strategy and planning policies for the sustainable management of waste over the next 15 year period.

6.12 The SLWP states that the Beddington Landfill Site is due to close in 2023 and then become part of the Wandle Valley Regional Park (Appendix 3 (Ref: BF) and Paragraph 3.27).

6.13 Part E of Policy WP2 highlights that improvements / enhancements to the environment around the Beddington Sewage Treatment Works will be supported, subject to the other policies in the SLWP and the relevant borough’s Development Plan.

6.14 Policy WP5 highlights that Waste Developments should contribute positively to the character and quality of the area and ensure that any potential adverse impacts of the development are appropriately mitigated.

- 6.15 Finally, it should be noted that specific Site Allocations S2 'Beddington Farmlands Energy Recovery Facility' and S12 'Beddington Lane Resource Recovery Facility' are in close proximity to the Site.

Material Considerations

- 6.16 As detailed above, the PCPA requires that the application should be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The key material considerations in this instance are outlined below.

Material Considerations - National Planning Policy Framework

- 6.17 At the national level, the Government published its revised NPPF in December 2023. The NPPF provides a framework for the production of local policy documents and determining planning applications. At the heart of the NPPF is "a presumption in favour of sustainable development".
- 6.18 The NPPF (para 4) sets out that the framework should be read in conjunction with the Government's planning policy for waste, which is covered in the separate sub-section below.
- 6.19 The NPPF (chapter 2) states that the purpose of the planning system is to contribute to the achievement of sustainable development and recognises that there are three overarching objectives to achieving this: Economic, Social and Environmental.
- 6.20 These objectives are inter-dependent and need to be pursued in mutually supportive ways, so that the opportunities can secure net gains across each of the different objectives.
- 6.21 Within this chapter, and of specific relevance to this current application, NPPF (para 11) states that plans, and decisions should apply a presumption in favour of sustainable development.
- 6.22 Furthermore, whilst the achievement of good design has been a long-standing key aspect of sustainable development within national policy, NPPF (Para 126) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning process should achieve.
- 6.23 The NPPF expands on this to define what is expected from proposals in this context and explains how well-designed places should be achieved, signposting the use of national guidance in guiding decision-making.

Material Considerations - National Planning Practice Guidance

- 6.24 The Government's National Planning Policy Guidance (NPPG) is intended to provide guidance regarding the interpretation and implementation of the planning policies set out within the NPPF. The NPPG was published in March 2014 as an online web-based resource that is regularly updated.
- 6.25 This is a material consideration in planning decisions. Relevant parts of the current PPG are referred to as required in this Planning Statement and in supporting technical documents.

Material Considerations - Sutton Corporate Plan: 2022 -2027

- 6.26 The LBS Corporate Plan states the following in relation to Beddington Farmlands:

*“Monitor and advise on the restoration of Beddington Farmlands
Work with the Conservation & Access Management Committee and landowners to ensure that each habitat defined in the farmlands restoration management plan is restored in full by the end of 2023.”*

Material Considerations – Extant Planning Permissions

- 6.27 As set out within section 3 above, the Site has a long planning history and the extant planning permissions that have previously been granted are a material consideration.

Material Considerations – Levelling Up and Regeneration Act 2023

- 6.28 The Act that allows LPAs to introduce commencement and completion notices to encourage developers to build out their schemes promptly. From 26th December 2023, LPAs have new power at their disposal to encourage delivery. LPAs can now serve a completion notice deadline on Applicants and if the works are not completed within 12 months of receipt, then a Planning Permission can become void.

Material Considerations – Other

- 6.29 At the time of submitting the planning application (December 2023), there are a number of other documents that are a “material consideration”, including²

² Other SPG/SPD documents and design related guidance documents may also be relevant and have been used by the project architect and consultant team. These are referred to, where relevant, in other documents submitted as part of this Planning Application.

- London Environmental Strategy (May 2018);
- Sutton Biodiversity Strategy (2020-2025);
- Urban Greening Factor LPG (February 2023).
- The Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012).
- London Cycle Design Standards (2014).
- Draft Air Quality Positive LPG (November 2021).
- Circular Economy Statements LPG (March 2022).
- Whole Life Carbon LPG (March 2022).
- The Control of Dust and Emissions during Construction and Demolition SPG (July 2014).
- LBS Planning Obligations SPD (2014); and
- LBS Sustainable Transport Strategy SPD (2021).

Planning Policy Designations

6.30 In respect of the Site's policy designations, the following policy designations:

- Metropolitan Open Land;
- Metropolitan Green Chain;
- Public Open Space;
- Urban Green Space;
- Area at Risk of Flooding;
- Site of Importance for Nature Conservation;
- Wandle Valley Regional Park; and
- Archaeological Priority Area.

6.31 Beddington Park Conservation Area is to the south of the Site and Beddington Park is a Historic Park & Garden as well.

Assessment of Conformity

6.32 The key matters considered relevant to the determination of the Proposed Development are listed below, and the subsequent planning assessment is aligned in the same way.

- a) Principle of Development
- b) Metropolitan Open Land

- c) Green Infrastructure and Open Space
- d) Biodiversity
 - Biodiversity Net Gain
 - Habitats
 - Wildlife
- e) Trees
- f) Amenity
- g) Flood Risk, Water Management and Climate Change
- h) Transport
 - Access Strategy
 - Vehicle Movements
- i) Circular Economy and Whole Life Cycle
- j) Air Quality
- k) Fire Safety
- l) Skills and Employment
- m) Contaminated Land
- n) Archaeology

A. Principle of Development

- 6.33 As set out above, the Development Plan identifies the Site as a location where restoration of the former landfill should be undertaken to create a large open space that forms part of the Wandle Valley Regional Park.
- 6.34 The extant planning permissions have established the principle of restoring the former landfill to a nature reserve, which was due to be delivered by December 2023. The SLWP states that the Beddington Landfill Site is due to close in 2023 and then become part of the Wandle Valley Regional Park (Appendix 3 (Ref: BF) and Paragraph 3.27). This part of the Development Plan implies that a period of transition, beyond 2023, from a landfill site to a nature reserve is required.
- 6.35 The landfill operation ceased in November 2022, and soil importation is happening as part of the restoration of the Site.
- 6.36 London Plan Policy G6 states that development proposals “should be informed by the best available ecological information and addressed from the start of the development process”. The proposed amendments are not being proposed at the start of the development process or restoration of the Site. However, they are arising because of the Applicant’s due diligence and

commitment to deliver a high quality nature reserve that is ecologically and hydrologically viable in the long term, and informed by the best available ecological information.

- 6.37 The ERMP was intended to be a live document, with alterations and updates allowed to consider changing circumstances and reflect the best available ecological information, as well as allowing modification to timescales.

“The RMP document is intended to act as a live document with scope for modification both in terms of timescales (as described above) and content. Long term restoration projects can develop in unforeseen directions with, on occasions, habitats of specific ecological value developing, which may be deemed more appropriate to the site and landscape than those previously planned. This document is therefore designed to be flexible and recognise opportunities for delivering further biodiversity gains within the scheme.”

- 6.38 Ecologically there are two habitats within the ERMP that were found to be unviable going forward. These are acid grassland and heathland. Acid grassland and heathland were found to be unviable as the underlying soil is the opposite pH than required. While modifying the soil to an acidic pH is possible, it would be an intensive, inefficient process that risks causing significant pollution events. Acid grassland is not included in Natural England’s National Character Area Profile for the area. In addition, once created the habitat would still be isolated from similar habitats and require suitable grazing levels to maintain.

- 6.39 Hydrologically, the Applicant has reviewed water availability and engaged with the Environment Agency and Thames Water to ensure that the Wet Grasslands are a habitat that can be created and maintained. The ERMP was predicated on exposing the perched groundwater table in all wet grassland areas. The available borehole information illustrates the groundwater table is lower than anticipated. Therefore, the proposed water resource strategy has focused on capturing of rainfall and abstraction of water from the MEC to sustain the Wet Grasslands throughout the year. Additionally, the Wet Grasslands and associated storage area will be lined to limit infiltration losses.

- 6.40 The Proposed Development and amendments to the RMP have been informed by the best ecological information available in accordance with Policy G6 in the London Plan. The RRMP would be fully aligned with the objectives of the Development to restore the former landfill site into a significant nature reserve that forms part of the Wandle Valley Regional Park.

B. Metropolitan Open Land

6.41 The Site is designated as Metropolitan Open Land (MOL). London Plan Policy G3 is relevant and states that the strongest protection should be given to MOL. Inappropriate development on MOL should therefore be refused and is given the same level of protection as Green Belt. Accordingly, the NPPF (para 154) is relevant which confirms that there are exceptions when complementary uses within the Green Belt [or MOL in this instant] are deemed “appropriate” and not “inappropriate development” that is harmful.

6.42 LBS Local Plan Policy 24 states the following:

“The council will not grant planning permission for inappropriate development in the Green Belt or Metropolitan Open Land unless other material considerations clearly outweigh the harm to the Green Belt or Metropolitan Open Land and constitute very special circumstances. The construction of new buildings and structures or the re-use of buildings and structures in the Green Belt and Metropolitan Open Land will be inappropriate unless it is for the following purposes:

- (i) agriculture, horticulture or animal-related businesses.*
- (ii) appropriate facilities for outdoor sport and recreation and cemeteries. Any new buildings or structures or the re-use of buildings and structures should preserve the openness of the Green Belt or Metropolitan Open Land.”*

6.43 In considering the acceptability of the principle of the development, it is first important to consider if it represents “*inappropriate development*”. The proposed paths, signage, gates, bird hides and visitor & agricultural shed are all directly associated with the use of the land as a nature reserve.

6.44 This needs to be considered against the exceptions set out in NPPF (para 154) to ascertain if they are considered “appropriate” in accordance with national policy. Para 154(b) states the following:

“b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;”

6.45 The proposed facilities are directly related to the proposed use of land. The visitor & agricultural shed has also been discreetly located on the eastern side of the masterplan, on an area of previously developed land. It is therefore considered that the proposed use is appropriate and

meets the exception test as set out within LBS Local Plan Policy 24, as well as paragraph 149 of the NPPF. The second policy requirement is to demonstrate that the facilities preserve/maintain the openness of the MOL.

6.46 Paragraph 143 of the NPPF highlights that the essential characteristics of Green Belts/MOL are their openness and their permanence. Updated National Planning Practice Guidance (NPPG) was published on 22nd July 2019 in relation to Green Belt (Ref ID 64-001-20190722 to 64-003-20190722). In assessing harm, Paragraph 001 states when assessing the impact of a proposal on the openness of the Green Belt, [it] requires a judgment based on the circumstances of the case. *“By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.”*

6.47 The visitor & agricultural shed has been purposefully located on the eastern side of the masterplan on existing hard standing. It also located close to the meadowland. The height of the building enables access by a tractor and other agricultural machinery and would be appropriate for the proposed location and does not detract from the spatial or visual sense of openness experienced within the MOL. As set out within the submitted Landscape and Visual Appraisal of the impact on the MOL, the overall the effect on the openness of the MOL is considered to be so subtle, particularly given the existing surrounding context and disparate nature of structures on the Site, that it amounts to a de minimis effect.

6.48 The proposals will generate additional recreation and outdoor activity which is considered entirely appropriate for the function of the nature reserve.

6.49 As set out above, the Proposed Development and supporting facilities are considered to be an appropriate use in accordance with paragraph 1154b of the NPPF and that the open character of the MOL is preserved and not adversely affected by the proposals. Consequently, it is considered that the visitor & agricultural shed is compliant with Policy G3 of the London Plan

and Policy 24 of the Sutton Local Plan with respect to the fact that the openness of the MOL will be preserved.

C. Green Infrastructure and Open Space

- 6.50 London Plan Policy G1 seeks to ensure that London's network of green and open spaces, and green features in the built environment, are protected and enhanced. Green infrastructure should be planned, designed and managed in an integrated way to achieve multiple benefits. Development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.
- 6.51 London Plan Policy S4 seeks to increase opportunities for play and informal recreation and locate play space in safe and convenient locations within their neighbourhood. London Plan Policy S5 goes on to add that recreation facilities should be co-located and easily accessible by walking and cycling.
- 6.52 London Plan Policy G5 sets out that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- 6.53 As set out above, LBS Local Plan Policy 5 identifies Beddington Farmlands as a key part of the Wandle Valley Regional Park. Local Plan Policy 25 highlights the importance of the Wandle Valley Regional Park, which include Beddington Farmlands.
- 6.54 LBS Local Plan Policy 25 seeks to enhance the supply of open space to meet the needs of the borough's growing population, supporting improvements, enhancements, and management that improve both quality and access to existing green spaces.
- 6.55 LBS Local Plan Policy 25 also seeks to enhance the role of Metropolitan Green Chains within the borough by protecting the open spaces within them from inappropriate development and improving walking and cycling linkages between them.
- 6.56 The ALGG SPG (implementation point 4) states that development and regeneration proposals should plan, locate and design new and improved green infrastructure and manage the ALGG as an interdependent, integrated and multifunctional open and green space network. As highlighted above, the ALGG also identifies Beddington Farmlands as a regional park opportunity.

6.57 It is considered that the Proposed Development would deliver a multifunctional open space and a strategically significant piece of green infrastructure. The proposals would achieve the balance between nature conservation and public access that is required on this Site. It is considered that the Proposed Development would fully comply with London Plan Policies G1, G5 and S4, Local Plan Policies 5 and 25. The proposals would also be in conformity with the supplementary guidance within the ALGG SPG.

D. Biodiversity

6.58 London Plan Policy G6 states Sites of Importance for Nature Conservation (SINCs) should be protected. Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. Proposals which reduce deficiencies in access to nature and enhance natural capital (green space, air, water, wildlife) should be considered positively.

6.59 LBS Local Plan Policy 26 states that the council will protect and enhance Sites of Importance for Nature Conservation, Green Corridors and biodiversity. LBS Policy 26 also states that the council will ensure the restoration of Beddington Farmlands is completed to the agreed quality and implement its Biodiversity Action Plan and agri-environment schemes.

6.60 LBS Local Plan Policy 26 also states that the council will grant permission for developments that create, conserve or enhance biodiversity and improve access to nature, subject to other policies in the plan. The council will not grant planning permission within or adjacent to a SINC where there would be a damaging impact on the nature conservation value or integrity of the site.

6.61 The NPPF includes improving biodiversity as part of the environmental objective to achieve sustainable development. The NPPF (section 15) sets out the overall approach to conserving and enhancing the natural environment and how planning policies and decisions should contribute to this.

6.62 The NPPF (para 180) sets out that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. In addition, the NPPF (para 136) specifically states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

- 6.63 The aim of the development is to improve the biodiversity of the site by including habitats of value to target species which currently rely on the site (e.g. lapwing) or have done so historically (e.g. redshank) but also to provide a mosaic of habitats which can support a wider variety of species. The RRMP also uses the objectives set out in the draft CMS (2012) to inform the ongoing management interventions of each habitat to enhance biodiversity.
- 6.64 The mosaic of habitats proposed for the Site, including the planting of hedgerows and trees, will form natural linkages to other green habitats in the wider environment and allow species to access Beddington Farmlands for foraging and breeding purposes. The restoration will provide more green space within the Wandle River Regional Park.
- 6.65 The restoration of Beddington Farmlands is critical to the conservation of habitats and species and their long-term survival. It represents an extensive area which provides opportunity for breeding and foraging of local species, but also can offer a resting site for overwintering migrants, including wildfowl and passerine species, which can access the standing water. Ultimately the site will be recognised for its significant contribution to conservation in the Greater London Area.

- ***Biodiversity Net Gain***

- 6.66 LBS Local Plan Policy 26 and London Plan Policy G6 aim to secure biodiversity net gain.
- 6.67 The Environment Act 2021, which makes biodiversity net gain mandatory from the 12th February 2024, introduced a requirement that any new planning application for development will be required to meet the objective that the “biodiversity value attributable to the development exceeds the pre-development biodiversity value of the on-site habitat by at least 10%”.
- 6.68 The ‘biodiversity value’ is attributed by looking at the post-development on-site habitat. The purpose of this requirement is to counteract the loss or degradation of habitat caused by development. The biodiversity value will need to be secured for a minimum duration of 30 years.
- 6.69 The BNG Report submitted with the Planning Application assesses the changes in biodiversity value arising from the proposed development. It demonstrates that a BNG of 17.47% is possible as a result of the Proposed Development.
- 6.70 The Development Plan requires a Biodiversity Net Gain, while the Environment Act 2021 requires the proposals to exceed the pre-development biodiversity value of the on-site habitat by at least 10%. The proposed development would achieve both of these objectives and is therefore entirely in conformity with national, regional and local policy objectives.

- **Habitats**

- 6.71 The RRMP would deliver a mosaic of viable habitats that support improvements in biodiversity, whilst also creating a natural environment that people can access and enjoy. They have been informed by the best available ecological and hydrological information in accordance with London Plan Policy G6.
- 6.72 Appendix 2B in the London Environment Strategy identifies Priority Habitats³ in a London context by virtue of their rarity, vulnerability or overall conservation value because of their extent or benefits they provide. The following habitats are identified as Priority Habitats:
- Chalk grassland;
 - Acid grassland;
 - Heathland;
 - Woodland;
 - Orchards;
 - Meadows;
 - Rivers & Streams;
 - Standing Water;
 - Reedbeds;
 - Coastal and Floodplain Grazing Marsh; and
 - Open Mosaic Habitats.
- 6.73 LBS Local Plan Policy 26 prioritises creating new woodland, chalk grassland and other habitat's as identified in the council's Biodiversity Action Plan. The Council's Biodiversity Strategy (2020-2025) highlights the importance of the woodland, lake, reedbed and wet grassland habitat creation at Beddington Farmlands. It also highlights the importance of grazing meadows, rather than mowing and the ecosystem services that this achieves.
- 6.74 The RRMP has utilised the CMS (2012) which is based on the extensive knowledge and expertise of several stakeholders, notably the Conservation Science Group, the Beddington Farmlands Bird Group and local ecological consultants.
- 6.75 There are adjustments in the size of some habitats on the Site but fundamentally the RRMP is the same as previously approved apart from the fact that the acidic grassland and heathland

³ https://www.london.gov.uk/sites/default/files/appendix_2_evidence_base.pdf

has been omitted and replaced with meadowland. Acid grassland and heathland were found to be unviable as the underlying soil is the opposite pH than required. While modifying the soil to an acidic pH is possible, it would be an intensive, inefficient process that risks causing significant pollution events. Acid grassland is not included in Natural England's National Character Area Profile for the area. In addition, once created the habitat would still be isolated from similar habitats and require suitable grazing levels to maintain.

- 6.76 The acid grassland and heathland within the ERMP were not viable habitats, as justified within the submitted RRMP. They were not habitats that would enable the SINC to thrive and deliver a long-term improvement in biodiversity. The ERMP was intended to be a live document, with alterations and updates allowed to consider changing circumstances and reflect the best available ecological information, as well as allowing modification to timescales. The RRMP full accords with the need for flexibility to take account of the best information.
- 6.77 The omission of acid grassland and heathland, and replacement with meadowland would still enable Priority Habitats to be created that are aligned with the London Environment Strategy.
- 6.78 Hydrologically, the Applicant has reviewed water availability and engaged with the Environment Agency and Thames Water to ensure that the water grasslands are a habitat that can be created and maintained. The ERMP was predicated on exposing of groundwater table in all wet grassland areas. The available borehole information illustrates the groundwater table has dropped significantly over past 20+ years. Therefore, the latest evidence and engagement has confirmed that it is feasible to abstract water from the open channel section of the MEC channel to top up Northern Wet Grasslands and storing flood flow from the Wandle FAS overflow channel to support the Southern Wet Grassland.
- 6.79 Again, the proposed strategy for water availability in the RRMP would enable the Wet Grassland Habitats to thrive in the long term and is aligned with the Council's Biodiversity Strategy (2020-2025).
- 6.80 The RRMP also provides a greater length of hedgerow across the site which are associated with footpaths, greater abundance of tree planting as well as a water storage basin to support the functional longevity of Southern Wet Grassland. These will improve habitat connectivity across the site, provide areas of shelter for target species and provide sufficient resource availability during ongoing management and maintenance (e.g. grass mowing).
- 6.81 The submitted HMP and LEMP provide details on the creation and aftercare that is required for each habitat to create a rich mosaic of habitats across the Site. Whilst both documents provide

comprehensive details, it is important to highlight that in accordance with the Council's Biodiversity Strategy, grazing of the Meadowland is proposed.

6.82 The ERMP is a material consideration, however primacy should be given to the Development Plan in the determination of this planning application. A new Planning Permission is being sought and not a material amendment. The habitats proposed within the submitted RRMP are entirely suitable for the Site and the habitat management and monitoring prescriptions as detailed in the submitted LEMP would help to ensure the successful creation and management of each habitat. The RRMP would create Priority Habitats that are aligned with the London Environment Strategy and the Council's Biodiversity Strategy (2020-2025).

6.83 It is considered that the proposals would be in accordance with London Plan Policy G6 and LBS Local Plan Policy 26.

- **Wildlife**

6.84 Policy G6 in the London Plan highlights the need to protect and conserve priority species. The supporting text to the policy highlights the need to maintain or enhance the wildlife value of sites. The London Environment Strategy sets out the Mayor of London's objective to create a City that is rich with wildlife and includes a comprehensive list of priority species that require particular consideration when planning decisions are made. Appendix 2A⁴ includes a list of London BAP Priority Species.

6.85 LBS Local Plan Policy 26 identifies the need to restore Beddington Farmlands to an agreed quality. The Council's Biodiversity Strategy (2020-2025) identifies Priority Habitats and the following Priority Species, that are applicable in this instance:

Woodland and Scrub

- Silver-washed fritillary;
- English bluebell;
- Stag beetle;
- White-letter hairstreak;
- Purple hairstreak;
- Brown hairstreak;
- Violets;

⁴ https://www.london.gov.uk/sites/default/files/appendix_2_evidence_base.pdf

Rivers & Wetlands

- Brown trout;
- Grey wagtail;
- Water-cress;
- Kingfisher;
- Water vole;
- Stream water-crowfoot;
- Demoiselles;

Green Infrastructure & Biodiversity Net Gain

- Black redstart;
- Hedgehogs;
- Swifts;
- Starlings;
- House sparrow;
- Bats;
- Peregrine falcon;
- Thrift;
- Common rockrose; and
- Bumblebee.

6.86 The CMS identifies target species for Beddington Farmlands.

- Lapwing;
- Redshank;
- Tree sparrow;
- Yellow wagtail;
- Little ringed plover;
- Ringed plover;
- Common tern;
- Water pipit;
- Green sandpiper;
- Reed warbler;
- Sedge warbler;
- Reed bunting;
- Bearded tit;
- Bittern; and
- Bats – all local species.

- 6.87 The fundamental objective of the proposed development is to develop and then maintain habitats that can support key wildlife species. The proposals would help to create the right conditions that promote biodiversity and hopefully enable target species identified regionally, locally and within the CMS that are not present on Site to establish.
- 6.88 Redshank and tree sparrow are not present at Site but habitat would be maintained to allow their re-establishment. Yellow wagtail are potentially absent from Site although some rare sightings are recorded. Considering the loss of some key species from Site, and current European and UK bird population trends, it may be prudent to assess the target species lists and update them if necessary. This will make sure that birds which may be declining locally or nationally, but which are identified at Beddington can be supported with subtle habitat interventions if necessary. However, despite habitat creation and interventions, there are no guarantees of attracting the target species in some instances due to population trends.
- 6.89 The RRMP, sets out an approach to create and manage a range of habitats necessary to meet the seven key CMS objectives. Provided the RRMP and the supporting LEMP and HMP are followed, and adaptive management is put in place to account for climate change, then the land at Beddington Farmlands should become an established site of significant conservation value, demonstrate a biodiversity net gain, while facilitating its enjoyment by members of the public.
- 6.90 As set out above, the RRMP would create a variety of habitats that support Priority Species. The Proposed Development would therefore be in conformity with Policy G6 in the London Plan and LBS Local Plan Policy 26.

E. Trees

- 6.91 London Plan Policy G7 sets out that development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed.
- 6.92 LBS Local Plan Policy 28 states that new development, where appropriate, should make provision for suitable new planting, trees and boundary treatments, taking into account the future effects of climate change and should incorporate well-designed soft and hard landscaping.

- 6.93 An Arboriculture Impact Assessment has been prepared and submitted with the Planning Application. This shows that of the 127 trees and groups surveyed, one category B and 14 category C trees require removal to facilitate the Proposed Development.
- 6.94 The Proposed Development would result in the planting of 662 substantial trees and 30,000+ whips.
- 6.95 It is considered that the proposals would require minimal tree removal and that a substantial replanting scheme is proposed across the Site. The Proposed Development would therefore comply with London Plan Policy G7 and LBS Local Plan Policy 28.

F. Amenity

- 6.96 SLWP Policy WP5 seeks to ensure that waste facilities contribute positively to the character and quality of the area and ensure that any potential adverse impacts of the development are appropriately mitigated.
- 6.97 LBS Local Plan Policy 29 states that the council will grant planning permission for development unless it adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties or has an unacceptable impact on the residents of the surrounding area.
- 6.98 The NPPF (para 135f) seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.99 The Proposed Development would enable the former landfill site to be fully restored to a nature reserve, with appropriate public access. It is considered that the RRMP would help to positively enhance the amenity of current and future occupiers surrounding the Site and that SLWP Policy WP5 and LBS Local Plan Policy 29 would be complied with.

G. Flood Risk, Water Management and Climate Change

- 6.100 London Plan Policy SI12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 6.101 LBS Local Plan Policy 32 sets out that proposed developments should avoid or minimise all sources of flood risk to people and property, taking account of climate change, without

increasing flood risk elsewhere. The policy provides details on preparing site-specific flood risk assessments and avoiding inappropriate development in flood risk areas.

- 6.102 The NPPF (para 159) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 6.103 The NPPF (para 161) outlines that all plans should apply a sequential, risk-based approach to the location of development taking into account the current and future impacts of climate change. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding.
- 6.104 The Site is located mainly within Flood Zone 1 and partially in Flood Zone 2 and 3.
- 6.105 The NPPF Annex 3 classifies the level of vulnerability of a development with its compatibility with the flood zone, highlighting whether the development is appropriate in the zone. The classifications are as follows:
- a. The Agricultural Shed and car parking are categorized as a 'Less Vulnerable' development.
 - b. The proposed habitat creation is classified as a 'Water-Compatible' development.
 - c. The public footpaths and bird hides are also classified as 'Water-Compatible' developments.
- 6.106 Table 2 confirms that a 'Water-Compatible' development is deemed suitable for all three flood zones, and a 'Less Vulnerable' development is suitable for all flood zones, excluding zone 3b. 'Less Vulnerable' elements of the Proposed Development have been located within Flood Zone 1 and all other elements are 'Water-Compatible'. The overall planning application Site is deemed to have passed the Sequential Test in regard to flood risk and therefore the Exception Test does not need to be applied.
- 6.107 The Site is deemed to be at low risk of flooding from other sources.
- 6.108 There are no existing flood defence structures located within the Site, however the existing lakes and River Wandle overflow channel form part of the River Wandle Flood Alleviation Scheme.
- 6.109 Surface water runoff from the proposed agricultural shed will be managed through rainwater harvesting and an attenuation tank with a controlled discharge to the MEC channel. The runoff

rate from the site has been limited as close as is reasonably practicable to the greenfield runoff rate.

- 6.110 It is therefore considered that the proposed amendments would not increase the flood risk beyond the Site in accordance with London Plan Policy SI12 and LBS Local Plan Policy 32.

H. Transport

- 6.111 London Plan Policy T1 and T2 seeks to improve existing and future walking and cycling route connectivity and ensure that any impacts on London's transport network are mitigated. London Plan Policy T4 are highlights that Development proposals should not increase road danger.
- 6.112 LBS Local Plan Policy 35 sets out that development proposals will be assessed for their impact on the highway and public transport network as well as the local environment and should be located so as to minimise any adverse impact on the highway network and maximise the use of sustainable modes of transport. The policy goes on to state that applicants should set out how they propose to manage and mitigate the transport impacts of their development.
- 6.113 The NPPF (section 9) promotes sustainable transport through better integration between planning and transport. Paragraph 115 outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 6.114 The NPPF (para 116) also states applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, as well as creating places that are safe, secure and attractive. The needs of people with disabilities and reduced mobility should also be addressed in the design of schemes.
- 6.115 The NPPF encourages sustainable modes of transport and seeks to ensure that new development facilitates more sustainable modes of travel.
- 6.116 The Applicant has prepared and submitted an Access Strategy with the Planning Application. This shows how the competing demands of nature conservation and public access will be managed, as well as how the proposed routes connect with the existing network surround the Site. The proposals will help to improve cycle and pedestrian routes across the Site and within the surrounding area.
- 6.117 We are adopting the recommended effective width (3m) of shared use routes (Route 1, 2 and 3) from Sustrans guidance and inclusivity based on the need for these routes to be utilised by foot and wheelchair users, as illustrated within Figure 8. A detailed drawing of the proposed

drop kerbs, tactical paving and zebra crossings at the eastern weighbridge entrance is included within the Planning Application and details how a safe interface between pedestrians and road users can be created.

- 6.118 A technical Transport Note has also been submitted with the Planning Application which considers the existing trip generation versus the proposed trip generation associated with the Site. The proposed volume of HGVs required on an average day (39) is lower than the existing HGV trip generation which is an average of 46 HGVs for a neutral weekday. The proposed HGVs will access and exit the Site in the same manner as the existing routing agreement resulting in a reduction in HGVs, and therefore there would be no material impact arising from the RRMP.
- 6.119 The proposals will facilitate improved cycle and walking connectivity for all users, as well as helping to reduce HGV movements. It is therefore considered that National, regional and local policy would be complied with.

I. Circular Economy and Whole Life Cycle

- 6.120 London Plan Policy SI2 requires major development proposals to include calculations of the whole life-cycle carbon emissions and demonstrate actions to reduce them. London Plan Policy SI7 also requires Circular Economy Statements to be prepared and submitted with Planning Applications that are referable to the Mayor of London.
- 6.121 A Whole Life Cycle Carbon Assessment has been submitted as part of this planning application. The Assessment summarises the results of the work undertaken to minimise carbon emissions over the life of the development, in line with GLA guidance.
- 6.122 A Circular Economy Statement has also been submitted in support of this planning application, which aims to demonstrate that the Proposed Development has considered, and will incorporate, circular economy principles into all aspects of the design, construction, and operation process.

J. Air Quality

- 6.123 London Plan Policy SI1 states that Development plans should seek opportunities to identify and deliver further improvements to air quality and developments should not lead to a further deterioration of existing poor air quality, create new areas that exceed air quality limits or create

unacceptable risk of high levels of exposure to poor air quality. Policy SI1 requires development proposals reduce emissions to meet the requirements of Air Quality Neutral.

- 6.124 LBS Local Plan Policy 5 identified the need to improve the environment of the Wandle Valley and to reduce the effects on air quality by promoting sustainable modes of transport.
- 6.125 LBS Local Plan Policy 34 requires all major development proposals with potentially significant adverse impacts on air quality, located within 150m of a sensitive receptor to be accompanied by an Air Quality Assessment setting out:
- Impacts on existing receptors during the demolition /construction phase;
 - Impacts on existing receptors once the development is occupied and operational;
 - Impacts on future occupants of the development from exposure to the predicted levels of air pollution; and
 - Cumulative impacts from other committed developments in the vicinity.
- 6.126 All development proposals should seek to contribute towards the achievement of national air quality objectives as far as possible and support the objectives of the council's Air Quality Action Plan. Any proposal that would have significant adverse impacts on air quality or expose the public to existing sources of air pollution will not be permitted unless appropriate mitigation measures are put in place to reduce these impacts to acceptable levels. Where necessary, the Council will negotiate Section 106 agreements with developers to offset any unacceptable air quality impacts, including through the implementation of measures in Sutton's Air Quality Action Plan. All development proposals should be at least 'air quality neutral' .
- 6.127 The whole of LBS is designated as an Air Quality Management Area. The Local Plan identifies Beddington Lane as an area affected by high levels of local air pollution from industrial sites, waste activities and associated HGV movements.
- 6.128 The NPPF (para 192) outlines that planning decisions should contribute towards compliance with relevant national objectives for pollutants, taking into account the presence of Air Quality Management Areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.
- 6.129 As set out within the Air Quality Report submitted with the Planning Application, Concentrations of NO₂, PM₁₀ and PM_{2.5} have been predicted for a number of worst-case locations representing properties adjacent to the road network. Predicted concentrations are well below

the relevant National Air Quality Objectives at all of the receptor locations with the Proposed Activities taking place. The effects of the Proposed Activities on human receptors are classified as 'negligible' and judged to be not significant.

- 6.130 The RRMP would not lead to a further deterioration of air quality or breach current National Air Quality Objectives and is well below the calculated Air Quality neutral benchmark. The Proposed Development therefore complies with local and regional air quality planning policies, as well as the NPPF.

K. Fire Safety

- 6.131 London Plan Policy D12 sets out that all development proposals must achieve the highest standards of fire safety to ensure the safety of all building users. There is only one building, the Visitor and Agricultural Shed proposed within the submitted Planning Application. The building is less than 1,000sqm and therefore not a 'major development'. In accordance with the London Plan Guidance on Fire Safety D12(A), the proposals are for a single storey Visitor and Agricultural Shed and would enable space for fire appliances, evacuation assembly points, fire alarm systems, convenient escape and would be constructed in accordance with the Fire Safety Standards as set out within Building Regulations.
- 6.132 The Applicant has therefore completed and submitted a Reasonable Exemption Statement with the Planning Application to demonstrate compliance with Policy D12 in the London Plan.

L. Skills and Employment

- 6.133 LBS Local Plan Policy 20 and the supporting text, seeks to address skills gaps and matching skills with local demand; giving residents improved skills for future job opportunities; ensuring residents have basic employability skills; and promoting apprenticeships and traineeships.
- 6.134 The Council's Planning Obligations SPD (2014), seeks to ensure that new development in the borough, provide opportunities for local employment, apprenticeships, training and work experience placements during the construction and operation phase of projects.
- 6.135 The Applicant has prepared and submitted an Employment Strategy with the Planning Application and if necessary, are happy to amend the current Planning Obligation in the s106 Legal Agreement via a Deed of Variation that concerns Local Employment Opportunities.

M. Contaminated Land

- 6.136 LBS Local Plan Policy 34 requires development proposals located on or near to potentially contaminated sites to be accompanied by a preliminary risk assessment.
- 6.137 The principle of restoring the Site has previously been established in the ERMP. The RRMP presents no greater risk to human health than previously established, as set out within the submitted Contamination Report.

N. Archaeology

- 6.138 London Plan Policy HC1 requires development proposals to identify archaeological assets to avoid/minimise harm during the development process. LBS Local Plan Policy 30 seeks to conserve and enhance the borough's historic environment, including archaeological remains.
- 6.139 As demonstrated in the submitted Archaeology Report, the Proposed Development would not affect any Archaeological remains and therefore is in accordance with London Plan Policy HC1 and LBS Local Plan Policy 30.

7 Planning Conditions, Obligations and CIL

Planning Conditions

7.1 We have reviewed the Planning Conditions attached to the extant Planning Permission, as set out within Appendix 3. Given the Pre-Application Feedback from LBS and the request to submit more detail with the Planning Application, we have front loaded and submitted the following additional details with this Planning Application:

- Habitat management plans;
- Path drawings;
- Planting specification and species selection drawings; and
- Gate, fencing and bench specifications.

7.2 Paragraph 56 in the NPPF (2023) states the following:

“Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.”

7.3 As discussed with LBS as part of the 4th pre-app allocation meeting, we consider that the following additional planning conditions should be attached to any forthcoming planning permission:

- Temporary Access Strategy and Temporary Signage;
- Detailed Path Drawings;
- Habitat Management Plans;
- Detailed Landscape Plans;
- Written notice of completion of works and proposed public access;
- Permanent Signage Details;
- Arboriculture Method Statement and Tree Protection Measures;
- CCTV;
- Gate, Fencing and Bench Details;
- Replacement of damaged signage, fencing, bird hides or gates;
- External Lighting; and

- Website.

Planning Obligations

7.4 The Applicant has discussed Planning Obligations with LBS prior to submission of this Full Planning Application. A Deed of Variation (DoV) to the original s106 is proposed rather than a new agreement is proposed. This will allow the relevant clauses to be updated to reflect this drop in application and for new planning obligations that are related to the development, fair/ reasonable and necessary to make the development acceptable to be secured.

7.5 For clarity, the current s106 includes the following relevant obligations:

- Compliance with the CMS;
- Additional Nature Conservation Land and Access;
- Owner's Obligations – Bond;
- Conservation and Access Committee;
- Financial contribution towards mitigation of the HGV traffic;
- Establishment and running of Beddington Air Quality Monitoring Station;
- NO2 monitoring sampling;
- Access to the local Conservation Science Group;
- Access for educational visits;
- Public liability insurance;
- Accommodation and secretariat support to the local Conservation Science Group for its meetings;
- Yearly progress reports on restoration and aftercare;
- Legal agreement monitoring costs;
- Long term management;
- Air Quality Management Contribution;
- Cessation of the Landfill Site;
- CHP Arrangements;
- Community Fund;
- Provision of Education Centre and Funding of Warden;
- Off-Site Planting;
- Not to Construct Anaerobic Digestion Plant;
- Routeing plan; and
- Sustainable Transport Contribution.

7.6 It is considered that the following obligations will need amending:

- Proposed footpaths for public access 364 days every year;
- Local Employment Opportunities; and
- Compliance with the RRMP.

7.7 The following new planning obligations are proposed:

- RRMP Site Manager;
- RRMP Monitoring Report; Offsite Signage and Lighting; and
- Annual Monitoring of Habitats and Ecology.

7.8 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 and off-site planning obligations related to the Proposed Development.

Community Infrastructure Levy

7.9 The visitor and agricultural shed within the proposed development would be liable to the Mayor's and Community Infrastructure CIL at a rate of £25 per square metre. As such, an estimated contribution of at least £22,500 towards Mayoral CIL would be generated by the proposed development. Mayoral CIL goes towards the cost of delivering the Crossrail project (Elizabeth Line).

8 Conclusion

- 8.1 The Proposed Development is in material conformity with planning policy at the National, Regional and Local levels.
- 8.2 The Site comprises a former landfill site, identified for closure in 2023 in the Development Plan and which is now in its restoration phase. The restoration involves, inter alia, the importation of soils to achieve a suitable landform, provision of public access routes and habitat creation to form a nature conservation site. The Applicant has reviewed the long-term viability of the habitats approved within the ERMP and is proposing amendments as part of this planning application to ensure they are ecologically sustainable.
- 8.3 Ecologically there are two habitats within the ERMP that were found to be unviable going forward. These are Acid Grassland and Heathland. Acid Grassland and Heathland were found to be unviable as the underlying soil (and other potentially available restoration soils) is the opposite pH than required. An amendment from Acid Grassland / Heathland to a Meadowland habitat is therefore proposed.
- 8.4 Stantec has also comprehensively reviewed the water availability on Site with the Environment Agency to confirm the potential long-term viability of the Wet Grassland habitats as part of this Planning Application.
- 8.5 The Applicant fully acknowledges that there has been project slippage and note that the Council, stakeholders and the local community are keen to see the restoration delivered as soon as possible. There is genuine frustration and this is acknowledged, however, this is a complex landfill restoration project with many different and sometimes competing synergies that need to work in harmony. The Applicant is fully committed to delivering the project in accordance with the phasing and construction details submitted as part of this Planning Application.
- 8.6 A protracted and costly planning process would stymies' delivery and it is considered that proactively working together and building upon the good pre-application dialogue that has taken place with LBS Officers, stakeholders and the local community over the last 8 months is the best approach. As discussed with Officers and highlighted within this Planning Statement, the Applicant has included the following details within this Planning Application to help expediate determination and commencement on Site:

- Draft Deed of Variation to the s106 Legal Agreement including new planning obligations regarding RRMP Site Manager, RRMP Monitoring Report, Offsite Signage & Lighting, and Annual Monitoring of Habitats and Ecology;
- Habitat management plans;
- Detailed Path drawings;
- Planting specification and species selection drawings; and
- Gate, fencing and bench specifications.

8.7 The revised proposals would deliver a number of additional public benefits in comparison to the extant RMP, including:

- Habitats that are viable and sustainable in the long term;
- Permissive east to west linkage route across the Site;
- A dedicated full time RRMP Site Manager;
- Automated gates at key points across the Site;
- Additional flood storage and reduced flood risk to surrounding areas;
- A Visitor and Agricultural Shed for livestock and the storage of machinery with barn owl boxes and rainwater harvesting integrated into the design;
- An uplift in BNG of 17.47%; and
- A financial contribution towards off site signage and lighting.

8.8 The various technical reports and assessments that support the planning application demonstrate that no significant adverse effects are predicted to arise from the development, whilst also identifying the particular benefits of the scheme. As set out within this Planning Statement, the Applicant is committed to delivering the scheme promptly and in addition to the powers afforded to the Council within the Levelling Up and Regeneration Act 2023, has included additional details within the Planning Application and suggested additional planning obligations to manage delivery.

8.9 As such, we consider that the enclosed application should be approved in accordance with the requirements of the National Planning Policy Framework (NPPF) and support National Planning Policy Guidance in a manner that is consistent with the Development Plan.

Appendix 1 – Site Location Plan



Appendix 2 - Injunction Correspondents

➤ **23rd May 2023 – LBS Notification of proposed application for a mandatory injunction**

On the 23rd May 2023, VWM received notification from LBS of a proposed application for a mandatory injunction due to a number of breaches of planning control (planning conditions and obligations). The Notification expressly stated the following:

The purpose of this letter is therefore to expressly notify you that the Council is now considering seeking the power of the High Court to grant a mandatory injunction under section 187B for breach of the conditions to secure compliance with those details and under section 106 of the Town and Country Planning Act 1990 to require you to carry out the Restoration Management Plan (**REF: 13 -1595 3204 D18v 9.1 DATE: 28th October 2015**) in strict accordance with those details alongside the obligations contained within the section 106 agreements to comply with the terms of the CMS and its objectives.

The Council stipulated that the breaches of planning control required complete restoration of the land in accordance with the approved RMP. They stressed that the seriousness of the matter meant that the current situation cannot continue and that urgent action is required to restore the land.

➤ **28th June: LBS Letter**

The letter from LBS highlighted that the planning enforcement and pre-application processes are separate and therefore mutually exclusive.

Concerns were raised by the Council regarding the authenticity of the schedule of works submitted to LBS and VWM's ability to implement the works by the end of 2023. LBS gave a clear instruction to VWM that a detailed and substantive programme of works was required to be received by the 7th July 2023.

The Council considered that the pre-application material submitted was inadequate for the purposes of meaningful dialogue on the proposed variations to the restoration plan. They were concerned that there was no detailed justification included by way of evidence based surveys, to support the proposed changes to the RMP at this stage.

➤ **7th July 2023: VWM Response to notification of proposed mandatory injunction**

Dyne Solicitors responded on behalf of VWM to the proposed mandatory injunction letter on the 7th July 2023. The letter outlined the steps that VWM are taking to address and resolve the position, which included commitments for 2023, submission of a detailed and substantive

programme to LBS for the restorative works on Site and commitments to the PPA process for the revised RMP.

The response covered the covered the Planning Strategy, as well as EIA and a commitment to the timetable below:

- a) Initial pre-application meeting with LBS Officers – 15th/16th June 2023.
- b) EIA Screening Opinion Submitted – Mid-June 2023. LBS is to respond within 21 days.
- c) Sign PPA – End of June 2023.
- d) Refinement of proposals – following formal pre-app response – End of July 2023.
- e) EIA Scoping, if required – End of July 2023. LBS is to respond within 5 weeks.
- f) Engagement and consultation – September 2023 (avoid school holidays).
- g) GLA Pre-Application Meeting – October 2023.
- h) LBS Members Briefing – October 2023;
- i) Submission of Planning Application – end November 2023;
- j) Application Determined – Spring 2024;
- k) Sign s106 legal agreement – Summer 2024;
- l) Agree PPA to manage the discharge of the Planning Conditions and Obligations – Summer 2024; and
- m) Complete restoration of the Site – Winter 2026.

➤ **29th September 2023: LBS Response to VWM letter dated 7th July 2023**

The LBS wrote to VWM on the 29th September 2023 highlighting that progress against the programme of action previously issued by VWM was serious lacking. The letter advised VWM that prompt action on site is required.

LBS considered that there was a lack of progress with the pre-application process in accordance with the agreed PPA. VWM were reminded that there is a clear directive from the Council to commit to the restoration and amended scheme submission and, if either of these separate issues are permitted to stall, the Council will not hesitate to proceed with its full injunctive powers, without delay.

➤ **17th October 2023: VWM Response to LBS Letter dated 29th September 2023**

The response to LBS covered Planning matters and highlighted that emails between the Planning Agent and LBS did not form part of the PPA. It reiterated the Applicant was following a process to review and update the RMP, and whilst officers were frustrated with the lack of progress on the RMP, it was considered by the Applicant that the full update on progress

provided at the last pre-application was worthwhile. It included a detailed summary of pre-application meetings with GLA and EA, and responded to LBS's concern that these items were not being progressed. In particular, the dialogue with the EA has helped to inform our understanding of the abstraction license requirements and water availability.

VWM did not contest that the latest RMP Masterplan was not tabled at the last Pre-Application meeting. But did highlight that both parties did commit to 2 hours of meaningful dialogue on the feedback from statutory consultees, the Access Strategy, and relevant evidence supporting the direction and progress of the RMP. This was a useful discussion and supplementary discussions with officers are helping to feed into the revised RMP proposals.

Appendix 3 - November 2023 Pre-Application Feedback and Applicant Responses

DOC Name		Officer Comment Line 1		Officer Comment Line 2		Applicant Response Nov/Dec 23		DESIGN RESPONSES		LBS response - Jan 24		Applicant Response Jan 24				
Level of Detail																
						The comments regarding the level of detail required are noted and responses to each point are set out below to help inform the development of the application material. A separate Planning Conditions and Planning Obligations note has been issued with this tracker, which sets out our thoughts on the items that can be detailed and submitted as part of the planning application, so that pre-commencement conditions are reduced to the minimum necessary.										
Draft RMP & RMP Masterplan (including Cattle and Visitor Shelter)	There needs to be a coherent and nuanced ecological thread for each habitat (extant and to be created) within the revised RMP. This needs to follow the pathway of:		a) assessment (BNG and MKA Ecology surveys, including previous NVC and CSM surveys) of the current composition and condition of each habitat (and compartments / parcels therein). It is noted that the revised RMP and LEMP make no reference to the current BNG values or condition assessment which must be the starting point for an assessment of the merits of your proposal, and this must be clearly evidenced.		RMP is intended to be a broad document as it puts conservation objectives in CMS into context and links with LEMP. Will update RMP with some more baseline detail from recent surveys but it is not intended to be exhaustive such that its focus is lost. BNG details including values and condition assessment will be presented within a separate report.		Reference to the supplied and referenced data is necessary to understand site issues. Any update needs to show where we are, where we want to be and how we are going to get there. That is the point of an RMP. Any BNG stuff should be referenced and cross referenced in the RMP. To say that it will be separate will lead to confusion.		Please refer to the RRMP, HMP and BNG submitted with planning application.							
			b) 'final destination'. You need to explain the drivers for undertaking the work, for each habitat. The Council notes references to the CMS objectives within the revised RMP but these do not provide a final outcome. You need to explain what the final habitat is going to be (at least UKHab for the BNG values and ideally, NVC phytosociological community / subcommunity) and the intended condition you are seeking to achieve.		RMP masterplan to remain the same. Additional details will be provided as appropriate although habitats listed within RMP and LEMP are those considered suitable to support Target Species listed as part of CMS objectives.		This does not answer the point. You need to explain what the final habitat is going to be (at least UKHab for the BNG values and ideally, NVC phytosociological community / subcommunity) and the intended condition you are seeking to achieve		Please refer to the BNG Report submitted with the planning application. This includes UKHab classification from baseline to final habitat. Habitats are explained via UKHab classification rather than NVC.							
			c) You must explain how each habitat will fulfil its final habitat type and condition, taking into account the baseline conditions and constraints identified for each habitat. The LEMP for each habitat and compartment within that habitat needs to be far more considered, rather than explained in generic terms.		Suggest this is covered in the LEMP. Chapter 2 should become Habitat Creation and Monitoring, should cover how each habitat will be established based on baseline conditions. Further detail can then be provided for appendix B habitat tables. Some detail will also be presented in the BNG report.		A Habitat Creation and Monitoring Chapter is a welcome suggestion but this again, must cross reference the RRMP, LEMP, BNG, CMS and other relevant documentation at key intervals.		A standalone Habitat Management Plan report that cross references with the RRMP, LEMP, BNG and CMS has been prepared and submitted as part of the application for all proposed habitats.							
			You must explain how each habitat/compartment will be monitored and who will undertake monitoring. The revised RMP sets out "Surveys will be carried out annually and extend to the end of the 5-year aftercare period." but this is inadequate for the reasons set out below.		Noted and monitoring regime will be revised and methodology provided.		Monitoring - check this has been added into revised plans		Please see the HMP submitted with the planning application. Monitoring will be updated to reflect LBS request: years 1-3, 6, 7 and 10 and 5 years thereafter.							
			i) At the very least, the Council will require monitoring in years 1-3, 5, 7, & 10 after each habitat is created (or from when the revised management occurs) and then every 5 years after year 10, although, given the long-term issues with this site, this may be increased.		Monitoring years will be reviewed in both LEMP and RMP.		Monitoring - check this has been added into revised plans		Please see the LEMP, RRMP and HMP submitted with the planning application.							
			ii) It is strongly recommended that, given the difficulties with the site and the state of the current habitats, due to the lack of appropriate management, each habitat/compartment is subject to an annual Phase 1 survey, generating a complete species list with DAFOR relative abundance for each species recorded and this is compared to UKHab (V2, and any subsequent revisions, taking into account the data collection required for assessment against each habitat in V2). To this end, it is recommended that a bespoke rapid assessment is created. This needs to combine the requirements of the DEFRA condition assessments and the UKHab requirements, to collect all necessary data as easily as possible. The Council is currently working on a bespoke rapid assessment and is happy to share and discuss the approach.		Recommendations noted. Survey regime will reflect that of monitoring (years 1-3,5,7 and 10) then additionally every 2-3 years thereafter) to allow plant communities and habitats to develop. Rapid Assessment, aim purpose and methodology to be discussed once finalised by LBS.		Monitoring - check this has been added into revised plans		Details of monitoring included in RRMP and Habitat Management Plan submitted with the planning application.							
			iii) The Council strongly recommends that the annual surveying informs the management of each habitat, so that vagaries of species composition, weather etc. are captured and built into the work schedule		Recommendations noted. Annual surveys of habitats during implementation and aftercare period may identify need for adaptive management and/or interventions. This will be covered in LEMP.		Monitoring - check this has been added into revised plans		Please see the LEMP/HMP submitted with the planning application.							
			iv) The proposed NVC survey schedule (3.13.4, pg 25) is far too narrow. This should be at least every 4-5 years, due to the time and effort involved in data collection and processing, and the time it takes for phytosociological community changes to be adequately detected. As such, an adequate timetable is likely to be year 4 or 5 after creation (after letting the site settle into regular management), then year 8 or 10, 12/14 etc. etc. until year 30.		Timetable for NVC survey will be revised.		Monitoring - check this has been added into revised plans		Details of monitoring included in RRMP and HMP submitted with the planning application							
			v) The proposed monthly water level monitoring rates (3.13.5, pg.25) are wholly insufficient for the site; especially during breeding season and the increased risk of summer rain storms/flooding, water levels need monitoring (and possibly adjusting) as frequently as possible i.e. at least three times a week. Additionally, it should be undertaken with appreciation of forecast weather.		Proposed monitoring frequency to be revised. Suggest more frequent monitoring during establishment period. Add further detail regarding monitoring of weather forecast. The FRA will also include details of management during flood events.		Why during the establishment period? This misses the point made. water levels need monitoring (and possibly adjusting) as frequently as possible i.e. at least three times a week		Please refer to the RRMP submitted with the Planning Application which provides the rational for a water monitoring strategy.							
			You need to explain the revision timetables to the revised RMP / LEMP and set out when the documents will be revised. This needs to be based on the management and annual monitoring of each habitat, to ensure it is progressing as it should towards its 'final destination'. The Council anticipates that the first 3-4(5) years after creation will likely involve significant repeat works, to enable the habitat to establish along best practice guidelines, before management settles down into a more regular and less intensive pattern from around year 5 into perpetuity. As such, the Council would expect a revision around year 5 at the end of the 'aftercare' period and then again at around year 10.		Additional chapter to be included within the RMP/LEMP to state the review of both documents will happen at years 3, 5 and 10 and revisions made if needed.		Check this has been added into revised plans		Please see the RRMP submitted with the planning application							
		As set out at the meeting, the Council has drafted management plans for most/all of the habitats/compartments and, where these may be useful, will share these with the applicant. In general, the RMP and LEMP are currently high-level and generic, which is of concern as these will not be sufficient to represent the detailed documents for management and monitoring. There needs to be a very detailed description and programme of work for each habitat/compartment to deliver the nuanced management required. The Council recommends that habitat/compartment management plans are the best way to achieve this. The applicants are free to either do this (separate habitat management plans), or, create a very detailed revised RMP / LEMP, but, in our opinion, the very detailed RMP/LEMP would likely have significant length and complexity.		Habitat Management Plans received from LBS. Habitat Management Plan to be prepared and submitted with the planning application.		LBS are expecting to see Management Plans for each of the named habitats.		Please see the HMP submitted with the planning application.								
Phasing	The Council acknowledges your general rationale that meadowland creation (acid grassland (AG) replacement) would be undertaken in phases so as to avoid significant ecological disturbance, but, given that the existing AG baseline is highly likely to be very low, with negligible incumbent species, your reasoning for 5 of the 6 phases proposed is illogical as Phase 6 is reliant on the completion of Phase 10 infill and must be completed last.		6 parcel strategy to be refined following review of baseline.		6 parcel strategy has been reviewed and refined. Further detail provided within the construction phasing programme and HMP.											
	The Council has not had sight of any proposals or rationale for the suggested reprofiling of Phase 1 and Phase 3 wet grasslands, but these are both proposed for Q3 of 2025.		We will address this in the RMP and water reports.		Check this has been added into revised plans		Please see the reports submitted with the planning application.									
	These habitats have ecological sensitivities which should be considered for phasing. If the works in Q3 2025 are not started or are executed incorrectly this will have an adverse impact on the 2026 breeding season.		Note or text to be added to the phasing figures that states the reasons for working within timeframes. i.e. - re-profiling works to be done outside the bird nesting season Oct-Feb to ensure impact to nesting bird species is not compromised.		Any reprofiling of these habitats should take place with the intention of facilitating an autumnal seeding window. Any reprofiling works left until late winter/early spring are more likely to have to be halted by shifting seasons/weather conditions affecting the onset of breeding.		Agreed, timeframes have been considered with the construction phasing programme.									
	Both of these habitats are already created and whilst it is recognised that both require, at least tidying up, ongoing suitable management for P3, and increased water security and ongoing suitable management for P1, this should be the focus of work in 2024, to improve current condition (probably P3) and improve the overall functioning of P1.		Yes agree, we will provide some text in accordance with this to sit alongside the phasing figures.		Check this item in updated plans		Timeframes reviewed and updated within the construction programme for the three wet grassland phases.									
	Without rapid and considered intervention in 2024, these habitats will not provide even the level of habitat provision for lapwing and little ringed plover they did in 2023. As it is, the window of opportunity for undertaking the necessary habitat management and improvements ahead of the 2024 breeding season has almost certainly passed.		To review wet grassland phases 1 and 2 against construction timeline in accordance with nesting periods.		Stantec have raised options for interventions with Valencia to promote availability of nesting habitat to facilitate breeding season.		This comment does not answer the key issue.									

	Without an immediate focus on wet grasslands on the landfill site, the most iconic target species are reliant on the offsite 'displacement habitats' (100 Acre and South east Corner) and there is no guarantee that Thames Water can or will be able to maintain these adequately in 2024, or into the future.	No action needed here.	ACTION IS REQUIRED! We NEED P1 and P3 to be in as optimal condition as possible for breeding 2024, as per email between 14/12/23 and 19/12/23 between LBS and Stantec, because of the loss /uncertainty of management by TW on the displacement habitats. VWM need to deliver these key habitats ASAP!	Stantec have raised options for interventions with Valencia to promote availability of nesting habitat to facilitate breeding season.
	The security of ground nesting birds in the wet grasslands should be further secured by the use of electric fencing. Where predator fencing currently exists (Phase 1 and Phase 3), this would involve the addition of two strands of electrified wire above the crank; this would both increase the fence height and reduce fox ingress but require vegetation to be controlled around the fencing to reduce grounding issues.	No action needed here.	Advice from the fox controller is that foxes were going 'over the top' as opposed to 'digging in'. During the early part of breeding 2023 work was done to tie up loose ends, repair holes and seal gates but foxes were still able to get in. Numerous studies have shown that low cost electric fence lines can reduce fox predation on wet grassland habitats. These systems are solar powered and service areas much larger than Phase 1, 2 & 3 combined. Speedrite	Area where incursion is noted may need specific attention. This will need an evidence base and linked to nest loss by foxes, as opposed to advice from fox controller.
Draft RMP and Masterplan	Consideration of the impact of works on the landfill site on the surrounding habitats, including Thames Water land (including lagoons 5&6 to the east of Phase 10 infill, from tree planting) and the impact on the Prologis offset site (Beddington Lane Ecological Reserve - BLER) to the eastern boundary of the site, together with the proposed tree and scrub planting along the landfill boundary.	No action needed here.	Action is required to consider the holistic landscape and possible impacts from and to the proposed works, especially in the proposed creation of a ring of trees and scrub around the eastern edge of the site, rather than a ring of wetland mosaic, as has been discussed for years	RRMP has been considered in light of adjacent land uses, CMS objectives and BNG requirement.
	The necessity to create vistas for ground nesting birds, especially in P1 and P2 and the relatedness of works at Three Corner Field (3CF):	No action needed here.	Proposed individual trees to the north of P2 needs to be removed to provide the open vista element and the removal of avian predator perches. Suitability of scrub/wood planting adjacent to the water storage area on the south eastern area needs to be considered.	Amendments to plan will be considered in line with CMS objectives.
	P1 is already 2 metres below the surrounding surface level and it is assumed P2 will likely be excavated to a similar depth, with the MEC and pylons creating a separating bund between these. As such, each phase creates a smaller optimum breeding area away from boundaries than if the MEC bund was not present.	No action needed here.	There is seemingly no reason for a bund between P1 and P2. Previously, excavation beneath pylons has been the reason given for not lowering this bund but previous work on site has shown this is not the case. Consideration for lowering of this bund should be taken as it will create the more open vista favoured by the target species. From conversation with TW staff, the MEC sits much lower than the maximum depth of Phase 1 and so should not be a limiting factor.	
	There was some discussion about the boundary trees along Cuckoo Lane and the proposed works at Three Corner Field and whether they act as a further separating barrier between possibly useful habitats (P1, P2 & 3CF). In addition, in the context of the trees providing significant aerial predator perches, further consideration should be given to the merits of the retention or loss of these trees.	3CF has been removed from the red line boundary.		Please see response within Section 4 of the Planning Statement.
	It is appreciated that bats (mainly common pipistrelle, according to MKA data) already utilise this linear landscape feature but the Council is of the opinion that the linear nature of Cuckoo Lane/Oily Ditch is sufficient for commuting bats, regardless of tree cover. It is possible that this ditch could also be reprofiled and improved, to compensate for the possible lack/reduction of tree cover.	No action needed here.	TW DoV 2015 RLB differs to that shown in these proposals. LBS would like to request that a new DoV is created trading the narrow strips in the Displacement Habitats for Three Corner Field so that it could be included in these proposals. Including TCF would be extremely advantageous in the efforts to conserve and attract Target Species. All avenues for including TCF must be fully explored.	
	That 3CF has not been used by lapwing in the recent past as their breeding efforts have been centred on the expanded beds to the NE of 100 Acre and the 'Conservation Lake'. The Council questioned whether expansion of these beds would be more profitable for lapwing, appreciating the tiered nature of this part of the site. You noted the likely increase in PET (potential evapotranspiration) levels from creating larger waterbodies, which is understood, but if the plan is to retain these as smaller, lined, ponds, then the conservation focus needs to shift away from lapwing to water pipit, green sandpiper, teal and the extant passerines that breed here.	3CF is now removed from proposals due to land ownership.		
	The Senior Biodiversity Officer noted from the Masterplan map that there were difficulties in distinguishing the different habitats, due to the limitations of providing significant detail on one map, given the size of the site and these constraints are appreciated.	The legibility of the masterplan has been reviewed and where possible further contrast has been created between existing/proposed habitat types. For further clarity, the key has been re-ordered and separated into proposed/existing elements along with a numbering system for each habitat which correlates with the plan. Updated masterplan has been shared with officers in advance of the meeting.		
	The Senior Biodiversity Officer also noted that the Masterplan map needs to be presented as a UKHab map (to tie in with BNG) and that certain habitats (such as species rich grassland) were shown on the Masterplan map but not mentioned in the revised RMP or LEMP, so it is unclear what they are and you must clarify this.	The use of species rich grassland on the RRMP masterplan needs to be reviewed.	Tie in as a UKHab type.	Grasslands has been identified by UKHab reference and referenced in RRMP, LEMP and HMP.
	We also discussed the cattle barn/visitor centre and further clarification is required on this aspect of your proposals.			
	Do you intend to accommodate working plant (tractor and equipment, plus other vehicles tools) on site for the warden and/or VWM staff to utilise (in addition to the tools and vehicles the warden already has), or will all management be undertaken by contractors? If it is the latter, it is unlikely that the barn will be required for the purpose of storing large tools and equipment.	A 900sqm GEA Visitor and Agricultural Shed is proposed on previously developed land on the eastern side of the masterplan. The Shed will provide a secure space for the storage of the following equipment: -Tractor; -4x4 Pickup; -Drum Mower; -Baler (small rectangular); -Flail; -Articulated Flail; -Tedder; and -Small Rowing Boat. A small 5 ton trailer, 20ft flatbed trailer and a small boom sprayer will be stored outside of the Shed.	No answer as to who this equipment will be used by. There is a clear requirement for cattle to be part of the management tool kit and as such VWM will need to clearly set out in a Management Plan and address the realities of having cattle on site. Animal welfare will be paramount. Questions raised in the November letter still require addressing such as: ownership and responsibilities, herd size, breeds, animal welfare, stocking densities according to habitat and season.	VWM are currently looking to work with Downland Partnership Grazing (recommended by LBS) to deliver a grazing strategy for the site. Two options under consideration 1) Cattle bought to site as needed and 2) Cattle based on site all year. The second option delivers far more flexibility with regards grazing the whole site. Downland use Sussex Cattle which do not need over wintering in a shed although a shelter will be required for cattle husbandry. Downland do not feed their cattle hay or straw but manage the herd size to match available feed. Current suggestion is 6 cattle would suffice whilst the site establishes itself.
	The Council questions the necessity for a 'cattle barn' as this depends on the provision and ownership of cattle. If local, native bred livestock are utilised (which the Council currently uses) and so it is unlikely they will need winter quarters. This raises the question of whether cattle are to be on site all year, which depends on stock availability, stocking densities and the requirements for each habitat/compartment, as well as ground conditions at the optimum grazing time. As large areas of the site are clay, low stocking densities and restriction around timings on most habitats will need to be factored into grazing plans, to prevent excessive poaching.	The Shed will also provide space for cattle to be housed, hay/straw and for community groups / visitors to store bags and equipment when visiting the Site. An update drawing has been produced to show the internal layout of the proposed shed.	Some of these items are on site but are old, broken and require expertise to repair. Will these be replaced or repaired accordingly? Does not include a TRUXOR DM 5000 machine as mentioned later in the doc. This equipment should be purchased and maintained by VWM for both VWM and the Warden to use to manage the site.	The TRUXOR will be hired in as required, or the need management will be contracted out depending on the scale of works required. There will be a need to hold a tractor, trailer, flail, roller and 4x4 on site as a minimum. Again depending on the scale of each task there maybe a need to contract out the work.
	The Council considers that cattle grazing is highly likely to be a relatively low cost and efficient way of undertaking habitat restoration across almost every habitat on site, but this requires holding a herd of possibly 10-30 head on site for most of the year and splitting them into various habitats/rotating their grazing areas (cf. previous grazing proposal from the Downlands Partnership). Careful consideration needs to be made as to livestock ownership and responsibilities, and this links back to the requirement for a 'cattle barn' of the proposed size.		Has an updated drawing been shared with LBS? If not, when will it be?	Please see drawings submitted with Planning Application.
Biodiversity Net Gain	No new information has been provided in this regard to respond to our BNG comments dated 2nd October. It was agreed that a separate workshop will take place at an additional cost as per our agreed PPA and the Council's adopted pre-application guidance.	BNG workshop programmed for w/c 11th December 2023	Refer to the January letter for response.	Noted.

Draft Landscape Environmental Management Plan and Habitat Management Plan (LEMP)				
	It is imperative that the LEMP is tied into the BNG values and the revised RMP, as set out above.	No further action needed here.	Further action required. As mentioned previously, each of these new documents need to cross reference one another to create a cohesive package. This is not the case from the October submission.	The relationships between the RRMP/HMP/LEMP etc have been reviewed and further clarity on these will be provided in the submitted application.
	The Council notes that the LEMP states "The prescriptions defined within this document will commence following the 5 year implementation and management phase undertaken by Valencia Waste Management Ltd..." (1.4.2, pg 5, our emphasis) but the revised RMP states it "...sets out the details of habitat creation, restoration, its ongoing management and the desired outcomes of the plan within the short and medium term, and as far as 60 years from now..." (3.1.2, pg.8, our emphasis). If the LEMP does not provide details on habitat creation, you will need to clarify where these details will reside and how will this link with other documents.	Following discussions with LBS Officers and further discussion between Stantec ecology and landscape, we are proposing to include the habitat creation information within a separate Habitat Management Plan, to avoid the LEMP becoming overly complicated or unusable as a 'manual' for intended aftercare. The HMP will be drafted by ecology, with input from landscape where required. A operational timeline diagram will be created as a new figure and will sit within the LEMP to provide further clarity on the proposed timeline.	These developments are a welcome suggestion	Noted.
	As there are significant overlaps with the above comments on the revised RMP, the Council does not make detailed points here, except to remind the applicants that sufficient detail will be required in order that a report can be taken to the Planning Committee that offers support for your proposal in planning terms. As set out above, there are significant gaps that need addressing.	No further action needed here.		
	Of particular note is that, notwithstanding all of the additional information LBS requires at the determination stage, the revised RMP and LEMP set out management and monitoring actions that are (certainly for on site management) above the levels that the site has been subjected to, for a long-time.			
	Viridor underinvested in this site for many years, despite warnings from the Council, and VWM will therefore, need to significantly increase resources to deliver the already approved habitats to the required (updated BNG value) condition and to create sustainable new habitats.			2 permanent staff are required on site to undertake construction and maintenance throughout the year. This may need to increase to 3 for circa 6 weeks in the spring and 6 weeks in the autumn.
	Even if the vast majority of the work is undertaken by contractors, this requires knowledgeable, onsite staff, working with the Warden (and MKA Ecology/any site ecologist) to ensure that nuanced management is undertaken, at the correct time, for each habitat. Your current proposal of 1 Restoration Manager (dealing with multiple sites) and 1 Restoration supervisor (mainly spending time on the weighbridge dealing with infill of Phase 10), neither of whom have an appropriate conservation management background, is wholly insufficient.		No response to the consideration of the resources required to actually deliver the proposed RRMP (cf. no personnel available to undertake basic site management for litter bins etc.)	
	Finally, the following sets out the Council's concerns about the shortcomings of this LEMP document:			
	Meadow grassland	"It is proposed that 80% of the sward will be mown on rotation once each year (this cutting of the grass should be undertaken outside the breeding bird season which is March–August inclusive) to keep the sward short and suitable for ground		Please refer to the submitted HMP.
	Mowing at this intensity (unless combined with aftermath grazing, noting the comments on grazing in Appendix B) is almost certainly insufficient, particularly where there is new habitat created. As an example, the AG area, requires multiple cut and removal, each and every time the sward reaches 150mm height at least during year 1 and probably year 2 after creation.	Needs to be updated following review of more specific habitat creation notes within the HMP.		
	The aim needs to be to undertake a haycut if conservation grazing is not utilised as an attritional intervention for grassland management and any necessary follow up cuts to keep the sward short over the winter period and into spring. It is noted that timings for mowing cessation in spring will depend on yellow rattle / hay rattle Rhinanthus minor takeup, before being 'closed up' for the summer growth period, to promote botanical diversity (depending on proposed BNG values) and invertebrate biomass.	Needs to be updated following review of more specific habitat creation notes within the HMP.	Ensure that each of these points and more are brought into a HMP as suggested.	
	The proposed methodology will not keep swards short (<15cm) on the meadowlands for foraging lapwing, without cutting or low intensity conservation grazing, during the growth season.	Needs to be updated following review of more specific habitat creation notes within the HMP.		
	The proposition for 'wet depressions' on the landfill (2.1.6, pg.7) is contrary to all previous discussions between the Council and the landowners on the necessity for the landform to 'shed water', so this approach needs clarification.	No wet depressions or swales are proposed on the former landfill. Any mention of them will be removed from both the LEMP and RRMP.		
	There is still a 'hangover' from the original RMP regarding the meadowlands as being mainly publicly accessible: "A largely amenity sward for recreational use..." (Appendix B.1), rather than a species rich grassland with selective and restricted access.	RRMP text to be reviewed and adapted as suggested.	Check for this in updated docs	Please refer to submitted RRMP.
	You should note that the proposed seed mix (Emorsgate EM34) contains both upright brome Bromopsis erectus (3%) and meadow oat grass Helictochloa pratensis (4%), which are both chalk downland species (i.e. species of thinsoils or free draining chalk bedrock), as well as perennial ryegrass Lolium perenne (3%), negative indicative species of grassland richness. Whilst the pH of the soils on site is generally high, it does not follow that the species mixes selected should be those more suited to calcareous or limestone grasslands. Revision of species mixes to better reflect the landform condition, which is wet clay in autumn/winter and then cracked clay during the summer, is likely to provide more sustainable results.	We are using a commercial available seed mix, regardless whether a couple of species fail, it seems over the top to change the mix on this basis.	This point is not about species that 'fail' but rather species that will proliferate under current soil conditions (and soil analysis needs to be undertaken to understand this). This point needs to be understood. Perennial Rye Grass will dominate if management follows the pattern seen in previous years and VWM will fail to deliver a species rich Grassland. The Council disagrees that it is 'over the top' to specify seed mixes when those in the Extant RMP are species specific and that to do so will reduce the effort required to reduce/remove potentially problematic species.	Soil analysis results have now been provided and reviewed, detail of this will be provided in the RRMP and HMP and along with appropriate seed mix choices for the habitats.
	Neutral grasslands	"The sward will be mown once a year when it is deemed too long for wader species to use. ... After the first cut in February, if the sward height is deemed to have become too tall for waders then a second cut should be undertaken in September..." (2.1.8, pg. 7)	Check for this in updated docs	Please refer to the HMP submitted with the planning application.
	As noted above, foraging lapwing requires a short sward. Although sward height may be set at the correct height after a cut in February (although note that this may be unachievable due to the slope around the landform and clay soils), any lack of intervention will ensure sward height increases during spring and summer, making it unsuitable for any waders that move onto the slope away from the wet grasslands (which, in itself, is unlikely).		No response; this is concerning that the site contours and limitations do not seem to be understood, nor the specific requirements for lapwing	Cutting regime, and aftermath grazing will be used to maintain short swards as much as practicable across site.
	Note also that Appendix C refers to a 'haycut' being undertaken in February, which is physically impossible.	Text to be reviewed and updated within the LEMP	Check for this in updated docs	Please refer to the HMP submitted with the planning application.
	Reedbeds	The reedbeds are currently significantly failing in terms of extent and condition		
	As per previous comments, there is no information on any habitat creation in the revised RMP or the LEMP, but this habitat is shown as fully complete on years 1-2 in the 'Construction Phasing plan' but there is no corresponding creation effort shown in the 'Construction Phasing 30.10.2023' Gantt chart, apart from 'reedbed islands' and there is no consideration or evidence that this is the best way forwards, given existing site constraints.	Stantec propose floating reedbed islands which are pre planted and move up and down with the water levels. Needs to refer to HMP and be updated following review of more specific habitat creation notes within the HMP.	I think we need to see good evidence for the longevity of this approach. Our concern is that the floating beds will deteriorate over time and that to deliver th size of reedbed required is disproportionately expensive. The long term, sustainable option is probably to 'build up' the island beds with soft sediments. This is standard practice and should be simple to achieve and manage in the long term.	Evidence and reasoning will be provided within the HMP. Any change in depth of lake will require excavation elsewhere to accommodate lost flood storage.

	The Reedbed present on site will be divided into seven management compartments, with each compartment subjected to cutting once every seven years... When a management compartment is due for cutting, the water levels will be kept low to facilitate access until after the cutting activities are completed, and the water levels will not be allowed to rise above the level of the cut stems for the remainder of that winter period." (2.1.46, emphasis added).	The floating reedbeds compartments can be effectively managed with Truxor DM 5000. Needs to refer to HMP and be updated following review of more specific habitat creation notes within the HMP and then the AB tables can be long term management.	This kit isn't in the list of equipment to be stored in the shed. If this is going to be required, needs to be made clear how and when it will be available. Also, its use extends far beyond reedbed management and the purchasing of this vehicle could greatly enhance VWM and the Warden's ability to manage all wetland habitats on site.	VWM are likely to hire specialist equipment or contract the work out.
	This suggests that each year, water levels will be kept low, as each compartment is cut and not flooded, but this is currently hydrologically impossible. The southern channel feeds into the southern lake, which is divided by the causeway weir, which is ineffective and has required remediation for several years to enable hydrological control, which then feeds into the northern lake.	N/A with prescribed approach above.		
	Without bypassing the southern lake from the southern channel, it is not possible to keep water levels low, particularly in winter / flood events.	Text to be reviewed and updated within the LEMP.	Bypass channel inappropriate as changed levels would destroy what little wet woodland exists on site; however, water control needs further consideration, even if floating reedbeds are the preferred solution.	Please refer to the HMP submitted with the planning application.
Recording of management work	The Council is not aware of any detailed management records held by Viridor or VWM.	No further action needed here.		
	The Council holds some records which covers activity since the Warden took up position.	No further action needed here.		
	The revised RMP and LEMP needs to include all management, for each habitat/compartment, needs tracking and usually, mapping, year on year. This is vital in ensuring nuanced work occurs in the correct areas, at the correct times.	A small chapter is to be included under monitoring header that covers recording of management info .	Check on this at next submission	Please see the HMP/ LEMP submitted with the planning application.
	The Council has recommended a system, such as CSMi (or equivalent), is utilised to ensure all management actions are properly set out for each compartment, mapped and actions recorded.	No further action needed here.		
	The Council needs to understand the proposed framework for the 'plan, do, record, review' cycle critical for correct implementation and management of each habitat/compartment on site.	A small chapter is to be included under monitoring header that covers recording of management info .	Check on this at next submission	Please see the HMP submitted with the planning application.
Draft Access Strategy				
	It was agreed at the meeting that your landscape consultant would provide the site constraints in bullet points that you are taking into account when considering access to the site, for the Council to be able to make further comments. This mainly relates to paths and spurs etc. which had impacts on slope gradients, infrastructure etc.	A call took place with LBS Officers to discuss these constraints. Minor amendments were agreed and have been actioned.	It should be noted that the fencelines that have been installed on site in late 2023 are not in line with the proposals. How will this be addressed? Will the proposals be changed to suit the locations of fences now or will fences and gates be moved to meet to plans at a later date?	The position of the fences onsite will need to be adjusted.
	In October 2022, the Council wrote and shared the 'Access and Communications Scoping document' outlining some of the key issues you will need to consider as you develop a publicly accessible nature reserve. However, the first draft received at this stage is not advanced to reflect the fact that the Scoping Document has been with the applicant for over a year. The Council sets out below a further considerations for the Communications and Access Strategy to further develop as V2.			
	You must set out a clear plan set out for how this site will be accessed by members of the public and this needs to explicitly reflect how, if VWM are going to build fully accessible pathways, best practice 1,2 is referenced by each feature, including resting points and landings, height (hide windows etc.), barrier widths, whether toilet facilities are provided and how this is communicated, how on-site access ties into wider access e.g. can people access along Mile Road to the site.	The Access Strategy will identify which routes are permissive (364 day access) and which are seasonal. As discussed with Officers it is not possible to define seasonal at this stage and it should be open to flexibility to allow the site warden to close routes to ensure limited biodiversity impacts. There will be no public toilet provision. The east-west permissive path will be opened when the site warden agrees.	"The east-west permissive path will be opened when the site warden agrees." This does not accord with the information set out during the public consultation!	Our proposals on this have evolved and the east/west path is to be open during daylight hours only. It will be shut when dark to mitigate against potential anti-social behaviour.
	You need to explain how the site will be staffed. The applicants will need personnel to open gates in the morning, monitor site behaviours during opening hours and to clear the site of visitors prior to closing the gates unless some automatic solution to opening and closing is achievable, especially if that allows people out but not back in.	VWM expect that site opening will be at the behest of the site warden. Automatic opening and closing is not an option.	This is wholly insufficient and not part of the Warden Job Description. Automatic gate solutions were forwarded on 19/12/23, to explore. If relying on the Warden, the site will never be opened due to the roles capacity and time constraints to deliver access on a daily basis.	Automatic gates have been included in the submitted planning application.
	It is acknowledged that efforts have been made to include certain visitor elements such as route setting and gates. However, the site is large and will require benches and possibly larger seating areas. Locations of bins and the collection and disposal of that waste should also be taken into consideration. The proposed twice yearly litter picks in the LEMP e.g. B1, are likely to be insufficient, especially noting the remnants of litter from the previous use of the site for landfill.	Seating details are to be included within the application. Bins will not be provided as this encourages littering and no personnel would be available to empty bins.	So who will carry out litter picks and checks, who will check infrastructure for safety? Also, at the public consultation it was said that dogs would be permitted on the pathway network. If this is to be the case (we strongly advise against!) then you will need dog poo bins that are regularly emptied, otherwise there will be poo bags in and around the hedgerows of that pathway network or just left in the deposition zone.	Dogs to kept on leads and visitor behaviour to be communicated via signage and website.
	There should be a commitment and clear definition of the process to outline expected behaviours of the site. The Council and the CSG has suggested that the applicant follows other nature reserves of this type within London as outlined in the Scoping document.	Interpretation boards are provided, details of signage can be conditioned.		
	While there has been an effort to outline gate types, there needs to be a specification of chosen types within this submission, to ensure that the Council has the confidence they are fit for purpose, specifically those designed to stop motorbikes accessing the site and bicycles on the main walking routes.	Noted and will be added to Access Strategy.	Who will repair these when they are broken?	The RRMP Site Manager.
	Several items from the Scoping document have not been included in this first draft and need further work. These include (but are not limited to): i) Opening and closing hours ii) Restricted activities iii) Visitor interactions iv) Brand guidelines	It has been advised several times that this requires flexibility i) opening hours should not be prescriptive (see above), ii) restricted activities will be identified and included on signage, iii) visitor interactions will be explained iv) brand guidelines. None of these issues affect the delivery of the restoration and therefore can be conditioned if necessary.	The flexibility element is not relevant here. Opening hours in terms of 'daily access' should be made clear (seasonality of routes is yet to be determined and should be committed). To say that 'none of these issues affect the delivery of the restoration' is inadequate. VWM have an obligation to deliver an 'appropriate level of public access' and each of these items is key to ensuring that public access and the management of that access is appropriate to the nature conservation value of the site (not in its restored form but its intended deliver towards the Target Species). Items i, ii, iii are NECESSARY...brand guidelines (item iii) will ensure that each of those are tied together in a coherent package.	Please refer to the submitted access strategy.
Communications				
	The communications section in this document has failed to advance this element in any meaningful way from the 2022 Scoping document.			Please see the submitted access strategy.
	There needs to be a clear narrative as to what the site is, and is not, and how that will be communicated. The proposed digital communication via copies of interpretation boards to be hosted by other websites is not recommended, as each suggested provider may not be able to, or wish to, hold this information for VWM.	noted and will be included		
	It is stated that "The CSG are suggesting that either Valencia develop a Communication Strategy or that the owners and CAMC take a collaborative approach to creating this element of the project." (3.10, 3, pg 27) but there is no resolution to this suggestion. You will need to come to a position on this and indicate their commitment to take this forward.	noted and will be included		
	Furthermore, "The previous 2019 Restoration Management Plan v9.1 (Point 2.1) confirmed that 'public access will only be implemented once the restoration areas are fully functioning and the ecosystems have been established and monitored'. This will remain and be determined by the Site Warden in conjunction with the CSG." (3.9, pg 26). This will need to be front and centre in communications to all stakeholders and members of the public, to explain that even though new hides have been installed, the site is not ready to receive regular visitors, until those habitats are ready.	noted and will be included	Check on this at next submission	

	You should commit, at the very least, to creating a website for the Beddington Farmlands Nature Reserve, not only as the site opens to the public, but to keep members of the local community up to date with the progress of the project, in line with the RMP, as well as how to access the site.	noted and will be included		
	When public access to the site increases, the website would host all the information on access hours, behaviours, routes, events and current sightings etc. To simply create a 'digital interpretation board' to be hosted on other parties' websites is insufficient in providing the aforementioned key visitor information (as set out above).	noted and will be included		
	You will also need to consider how onsite signage will tie into the onsite communication. I.e signage on/at public transport infrastructure, roads and paths need consideration, as to how will visitors know how to get to the site	This will form part of the s106.		
	In addition, it was discussed at the meeting that the access strategy will need to be accompanied with a Temporary access strategy to offer as much public access as possible. You also mentioned at the meeting that you wish the overall access strategy matter to be left to be addressed by conditions. As mentioned above, there should be a balanced approach regarding the use of conditions in this case and what these conditions should involve, due to the history of the site and the need for expediency in progressing the restoration of the site.	We suggest that a temporary access strategy is to be prepared and submitted with the planning application.	See the January 2024 Pre-app 4 response letter	Please see the submitted access strategy.
Phasing, Construction and Delivery Plan Overview	The meadow grassland has been subdivided into 6 separate delivery parcels but it is unclear why (except for Parcel 6). Given the current condition of those areas it is difficult to see the purpose of this delayed delivery.	To be refined.		
Year 1-2	Wet grassland phases 1 & 3 show re-profiling works taking place, Phase 2 commencing and Construction of Three Corner Field. Broadly speaking, the fate of these habitats is predicated on the outcome of ongoing conversations with the EA around water availability. Without confirmation of water security, these works must be outlined as aspirational and the Council needs to see detailed plans for the proposed designs, including topographic information, cross section views etc.	Noted.	Check on this at next submission	Please see the water resources report included in the Appendix of the RRMP.
	With regard to the opening of the Southern Lake and Reedbed loop to the public, this would appear to be in direct contradiction with Objective 7 of the CMS and is not suitable for public access at this stage. The Council has previously made clear that issues around access, communications and staffing need to be sufficiently addressed before access could be granted in any form above guided tours. This needs to be addressed in the Communications and Access Strategy before any plans show a definitive timeline for public access.	Timeframes on routes to be removed from figures and text within the Access Strategy.	Check on this at next submission	Please see phasing diagrams within the submitted RRMP.
	Given the great advantages of establishing cattle grazing as soon as possible on site, it is unclear why cattle watering stations are only installed during Years 3-4.	Stations have been added at this stage as we wouldn't introduce cattle until the swards are established which is usually after 3 years. There would be no need to have cattle stations on site whilst cattle are not using the site.	some habitats would benefit greatly from cattle grazing now, particularly existing meadowland and phase 3, possibly phase 1	Cattle stations have been brought forward in the construction programme to accommodate.
Year 3-4:	shows a fully accessible site and again, this element of the project must be driven by Objective 7 of the CMS and the Council would caution against publicising pre-determined timelines at this stage of the planning process (see notes above on Communications and Access Strategy).	Timeframes on routes to be removed from figures and text within the access strategy.	Check on this at next submission	Please see submitted RRMP.
	You have not addressed the areas surrounding the wet grassland parcels, including the lakes, in the phased scheme. These habitats, especially 'neutral grassland' have never been appropriately seeded/created and therefore need to be factored into the Phased work schedule.	Review of phasing text and figures to be undertaken, neutral grassland to be added to both.	Check on this at next submission	Please see submitted RRMP/HMP.
Cattle Barn	6) We also discussed the cattle barn/visitor centre and further clarification is required on this aspect of your proposals. a) Do you intend to accommodate working plant (tractor and equipment, plus other vehicles tools) on site for the warden and/or VWM staff to utilise (in addition to the tools and vehicles the warden already has), or will all management be undertaken by contractors? If it is the latter, it is unlikely that the barn will be required for the purpose of storing large tools and equipment. b) The Council questions the necessity for a 'cattle barn' as this depends on the provision and ownership of cattle. If local, native bred livestock are utilised (which the Council currently uses) and so it is unlikely they will need winter quarters. This raises the question of whether cattle are to be on site all year which depends on stock availability, stocking densities and the requirements for each habitat/compartment, as well as ground conditions at the optimum grazing time. As large areas of the site are clay, low stocking densities and restriction around timings on most habitats will need to be factored into grazing plans, to prevent excessive poaching. c) The Council considers that cattle grazing is highly likely to be a relatively low cost and efficient way of undertaking habitat restoration across almost every habitat on site, but this requires holding a herd of possibly 10-30 head on site for most of the year and splitting them into various habitats/rotating their grazing areas (cf. previous grazing proposal from the Downlands Partnership). Careful consideration needs to be made as to livestock ownership and responsibilities, and this links back to the requirement for a 'cattle barn' of the proposed size.	A 900sqm GEA Visitor and Agricultural Shed is proposed on previously developed land on the eastern side of the masterplan. The Shed will provide a secure space for the storage of the following equipment: •Tractor; •4x4 Pickup; •Drum Mower; •Baler (small rectangular); •Flail; •Articulated Flail; •Tedder; and •Small Rowing Boat. A small 5 ton trailer, 20ft flatbed trailer and a small boom sprayer will be stored outside of the Shed. The Shed will also provide space for cattle to be housed, hay/straw and for community groups / visitors to store bags and equipment when visiting the Site. An update drawing has been produced to show the internal layout of the proposed shed.	As above, who is this for? What is the plan for cattle? Will they require overwintering?	Propose to work with Downland Partnership. They suggest 6 cattle will be enough for the early years of the sites establishment. And initial thoughts are we will hold cattle on site for the full 12 months.
MOL Assessment	Your Planning Statement only assesses the principle of development at this stage, but a 900sqm visitor and cattle shelter is now proposed on the eastern side of the masterplan, finished in timber cladding with a maximum of 5.5m in height. You say that as it is a facility for recreation, it is not inappropriate development within the Metropolitan Open Land. Whilst this is accepted, NPPF, London Plan Policy G3 and Sutton Local Plan Policy 24 all seek that any new buildings or structures should preserve the openness of the Metropolitan Open Land. To this end, this proposal has not been justified in terms of its size, its purpose (see comments above) and why it is required to be of this size and height as this will impact on the openness of the Metropolitan Open Land. As the new shelter would be close to the gas engines, any health and safety concerns for the public would need to be addressed accordingly, along with all the other matters raised at point 5 above.	The Applicant has instructed Stantec's Townscape and Visual Impact Team to consider the impact of the proposed shed on openness. This assessment will be included in the planning application.	Check on this at next submission	Please see the TVIA Report submitted with the planning application.
BNG	No new information has been provided in this regard to respond to our BNG comments dated 2 nd October. It was agreed that a separate workshop will take place at an additional cost as per our agreed PPA and the Council's adopted pre-application guidance.	Draft report issued to Officers on the 6th Dec. Workshop scheduled for the 12th Dec.		
Draft Heads of Terms	Your Planning Statement refers to draft HOTS as below: <ul style="list-style-type: none"> Compliance with the Restoration Management Plan Progress Review Mechanism Compliance with the Conservation Management Scheme; and Offsite Signage and Lighting These are agreed to be required, but as discussed at the meeting, you <ul style="list-style-type: none"> Clarification is required regarding the progress review mechanism as to Monitoring of progress. This should be different from the Progress Access strategy, including Temporary access strategy. Warden involvement. 	A separate note on Planning Obligations has been prepared and issued.		

Water Balance Report & EA Meeting Notes	1) You say "It is understood from the Sutton Council Site Warden that the western end of wet grassland 3 has been constructed at an elevation up to 1 metre higher than the eastern end, impeding the intended gravity-driven flows through the wet grassland towards the tilling weir located at the western end." (4.39) but this is not the case as it is approximately 100mm difference between east and west.	Report to be updated.	VWM/Stanec need to use their own site derived topo data to evidence every decision; the data submitted to LBS by Viridor was patchy (at best) and may not be accurate.	Noted.
	2) 4.3.8 refers to groundwater around P3, but does not appear to take into account the regular seepage into P3 from the River Terrace Gravels (RTGs). It is not known whether these will filter in due course due to a lack of provision of water level sludge to SE Corner, if the sludge lagoons percolate into the RTGs or whether this is groundwater level.	This section of the report will be updated following receipt of recently commissioned borehole data. It will highlight whether a perched water table is observed at the time of monitoring.	How long/much water monitoring data do we need?	The recent groundwater investigations have been undertaken during a fairly wet November/December so give a good indication of the current highest groundwater levels at this location, and has informed our strategy on whether groundwater is a viable source of water going forward. See updated Water Resources Report.
	3) You say that "Historic groundwater records indicate that groundwater levels in 1BF004WM reached a highest level of 28.49m AOD..." (4.3.8), whilst the majority of P3 is supposed to be c.28.5m AOD. "Contractors delivered a flat base across the phase 3 area at 28.5 AOD, equivalent to the AOD found in the Southern Channel (Ditch) where it turns 90o to the west (as shown in the above map). From this the micro topography was shaped such that channels and pools at their deepest were 300mm below this (28.2 AOD) and islands were around 100 mm above (28.60 AOD) normal water levels." (P3 Management Plan, draft), so groundwater levels may have some impact on P3 wetness.	The quoted section within the report is commentary on the groundwater table based on existing borehole information. New boreholes have been commissioned and further commentary based on this latest information will be added to the report.	The info we referenced was from the Phase 3 wet grassland MP. This info came from information supplied by Viridor and their contractor, but, as noted above, there is no detailed schematic or records of the work undertaken, so the information LBS has is not to be relied up.	Text updated inline with borehole information.
	4) It is vital that accurate topographic levels of P3 are taken. It is understood that these have been taken by the Restoration Manager and already supplied to the applicant but these do not seem to be considered within this report. The same applies to better borehole/groundwater levels data.	As above, borehole information has been commissioned and the report will be updated.		Topographic survey of the site was undertaken in August 2023 and is included as an appendix to the Flood Risk Assessment. Additional spot levels capturing structures and levels within water bodies were undertaken in January 2024 and used to inform this study.
	5) You say "Water can be abstracted and stored during flood conditions i.e. when the overflow weir from the River Wandle overtops and floodwater enters the FAS Channel." (4.3.10) but it is not clear how this storm flow would get to the storage lagoon without impacting P3.	Section 4.3.11 to be updated with further detail.	Check in next report	Please see the water resources report included in the Appendix of the RRMP.
	6) You say "Water availability calculations for the Site have taken into account the potential need for up to 40,000m3 of water per annum to be abstracted to support two lagoons, and that the most likely location for the abstraction, given that this is a Thames Water asset, would be the MEC." (5.14) but this is only for two example lagoons, not the whole water requirement for the displacement habitats, so this total is inaccurate.	Text within the report will be updated to focus on the calculated water needs for the habitats within the Red Line Boundary. Some commentary can be included on remaining availability of water within the MEC after the water needs of the Site have been taken into account which may be available to support the displacement habitats subject to separate EA approval. It is not within the scope of this planning application to surmise on potential plans and to calculate the water needs for the displacement habitats. No information has been provided to date from Thames Water on the proposed plans despite frequent consultation.	Check with TW	None.
	7) You say "The worst-case water requirement for wet grasslands 1 and 2 at the site - assuming that they are flooded to 0.5m depth 365 days per annum (which would not be required in reality) - would be 390,000m3, and including the additional requirement to sustain the lagoons, the total water volume required would be 430,000m3." (5.15) but this is not the case.	Comment as above.		None.
	8) You say "A Thames Water report states that the SuDs pond discharges into the Northern Drain." (2.2.11, emphasis added) and "The pond is outside the red line boundary of the Site and is within the ownership and control of Viridor, as part of the ERF. The current routing of discharge from the pond has not been ascertained. It has therefore been excluded from consideration as a potential water source." (2.2.12, emphasis added). The current routing of the polishing pond is into the north eastern corner of what will be Phase 2 which is easily verifiable on site. Depending on the final outcome for Phase 2 (wet grassland or some kind of reservoir / holding lagoon), if the polishing pond currently discharges into Phase 2, you will need to clarify what will happen to this discharge point when P2 is constructed, if the pond is deemed outside of the redline boundary. VWM and Viridor need to agree what will happen to the discharge from this pond, which is likely to either be into 'P2' or, if not, a new discharge route into Cuckoo Lane / Oily Ditch will be required.	Text to be updated based on recent site observations.	Check in next report	Please see the water resources report included in the Appendix of the RRMP.
	9) You say "An open channel, concrete-lined overflow channel diverts excess flows in times of flood from the main MEC channel into the Northern Lake." (2.5.10, emphasis added) but this is not the case. The MEC overflow runs almost constantly outside of storm events, although the Council does not know the volumes of non-storm event flows and whether or not this volume could be of any material use.	Text to be updated based on recent site observations.	Check in next report	Please see the water resources report included in the Appendix of the RRMP.
	Your submitted Water Resources Report has been reviewed by the Senior Flood Risk Officer (Lead Local Flood Authority) who commented that there is no detail about how water levels will be managed (beyond the concept design) and, in particular, the following: <ul style="list-style-type: none"> Consulting engineers Binnies were commissioned by Thames Water to review and investigate the hydrology within the Beddington Farmlands area. The Binnies/Thames Water report (2023) concluded that available water volumes were insufficient to meet the water needs of the lagoons, and further investigations were required to establish a sustainable management plan for the lagoon habitats and wet grassland areas. No details regarding the required structures have been provided. To this end, the point 8 raised above should be taken into account. The River Wandle is a main river and main rivers are regulated by the Environment Agency. The Southern Lake and Reed beds are designated as a water storage area (343308) on the EA's asset management register. The Northern Drain (Cuckoo Brook) is an ordinary watercourse regulated by the Local Authority. No person shall obstruct the flow of any ordinary watercourse or alter any existing obstruction or erect or alter a culvert without the consent of the Local Authority (Land Drainage Act 1991, s23). 	No action needed here.		None.
For all the above, as discussed at the meeting, once you have submitted Your submitted Circular Economy and Carbon Report states that the size threshold for which a Circular Economy Statement is automatically London Plan Policy SI 7, since it is not a referable development. This is not will be GLA referable. In addition, the report states that Carbon benefits are the updated RMP as it has been designed in line with the existing and will not require machinery to maintain wetlands. It is not clear what this been designed in line with the site's hydrological gradients, as it relies on MEC to water Phases 1-3, which has not been agreed at all with the EA. The 'wetlands' (which wetlands, in particular? the wet grasslands, the lakes and islands or the management, as set out (briefly) in the LEMP. Some management may be achievable through lower) carbon methods via cattle grazing (wet grasslands, if they are officers are unable to understand that all management will either be hand without machinery. Machinery use will be required for inter alia, brush vegetation, felling of trees on the islands, reprofiling of islands with diggers, etc. etc. <ul style="list-style-type: none"> Preparation of a finalised document in support of any subsequent the form of a Circular Economy Statement would be expected given the significance of this site in accordance with London Plan Policy SI 7, the Waste Plan 2022-37, the Sutton Local Plan 2018 and Sutton's Climate Response Plan and Sutton's Waste Strategy and Reduction and Recycling While it is acknowledged that the updated RMP will support the Ellen principles by seeking to reuse material from nearby projects to support the regeneration of nature at Beddington Farmlands, any potential CE, the circulation of products and materials and the regeneration of nature compared to the benefits of the previous RMP (2015) and described in the biodiversity net gain (BNG) requirements. Regarding the six CE Principles defined by the GLA in London Plan 				

Mayor's Circular Economy Statement Guidance 2022, it is commented:
 Assessment of updated RMP 1: Remediation to natural biodiverse form
 1) Agreed regarding the building in layers.
 2) Designing out waste: While it is agreed that the updated RMP has for this CE principle in terms of diverting 468,800 cubic metres of soil and from nearby projects for beneficial use, these benefits will need to be the context of the benefits arising from the extant RMP 2015 (the baseline). The CE Statement to be submitted with the planning application also needs the underlying assumption that the soil and topsoil would otherwise go to not used for the restoration. This benefit needs to be further quantified in the Statement through completion of the GLA's CE Statement template under the 'Detailed Application Stage' tab
<https://www.london.gov.uk/media/101472/download?attachment>
 3) Designing for longevity: As already stated by officers no evidence has submitted as of yet over the arguments stated here regarding regular re- The proposed grassland in the RMP will need continuous monitoring and intervention to ensure it delivers the BNG values.
 4) Designing for adaptability or flexibility: Agreed.
 5) Design for disassembly: Agreed.
 6) Systems, elements or materials: As described above under the principle 'Designing Out Waste, it is agreed that the updated RMP has potential CE terms of providing for a beneficial use for material that could otherwise be of to landfill. It is also agreed that there are further potential benefits in term reducing the haulage distance that the material will need to travel. As noted these CE benefits will need to be described in the context of the benefits otherwise have been achieved via the extant RMP 2015 (the baseline). CE Statement to be submitted with the planning application also needs to assertion that excess/waste material from current and future projects in the and topsoil) would otherwise go to landfill if not used for the restoration. needs to be further quantified in the CE Statement through completion of CE Statement template spreadsheet under the 'Detailed Application Stage' tab
<https://www.london.gov.uk/media/101472/download?attachment>
 Assessment of updated RMP 2: Maintenance building, access roads.
 1) Building in Layers: Agreed. The applicant's intention to ensure that the base, the steel structure, shell and services for the proposed maintenance are designed for longevity and have exposed and easily accessible services welcomed. However further details must be provided in the finalised CE be submitted in support of the planning application and the accompanying Statement template under the 'Detailed Application Stage' tab
<https://www.london.gov.uk/media/101472/download?attachment>
 2) Designing out waste: The proposed measures to design out waste for above elements are welcomed. However further details must be provided quantified where possible in the finalised CE Statement to be submitted in the planning application and the accompanying GLA's CE Statement the 'Detailed Application Stage' tab
<https://www.london.gov.uk/media/101472/download?attachment>
 3) Designing for longevity: The proposed measures to design for longevity the above elements are welcomed. However further details must be CE Statement and the accompanying GLA's CE Statement template 'Detailed Application Stage' tab) to be submitted with the planning
 4) Designing for adaptability or flexibility: Agreed.
 5) Design for disassembly: Agreed.
 6) Systems, elements or materials: Agreed. The proposed measures to longevity for each of the above elements are welcomed. However further must be provided in the CE Statement and the accompanying GLA's CE template (under the 'Detailed Application Stage' tab) to be submitted with planning application.
 • In general, the submitted Circular Economy Review provides a good of the six CE principles defined by the GLA in London Plan Policy SI 7 and Circular Economy Statement Guidance 2022 will be applied to each aspect RMP.
 • A full Circular Economy Statement should be prepared in support of any application for an updated RMP, given the policy requirements, scale, the importance and the planning history of this site to comply with the above
 • where relevant, the content of the submitted CE Statement should be in Mayor's Circular Economy Statement guidance 2022
<https://www.london.gov.uk/programmes-strategies/planning/implementing-on-plan-guidance/circular-economy-statement-guidance>
 • the submitted Circular Economy Statement should be accompanied by a CE Statement spreadsheet (under the 'Detailed Application Stage' tab) – <https://www.london.gov.uk/media/101472/download?attachment>. All should be quantified as far as possible and contrasted with the impacts of 'do-nothing' scenario and the impacts that would result from implementing 2015.
 • while it is acknowledged that the updated RMP has a number of potential 'designing out waste' and for 'systems, elements or materials, arising from 468,800 cubic metres of soil and topsoil from nearby projects for beneficial need to be assessed in the context of the benefits that would potentially implementing from the extant RMP 2015 (i.e. the baseline scenario).
 • The CE Statement to be submitted with the planning application would underlying assumption that the soil and topsoil would otherwise go to the restoration. This benefit needs to be further quantified in the CE completion of the GLA's CE Statement template spreadsheet under the 'Application Stage' tab
 • it is acknowledged that the key CE principles of 'building in layers', 'adaptability' and 'flexibility' and 'design for disassembly' are not applicable proposed remediation measures as identified under Part 1 above (biodiverse form);
 • for the proposed maintenance building, the CE Review acknowledges that different parts are accessible and can be maintained and replaced under 'building in layers'. However, further details must be provided in the and the accompanying GLA's CE Statement template to be submitted with application.
 • CE benefits under the principle of 'designing out waste' (ensuring that planned in from project inception to completion, including consideration of components, modular build, and reuse of secondary products and quantified in the GLA spreadsheet as far as possible.
 • in the event of planning permission being granted, it is likely that the LPA secure the submission of a post-construction CE report via planning condition or obligation.'

The GLA asked for these documents to be prepared and submitted with the Planning Application. We have therefore sought further clarification from the GLA and this has been received. We are reviewing the feedback and preparing the CES accordingly.

Transport Technical Note
 Your submitted Transport Technical Note has been reviewed by the Council's Principal Highways Officer who commented the following:
 • Construction Logistics and Management Plans would need to be provided as soon as possible, for our consideration. There are a lot of heavy vehicle movements that will take place over a significant period of time. The Plans therefore need to look in detail at all the usual matters such as: routing to the site, distribution of trips throughout the date, details of size/weight of vehicles, access to the site, how they will turn on site and exit site layout, where site workers and visitors will park etc.
 • The Council normally discourages HGV movements during the afternoon school period (after about 3pm), but accepts that there are few schools in the immediate area.
 • As you state in your Technical Note, the Council's preference is to keep the main site access from the roundabout at Beddington Lane / Coomber Way and keep the current routing agreement in place that restricts HGVs from routing via Beddington Village so that the site access is approached from Coomber Way from the east or the B272 Beddington Lane from the north from Mitcham.'

Outline Construction Logistics and Management Plan (CLMP) to be prepared and submitted with the Planning Application.
 This would provide an overview of the anticipated construction activity and logistics requirements associated with the development.

Air Quality Technical Note	<p>Your submitted Air Quality Technical Note has been reviewed by the Council's Environmental Health Officer who commented the following:</p> <ul style="list-style-type: none"> • We would not expect to see air quality being scoped out of their application. Their technical report highlights that it exceeds the indicative screening criteria (4.10), also the report is made under a presumption that the same route will be followed for the whole time of this project. We would expect to see an Air Quality assessment to be submitted with their application given the large increase in road transport and duration of the project.' 		<p>Baslien traffic counts have been undertaken to inform the Air Quality Assessment that will be submitted with the planning application.</p>		
Submission documents	<p>Within the Planning Statement (table 2), you state the planning submission documents. In addition to these, the following documents would also be required:</p> <ul style="list-style-type: none"> • Statement of Community Engagement • Skills and Employment Strategy • Fire Statement (at least reasonable exemption statement or more) • Construction Logistics and Management Plan (CLMP) • Archaeological Desk-based Assessment as it is within Archaeological Priority Area 		<p>Documents being prepared and will be submitted with the planing application.</p> <p>The list of documents that we are preparing and submitting with the planing application has been shared with officers for review prior to the pre-application meeting.</p>		

Appendix 4 – December 2023 Pre-Application Feedback and Applicant Responses

DOC Name	Officer Comment Line 1	Officer Comment Line 2	Applicant Response
Public Consultation	A public consultation took place during the Christmas period, ending on 13th January 2024. As officers had stated during all meetings and formal letters, the Council did not recommend a public consultation was undertaken until the Council had sufficient information to make a formal assessment and to be able to form a view as to whether the revision to the RMP could be supported in principle.	The latest letter from LBS, dated 20th November 2023, concluded that there were still significant matters that needed to be addressed before progressing the application to formal planning submission and public consultation.	VWM have prepared a statement of Community Consultation (SoCC) to outline key activity that would be undertaken to inform and engage with local stakeholders around the proposed planning application. This was shared with LBS before activation. -It is acknowledged that over the festive period is not the most accessible time to consult with the community, however Valencia is working to a tight timeline and it was decided that engaging with the community before the submission was prudent, reflecting the sensitivity of the site. -A letter promoting the consultation, in accordance with the SoCC was issued to 1,000 homes around the site, advertising the website, along with a community webinar occurring two days after the letter landed with residents. -Valencia presented the proposals to the Conservation, Access and Management Committee, Beddington Farm Bird Group, and Conservation Science Group, and a community webinar with an average of 25 people dialling in. There was feedback from two opposing stakeholders that they were unable to ask questions during the session. This was incorrect – a typed chat function was available to ask questions, unfortunately the stakeholders preferred oral feedback. One resident was unable to join the webinar and the Valencia project team engaged with the stakeholder privately. -Valencia has undertaken specific stakeholder briefings with the constituency MP, elected members and the Sutton Environment Champion Network, along with presenting the proposals to the landowners, Thames Water, and wider site interest group the Mitcham Common Conservators. -Reflecting the nature of the consultation a dedicated project website was prepared – to date this has seen over 6,000 visits, with over 4,000 unique visitors, and over 400 comments/feedback responses received. Valencia is now reviewing and giving due consideration to feedback. This is included in the Statement of Community Involvement report submitted with the planning application. -The consultation has been extensively promoted on social media, and featured in two local newspaper articles along with an advert placed in the first week of the website being made live. -The Beddington Farmlands has an established and engaged stakeholder overview and consultation body associated with it, known as the Conservation and Access Management Committee. This Committee is drawn from councillors from the London Borough of Sutton, community representatives from Beddington and Hackbridge, ecological stakeholders (both local and London level), including a representative from the Beddington Farm Bird Group, London Wildlife Trust, and Beddington Conservation Science Group. Valencia as the site owners, Thames Water as the landowners Supporting officers from the London Borough of Sutton. -The Conservation and Access Management Committee meets quarterly, and acts as the oversight and advisory panel to guide and challenge Valencia in its restoration activity on the Beddington Farmlands. During these meetings informal engagement and feedback on the emerging proposals for the Beddington Farmlands restoration scheme variations was collected, the following meetings occurred, it would not be accurate to infer that a broad spectrum of engaged and informed stakeholders were not aware of the proposals oMarch 2023 – a master planning workshop presented initial proposals for feedback o7th June 2023 – Conservation and Access Management Committee meeting o13th October 2023 - Conservation and Access Management Committee meeting o16th November 2023 – a site visit for the Conservation and Access Management Committee o13th December 2023 – presentation to the Conservation and Access Management Committee, Conservation Science Group and Beddington Farm Bird Group representatives of the proposals. -It should be noted that there were two themes of feedback regarding the consultation period: oA number of stakeholders commenting on the timing of the consultation, this included the Friends of Beddington Park – following a review of feedback Valencia subsequently extended the consultation period by 2 weeks – to the 19th January 2024. oTargeted feedback from two stakeholder responses that is highly critical of the consultation process, along with a wide range of themes. -It is the opinion of Valencia Waste Management that the consultation has been exceptionally helpful, providing thoughtful, considered and useful feedback that will be considered ahead of the submission of the planning application. Whilst the festive period will have potentially impacted the number of feedback responses, the volume of engagement has been encouraging along with Valencia extending the consultation period following community request. -Two particularly detailed consultation responses have questioned the integrity of the consultation, to Valencia's view this feedback would have been shared regardless of the timing. -Valencia will continue to engage with the CAMC through scheduled briefings during the submission and determination process.
		On 13th December, the public consultation started with limited meaningful information, as already detailed in the LBS 21 page advice letter of November 2023.	
		The Council is therefore disappointed by your decision to proceed with this public consultation and note some of the highly critical feedback your client has already received from key stakeholders about its timing over the holiday period and the paucity of detail contained within, which reinforces our view.	
Redline Boundary	The Council acknowledges that we advised that we will be omitting the Three Corner Field (TCF) to the north and amending the redline of the site.		With regards to 3 Corner Field, Thames Water are the free holder of this land and VWM no longer have any leasehold interest in the land. The planning obligations regarding the additional nature conservation land includes 3 Corner Field. This planning obligation would not be amended as part of the RRMP Planning Application, therefore 3 Corner Field is to remain under the management of the CAMC and/or Council and will be paid for by the £50,000 bond funded by VWM.
	Correspondence with Thames Water in November 2023 shows a boundary map (Appendix 1) that differs from the red-line boundary in these proposals. Thames Water's position is from a Deed of Variation dated 26th June 2015, the leasehold of which runs to 2122.	VWM must confirm if this too is their understanding of their obligations or present evidence to challenge Thames Water's position.	
		Should the 2015 map be agreed by all parties, the areas which are additional to the currently proposed red-line boundary must be included in all elements of the application.	
	The Council states the DoV 2015 boundary would result in VWM adopting management responsibilities for the narrow strips of land to the north and south of the site, alongside 100 Acre and South East Corner, respectively. These strips of land will do little for the conservation of the CMS Target Species.	The Council encourages VWM and TW to commit to a land exchange	
		With cooperation from the CAMC, allocated funds could be used to redevelop and manage TCF to enhance its wetland value especially when combined with the open vista of Phases 1 & 2. Rough calculations show that the overall land area of these strips would be more or less equal to the area of TCF.	
	There is a clear message of public support for the inclusion of any of the Displacement Habitats in the Revised Scheme.		
Biodiversity Net Gain	A biodiversity workshop was held on 12 December 23. The key points raised are:	The habitat baseline along the landform is noted as being predominantly 'modified grassland' but this does not fully accord with information gathered by LBS or MKA Ecology. Certainly, there are areas that are 'modified grassland' but also areas of higher quality grassland. Therefore, the mound is a mosaic of different grassland types, not just the homogenous grassland submitted. o LBS specifically asked Stantec what documents they were referring to in their assessment of the site (August 2023) and received no response. LBS specifically noted in Pre-App letter 3 the necessity to cross-reference the Stantec site survey against the existing site information, specifically NVC and CSM survey reports from MKA Ecology. o These reports were not assessed and LBS sent Stantec CSM surveys reports for 2020 and 2021 on 19/12/2023. o Noting that the mound contains a mosaic of different grassland 'types', a "hard reset" policy of habitat creation for the new meadow areas is not in the best interests of those areas of the mound that currently demonstrate existing biodiversity value and just require better, sustained management. o As such, a more nuanced approach is required, recognising the heterogeneity of the current meadowlands areas.	The comments received have been considered and are addressed within the Biodiversity Net Gain Report that has been submitted with the planning application.
		The Council queried why 'pond' was the chosen classification for the lakes on site for the condition assessments; noting that 'lake' generally means a water body over 2ha and the southern lake, if considered as two parcels (open water and reedbed) measure just under 2ha each. o However, the northern lake is c.5ha and 'lakes' have a specific Condition Assessment methodology set out for them within the DEFRA 4.0 condition assessment sheets. o This assessment was not undertaken.	

		<p>The Council discussed the proposed removal of wet woodland on the southern lake and the incorrect classification of willow scrub on the east side of the southern lake.</p> <ul style="list-style-type: none"> With more regards to the wet woodland, which currently flags as not obeying trading rules, the justification from Stantec is that this habitat cannot be guaranteed, due to the ongoing concerns with water availability. LBS pointed out that if the wet woodland was not deemed to be viable, due to possible future lack of water availability, this was the same for all open water in the northern and southern lakes, the reedbed and the provision of wet grassland P3. The consequence of this is a large swathe of the site would fail, not just this specific habitat. 	
		<p>The necessity for full and transparent detail for each habitat assessed was discussed. This is in accordance with the Council's response to BNG methodology (2 October 2023), which clearly stated the Council required:</p> <p>"Full information includes but is not limited to:</p> <ul style="list-style-type: none"> A full species list (with DAFOR values) for each habitat compartment / polygon identified, GIS shapefiles for each habitat compartment / polygon being surveyed, Condition assessment sheets for each habitat compartment / polygon, The metric(s) for the site as XLS files Site derived photos demonstrating key points supporting the interpretations and conclusions derived from the site survey(s)" 	
<p>In summary:</p>		<p>The submitted BNG Assessment report provides (Appendix A) replicas of the condition assessment sheet criteria but not the sheets themselves. It was noted at the meeting that these should have been submitted with the other information (on 6 December 2023) but, to date, these have still not been received.</p> <p>Full species lists (with DAFOR values) for each compartment / polygon and the associated GIS shapefiles have not been provided.</p> <ul style="list-style-type: none"> LBS notes that hogweed was considered 'Frequent' (Table 1, BNG Assessment Report) on the meadowlands but is not recorded as being on the meadowlands in the MKA Ecology survey data, nor the LBS botanical survey of the meadowlands (30/806/2021), which recorded 102 species of vascular plant (including the scrub areas). We are concerned this may have been misidentified and was actually wild carrot <i>Dacus carota</i>. Whilst the LBS survey in 2021 only covered c.9ha of the extant meadowlands, the Council does not agree that in excess of 80 species of vascular plant growing within the grassland component of the survey parcel should be regarded as 'modified grassland' without very strong evidence to support that assertion. <p>Site derived photos have not been provided. Assessment of the reedbed condition seems to have been included without evidence that we have gone into the reedbed to make this assessment.</p> <p>The draft BNG Assessment states: "To ascertain whether a minimum of 10% target is met, the final outcome of the restoration will be compared to the baseline habitat survey conducted at the Site in August 2023, rather than before the ERMP was implemented. This approach was agreed with LBS Senior Biodiversity Officer in October 2022."</p> <ul style="list-style-type: none"> This is not the case, at all. The Council's response to the proposed BNG methodology (2 October 2023) clearly stated "In this case, the baseline habitat would be the wetland mosaic prior to the activities that were occurring on and after 30 January 2020, because the acid grassland should have been delivered by now." (1.4.8). <p>Significant further detail and work is required to ensure that all of the baseline habitat details are clearly evidenced (if using the site survey as the baseline, rather than the wetland mosaic, as clearly set out by LBS) and fully justified, through comparison with UKHab v2 and the DEFRA condition assessment sheets.</p> <p>That post-development scores are also clearly set out in the relevant condition assessment sheets and that these scores are fully justified. For instance, lowland meadows are considered to be in 'good condition' (Table 20) but, as noted at the meeting, the soil surveys had not been completed/analysed at this time, so edaphic conditions that may affect the final condition were not available. That is, previous soil tests have shown that the existing cap is high in phosphorus and associated compounds, a major factor in the creation of species rich grasslands.</p> <p>All previous information requested by LBS (2 October 2023 and repeated above) needs to be clearly presented;</p> <p>That all documents (including the RRMP and LEMP) are cross-referenced to ensure that there is consistency between them and the processes for creation, annual management, monitoring and adaptive management all lead to a clear end point (as set out in Pre-App letter 3) that is fully justified and evidenced.</p>	
<p>Draft Access Strategy</p>	<p>Previous comments provided in our November letter remain</p>		<p>Please refer to responses within Appendix 3 of the Planning Statement.</p>
	<p>All options should be considered for access, such as automatic gates that allow the public to exit only, and this would need to tie with the access strategy.</p>	<p>Information on automatic gates, as per the request of Grant Scott, was sent by LBS to Stantec and VWM on 19 December 2023.</p>	<p>Details of the proposed gate strategy, including automatic gates, are included within the submitted planning application.</p>

	The access needs to take into account the accessible access routes outside of the site, as it is not a standalone strategy.		Details covered in the access strategy submitted with the planning application.
	Any access strategy, temporary or otherwise, will need to address the fundamental key issues that were raised in the November letter. These fundamental issues relate to the mitigation of disturbance potential on key Target Species and habitats, as is required to uphold the purpose of Objective 7 of the CMS.	The non-exhaustive list below (see the November response for further clarification) needs to be considered and answered: <ul style="list-style-type: none"> • staffing to open and close gates; • daily opening and closing hours; • site 'behaviours' clearly stated and communicated prior to first access; • site staffing and staff responses to 'behavioural issues'; • site wayfinding and; • establishment of the seasonal routes with the appropriate infrastructure or development of natural screening. 	Details covered in the access strategy submitted with the planning application.
		This should also be accompanied by interpretation signage throughout so that visitors can understand the ecological importance of the Nature Reserve they are visiting. It should also be reiterated the importance of labelling this site and project from this point onwards as a Nature Reserve.	Planning Conditions are proposed on Temporary and Permanent Signage Details. These subsequent details can be agreed with the LPA to ensure that the ecological importance of the Site is communicated to members of the public. The website is a key communication tool also and therefore, we have proposed a planning condition that requires of the proposed website to be shared with the LPA for approval within 3 months of planing permission being secured.
	The Council acknowledges that to facilitate the public consultation, VWM have invested in a website.	The Council recommends that following the public consultation phase, this website is maintained by VWM and used by VWM and the Warden to continue communications with the public. This website should be an integral pillar of any access strategy.	Totally agree. Details of the information on the website to be shared and agreed with the LPA, as per the response above.
Draft Heads of Terms (HOTs) & Conditions	The Council acknowledges that the Conditions and Obligations summary note received on 8 December 2023 refers to new obligations (HOTs): <ul style="list-style-type: none"> • Compliance with the Restoration Management Plan • Progress Review Mechanism • Offsite Signage and Lighting; and • Monitoring of progress 	It is noted that the monitoring of progress obligation is not reflected in your solicitors' note. As mentioned in our previous letter, this should be different to the Progress Review Mechanism and should relate to the time taken for staff to monitor progress, both formally (through review of submitted information to fulfil the conditions) and informally (through the provision of advice to VWM).	Please see the draft Deed of Variation submitted with the Planning Application.
	The progress review mechanism should be clear and provide all the relevant information as it is not for the LPA to request this.	The solicitor's suggested wording within the Head of Terms note also refers to delays in relation to the relevant timescales and to afford your client the opportunity to explain these delays and propose amendments to the Restoration Management Plan. The Council does not accept this wording given the previous history of delay, inertia and broken promises. It must be reworded to omit any reference to further delays and amendments to the next iteration of the RMP which would only be considered by the Council in exceptional circumstances. The Council's solicitors will provide further advice on this once the application has been submitted.	Please see the draft Deed of Variation submitted with the Planning Application.
	The Conditions and Obligations summary note refers to new conditions seeking compliance with elements such as the Habitat Management Plans, which is welcomed in principle and in line with the Council's previous advice as to avoid the need for important conditions to be discharged post-determination. However, this statement has not been accompanied by any new information concerning these elements such as the Habitat Management Plans.	The Council has been provided with little comfort that these proposed compliance conditions could be secured at application stage. For the avoidance of doubt, the Council reiterates the expectation that comprehensive details will be submitted at the application stage and not post-determination, given the significant delays and issues regarding the restoration of the site.	The details discussed regarding paths, landscape plans, Habitat Management Plans and Gate, Fence and Bench details are all included within the submitted planning application.
	The Council also note that, assuming that the Mandatory BNG regulations will be in force at the time of submission, there will be the requirement of the pre-commencement general condition for the Biodiversity Gain Plan (BGP, and associated documents).	It is important that the possible impacts of the general condition for a BGP as a pre-commencement condition are considered and swiftly resolved, so that no further delays are incurred. The draft regulations state that a BGP can be submitted no earlier than 1 day after a planning application is approved, so VWM need to set out the timescale for submission of this detail, assuming planning permission is granted.	The planning application was submitted on the 9th February 2024. Therefore, this is not a requirement.
Submission Documents	The Council acknowledges that the list of Application Documents as updated in December has taken into account the documents required as set out in the Councils November Letter.		Noted.
	The Air Quality document should also include an Air Quality Neutral Assessment (AQNA).	As requested at the meeting, Stantec can contact John Sibson at john.sibson@suton.gov.uk from the Council's Environmental Health Team, to liaise on this matter further.	Please see the Air Quality Assessment submitted with the planing application.
	There is no Contaminated Land Assessment.	Due to the history of the site, an up-to-date Contaminated Land report would also be required.	A contamination report has been submitted with the planing application.
	For completeness, although you mention 'Flood Risk Assessment and Drainage Strategy', there should also be included a Drainage Form and SuDs assessment.		Please see the submitted FRA.
	Regarding the mentioned 'architectural drawings', it is assumed that they include all required location plans, block plans etc as per the Council's updated local list of validation.		Please see the submitted drawings.
Conclusion	The Council is concerned about the apparent 'broad brush' nature of the baseline habitat mapping and evaluation, compared to the detailed Phase 1 surveys that have been undertaken over significant time periods by MKA Ecology (Appendix 2 to compare and contrast the level of detail). The translation issues between classification systems (JNCC vs. UKHab v2) is not sufficient to account for the differences presented, nor is the brief difference in time between the surveys (July 2021 and August 2023), except, perhaps, for changes to bare ground.		Botanists have been to Site and additional on site surveys have been undertaken in January 2024 prior to submission of the planning application.
	Of significant concern to the Council is the continued silence on the provision of the necessary staff resources to be able to undertake the proposed RRMP / LEMP (as set out in the tracker at rows 41 & 42) and to manage and maintain the site in an appropriate manner. No matter how good or detailed or acceptable the submitted information may be, without the necessary workforce available to manage the site, delivery of these documents will not be achieved.		VWM have committed to additional resource. A Full Time RRMP Site Manager is proposed and a planning obligation regarding this additional resource is proposed. It is acknowledge that subconsultants and contractors will need to be instructed to deliver and manage the project.

	<p>Given the seeming reluctance from VWM to properly staff the site, LBS suggests that VWM provide monies via a dedicated long-term s106 to LBS, to recruit another member of staff to run the site, and provide the necessary input to VWM staff.</p>		<p>Please see the response above.</p>
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Appendix 5 – Proposed Planning Conditions

We have reviewed the Planning Conditions attached to the extant Planning Permission and provided commentary against each of them below. We have also identified additional Planning Conditions which we consider are relevant and necessary to control the Proposed Development.

Existing Conditions	Required (Y/N)	Comments
Commencement of development	Y	Planning Permission is usually granted for a 3-year time scale, however, in this instance the Applicant is happy to discuss and agree a shorter time scale for lawful commencement. We consider that it is appropriate to agree the timeframe when the applicant's written agreement to attach any pre-commencement planning conditions to the planning permission is sought.
Compliance with approved plans	Y	To control the approved development, the condition will need to reference the approved plans.
Copy of Planning Permission at the Site Office	N	A copy of the Planning Permission and support documents will be available on the Council's website.
Construction/demolition management scheme	Y	Compliance with the CMS to be secured via condition.
Landfill Gas Equipment Screening	N	We have included details as part of the Planning Application.
Leachate Treatment Plant	N	N/A
Soil and clay handling programme	N	N/A – Soil importation being undertaken pursuant to the extant planning permission.
Sludge Lagoons – Archaeological Investigation	N	No longer within the scope of the application.
Sludge Lagoons - Site contamination investigation	N	No longer within the scope of the application.
Landfilling Details	N	Landfilling has ceased now.
Timing of on site works	Y	Hours of operation are still relevant and valid for onsite works.
24 hours' notice required to work beyond 13.00 on a Saturday	Y	We suggest that this condition is amended to require notice to be given to the LPA a week in advance of any permitted timing for on site works to safeguard the amenities of residents.
Weighbridge Access Times	N	N/A
Top soil or sub soil removal	Y	
No excavations shall take place within 50m of any residential property nor within 10m of the site boundary, nor within 10m of any pylons or sewers.	Y	
Liquid waste disposal	N	N/A
No open fires	Y	

No storage of skips on the site	Y	
Signage to advise HGV drivers of alternative routes	Y	
Green Travel Plan	Y	
Details to prevent mud on the public highway	Y	
Noise Mitigation	N	The landfill operation has ceased and noise from on site works will be minimal.
Operational noise from the anaerobic digestion facility	N	N/A
Monitoring of noise	N	N/A
Noise limits (Sensitive premises and boundaries)	Y	
Audible bird scarers shall not be used on the site	Y	
No pump or other machinery which is audible at any noise sensitive premises shall be run outside the permitted daytime working hours unless otherwise agreed with the local planning authority or in the case of an emergency	Y	
Monitoring of dust levels	Y	
Measures when dust exceeds the agreed air quality criteria	Y	
Management of odour and bioaerosols from the operation of the anaerobic digestion facility	N	N/A
Scheme for the control of insects, birds and rodents.	N	Landfill operation ceased.
A Buffer Zone 5 metres wide alongside existing main watercourses shall be established in accordance with details which shall be submitted to the Local Planning Authority for approval within 6 months of this planning permission. The scheme shall include measures to mark and protect the Buffer Zone, including where appropriate the provision of fencing. No storage of materials, access, fires, dumping or tracking of machinery shall be allowed within this area. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the local planning authority.	N	
No soakaways shall be constructed in contaminated ground.	Y	

Surface water drainage system for the anaerobic digestion facility	N	
Scheme for the provision and implementation of surface water limitation and the use of surface water source control measures	Y	
Clay capping and soil spreading	N	
Compliance with the restoration management Plan	Y	Required to ensure the development is constructed in accordance with the new restoration management plan.
Phasing	Y	Compliance with the submitted and approved Phasing Plans to be controlled via a Planning Condition. This should specify the date when restoration works are to be completed by.
Replacement of landscaping that fails or become seriously damaged within 5 years.	Y	
Proposed New Conditions		
Temporary Access Strategy and Temporary Signage	Y	Temporary signage details to be secured via planning condition.
Detailed Path Drawings	Y	Work to be undertaken in accordance with the detailed path drawings approved as part of the Planning Application.
Habitat Management Plan	Y	Compliance with approved Habitat Management Plan.
Detailed Landscape Plans	Y	Compliance with approved plans.
Written notice of completion of works and proposed public access	Y	
Permanent Signage Details	Y	
Arboriculture Method Statement and Tree Protection Measures	Y	
Gate, Fencing and Bench Details	Y	Compliance with approved plans. Manufacturer details to be sent to LPA for approval prior to installation.
CCTV	Y	Submission of CCTV details across the Site.
Replacement of damaged signage, fencing, bird hides or gates.	Y	Any signage, fencing, bird hides or gates. destroyed or damaged during operations permitted or required by the permission shall be replaced or repaired within one month of the LPA informing the operator, that any replacement or repair should take place.
External Lighting	Y	Any external lighting details required to be submitted and approved in writing by the LPA.
Website	Y	Details of the proposed website and information on the website should issued to the LPA for approval within 3 months of planning permission being secured.