



# Havering

LONDON BOROUGH

## STRATEGIC PLANNING COMMITTEE AGENDA

<b>7.00 pm</b>	<b>Thursday 25 January 2024</b>	<b>Council Chamber - Town Hall</b>
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Members 7 Quorum 3

**COUNCILLORS:**

**Conservative Group  
(3)**

Ray Best  
John Crowder  
Dilip Patel

**Havering Residents' Group  
(3)**

Laurance Garrard (Chairman)  
Reg Whitney (Vice-Chair)  
Bryan Vincent

**Labour Group  
(1)**

Jane Keane

**For information about the meeting please contact:**

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**To register to speak at the meeting please call 01708 433100  
before Tuesday 23 January 2024**

***Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.***

***Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.***

### **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

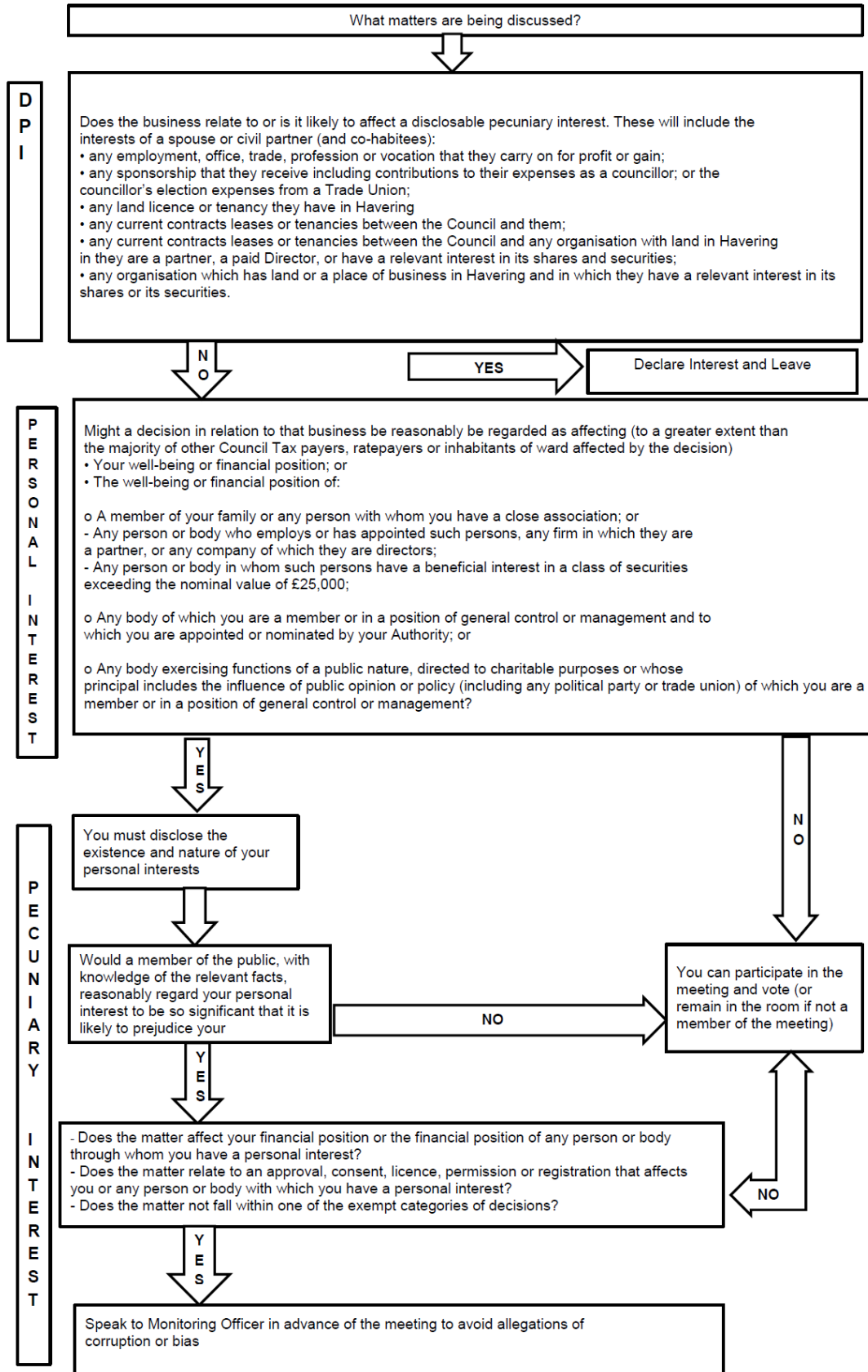
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

**DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF**



## **AGENDA ITEMS**

### **1 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will make his announcements.

#### **Applications for Decision**

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

### **2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### **3 DISCLOSURE OF INTERESTS**

Members are invited to disclose any interest in any of the items on the agenda at this point in the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

### **4 MINUTES (Pages 7 - 10)**

To approve as a correct record the minutes of the meeting of the Committee held on 7 December 2023 and to authorise the Chairman to sign them.

### **5 DEVELOPMENT PRESENTATIONS (Pages 11 - 12)**

Report attached

### **6 W0152.23 - CHIPPENHAM ROAD (Pages 13 - 20)**

Report attached

**7 APPLICATIONS FOR DECISION (Pages 21 - 24)**

Report attached

**8 P0070.23 - VEOLIA LTD - COLDHARBOUR LANE (Pages 25 - 46)**

Report attached

**9 P1358.22 - RAINHAM MARSHES, SILT LAGOONS, COLDHARBOUR LANE (Pages 47 - 68)**

Report attached

**Zena Smith  
Head of Committee and Election  
Services**

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**MINUTES OF A MEETING OF THE  
STRATEGIC PLANNING COMMITTEE  
Council Chamber - Town Hall  
7 December 2023 (7.00 - 9.45 pm)**

**Present:**

**COUNCILLORS 8**

**Conservative Group** John Crowder, Dilip Patel and Philippa Crowder

**Havering Residents' Group** Laurance Garrard (Chairman), Reg Whitney (Vice-Chair) and Bryan Vincent

**Labour Group** Jane Keane

Also present at the meeting were Councillor Chris Wilkins, Councillor Oscar Ford and Councillor Judith Holt.

There were 13 members of the public present for the meeting.

The Chairman reminded Members of the action to be taken in an emergency.

**30 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

Apologies were received from Councillor Ray Best (Councillor Philippa Crowder substituted).

**31 DISCLOSURE OF INTERESTS**

There were no disclosures of interest. Councillor Jane Keane stated that she was a member of the Romford Civic Society.

**32 MINUTES**

The minutes of the meeting of 28 September 2023 were agreed as a true record of the same and the Chair was authorised to sign them.

**33 W0073.23 - RAINHAM LODGE FARM, BERWICK POND ROAD, UPMINSTER**

The Committee received a presentation from Stephen Daw a chartered surveyor and Simon Treacy Planning Director at Brett Group on the phased

Mineral Extraction/Inert Infilling Proposal with Restoration to a Mixture of Nature Conservation and Agricultural Afteruses (Rainham Lodge Farm) with continued Stockpiling and Processing of Mineral, Concrete Batching and Aggregate Bagging (Rainham Quarry); Associated Highway Improvements on behalf of Brett Group Limited.

As set out in the committee rules, the Developer was given 20 minutes to speak.

The Committee noted the report and the following considerations were summarised as follows:

- Further details as to why the equipment at Rainham Quarry is not being moved.
- Expressed concern about the safety along the road and the potential for conflict between HGVs and cyclists. Members would like some further information to understand how that risk is being addressed.
- In relation to page nine of the slide, Members sought to understand what is meant by no scope for passing places.
- The Committee is seeking guarantee and reassurance around materials. Making sure there is appropriate check.
- Details of noise mitigations.
- Members looking for reassurance or demonstration in the application that in terms of the tracking applicant is factoring or taking into account all different vehicle sizes.
- Keenness to see an adjustment to the working hours on a Saturday, that 7am on a Saturday is early could applicant consider an alternative start time as part of submission.
- Further details around the landscaping scheme for the woodland area, details of the trees to be planted.
- The specific number of residential properties impacted through traffic movements.
- Further details around the routing of the extracted material.
- Further details as to how vibration would be experienced and what causes it.
- Further details on the flood prevention measures.
- Regarding Berwick Pond Road, future issues of state of disrepair along the route. Members are keen to understand what measures or mitigations that the company would offer up as part of any submission.
- The small bridge on Launder's Lane, whether there is an ability to widen the bridge/road.

Any further comments or considerations could be emailed to the Head of Strategic Planning within 1 week of the meeting.



34 **P2072.22 - THE SEEDBED CENTRE AND ROM VALLEY RETAIL PARK,  
ROMFORD, RM7 0AZ**

The report before the Committee sought outline planning permission on the land at Rom Valley Way in Romford, a site known as Seedbed Centre and Rom Valley Way Retail Park. The application is for the comprehensive redevelopment of the site for a mixed use development which is residential led and would deliver up to 840 new homes as well as a minimum of 3,000sqm of industrial floorspace, plus retail and leisure floorspace, public and private open space, highways improvements, landscaping and other benefits such as the naturalisation of the River Rom.

The Committee considered the report and **RESOLVED** to **GRANT PLANNING PERMISSION** subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 6 votes to 1 against.

Councillor Dilip Patel voted against the resolution.

35 **P2071.22 - THE SEEDBED CENTRE, UNIT E5, DAVIDSON WAY,  
ROMFORD**

The report before the Committee sought planning permission for a site within a wider masterplan area where outline permission (application P2072.22) was being sought for the redevelopment of the adjoining site for a mix of uses built over 3-12 storeys to include up to 840 residential units (Class C3), 3,000sqm light industrial (Class E) and general industrial (Class B2) uses, retail/restaurant/cafe up to 200sqm, medical facility (Class E) up to 378sqm, associated landscaping, public realm, parking, refuse storage and other associated works.

The Committee considered the report and **RESOLVED** to **GRANT PLANNING PERMISSION** subject to the conditions as set out in the report.

Members voted unanimously for the resolution to grant planning permission.

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**Chairman**

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## Development Presentations

### Introduction

1. This part of the agenda is for the committee to receive presentations on proposed developments, particularly when they are at the pre-application stage.
2. Although the reports are set out in order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a specific application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

### Advice to Members

4. These proposed developments are being reported to committee to enable Members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage (unless otherwise stated in the individual report) and any comments made are provisional and subject to full consideration of any subsequent application and the comments received following consultation, publicity and notification.
5. Members of the committee will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Council's Constitution). Failure to do so may mean that the Member will not be able to participate in the meeting when any subsequent application is considered.

### Public speaking and running order

6. The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Applications for Decision" parts of the agenda. Therefore, reports on this part of the agenda do not attract public speaking rights, save for Ward Members.
7. The items on this part of the agenda will run as follows:
  - a. Officer introduction of the main issues
  - b. Developer presentation (20 minutes)
  - c. Ward Councillor speaking slot (5 minutes)
  - d. Committee questions
  - e. Officer roundup

**Late information**

8. Any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Update Report.

**Recommendation**

9. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented as background information.

 <p><b>Havering</b> LONDON BOROUGH</p>	<p><b>Strategic Planning Committee – Developer Presentation 25 January 2024</b></p>
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<b>Pre-Application Reference:</b>	<b>W0152.23</b>
<b>Location:</b>	<b>Land bound by Chippenham Road, King Lynn’s Drive and Darfields, Harold Hill</b>
<b>Ward:</b>	<b>Heaton</b>
<b>Description:</b>	<b>Demolition of existing buildings and redevelopment of the site for residential uses in the region of c140 dwellings</b>
<b>Case Officer:</b>	<b>Richard Byrne</b>

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## **1.0 BACKGROUND**

- 1.1 This proposed development is being presented to enable Members of the committee to view it before a planning application is submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are without prejudice and along with the comments received as a result of consultation, publicity and notification subject to full consideration of any subsequent application.
- 1.2 The proposed planning application has been the subject of 2 pre-application meetings with officers. There has been a QRP meeting undertaken to date 27<sup>th</sup> November 2023. Informed by the feedback gained from this meeting and following discussions with officers, the scheme has gradually developed.
- 1.3 The scheme is not finalised and it is anticipated that the proposals will further evolve over the coming months before submission of a planning application. At this stage however, Member feedback in regard to broad principles for the development will be constructive in taking the scheme forward.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The site is broadly rectangular in shape bound by Chippenham Road to the north, King’s Lynn Drive to the south and Dartfields to the east and west. The site is in two parcels straddling a central plot (which is outside of the application site) occupied by St. Georges Church, a funeral parlour and vicarage. The area of the two parcels measure approx. 0.96 hectares and the site slopes significantly upwards from Chippenham Road to King’s Lynn Drive by 2.6 metres.

- 2.2 The site is not in a Conservation Area and is not in an area of other designations. The site does not have a specific allocation in the Local Plan. It is however part of a wider masterplan being undertaken by the LBH Regeneration Team in Farnham Hilldene. The masterplan area comprises a family welcome centre to the north (phase 1) the Chippenham Road site to the south (Phase 2) and the Farnham Road and Hilldene shopping centre (Phase 3).
- 2.3 The site is adjacent to the existing Farnham Road shopping centre, however, it is has PTAL rating of 1b and 2.
- 2.4 The western parcel of the application site comprises a public house, one detached three storey building occupied by self-contained flats and eight two storey dwellings which all front Chippenham Road.
- 2.5 There are protected trees in the western parcel adjacent to the Chippenham Road boundary. The eastern parcel of the site is occupied by two detached buildings which are two and three storey housing self-contained flats fronting King's Lynn Drive.

**3.0 THE PROPOSAL**

- 3.1 The proposal relates to a council-led scheme for the demolition of all buildings in the eastern and western parcel with the erection of three principal blocks to accommodate 117 affordable homes and 21 homes for young people.

Affordable Homes	Home for Young People
1bed – 33 No.	1bed - 21
2bed – 63 No.	
3bed – 21 No.	

- 3.2 10% of the affordable home would be for wheelchair users and all units would have bike storage to GLA standards.
- 3.3 The homes for young people are for care leavers with an office for three staff including a meeting room and kitchenette/WC facilities within the building.
- 3.4 The proposed development in respect of height ranges between six storey and four storey. Along Chippenham Road the frontage block would reach six storey with a four storey height along King's Lynn Drive. The middle part of the block in the western parcel and intervening section in the eastern parcel (between Chippenham Road and King's Lynn Drive) facing Dartfields the height is five storey.
- 3.5 The footprint of the proposed built form allows for the retention of trees and courtyard open space to be created.
- 3.6 In the central section of the site on the south side of the church open space and a car park is proposed with access taken from King's Lynn Drive.
- 3.7 Bay parking is proposed off Chippenham Road and the eastern side of King's Lynn Drive. A central car park is proposed with access off King's Lynn Drive. The development proposes 42 spaces on site for the 117 affordable homes equally a ratio of 0.36 spaces per home and 2 staff parking spaces for the young person homes.

#### 4.0 PLANNING HISTORY

- P1274.23 - The Alderman, Chippenham Road, Romford - Demolition of all existing buildings and structures. Currently being considered, no decision made.

#### 5.0 CONSULTATION

- 5.1 Members should note that the proposal being presented to them now may have changed to reflect the QRP's comments below.

<b>QRP Comments – 21 November 2023</b>	
<i>Height and massing</i>	
<ul style="list-style-type: none"> <li>• Supports the proposed approach to the form and massing proposed for the development. However, it suggests exploring whether the massing of Buildings A2 and B2 could be redistributed, with the higher blocks remaining to the north. A2 and the south-facing element of B2 on Kings Lynn Drive could be reduced by one storey, with the height moved to A1 and to the eastern elements of B1 and B2 on Dartfields (East). This could create a more sympathetic relationship with the site's surroundings, as well as improving the block's form factor.</li> </ul>	
<ul style="list-style-type: none"> <li>• The design team should consider how plans for the high street masterplan phase immediately to the north will relate to the proposals. It is Report of Formal Review Meeting 21 November 2023 HVQRP38_Chippenham Road that the massing and height of the development should respond to the emerging as well as the existing context, and an ongoing conversation is therefore needed.</li> </ul>	
<i>Architecture</i>	
<ul style="list-style-type: none"> <li>• The architectural approach is developing in a positive direction. Façade studies incorporate interesting depth and variation, and the link to the slope of the site is a promising concept.</li> </ul>	
<ul style="list-style-type: none"> <li>• The loss of The Alderman public house creates policy issues. However, it does not consider that the pub makes a positive architectural contribution and thinks its retention would compromise the quality of the scheme as it occupies a significant area of the site.</li> </ul>	
<ul style="list-style-type: none"> <li>• The inclusion of access decks gives depth to façades. It notes that the dual aspect design of some units relies on windows that will open over decks, which may reduce their use. The design approach should aim to balance these factors.</li> </ul>	
<ul style="list-style-type: none"> <li>• Many flats have balconies that overlook the courtyards. It suggests that the design should also offer options for balconies with more privacy that face gable ends. This could be achieved by moving some decks to the opposite side of blocks.</li> </ul>	
<i>Landscape and amenity</i>	
<ul style="list-style-type: none"> <li>• Acknowledges the challenging nature of the site topography. However, fully responding to and incorporating this into the designs will prove crucial to the scheme's success. It therefore recommends developing a three-dimensional study of the landscape to help ensure site levels inform the design approach.</li> </ul>	
<ul style="list-style-type: none"> <li>• Encourages more work to resolve the way the site relates to nearby green spaces. It could act as a key link from the high street to the network of green spaces to the south on Kings Lynn Drive. The development can play a more</li> </ul>	

<p>positive role in this network by providing a route through the site rather than creating a blockage.</p>	
<ul style="list-style-type: none"> <li>• Encourage the development of a safe crossing over Kings Lynn Drive from the site to allow children to reach the adjoining green space. This route and the quality of the existing space should form part of the play strategy for the site, in conversation with council officers.</li> </ul>	
<ul style="list-style-type: none"> <li>• The courtyards, currently dominated by play space, should include a wider range of space type so that they provide social spaces for all age groups within the new residential community. The inclusion of swings should be reconsidered, as they make inefficient use of space.</li> </ul>	
<ul style="list-style-type: none"> <li>• Asks for further thinking on how the development's urban greening factor can be increased. The design of the courtyards should be reconsidered, including the removal of swings, to reduce the areas of hard surfacing and create more opportunity for planting. Further opportunities for greening should be sought across the site.</li> </ul>	
<p><i>Site layout</i></p>	
<ul style="list-style-type: none"> <li>• Recommends developing a clear movement strategy for the site, showing how pedestrians and cyclists will access and navigate it. This should include consideration of how people will arrive at the site from across the wider area, and the way it fits into the movement networks of Harold Hill.</li> </ul>	
<ul style="list-style-type: none"> <li>• More work is needed to consider how disabled people will access the site. The steepness of Dartfields makes access to accessible flats via the site perimeter to the units adjacent to Kings Lynn Drive, impossible. This could either be addressed by modelling access via cores on Chippenham Road and courtyards. Alternatively, all wheelchair accessible units could be moved to blocks fronting onto Chippenham Road.</li> </ul>	
<ul style="list-style-type: none"> <li>• Concerned that the central car park could be vulnerable to antisocial behaviour. It recommends distributing parking across the site instead, which could also allow buildings to be more closely grouped together, occupying more of the central space. More discussions should take place with Council officers on managing parking, including on surrounding streets.</li> </ul>	
<ul style="list-style-type: none"> <li>• Notes that parking close to the colonnades on Chippenham Road could conceal entrances to the building, removing passive surveillance. The panel advises using sections to consider how this can be addressed.</li> </ul>	
<p><i>Site boundaries</i></p>	
<ul style="list-style-type: none"> <li>• Further thinking about the quality and function of the spaces around the site's buildings. More work is needed to ensure that spaces around the edge of site are designed purposefully and are not left over</li> </ul>	
<ul style="list-style-type: none"> <li>• South-western corner of Block A1 creates a pinch point with the pavement on Dartfields, which needs to be addressed.</li> </ul>	
<ul style="list-style-type: none"> <li>• The panel also suggests considering the quality of the views into the courtyard from the site boundaries. A combination of solid and open boundary treatment could allow for an interesting mix of glimpses into courtyards.</li> </ul>	



Sustainability	
<ul style="list-style-type: none"> <li>• Supports the net zero carbon strategy for the development but asks for a more detailed sustainability strategy to show how it will be achieved without the use of offsetting. This should include more consideration of how the material strategy for the development will address embodied carbon, and how the heating and ventilation approach will reduce operational carbon. This is particularly important in light of the proposed demolitions.</li> </ul>	
<ul style="list-style-type: none"> <li>• Suggests using self-supported structures for the deck access walkways instead of reinforced concrete to reduce both thermal bridging and the scheme's embodied carbon impact.</li> </ul>	
<ul style="list-style-type: none"> <li>• Pleased to see that windows are horizontally aligned and their size well-balanced. It notes that they should be fully openable to allow purge ventilation.</li> </ul>	
<ul style="list-style-type: none"> <li>• Also suggests that the depth of window reveals for north-facing flats may need to be reduced to allow enough solar gain</li> </ul>	
<ul style="list-style-type: none"> <li>• The potential to host include sustainable drainage systems (SuDS), which would benefit from the site's gradient, and asks for designs to be developed</li> </ul>	

5.2 At this stage, it is intended that the following will be consulted regarding any subsequent planning application:

- Mayor of London
- London Fire Brigade
- Thames Water
- Essex and Suffolk Water
- EDF Energy
- National Grid
- Transport for London
- NHS Trust
- Department for Education
- Place Services (Ecology)

## 6.0 COMMUNITY ENGAGEMENT

- Two consultation events were held at the Harold Hill Library on 18th and 20th July 2023 to present the wider phased masterplan for residents and local businesses. The feedback received highlighted a range of priorities, including the need for affordable and social housing, enhanced community infrastructure such as schools and healthcare services, and provisions for maintaining shared green spaces.
- The feedback from residents will form part of the Statement of Community Involvement submitted by the Applicant at submission.

## 7.0 MATERIAL PLANNING CONSIDERATIONS

7.0.1 The main planning issues raised by the proposal relate to:

- Principle of Development
- Design Quality and Scale
- Mix of housing

- Quality of accommodation
- Access and parking
- Open spaces
- Energy and Sustainability
- QRP Feedback
- Impact on infrastructure provision and mitigation
- Financial and Other Mitigation

### 7.1 Principle of Development

- The site is within the built up area relatively close to schools, leisure centres and shops. There would be loss of existing homes on the site, however, the applicant has considered adaption of the existing buildings within the site and has come to the view it is more appropriate for the site to be fully re-developed. There is subsequent scope for new housing within the site especially given this is for affordable homes and specialist care meeting the borough's need.
- Although this site is a standalone application, issues that are likely to impact later phases of the masterplan in the wider area should be considered. For example, how parking is likely to be distributed, provision of play/amenity space, potential to improve key pedestrian/cycle routes. Information on these and any other relevant issues should be provided.
- In respect of the public house in the western parcel, the demolition and loss is considered under a separate application (see planning history).

### 7.2 Design, Quality and Scale

- Officers agree with the majority of the points raised by the QRP in respect of design. The applicant has reduced the height of the built form along King's Lynn Drive to normalise across the site taking into account the level differences. Further proposals however would need to be shown alongside of emerging phase 3 shopping precinct proposals.
- Suggest balconies are revisited depending on building side, capturing of light and presence in the street.
- There are concerns with the proximity of the built form with the corner of the block sited close to the back edge of the pavement to Dartfield's as it would be 5 storeys in height (western side of site).
- Given the low-rise suburban nature of Dartfields the transition from the two storey housing directly opposite the site will be important and the effect on amenity is to be carefully considered. Cross sections drawings have been requested to understand the relationship with existing housing with respect to design and impact on the amenity of occupiers in terms of outlook / overbearing impact.
- Further consideration needed to show the frontage of the site on respect of boundary treatments and level changes within the site with the Chippenham Road streetscene.

### 7.3 Mix of housing

- The mix of affordable housing, which would be 1, 2 & 3 bedroomed has been discussed with the Council's housing team and is considered to be acceptable.

#### 7.4 Quality of accommodation

- Need to demonstrate that adequate light can be provided to all units and equally that the scale of the scheme does not adversely affect the light to any nearby residential properties.

#### 7.5 Access and Parking

- Consideration of parking, access and servicing issues required and any proposed loss of street parking is likely to be of particular relevance.
- Review of the central car park bays, its location and proximity to the buildings as current position is not particularly overlooked.
- Require consideration across site showing accessibility, route through the site – between Blocks A1/B1 and the Funeral Centre would improve connectivity between the precinct and land to the south.
- Transport Assessment including parking surveys of the surrounding area will be required.
- A cycle strategy should be provided.

#### 7.6 Open spaces

- There is a need to demonstrate that there is satisfactory levels of communal amenity space/playspace for the future occupiers including details of quality of provision for all ages of children and parents. Following a slight amendment to the scheme following QRP the proposal may be able to provide all the playspace required for all age groups within the site. Child yield/play requirements should be able to be generated to demonstrate how London Plan standards can be adhered to.

#### 7.7 Energy and Sustainability

- The intention for the Chippenham Road development is to connect to the district heating network within the Farnham and Hilldene Scheme.
- In the interim period between the completions of the two schemes, Chippenham Road will have a temporary solution (Air Source Heat Pumps) which will enable it to operate independently until the energy centre is built and subsequently the district heating network becomes available.

#### 7.8 Impact on infrastructure provision and mitigation

- At this early stage of the scheme development, options for any on-site infrastructure requirements arising from the development should be considered taking into account it is an affordable led scheme.

### **8.0 CONCLUSION**

- 8.1 The proposed development remains in the pre-application stage and additional work remains to be carried out. The scheme will be progressed through a design led approach over the coming months. At this early stage, Members' guidance will be most helpful to incorporate as the various elements are brought together.

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## Agenda Item 5

### Applications for Decision

#### Introduction

1. In this part of the agenda are reports on Strategic Planning applications for determination by the committee.
2. Although the reports are set out in order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a specific application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

#### Advice to Members

#### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Havering comprises the following documents:
  - London Plan Adopted March 2021
  - Havering Local Plan 2016 – 2031(2021)
  - Site Specific Allocations (2008)
  - Site Specific Allocations in the Romford Area Action Plan (2008)
  - Joint Waste Development Plan (2012)
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special

attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made based on the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

#### Non-material considerations

11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
  - Building Regulations deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by Highways Legislation.
  - Environmental Health covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the Party Wall Act.
  - Covenants and private rights over land are enforced separately from planning and should not be considered.

#### Local financial considerations

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail.
13. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

#### **Public speaking and running order**

14. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.
15. The items on this part of the agenda will run as follows where there are registered public speakers:

- a. Officer introduction of the development
  - b. Registered Objector(s) speaking slot (5 minutes)
  - c. Responding Applicant speaking slot (5 minutes)
  - d. Ward Councillor(s) speaking slots (5 minutes)
  - e. Officer presentation of the material planning considerations
  - f. Committee questions and debate
  - g. Committee decision
16. The items on this part of the agenda will run as follows where there are no public speakers:
- a. Where requested by the Chairman, officer presentation of the main issues
  - b. Committee questions and debate
  - c. Committee decision

**Late information**


17. Any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Update Report.

**Recommendation**

18. The Committee to take any decisions recommended in the attached report(s).

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 <b>Havering</b> LONDON BOROUGH	<b>Strategic Planning Committee 25 January 2024</b>
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<b>Application Reference:</b>	<b>P0070.23</b>
<b>Location:</b>	<b>Veolia ES (UK) Ltd Coldharbour Lane</b>
<b>Ward</b>	<b>RAINHAM AND WENNINGTON</b>
<b>Description:</b>	<b>Continued operation, redevelopment and expansion of the existing Plastics Recycling/Recovery Facility, Materials Recycling Facility buildings to provided 11,000 sqm floorspace with vehicle depot with associated landscaping and parking (Amended description)</b>
<b>Case Officer:</b>	<b>MALACHY MCGOVERN</b>
<b>Reason for Report to Committee:</b>	<b>The application is within the categories which must be referred to the Mayor of London under the Town and Country Planning (Mayor of London) Order.</b>

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## **1 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 1.1 The current proposal to reconfigure and expand the existing materials recovery facility (MRF) and plastics recycling facility (PRF) into a single, larger, consolidated building would represent a more sustainable use of the site and would support the economic, social and environmental sustainability objectives of the Havering Local Plan.

- 1.2 This existing operation was first granted planning permission in 2012 as part of the larger waste activities on the wider site and since then, the demand on recycling infrastructure has increased as public policy and legislation has advanced to require more sustainable use of resources and more sustainable waste management. Furthermore, since the adoption of the Local Plan in 2021, the site of the MRF/PRF has been included as within a Strategic Industrial Location. There have been no material adverse impacts on neighbouring amenity or material environmental concerns since the operation began. The proposal is therefore considered acceptable and in line with the borough's waste management strategy and sustainability goals as well as Joint Waste Development Plan for the East London Waste Authority Boroughs.
- 1.3 The proposed scheme would represent a notable improvement in the visual amenity of the site and the building design would also represent a more sustainable and efficient development.
- 1.4 Officers consider that the proposal would protect local ecology and biodiversity and would cause no unacceptable adverse impact on the natural environment. The proposal is sustainable in terms of transportation and would not have undue impact on the local highway network.
- 1.5 The recommended conditions and Heads of Terms would secure future policy compliance by the applicant on the site and ensure any unacceptable development impacts are mitigated.
- 1.6 Officers consider the proposal to be acceptable, subject to direction from the Mayor for London, the completion of a Section 106 legal agreement and conditions.

## **2 RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission subject to:
- Any direction by the London Mayor pursuant to the Mayor of London Order
  - Prior to completion of a legal agreement to secure the following planning obligations:

### **Conservation Park / Wildlife Contribution**

- £28,350 contribution for park facilities

### **Travel Plan**

- Travel plan with £5,000 monitoring fee

### **Carbon Offset Fund**

- To pay the relevant carbon offset contribution to the local authority carbon offset fund pursuant to the approved updated Energy Assessment.

- Carbon Offset fee (TBC). Sum will be calculated at ninety-five pounds o £95 x 30 years = £2,850 per tonne of carbon to be offset

### **Legal Costs, Administration and Monitoring**

A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

- 2.2 That the Director of Planning is delegated authority to negotiate the legal agreement indicated above and that if not completed by the 26<sup>th</sup> April 2024 the Director of Planning is delegated authority to refuse planning permission or extend the timeframe to complete the legal agreement and grant approval.
- 2.3 That Director of Planning has delegated authority to issue the planning permission subject to the completion of the legal agreement and conditions to secure the following matters:

#### **Conditions:**

1. Statutory Time Limit
2. Accordance with Approved Plans
3. Phasing
4. Restriction on Use
5. Hard & Soft Landscaping Plan
6. Landscape Management Plan (LMP)
7. Archaeology
8. Land Affected by Contamination
9. Verification Report
10. Long Term Monitoring and Maintenance Plan for Groundwater
11. Unidentified Contamination
12. Borehole Management
13. Piling / Foundation Works Risk Assessment of Groundwater Resources
14. Infiltration of Surface Water onto the Ground
15. Sustainable Urban Drainage
16. Ecology
17. Construction Environment Management Plan (Biodiversity)
18. Ecological Design Strategy for On-site Habitat Creation for Invertebrates
19. Wildlife Sensitive Lighting Design Scheme
20. Carbon Reduction
21. Life Cycle Carbon Statement
22. Circular Economy
23. BREEAM
24. Floor Levels
25. Construction Method Statement
26. Demolition & Construction Logistics Plan
27. Delivery & Servicing Plan
28. Construction Waste Management Plan

- 29. Parking Management Plan
- 30. Travel Plan
- 31. HGV Wheel and Vehicle Cleaning
- 32. Non-Road Mobile Machinery (NRMM)
- 33. EV Charging Points
- 34. Dust Management Plan
- 35. Air Quality Neutral Condition
- 36. Mitigation of Excess Emissions Condition
- 37. Urban Greening Factor

### **3 SITE DESCRIPTION**

- 3.1 The application site is an irregular 'D' shape with a depth of approximately 250 metres and a width of approximately 250 metres giving an overall site area of 24,000 m<sup>2</sup> (2.4 hectares). The low-lying part of the site to which the current planning application relates to is the recycling facility only and comprises two large industrial buildings including (1). Materials Recovery Facility (MRF) and (2). Plastics Recycling facility (PRF). The MRF and PRF facilities represent a small, southern section of the larger Veolia site which includes the landfill operations granted under P1566.12.
- 3.2 The site is located on the northern bank on the River Thames, just southwest of Coldharbour Lane in the south of the borough. The site is approximately 700m to the west of a large wetland area called Wennington Marshes nature reserve. Access to Coldharbour Lane, where the application site is located, is 1.3km from the A13 (Rainham Bypass), which forms part of the strategic road network, via Ferry Lane. The access road connecting the site to Coldharbour Lane is an unadopted highway. To the west of the site is the Freightmaster Estate.
- 3.3 The site is not located within a conservation area, and not in close vicinity of any Listed Buildings or buildings of heritage value however is located within an Archaeological Priority Area.
- 3.4 Due to the expansive marsh area surrounding the north of the site, the nearest residential properties to the application site are located approximately 1.3km to the south across the River Thames in Erith. The public transport accessibility of the site is PTAL 0 (Worst).
- 3.5 The site is located within a Strategic Industrial Location (Local Plan Policy 19) and within the Thames Policy Area (Havering Local Plan Policy 31) and within a Flood Zone 3a (high probability of flooding).
- 3.6 The site also falls within the SSA17 – London Riverside Conservation park designation, and is located within the Rainham, Aveley and West Thurrock Marshes Landscape Character Area (LCA) of the Land of the Fanns Landscape Character Assessment (2016)

#### **4 BACKGROUND (Existing Site Operations)**

- 4.1 The applicant submits that the MRF operations consist of managing all the material income handling activities.
- 4.2 The incoming mixed plastic recyclables usually range between plastic containers, cans and glass bottles. The MRF process operation generally consists of a combination of sorting and conveying equipment that typically includes a trommel screen, optical sorters, magnet, eddy current separators, a bale maker, mechanical bunkers and a quality control cabin. Depending on the type of material output from the sorting process (the 'material recovery' element of the process) the recycled materials are baled and then stored for a short period of time before being transported off site.
- 4.3 The PRF is similar to the MRF but includes technology that has the ability to separate out nine different grades of plastics ranging from bottles, yoghurt tubs and trays, which by dividing them ensures a high quality and high value recovered recyclables stream for the end users. This is particularly useful given it can adapt to any mixed recyclable collections from municipal and commercial customers.
- 4.4 The baled plastics are then transported off-site. All recyclable materials recovered from the MRF and PRF process will be sent off to either Veolia's other plastics recycling facilities or to third party recycling companies depending on the type of material stream and the market demand. The materials recovered by the PRF and MRF are typically used as a resource to produce new products or containers helping to increase the amount of recycled materials used in new products.
- 4.5 The PRF & MRF site operates on a 3-shift basis over a 24-hour period each day. Veolia employs approximately 165 staff members to operate the facility onsite throughout the day. Veolia staff members work across various operational, technical and management roles on site.
- 4.6 The applicant submits that the PRF and MRF currently provides in excess of 50% of the materials that feed into Veolia's other recycling facility operated in the neighbouring Borough of Barking and Dagenham. Veolia's Dagenham facility is a 'bottle to bottle recycling process facility that accepts bales of plastic milk bottles (High-density polyethylene often referred to as 'HDPE' type plastic) that are sorted, shredded and then turned into recycled plastic pellets. These recycled plastic pellets, which are tested to meet food grade standards, Veolia's Dagenham facility relies heavily on Veolia's Rainham's facility to remain operational in order to supply manufactures with recycled plastic pellets.
- 4.7 Finally, the applicant submits that Veolia's Dagenham site also employs 50 staff members to operate the facility 24 hours a day and five days per week. Therefore, if Veolia's PRF and MRF site is unable to remain operational at Coldharbour Lane in Rainham beyond December 2024 then it's possible that the Dagenham facility may not be able to remain as viable to support the re-production of plastic bottles.

## 5 DESCRIPTION OF PROPOSAL

5.1 The submitted Planning Statement describes the proposal as follows:

1. Temporary extension of time – A temporary continuation of the current PRF and MRF operations onsite, as existing, until the end of 2026.
2. Site re-arrangement - The existing bale storage located in the southern area of the application site will be utilised to accommodate the new and additional building floor space that will become the new MRF. The existing bale storage will be relocated to the northernmost area of the site, which will be screened from view under a new roof but will remain structurally open fronted for easy vehicle access.
3. Phased Redevelopment of buildings after 2026 - Commencement of a phased redevelopment of the proposed PRF and MRF layout, including the development of approximately just under 3,500sq.m floor space added as the two existing PRF and MRF buildings will be re-configured to operate under one roof.
4. This will result in the potential demolition of the northern building onsite with the intention to retain as much of the existing steel frame where possible. The existing buildings will be joined up, connected and expanded by retaining as much of the structural steel framework of the existing building as possible. The buildings will be extended in width and height. Following the redevelopment, an overall building floor space of approximately just over 11,000sq.m will house the MRF, PRF and bale storage.
5. Building design - The existing external cladding will be fully replaced by a new cladding design and colour that will provide the facility with an attractive new aesthetic that will be sympathetic to the local surroundings as shown in the Design Access Statement (DAS) and planning drawings.
6. Operations: Tonnage - New input tonnage of approximately 200,000 tonnes per annum (200 ktpa) of commercial and municipal materials accepted onsite. Currently the site accepts approximately 130ktpa - 160ktpa of input materials.
7. Office/welfare - The proposed redevelopment of the PRF and MRF buildings will include a new double storey office and welfare building for staff and visitors, which will be positioned along the southern elevation of the new building extension. Resulting in approximately 730sq.m of floor space, the new double storey offices will also help to break up the industrial appearance of the proposed redevelopment along the southern facade of the building and be more aesthetically pleasing for views from the south including from the river and Coldharbour Lane.
8. Boundary treatment - New hard landscaping boundary treatments at key visual points around the application site's perimeter mesh paladin fencing, where the southern and western sections will include a wall up to 1.2 metres high.

9. Vehicle/site access -Reinstate the existing vehicle opening of Coldharbour Lane along the western boundary of the application site for car vehicles to enter/leave. This will ensure the separation between the office staff and visitors from the site's operational areas where Heavy Goods Vehicles (HGVs) and mobile plant will be in operation.
10. Staff and visitor vehicle parking - Approximately no. 94 car parking spaces. This includes parking for members of staff, visitors, accessible/disabled parking, and parking spaces with Electric Vehicle charging points. No. 24 cycle parking provision and approx. no. 10 motorcycle parking spaces.
11. New vehicle depot -Approximately no. 20 parking spaces are proposed for the overnight parking of HGVs/Trailers. These vehicles will leave the site early in the morning to join their waste collection rounds before they return later in the day to park-up onsite, repeating the same operation the following day. Although these vehicles may not be predominantly associated with the PRF and MRF operations Veolia has the opportunity to utilise the space and resources onsite to accommodate this activity in order to continue providing a service to customers.
12. Internal vehicle movements - The internal HGV vehicle pathways will be retained along the eastern boundary of the application site. Two new pit mounted weighbridges will be installed to the north of the application site for incoming and outgoing HGVs to be weighed.

## **6 RELEVANT HISTORY**

- 6.1 P1566.12 - Planning application for the continuation of waste inputs and operation of other waste management facilities (materials recycling facility, waste transfer station, open air composting site and associated soil plant, gas engines, leachate treatment plant, and incinerator bottom ash processing) until 2024 and re-profiling of final contours – APPROVED with conditions on the 22<sup>nd</sup> September 2016.

## **7 CONSULTATIONS/REPRESENTATIONS**

- 7.1 Public consultation took place in accordance with statutory requirements. This included a total of 15 letters sent to occupiers of neighbouring properties (all commercial), a press advert published in Romford Recorder and site notices displayed outside the application site.
- 7.2 No representations were received from members of the public or from neighbouring landowners/ occupiers.

### **Internal Consultees**

LBH Environmental Health (Noise & contamination) - No objections subject to conditions

LBH Environmental Health (Air quality) - No objections subject to conditions

LBH Highways - No objections subject to conditions

LBH Waste & Recycling - No objections subject to conditions

LBH Place Services (Ecology) - No objections subject to conditions

LBH Community Safety – No objection

LBH Place Services (Landscape) - No objections subject to conditions

LBH Place Services (Trees) – No objection

LBH Inclusive Growth – suggest that the permission should be temporary pending a new Rainham Masterplan.

### **External Consultees**

Historic England (GLAAS) - No objections subject to conditions

Environment Agency - No objections subject to conditions

London Fire (LFEPA) - No objections subject to conditions

Thames Water - No objections subject to informatives

Transport For London (TFL) - No objections subject to conditions

Greater London Authority – No objection subject to conditions

## **8 RELEVANT POLICIES**

8.1 The following planning policies are material considerations for assessment of the application: Government Planning Policy

### National Planning Policy Framework 2023

8.2 The National Planning Policy Framework (NPPF) sets out Government planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Themes relevant to this proposal are:

1. Introduction (Paragraphs 1 to 6)
2. Achieving sustainable development (Paragraphs 7 to 14)



3. Plan-making (Paragraphs 15 to 37)
4. Decision-making (Paragraphs 38 to 59)
5. Building a strong, competitive economy (Paragraphs 85 to 89)
6. Promoting healthy and safe communities (Paragraphs 96 to 107)
7. Promoting sustainable transport (Paragraphs 108 to 117)
8. Making effective use of land (Paragraphs 123 to 130)
9. Achieving well-designed and beautiful places (Paragraphs 131 to 141)
10. Meeting the challenge of climate change, flooding and coastal change (Paragraphs 157 to 179)
11. Conserving and enhancing the natural environment (Paragraphs 180 to 194)
12. Conserving and enhancing the historic environment (Paragraphs 195 to 214)

### London Plan 2021

GG1 - Building strong and inclusive communities

GG2 - Making the best use of land

GG5 – Growing a good economy

D1 - London's form, character and capacity for growth

D2 - Infrastructure requirements for sustainable densities

D3 - Optimising site capacity through the design-led approach

D4 - Delivering good design

D5 - Inclusive design

D11 - Safety, security and resilience to emergency

D12 - Fire safety

D14 – Noise

E4 - Land for Industry, Logistics, and Services to Support London's Economic Function

SI 1 - Improving air quality

SI 2 - Minimising greenhouse gas emissions

SI 3 - Energy Infrastructure

SI 4 - Managing Heat risk

SI 12 - Flood risk management

SI 13 - Sustainable drainage

G5 - Urban greening

G6 - Biodiversity and access to nature

T1 - Strategic approach to transport

T2 - Healthy streets

T3 Transport capacity, connectivity and safeguarding

T4 - Assessing and mitigating transport impacts

T5 - Cycling

T6 - Car parking

T7 - Deliveries, servicing and construction

T9 - Funding transport infrastructure through planning

DF1 - Delivery of the Plan and Planning Obligations

## Local Plan 2021

- Policy 19 – Business Growth
- Policy 22 – Skills and Training
- Policy 23 – Transport Connections
- Policy 24 – Parking Provision and Design
- Policy 26 - Urban Design
- Policy 28 – Heritage Assets
- Policy 30 – Biodiversity and Geodiversity
- Policy 33 – Air Quality
- Policy 34 – Managing Pollution
- Policy 35 – Waste Management
- Policy 36 – Low Carbon Design and Renewable Energy

### **8.4 Other Material Planning Documents**

#### Joint Waste Development Plan for the East London Waste Authority Boroughs 2012

- 8.5 In 2012 the Council adopted the Joint Waste Development Plan, which was developed in collaboration with Barking and Dagenham, Newham, and Redbridge.
- 8.6 The purpose of the Joint Waste Plan is to set out a planning strategy for sustainable waste management which enables the adequate provision of waste management facilities (including disposal) in appropriate locations for municipal and commercial and industrial waste, having regard to the London Plan Borough level apportionment and construction, excavation and demolition and hazardous wastes.
- 8.7 The Joint Waste Plan forms part of the planning policy suite of documents for each borough.
- 8.8 A new Joint Waste Plan is needed. The East London Waste Plan Evidence Base (2022) has been produced as the first step towards creating a new Joint Waste Plan.

#### Policy SSA17 - London Riverside Conservation Park

- 8.9 Policy SSA17 is a relevant policy and allocation in relation to the application site. The allocation relates to Map reference TQ 525800 in the Site Specific Allocations Development Plan which shows the allocation of the London Riverside Conservation Park as covering the whole of Veolia's wider site on Coldharbour Lane, the Freightmaster Estate and the commercial and industrial uses to the north of the landfill site. This allocation has since been scaled back as shown in the Havering Local Plan 2021 and Proposal Map (South) 2021.

## Character and Context SPG (2014)

- 8.10 This document sets out the principles of site responsive design that should inform the Design and Access Statement to be submitted with the application, helping to promote the right development in the right place.

### **PLANNING CONSIDERATIONS**

- 9.1 The main planning issues raised by the application to be considered are:

- 1) Principle of Development
- 2) Design & Landscaping
- 3) Neighbouring Amenity (Light Loss and Privacy)
- 4) Environmental Impacts (Noise, Dust & Air Quality)
- 5) Impact on the Highway network
- 6) Sustainability/ Energy
- 7) Archaeology
- 8) Ecology & Biodiversity
- 9) Flood Risk
- 10) Other Issues (Health)
- 11) S106

### **PRINCIPLE OF DEVELOPMENT**

- 9.2 The NPPF 2023 places a presumption in favour of sustainable development and states that achieving sustainable development means that the planning system has three overarching objectives, the social economic and environmental objectives.
- 9.3 Whilst the principle of the recycling facility and industrial use has been established and deemed acceptable by the extant and live permission ref. P1566.12, this was for a temporary period associated with the lifetime of the wider landfill site (to December 2024). Therefore, a fresh look at the proposal and reconsideration of the scheme against the current development plan policies and NPPF is considered appropriate.
- 9.4 Sustainable Development (Paragraphs 7-14): The NPPF 2023 emphasizes the importance of sustainable development as a central objective of the planning system. The proposed plastics recycling facility aligns with these objectives by promoting efficient resource use and reducing waste, contributing to the economic, social, and environmental goals outlined in the NPPF's sustainable development priorities.
- 9.5 Building a Strong, Competitive Economy (Paragraphs 85-89): The NPPF 2023 underscores the significance of fostering a robust, responsive, and competitive economy. It highlights the necessity of making available sufficient land of appropriate types in the right places to support economic growth and innovation. The proposed recycling facility is compatible within these

parameters as an important part of the industrial sector, contributing to economic growth and job creation.

- 9.6 Promoting Healthy and Safe Communities (Paragraphs 96-107): The NPPF 2023 focuses on fostering strong, vibrant, and healthy communities. By reducing plastic waste, the plastics recycling facility would contribute to environmental health, thus supporting the Framework's objectives of fostering well-designed, beautiful, and safe places with accessible services and open spaces that support communities' health, social, and cultural well-being.
- 9.7 Effective Use of Land (Paragraphs 123-130): The NPPF 2023 encourages the effective use of land to meet various needs, including housing and industrial use. The proposed recycling facility contributes to these broader goals by making good use of land for sustainable industrial purposes, thus aligning with the Framework's directives for land use.
- 9.8 Achieving Well-Designed and Beautiful Places (Paragraphs 131-141): The revised 2023 Framework stresses the importance of well-designed, beautiful places that are sustainable and positively contribute to the local character and quality of the area. The proposed building design and form plastics recycling facility would represent an improvement to the visual amenity of the site and would be designed with the principle of transitioning to a low-carbon future and contribute to the NPPF's goals of enhancing the natural environment and mitigating climate change.
- 9.9 Waste (Paragraphs related to waste management): the NPPF 2023 addresses waste management within its broader environmental objectives. These include protecting and enhancing the natural environment by minimizing waste and pollution. The proposed recycling facility would support these objectives by promoting the reuse of materials and sustainable waste management practice
- 9.10 London Plan Policy 2021 E4 'Land for Industry, Logistics, and Services to Support London's Economic Function' states that
1. "Boroughs should ensure that there is sufficient land and floorspace to meet the needs of London's economy by safeguarding existing industrial land and premises."
  2. "Where there is a demonstrable need, boroughs should promote the intensification and co-location of industrial and other land uses."
  3. "Proposals for industrial intensification, co-location and substitution should ensure that they do not have an adverse impact on the surrounding area."
  4. "Boroughs should seek to manage existing industrial land in a way that enhances its quality and adaptability for industrial uses, particularly for small and medium-sized enterprises."
- 9.11 The proposal to redevelop the existing MRF and PRF on site and consolidate into one larger facility would represent a continuation and more efficient operations on site ensuring the efficient use of industrial land, in line with London Plan 2021 policy E4. The ongoing use would also be supported by London Plan policy GG5 "Growing a good economy" which states that

development must plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.

- 9.12 The expansion would also be supported by Havering Local Plan policy 19 'Business Growth' which states that the Council is committed to building a strong and prosperous economy in Havering and will encourage and promote business growth by supporting the London Riverside Business Improvement District. It has been suggested, that any permission should be on a temporary basis, until such time as, the new Rainham masterplan is produced. However, the proposals will provide a significant increase in employment in this existing business, which is within the Strategic Industrial Location where the growth and development of existing employment uses is supported. At present, there is no Rainham masterplan and therefore it would not be appropriate to grant a temporary permission.
- 9.13 In summary, the proposals are considered to be in line with the policies of the NPPF, London Plan 2021, Havering Development Plan 2021 and with the Joint Waste Development Plan for the East London 2012. The proposal is therefore acceptable in principle subject to satisfying other relevant policies of the development plan.

## **DESIGN**

- 9.14 Chapter 12 of the NPPF 'Achieving well-designed and beautiful places' states at paragraph 131 that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.15 London Plan 2021 policy D1 'London's form, character and capacity for growth' part A 'Defining an area's character to understand its capacity for growth' states that boroughs should undertake area assessments to define the characteristics, qualities and value of different places within the plan area to develop an understanding of different areas' capacity for growth. The site is located within a defined Strategic Industrial Location (SIL) and as such the existing operation and indeed the proposed expansion are considered acceptable as it would optimise the facility and follow a design-led approach as per policy D3.
- 9.16 London Plan policy D4 'Delivering good design' states at part F 'maintaining design quality' that the design quality of development should be retained through to completion by: 1) ensuring maximum detail appropriate for the design stage is provided to avoid the need for later design amendments and to ensure scheme quality is not adversely affected by later decisions on construction, materials, landscaping details or minor alterations to layout or form of the development. The submitted detail is considered acceptable and the proposed building design and form is considered acceptable given its industrial character and would be of a footprint and height/scale that can be accommodated comfortably by the site. The surrounding topography is such that the building would utilise an area of lower land next to the River Thames

and would not be highly visible from any public view points north of Coldharbour Lane. The site is obscured by the landfill site to the north and east which stands some 25-32 metres higher than the application site.

- 9.17 The submitted drawings indicate that the proposed building would have a sloping roof profile to add visual interest to the built form and would be some 150 metres long by 115 metres deep and with a height ranging from 8.2 metres to 17.6 metres in height. In the submitted Design & Access statement, the applicant states that the (building) forms created are intended to focus on the horizontal emphasis of the site and to respond to the surrounding elevated topography set up by the adjacent landfill site, which will eventually become a Country Park.
- 9.18 The statement submits that enhancement of the abstract building profile then comes from the application of cladding tones that break the rules of vertical and horizontal lines more often associated with metal cladding facades. The building roof form is a simple mono pitch plane that takes on the form of the surrounding topography rather than that of a conventional portal frame roof form.
- 9.19 The proposed scale, form and detailed design is considered acceptable subject to planning conditions relating to external materials.

#### Landscaping

- 9.20 The applicant submits that operational usage on the site is maximised particularly with the relocation of the previously remote staff parking within the site boundary. There are however some areas around the site perimeter that can be developed with a mix of hard and soft landscaping that assist in softening the visual impact of the site from the Country Park.
- 9.21 The applicant submits that given the exposed estuary environment, it is not considered appropriate for tree planting within the site but the use of carefully selected low to medium height shrubbery to strike a balance between the exposed environment and the operational facility.
- 9.22 Additionally, some areas can be developed with grass / lawn as staff amenity areas, particularly adjacent to the offices located on the southern elevation. The proposals are considered acceptable by the Landscaping Team and Ecology Team subject to a number of planning conditions.

#### **IMPACT ON AMENITY**

- 9.23 Policies D3, D6 of the London Plan 2021 requires development to protect, and where possible improve, the amenity of surrounding existing and future residents as well as the amenity of the surrounding public realm.
- 9.24 As stated above, the application site is located some 1.3km away from the nearest residential receptors which are on the south side of the River Thames and some 2km away from the nearest Havering residential receptors to the

north of the site. The proposal is not considered to cause any harm to neighbouring residential amenity by way of loss of outlook, daylight and sunlight, or by way of overlooking and loss of privacy.

## **ENVIRONMENTAL IMPACTS (NOISE, DUST, AIR QUALITY)**

### Noise

- 9.25 Havering Local Plan 2021 policy 33 'Air Quality' and policy 34 'Managing Pollution' set out the requirements for new development with regard to acceptable environmental impacts. The applicant submits that the application site is an existing operational site and there have been no reported adverse affects or impacts since the operations began post 2012. Only the configuration and scale of the PRF and MRF buildings will change under the current proposal and with a marginal increase in floor area and intensity of use. The operational plant and machinery would be the same as existing and no material change in use or processes would occur.
- 9.26 The Noise Impact Assessment report, reference no. R22.0901/DRK concludes in paragraph 6.3.1 part 1 that the proposed new building provides an improvement in noise levels due to the design and improved acoustic performance of the cladding. Paragraph 6.3.2 further concludes that the proposed operation of the site would generate noise levels well within relevant noise standards and guidelines at nearest sensitive receptors and therefore noise would not be significant.

### Air Quality

- 9.27 London Borough of Havering was declared an Air Quality Management Area in 2006. The planning application proposal has been subject to an Air Quality Assessment (AQA), report no. R3101-R01-v2. The AQA report considers the impacts from the construction process, vehicle exhaust emissions and any odour and dust from the existing operations and concludes in paragraph 5.12 that no significant impacts that would preclude planning permission for the proposed development have been identified. No further assessment or consideration of air quality issues is deemed necessary.
- 9.28 Havering Environmental Health Team advised that the proposal is considered acceptable in amenity terms subject to a number of noise, dust, air quality and excess emissions planning conditions.

## **HIGHWAYS & PARKING**

- 9.29 The NPPF emphasizes the role transport policies have to play in achieving sustainable development and stipulates that people should have real choice in how they travel. The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel. The car parking standards in the London Plan policy T6 are maximum standards in accordance with PPG13.

- 9.30 The site is located within an area with a public transport accessibility (PTAL) rating of 0 (worst), with no convenient pedestrian access to bus connections or train station.
- 9.31 The proposed on-site parking provision for staff is considered acceptable subject to a planning condition securing a Parking Design and Management Plan.
- 9.32 The applicant submits that the site will continue to accept HGV movements for the tipping and taking away of recyclable materials as it currently does. The current material input ranges between 130,000 - 160,000 tonnes per annum and the current planning application is proposing an increased input of up to 200,000 tonnes of recyclable materials per annum ( 200 ktpa). The Transport Assessment (TA), report no. 3264-01-TA01, has determined that the increase in tonnage proposed to accommodate gradual growth will only result in an increase of an average of approximately 12 daily two-way HGV movements that will occur gradually.
- 9.33 The planning application also proposes to accommodate a vehicle depot of approximately 20 HGVs/trailers to enable Veolia to park empty waste collection vehicles related to existing waste collection contracts. This element of the proposal is to allow Veolia to utilise available space and resources onsite and to have a vehicle base in this area of London. As a result there will be an additional 40 two-way HGV movements onsite.
- 9.34 The application site's existing access and egress located along the northern boundary will become the site's only access/egress for HGVs to and from Coldharbour Lane. The opening will be designed to be wide enough to accommodate the passing of incoming and outgoing HGVs.
- 9.35 TFL have been consulted on the proposals and have advised that no Healthy Streets Active Healthy Zone has been considered. The applicant submits that this is less plausible given the highly isolated and industrial nature of the site which is understood. TFL have raised no objection to the scheme, subject to a number of planning conditions relating to Parking Design Management Plan (PDMP), cycle parking details, A Construction Logistics Plan (CLP) and Delivery and Servicing Plan (DSP) and Travel Plan.
- 9.36 In light of the above, the proposal is considered acceptable in highways terms subject to the planning conditions.

## **SUSTAINABILITY / ENERGY**

- 9.37 At national level, the NPPF sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The climate change policies as set out in Chapter 9 of the London Plan, policies of the Havering Local Plan 36 'Low Carbon Design & Renewable Energy' collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.



- 9.38 In recognising the importance of climate change and the need to meet energy and sustainability targets, as well as the Council's statutory duty to contribute towards the sustainability objectives set out within the Greater London Authority Act (2007), Policy SI 2 of the London Plan, the Mayor of London's SPG on Housing (2016). This has targeted the eventual aim of zero carbon for all residential buildings from 2016 and zero carbon non-domestic buildings from 2019. The policy requires all major development proposals to include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy.
- 9.39 The proposed floorspace would be as follows:
- Waste material processing – 11,050 sqm
  - Weighbridge and associated security office - 175 sqm
  - Associated offices - 730 sqm
  - External semi enclosed recycled waste bale storage - 4,124 sqm
- 9.40 The applicant submits that the scheme commits to achieving the carbon dioxide (CO<sub>2</sub>) reduction targets required for each stage of the energy hierarchy and will exceed the London Plan's net zero carbon targets for major developments.
- 9.41 The scheme is expected to achieve a 24% emission rate reduction through energy demand measures (Be Lean) alone. Furthermore, the scheme is expected to achieve a 13% emission rate reduction as a result of onsite renewable energy generation (Be Green).
- 9.42 As a result, the overall cumulative on-site CO<sub>2</sub> saving for the scheme is expected to be 38%, as detailed in the appended GLA spreadsheet2.
- 9.43 The scheme will meet these targets through an enhanced fabric specification and efficient mechanical servicing:
- Heating (Main) - VRF Air source heat pumps (ASHP) – Serve the offices
  - Heating (Ancillary) - Electric panel heaters – serve the toilets, corridors, ancillary areas.
  - Water Heating - From ASHP
  - Ventilation – Mechanical extract
  - Lighting - 100% Low energy LED
  - Renewable Energy Technologies - Photovoltaic Array – 20KWp
- 9.44 The Council's external Sustainability & Energy consultant has advised that the proposal is acceptable subject to further conditions and information regarding life cycle carbon and revised calculations in line with the GLA spreadsheet.

## **ARCHAEOLOGY**

- 9.45 Policy 28 'Heritage Assets' of the Havering Local Plan 2021 states that the council recognises the significance of Havering's heritage assets and further at

part (vi) will support well designed and high-quality proposals which would not affect the significance of a heritage asset with archaeological interest, including the contribution made to significance by its setting.

- 9.46 Historic England has been consulted and has raised no objection to the development subject to a condition requiring a Written Scheme of Investigation (WSI).

## **ECOLOGY AND BIODIVERSITY**

- 9.47 Policy 30 Biodiversity & Geodiversity of the Havering Local Plan seek to safeguard ecological interests and wherever possible, provide for their enhancement. The scheme is expected to deliver a biodiversity net gain.
- 9.48 Whilst an ES was not required, the application is accompanied by a Preliminary Ecology Appraisal (FPCR, September 2022). The Council's Ecology Consultants have advised that the mitigation measures identified in the Preliminary Ecology Appraisal (FPCR, September 2022) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats and nesting birds.
- 9.49 The Ecology Consultants also advised that a Construction Environmental Management Plan (CEMP: Biodiversity) should be provided, particularly as the site is in close proximity (50 metres) to the River Thames and associated SINC. This should also demonstrate that construction lighting is directed away from the River Thames.
- 9.50 The proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2023) are also supported. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. We recommend that this could also include creation of on-site habitat to encourage Thames Terrace invertebrates and / or invertebrates using nearby designated sites e.g., the Inner Thames Marshes SSSI.
- 9.51 In summary, it is considered that these proposals should not prevent, or cause adverse effects upon, any long-term biodiversity restoration proposals for the wider site.
- 9.52 An Urban Greening Factor calculation has been received for the site and this states that the scheme achieves a score of 0.3, this meets the target score as recommended by Policy G5 of the London Plan for commercial developments.

## FLOOD RISK

- 9.53 Guidance under the NPPF seeks to safely manage residual risk including by emergency planning and give priority to the use of sustainable drainage systems.
- 9.54 Policy SI 13 of the London Plan stresses that development should utilise sustainable urban drainage systems (SuDS) and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Information on how the drainage strategy will reduce discharge rates to the greenfield runoff rate is required. The attenuation should be provided in above-ground green SuDS where possible, which will also provide additional amenity and biodiversity benefits. Commitment to the inclusion of rainwater harvesting would be required.
- 9.55 In terms of local planning policies, policy 32 'Flood Management' states that 'the council will support development that seeks to avoid flood risk to people and property and manages residual risk by applying the Sequential Test and, if necessary, the Exception Test as set out in the NPPF. The Council's Strategic Flood Risk Assessment should be used as a starting point regarding local flood risk guidance. In addition to the requirements set out in the NPPF, the Council will require site-specific flood risk assessments for development on:
- i. Sites where drainage problems have been identified by the Council;
  - ii. The Washlands Flood Storage Area (FSA); and iii. Sites deemed necessary by the Council as a Lead Local Flood Authority.
- 9.56 The Council will seek to reduce the risk from surface water flooding by requiring development proposals to:
- iv. Reduce surface water runoff by providing sustainable drainage systems (SuDS), unless there are practical reasons for not doing so; and
  - v. Ensure that proposals for SuDS apply the London Plan drainage hierarchy achieving greenfield run-off rates, where feasible, and include clear arrangements for ongoing maintenance over the lifetime of the development.
- 9.57 The application site falls within Flood Zone 3a (high risk of flooding area) of the Environment Agency Flood Map given its Thames side location. There has been considerable delay with regard to the EA's response given their request for clarification of some key information regarding flood risk.
- 9.58 The EA recently clarified by way of consultation response dated 13<sup>th</sup> November 2023 that:
- 1. The development is situated above the modelled 0.1% AEP (1-in-1000-year) tidal flood event (TE2100 Extreme Water Level).
  - 2. The proposal will not prevent the installation of flood defence south of the road at a future date when required.

9.59 The Environment Agency have advised that they have no objection to the scheme subject to seven conditions:

1. Land contamination
2. Verification
3. Ground water maintenance and monitoring
4. Unidentified contamination
5. Borehole management
6. Piling / Foundation works
7. Infiltration of surface water

## **OTHER ISSUES**

### Health Considerations

9.60 Policies GG 3, S2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals while the Council's Local Plan policy 12 seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles and enhance people's wider health and well-being.

9.62 Given the nature of the MRF and PRF facility as a type of 'sorting' step in the recycling process it is not considered that the use would raise any unique health implications. It not considered that the proposals would prejudice the opportunity of residents, neighbours or members of the public from appropriate living conditions or from living healthy and active lifestyles given the nature of the development and the strategic industrial location far removed from nearby residential receptors.

## **SECTION 106**

### Planning Obligations

10.1 The heads of terms of the Section 106 agreement have been set out above. These are considered necessary to make the application acceptable, in accordance with policy DF1 of The London Plan 2021 and policy 16 of the Havering Local Plan 2021.

10.2 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:

10.3 The Mayor's Community Infrastructure Levy (MCIL1) was introduced in 2012 to help finance Crossrail and on 1 April 2019 the new, replacement charging schedule (MCIL2) came into effect in order to fund Crossrail 1 (the Elizabeth Line) and Crossrail 2. If approved, the proposed development would be subject to (CIL) applied at a rate of £25 per square metre of additional gross floor area.

10.4 The London Borough of Havering's CIL was adopted in September 2019. Office / Industrial development will attract a levy of £0 per sqm of net additional floor

space. If approved, the proposed development would therefore be subject to null (CIL) payment.

- 10.5 The applicant has provided a breakdown of the proposed buildings, which could result in the following CIL payments:

Mayoral CIL (MCIL2) : 3,500 sqm x £25 = £87,500

## **EQUALITIES**

- 11.1 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 11.2 For the purposes of this obligation the term “protected characteristic” includes:- age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 11.3 Policy CG1 of the London Plan also seeks to support and promote the creation of an inclusive city to address inequality.
- 11.4 Therefore in recommending the application for approval, officers have had regard to the requirements of the aforementioned section and Act and have concluded that a decision to grant planning permission for this proposed development would comply with the Council’s statutory duty under this important legislation.
- 11.5 In light of the above, the proposals are considered to be in accordance with national regional and local policy by establishing an inclusive design and providing an environment which is accessible to all.

## **CONCLUSIONS**

- 12.1 The presumption in favour of sustainable development outlined in paragraph 11 of the National Planning Policy Framework (NPPF) is engaged.
- 12.2 All other relevant policies and considerations have been taken into account. It is therefore recommended that full planning permission should be APPROVED

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**Havering**  
LONDON BOROUGH

**Strategic Planning  
Committee  
25 January 2024**

<b>Application Reference:</b>	P1358.22
<b>Location:</b>	Rainham Marshes Silt Lagoons, Coldharbour Lane
<b>Ward</b>	RAINHAM AND WENNINGTON
<b>Description:</b>	<p>Application to allow the following operations at the site in addition to those currently approved under planning permission reference P2076.17 (Revised restoration plan) and planning permission reference P0189.16 (Highways improvement):</p> <ol style="list-style-type: none"><li>1. The excavation of waste previously deposited in the lagoons at the site and the treatment of the excavated waste by washing, screening and crushing to produce recycled aggregate with the residues deposited at the site and the recycled aggregate sold off site;</li><li>2. The treatment of waste imported to the site by washing, screening and crushing to produce recycled aggregate with the residues deposited at the site and the recycled aggregate sold off site; and</li><li>3. The stockpiling of suitable chalk and clay rich waste materials and the export of the chalk and clay rich materials from the site for use in agricultural improvements and/or engineering.</li></ol>
<b>Case Officer:</b>	RAPHAEL ADENEGAN
<b>Reason for Report to Committee:</b>	<ul style="list-style-type: none"><li>• The application is within the categories which must be referred to the Mayor of London under the Town and Country Planning (Mayor of London) Order.</li></ul>

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## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The Silt Lagoons at the Rainham and Wennington Marshes site (the site) comprises a series of partially filled lagoons located in the Borough. The site has planning permission to be restored to an ecologically beneficial after use comprising seasonal and permanent wetlands to tie in to the surrounding habitats. This will be achieved through the deposition of non-hazardous dredging materials and other permitted non-hazardous waste into lagoons on the site to create a variety of habitats including those suitable for protected species.
- 1.2 This planning application proposes the use of an area of the wider site as an aggregate crushing/washing plant including excavation of deposited materials, treatment of imported waste and stockpiling of chalk and clay rich waste material.
- 1.3 Officers consider that the proposal would protect the natural and built environment in accordance with the principles of sustainable development and meet an identified waste management need that contributes to the Circular economy, consistent with pushing waste up the waste hierarchy. The proposal is sustainable in terms of transportation and would not have undue impact on the visual character of the area.
- 1.4 The recommended conditions and Heads of Terms would secure future policy compliance by the applicant on the site and ensure any unacceptable development impacts are mitigated.
- 1.5 Officers consider the proposal to be acceptable, **(the Mayor has advised he does not need to be consulted further on this application)** the prior completion of a Section 106 legal agreement pursuant to the Town and Country Planning Act 1990 (as amended) and all other enabling powers and the planning conditions listed below.

## 2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission subject to:
  1. Agreement of the reasons for approval as set out in this report, and
  2. Delegation of authority to the Director of Planning in consultation with the Director of Legal Services to issue the planning permission subject to minor amendments to the conditions following completion of the legal agreement. The Heads of Terms for the Section 106 Agreement will cover the following matters  
:  
**Highways**
    - Active transport contribution towards funding for improvements to cycle infrastructure serving the site to support cycling to and from work by staff and visitors. Final figure to be agreed between TfL, Highways Authority and the LPA and to be presented at the meeting;



- Submission of Travel Plans including measures to reduce single-occupant car trips and support cycling, in particular procedures to pay relevant taxi fares for cyclists in the event of mechanical failure or personal emergency;
- A travel plan bond of £5,000 will be required to be used by the Council to remedy any failure to comply with the terms of the approved travel plan;
- Payment of a Travel Plan Monitoring Fee of £5,000 for the purposes of monitoring the operation and effectiveness of the travel plan.

### **Landscape and Ecology Management Plan**

Submission of long-term (at least 30 years) Landscape and Ecology Management Plan. The Landscape and Ecology Management Plan should set out habitat creation and short to long term management and monitoring of the site. As well as demonstrating that the SSSI features will be repaired, it should ensure that protected and Priority species have been taken into account, as well as management of public access and updating of the restoration plan demonstrate how this will be achieved.

### **Legal Costs, Administration and Monitoring**

A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further financial obligation (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

- 2.2 That the Director of Planning is delegated authority to negotiate the legal agreement indicated above and that if not completed by the 26<sup>th</sup> April 2024 the Director of Planning is delegated authority to refuse planning permission or extend the timeframe to complete the legal agreement and grant approval.
- 2.3 That the Director of Planning has delegated authority to issue the planning permission subject to the completion of the legal agreement and conditions [and informatives] to secure the following matters:

### **Conditions**

1. Time Limit (phase 1 - application for detailed planning permission);
2. Accordance with plans;
3. Surface water drainage/flood plain (Pre Commencement);
4. Aggregate and chalk stockpile Bays and height restriction;
5. Flood Evacuation Strategy;
6. Accordance with Flood Risk Assessment;
7. Restoration plan;
8. Temporary Permission (limited to duration of restoration):  
This permission shall be only for a limited period expiring once sufficient material to facilitate the restoration of the Silt Lagoons has been imported and a formal completion of the restoration project secured under P2076.17, unless agreed otherwise with the Local Planning Authority. If restoration works cease for a period of 12 months or more, the plant and ancillary equipment and recycled aggregates, stockpiled chalk and clays (the development hereby

permitted) shall be removed and the site reinstated in accordance with the restoration scheme for the area, to the satisfaction of the Local Planning Authority.

Reason:

To ensure that the development is removed following completion of the restoration works to create the London Riverside Conservation Park.

9. Contaminated Land Condition;
10. Restriction on Peak Hour HGV Movements;
11. Provision of Facilities on Site for covered cycle parking;
12. Provision of a Travel Plan;
13. Management Plan to Control Giant Hogweed;
14. Ecological Mitigation and Management Plan;
15. Construction Environmental Management Plan Ecology;
16. Landscape and Ecology Management Plan;
17. Wildlife Friendly Lighting Strategy;
18. Dust and Emissions Management Plan (Dust Mitigation Measures);
19. Accord with the recommendations of the Noise Report;
20. Hours of Operation (processing plant):
  - a) No materials processing operations authorised by this permission shall be carried out on the application site except between the following times:-
    - 0630 to 1900 hours Mondays to Fridays.
    - 0630 to 1700 hours Saturdays, with no working on Sundays or Public holidays.
  - b) This condition shall not apply to the delivery of materials to the application site under planning permission reference P2076.17, dated 04-09-18.
  - c) This condition shall not apply in cases of emergency when people on site or property is at risk or for water pumping activities.

Reason: - To minimise the impact of the development on the surrounding area in the interests of amenity.

21. Southern Boundary Screening;
22. Noise Condition when measured from the boundary at noise sensitive receptors;
23. Any vehicle entering or leaving the site at any time which is carrying any material for recycling shall have its load fully covered.

Reason:- To prevent waste materials falling from Vehicles.

### **Informatives**

Wildlife and Countryside Act 1981

## **3 SITE AND SURROUNDINGS**

- 3.1 Rainham Silt Lagoons are located to the south of the A13 and north of Coldharbour Lane and cover an area just under 121 hectares. The site is accessed off Coldharbour Lane and sits opposite Rainham Landfill. The land immediately to the west forms part of Rainham Marshes and is used for public recreation and animal grazing. Beyond that to the south and west are a series of industrial and commercial operations lying

within the London Riverside Business Improvement District. To the east of the site is Wennington Marsh, which is managed by the RSPB.

- 3.2 The application site is located within the Inner Thames Marshes Site of Special Scientific Interest (SSSI) and is also part of a site of Metropolitan Importance for Nature Conservation. The northern part of the site also falls within an area safeguarded for the Channel Tunnel Rail link. There are a number of other Sites of Importance for Nature Conservation within a 2km radius of the site. The nearest residential properties to the site are approximately 230m, to the north on the opposite side of the A13 and Channel Tunnel rail track, from the wider site and 1km from the area relevant to these proposals.
- 3.3 The application site boundary is located south-east of the wider (119 hectares, the subject of planning permission ref. P2076.17) Silt Lagoons site and occupies approximately 8.85ha. The area is currently used for storage of materials and plant and parking for vehicles. Access to the proposed processing facility is from the existing site entrance on Coldharbour Lane.
- 3.4 The River Thames is located approx. 600m to the south west of the site at its closest point and within Havering's Air Quality Management Area (AQMA).
- 3.5 The site comprises a series of lagoons which are used to deposit and settling of non-hazardous dredgings, excavated materials from the River Thames and River Medway and materials imported from other sources.
- 3.6 The vast majority of the site is made up of silt lagoons, for which the Port of London Authority has a 50 year license (until 2050) from the RSPB.
- 3.7 The PTAL for the site is 0 (Worst) and within Flood Zones 2 and 3.
- 3.8 In terms of designations, the site forms part of the following:
  - Retained Site Specific Allocation 17 London Riverside Conservation Park;
  - Site of Special Scientific Interest (biodiversity);
  - Metropolitan Site of Importance to Nature Conservation;
  - Rainham Marshes Local Nature Reserve
  - London Riverside Opportunity Area;
  - Landfill Site;
  - Flood Zones include 2 and 3 for the site.

#### **4 PROPOSAL**

- 4.1 Planning permission L/HAV/2819/79 was granted in May 1980 for the construction of two additional lagoons to receive dredged spoils and associated pipework and weirs and infrastructure.
- 4.2 The application has been advertised: Application to allow the following operations at the site in addition to those currently approved under planning permission reference P2076.17 (Revised restoration plan) and planning permission reference P0189.16 (Highways improvement):

1. The excavation of waste previously deposited in the lagoons at the site and the treatment of the excavated waste by washing, screening and crushing to produce recycled aggregate with the residues deposited at the site and the recycled aggregate sold off site;
  2. The treatment of waste imported to the site by washing, screening and crushing to produce recycled aggregate with the residues deposited at the site and the recycled aggregate sold off site; and
  3. The stockpiling of suitable chalk and clay rich waste materials and the export of the chalk and clay rich materials from the site for use in agricultural improvements and/or engineering
- 4.3 There are no proposals to change the overall quantity of waste that will be deposited at the site or the extent of the existing planning permission boundary under reference P2076.17. It is anticipated that throughput up to 500,000 tonnes per annum (tpa) will be imported and excavated and processed on site, though the maximum quantity of material which is permitted to be accepted, by the current Waste Management Licence issued by the Environment Agency, is 350,000tpa.. It is anticipated that approximately 350,000 tpa of secondary aggregates will be generated from the waste processing operations and approximately 150,000 tpa of residues will be deposited in the landfill. Up to 20,000 tpa of chalk and clay rich materials accepted at the site will be stockpiled and transferred from the site for reuse. The restoration timescales and the approved restoration scheme will not change as a result of the proposed development.
- 4.4 The proposed processing plant which will be located some 240m northeast of Coldharbour Lane, would be approximately 4 to 5.7m high. The conveyor arm of the screen will be limited to 5.5m in height and would have an overall width of approximately 16.65m when in operation. Its operations comprise washing, screening and crushing. A loading shovel and dump trucks of the movement of materials will be used as the treatment area and excavator will be used to excavate materials on site for treatment. The products of the washing and screening plant will comprise recycled aggregates akin to primary aggregates to be sold off site. According to the applicant, the residues from the treatment operations will be transported to and deposited in the designated area under operation at the time.
- 4.5 The main hardstanding will be approximately 220m by 140m with a concrete road or pads around all but the eastern edge which is bound by an existing tarmac road. The washing pad will have a maximum extent of approximately 100m by 70m. The five settlement/washing lagoons will be located to the north of the washing and screening plants. It is proposed to recover the settled washed sediments by dredging before placement in the landfill on site.
- 4.6 All materials leaving the site will be exported by road to the A13 or to the Jetty. The River Thames will be used as part of the transportation of material and aggregates. Where it is possible to export material by river to infrastructure projects or river hubs

for onward transport to customers the jetty will be used. The haul road from the site reception area will enter the processing facility at the southern side.

- 4.7 Fixed lighting is currently in place and operational on the corners of the concrete road around the proposed washing and processing area. As part of the proposed development additional lighting will be installed on the outside of the processing area facing inwards.
- 4.8 There is no restriction on the vehicle movements from the local highway network associated with the site operations. Planning application reference P0803.21 to increase the HGV movements associated with the transfer of materials from the jetty to the lagoons site was the subject of an appeal to increase the number of vehicle movements to a maximum 600 per day, currently 200 per day until 2026 and 160 per day thereafter. This appeal and planning application have now been withdrawn.
- 4.9 The vehicle movements associated with the proposed development will be within the current movements to the site per day. However, Transport for London have recommended restricting the number of HGV vehicle movements to no more than 53 one-way vehicle movements to enter or exit the site between the hours of 0630 and 1000 on weekdays (Monday to Friday) in any full week and also having travelled through or intending to travel through the eastern junction of Coldharbour Lane with Ferry Lane.
- 4.10 The development is proposed be operational during the following hours:
- 06:30-19:00 Monday to Friday and 0630 to 1700 hours Saturdays, with no working on Sundays or Public holidays.

## **5 PLANNING HISTORY**

- 5.1 The following planning decisions are relevant to the application:

L/HAV/2819/79 - Proposal is to construct two lagoons to receive dredged spoil, together with associated pipe work, weirs etc. - Approved May 1980

P0189.16 - Highway improvement works to facilitate access and deliveries to the site compound associated with works permitted by planning application ref: L/HAV/2819/79 - Approved August 2016.

P2076.17 - Revised restoration plan for the Rainham Marshes Silt Lagoons following the completion of the formation of the silt lagoons from that originally prepared for extant permission L/HAV/2819/79, involving the reconfiguration of topographic levels. Granted - 04-09-18.

P0480.20 - Erection of a workshop and hardstanding for the benefit of plant and machinery maintenance to facilitate completion of the formation of silt lagoons approved under P2076.17. Granted 9-9-2020

P0802.21 - For an increase in highway movements for access and deliveries to the site compound associated with works permitted under P0189.16. Live application (no decision, appeal withdrawn).

P0144.22 – Variation of Condition No. 2 of Planning Permission Ref: P2076.17 dated 04/11/2018 to allow for a revised restoration plan for the Rainham Marshes Silt Lagoons. (Revised restoration plan for the Rainham Marshes Silt Lagoons following the completion of the formation of the silt lagoons from that originally prepared for extant permission L/HAV/2819/79, involving the reconfiguration of topographic levels. Refused – 09-05-22.

## **6 CONSULTATION RESPONSE**

### **6.1 Statutory and Non Statutory Consultation**

6.2 A summary of the consultation responses received along with the Officer comments

**Greater London Authority (GLA)** – Given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues. Therefore, under article 5(2) of the above Order the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA;

**NATS** – No safeguarding objection to the proposal;

**Historic England** – The proposal is unlikely to have a significant additional effect on heritage assets of archaeological interest;

**Natural England** – No objection subject to mitigation measure recommended in the Preliminary Ecological Appraisal and the Ecological Mitigation Management Plan (Revision 3);

**Environment Agency** – We have to accept the conclusion the ecologist has drawn on water vole absence despite being surprised by their absence. Particularly in the large rectangular water body with the fringe of reeds. The discussions highlighted that the habitat within in the red line boundary is not high quality and that the eventual restoration of the site will create better habitat in the long run.

**TfL** –

1. To prevent the site could becoming primarily a waste processing facility and in order to ensure that the use of river transport is maximised, we would recommend that the particular form of processing undertaken on site is restricted, and that limits are placed on the number of goods vehicle movements to and from the site. Further, those limits should ensure that HGV movements during peak periods are zero, or the minimum that can be demonstrated to be viable, to help meet objectives set out in TfL's freight guidance and Proposal 15 of the Mayor's Transport Strategy.
2. Funding for improvements to cycle infrastructure serving the site to support cycling to and from work by staff and visitors.

3. Securing (by condition) the provision of secure and covered cycle parking facilities (the statement in paragraph 5.6 that these are already provided is unsubstantiated) supported by lockers and showers (see paragraph 10.5.7 of The London Plan).
4. Securing (by condition) a Travel Plan including measures to reduce single-occupant car trips and support cycling, in particular procedures to pay relevant taxi fares for cyclists in the event of mechanical failure or personal emergency.
5. A limit on vehicle movements is entirely appropriate as it has not been proven that the impact on the road network is acceptable. The difficulty is that our concern is over the impact on the road network to the northeast, rather than journeys to and from the river pier which we would actively encourage (subject to any other environmental concerns which the Council may have).

**RSPB** – While broadly the applicant has addressed many issues of potential concern, given the sensitivity of the area within the Inner Thames Marshes Site of Special Scientific Interest (SSSI), a cautious approach is necessary. The restoration timescales and the approved final restoration scheme) will not change as a result of the proposed development as well as the previously deposited material. More detail should be provided regarding mitigation measures in the EMMP, in order to provide certainty regarding outcomes for invertebrates as requested by the Ecology Advisor;

**LBH Lead Local Flood Authority** – No objection;

**LBH Environmental Health (Air Quality)** – No principle objection subject to conditions;

**LBH Environmental Health (Noise)** – Agree with the recommendation in the Noise report. No principle objection subject to conditions;

**LBH Ecology Advisor** – The already approved Ecological Mitigation and Management Plan (EMMP) – Revision 3 (Land & Water Remediation Ltd., December 2021) should continue to apply to this area.

However, we note that no specific biodiversity enhancement measures relating to these additional proposals have been identified in the documents provided. Furthermore, as advised in our response of 18th May 2023, we continue to recommend that there should also be a separate long-term (at least 30 years) Landscape and Ecology Management Plan (or similar), which could be provided through a suitably worded condition and secured for the long term through a legal agreement. The Landscape and Ecology Management Plan should set out habitat creation and short to long term management and monitoring of the site. As well as demonstrating that the SSSI features will be repaired, it should ensure that protected and Priority species have been taken into account, as well management of public access. The restoration plan may need to be updated to demonstrate this. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions based on BS42020:2013.

**LBH Landscaping Advisor** – In summary, while the visual effects upon the wider park could have been considered more fully, we are generally in agreement that the proposed

development would form a limited part of the visual experience and would be seen in the context of the surrounding land use/condition. Furthermore it is likely that it will be perceived as a continuation of the existing operations within the locale, therefore we are satisfied that it would not pose any significant, additional detrimental effects.

## **8 LOCAL REPRESENTATION**

8.1 The application was advertised via a Press Notice and Site Notice displayed at the site for 21 days.

8.2 A total of 106 consultation letters were sent to neighbouring properties including businesses regarding this application. No representation has been received.

## **9 Relevant Policies**

9.1 The following planning policies are material considerations for the assessment of the application:

Waste Management Plan for England

National Planning Policy Framework

National Planning Policy for Waste Planning Practice Guidance (Last update 2015)

The London Plan: The Spatial Development Strategy for Greater London (London Plan, 2021) Policies:

GG5 Growing a good economy

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D11 Safety, security and resilience to emergency

D14 Noise

G9 Geodiversity

SI12 Flood risk management

SI 6 Digital connectivity infrastructure

SI 7 Reducing waste and supporting the circular economy

SI 8 Waste capacity and net waste self-sufficiency

SI 9 Safeguarded waste sites

SI 10 Aggregates

T3 Transport capacity, connectivity and safeguarding

T4 Assessing and mitigating transport impacts

T5 Cycling

T6 Car parking

Havering Local Plan 2021 Policies:

23 - Transport connections

24 - Parking provision and design

26 - Urban Design

27 – Landscaping

30 - Nature conservation

32 – Flood Management

33 - Air quality

34 - Managing pollution

35 - Waste Management



- 37 – Mineral Reserves
- 38 - Mineral Extraction
- 39 - Secondary aggregates

East London Joint Waste Plan (2012) (ELJWP)

- Policy W1: Sustainable Waste Management
  - Policy W2: Waste Management Capacity, Apportionment & Site Allocation
  - Policy W4: Disposal of inert waste by landfilling
  - Policy W5: General Considerations with regard to Waste Proposals
- The proposal site is not identified as a Schedule 1 or Schedule 2 site.

East London Joint Waste Plan Evidence Update (2022)

- The proposal site is identified as a licenced waste management site in the evidence update.
- Most recent tonnage throughput is identified as 298,394 tonnes (2019)

10 **MATERIAL PLANNING CONSIDERATIONS**

10.1 The main planning issues raised by the application that the committee must consider are:

- Principle of the Development
- Visual and Landscaping Impact
- Local Amenity
- Ecology and Biodiversity
- Flooding and Runoff
- Land Contamination
- Lighting
- Highways/Parking

10.2 **Principle of Development**

10.2.1 The site has been approved and established for processing of non-hazardous waste by virtue of the 1980 planning permission for the construction of two additional lagoons to receive dredged spoils and associated pipework and weirs and infrastructure. The site covers an area of approximately 121 hectares and comprises nine lagoons, into which dredging have been pumped across the base. The lagoons are impounded by clay bunds and infilled to between approximately 3 and 5 mAOD (i.e. circa 5m depth of dredging). The site is also identified as a licenced waste management site in the East London Joint Waste Plan.

10.2.2 Natural England (2016) stated that this area of the Inner Thames Marshes SSSI was assessed as being in 'unfavourable declining' condition 'and the recommencement of the deposition of dredged material will help restore the SSSI unit back to favourable condition'.

10.2.3 The site waste management volumes are considered by the recent update to the evidence base for the East London Joint Waste Plan, published in November 2022. This reflects the requirements of the variation to permit EPR/FB3701XY.

10.2.4 The variation to the original permit now permits the following:

“the operator to continue to infill the lagoons with dredgings and accept inert wastes. The operator will restore the site in accordance with the approved restoration plan that details:-

- approximately 3.35 million m<sup>3</sup> of materials will be imported to the site (delivered either by road or river including pumped to shore from the jetty); [the permits introductory note gives a tonnage increase for this annual waste input rate from 350,000 to 750,000 tonnes. This is acknowledged by the East London Waste Plan evidence base update in 2022 which gives the last known annual throughput as 298,394 tonnes, for 2019];
- the imported non-hazardous and inert material will be used to infill the lagoons and restore the site in accordance with the approved restoration scheme;
- the site will be filled in six phases to provide improved habitats. The timing and sequence of infilling will be agreed with the RSPB; and
- the site (which is currently a failing Site of Special Scientific Interest (SSSI)) will provide a desirable habitat and / or environment for protected species such as breeding birds, invertebrates and swamp reed beds. “

10.2.5 The National Planning Policy Guidance (NPPG) specifically highlights “**Should existing waste facilities be expanded/extended?** *The waste planning authority should not assume that because a particular area has hosted, or hosts, waste disposal facilities, that it is appropriate to add to these or extend their life. It is important to consider the cumulative effect of previous waste disposal facilities on ... Impacts on environmental quality ... and economic potential may all be relevant.*

10.2.6 The applicants have proposed to rely on the existing Environmental Permit. In terms of waste volume to be imported onto the site, the current licence sets a maximum of 750,000 tonnes.

#### Permitted Volume

10.2.6. The Permit is for premixed wastes composed only of non-hazardous wastes. Type: Absolute Non-hazardous. Environment Agency varied permit issued on 21/10/2020 for an increase of the annual waste input rate from 350,000 tonnes to 750,000 tonnes.

#### Waste Hierarchy and Site Optimisation

10.2.7 The proposal to process the aggregate from the lagoons is in line with the waste hierarchy aims of waste management policies at national, regional and local level to move waste up the hierarchy to reduce the levels going to disposal. However this has to be considered in light of other issues.

10.2.8 The London Plan policies regarding capacity Policy SI8 (3) states that “the waste management capacity of existing sites should be optimised”. The application

proposes an increase in the waste being brought onto site and processed as well as the use of aggregate already deposited on site within a number of the lagoons. It is considered that this would be optimising the use of the site for waste management prior to restoration.

- 10.2.9 The East London Waste plan supports the co-location of construction, excavation and demolition wastes on mineral sites, such facilities should be “temporary and restricted to the operation of the mineral site”.
- 10.2.10 Rainham Silt Lagoons has been the subject of waste management operations since the 1960’s and has accepted dredged materials and imported materials from the adjacent River Thames and other watercourses.
- 10.2.11 Whilst overall considered and licenced as a waste site, the proposed re-processing of the silt lagoon contents could be considered excavation of aggregate in policy terms and accordingly should be limited to a temporary process prior to restoration. Accordingly, the proposal is considered to be acceptable in principle. However, in line with the comments from the RSPB, further information will be needed to clarify and reassure that the works will not impact on the lagoons ability to retain water and provide the agreed habitats. This is analysed and considered within this report.

### 10.3 **Visual and Landscaping Impact**

- 10.3.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan in Policy D3 states that development should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character and Local Plan Policy 26 states that the Council will support development proposals that are informed by, respect and complement the distinctive qualities, identity, character and geographical features of the site and local area.
- 10.3.2 The proposed processing plant which will be located some 240m northeast of Coldharbour Lane, would be approximately 4 to 5.7m high. The conveyor arm of the screen will be limited to 5.5m in height and would have an overall width of approximately 16.65m when in operation. The landscape in the vicinity of the application site is generally flat and low lying with limited variation comprising the River Thames and adjacent marshes, with the Veolia landfill a marked contrast to this rising above the surrounding flat landscape.
- 10.3.3 Impact on the planned Veolia landfill recreational park  
The surrounding area is industrial in nature and is set off the highway at a higher level and accordingly will not be readily visible in the streetscene, as such there will little impact along Coldharbour Lane. There would be some limited visual disturbance to users of the adjacent path, although it is noted that the existing waste/landfill

processes occurring within the overall application site are also prominent when viewed from this path.

- 10.3.4 Turning to the planned Veolia landfill recreational park, the submitted Visual Statement in response to the LPA request to undertake a study of the visual effects for recreational users of the planned recreational park, discuss the historic and current landscape condition which it assesses as poor but improving. The report also recognise that the development will introduce further “human-made elements” and “increase the visual complexity for viewers” but concludes “that the proposed development would not have unacceptable visual effects on future users of the restored Veolia landfill site.
- 10.3.5 The document has been reviewed by the Council’s Landscaping Advisor who advised that while the visual effects upon the wider park could have been considered more fully, there is generally an agreement that the proposed development would form a limited part of the visual experience and would be seen in the context of the surrounding land use/condition. Furthermore, it is likely that it will be perceived as a continuation of the existing operations within the locale, and therefore are satisfied that it would not pose any significant, additional detrimental effects.
- 10.3.6 The views in from the adjacent landforms would change but it is considered that the level of change would not be such as to result in harm to the character of the area.
- 10.3.7 It is noted that the structure would not be visible when viewed from the proposed recreational park over and above what exists currently due to the intervening screening and separation distance.
- 10.3.8 The proposed structures are indicated to be goose wing, although shown in red in the submitted technical sheet, it will be grey in colour and this is considered to be a suitable external finish. A condition is recommended to ensure that there is suitable boundary screening to the southern boundary of the site.
- 10.3.9 No objection is raised in relation to the visual impact of the proposed development. Given the nature of the proposal, including its siting, scale, and design, it is considered that it would not have any significant adverse impacts on the character of the area and that it would therefore not be contrary to stated relevant policies.

#### 10.4 **Local Amenity**

##### Noise

- 10.4.1 The introduction of machinery on the scale proposed without appropriate site design and management may have the potential for increased dust, noise and vibration. London Plan Policy SI8 E(4) states development proposals that support waste capacity and net waste self-sufficiency should be evaluated against the impact on amenity in surrounding areas (including but not limited to noise, odours, air quality and visual impact) and where a site is likely to produce significant air quality, dust or noise impacts it should be fully enclosed.

- 10.4.2 The applicant's supporting statement states that full enclosure of the plant has been considered in discussion with the Environment Agency under the Schedule 5 Notice that was issued for the site's Environmental Permit variation application to accommodate the proposed waste processing operations, and it was however not considered to be necessary for the application site.
- 10.4.3 Although the proposed waste processing plant will not be enclosed, the nearest residential properties to the site are approximately 1km from the area of the site relevant to these proposals.
- 10.4.4 The application is accompanied by a Noise Assessment. The EH officer agrees in principle with the findings, and notes that there are a number of recommendations within the report which should be adopted. The Council's Environmental Health Officer (EHO) raises no objection in terms of noise generation. The officer has recommended a condition to limit noise generation, when measured at the boundary of the nearby noise sensitive premises.
- 10.4.5 Subject to compliance with this noise limit condition, it is considered that there would not be a materially harmful effect on residential properties in the vicinity.

Air pollution

- 10.4.6 The site is within an area of poor air quality currently and the entirety of the borough is classified as an Air Quality Management Area.
- 10.4.7 It is not proposed by Land and Water to process clay and chalk rich materials at the site. Clay and chalk rich materials are not suitable for washing and screening. It is proposed that any materials that are rich in clay or chalk that are brought to the site will be segregated from the materials that are suitable for processing. The segregated chalk and clay rich materials will be stockpiled on site for a short time until there are sufficient quantities to satisfy an order for use elsewhere. Materials thus stockpiled will be dampened when required by spraying of water in order to minimise the likelihood of any adverse impacts from dust emissions. It is anticipated that the chalk and clay rich materials will generally be used in engineering and agricultural applications elsewhere.
- 10.4.8 There is potential for significant increase in the levels of dust and its impacts from the proposed increase in volumes of clay and chalk from the "washing, screening and crushing" processing and stockpiling. The clay and chalk by definition, would be of finer material than the other aggregates currently processed and stockpiled, particularly where uncovered and uncontained, when dry has the potential to create more airborne dust particles with the associated impacts on staff on site, wildlife and habitat.
- 10.4.9 The application is accompanied by an Air Quality Assessment. The Assessment goes on to conclude that dust emissions would be very low and unlikely to have a significant adverse impact on local amenity, staff on site and wildlife and habitat.
- 10.4.10 The proposed use as a washing, screening and crushing plant to produce recycled aggregate would be required to obtain an Environmental Permit, which would require

mitigation measures to ensure that there are no significant releases into the air. This Environmental Permit is specific to the excavation of waste previously deposited in the lagoons at the site and the treatment of the excavated waste by washing, screening and crushing to produce recycled aggregate and, as such, relates specifically to this process/activity. The precise mitigation measures would be determined by the Environmental Permit.

- 10.4.11 Submitted supporting documents include a Dust Emissions Management Plan (DEMP) which has been agreed with the Environment Agency (EA) under the Environmental Permit variation application which was issued in August 2023. The EH officer has raised no fundamental objection to the application and advised that as the report forms part of the site's licence issued by the EA, there are no issues with it.
- 10.4.12 Subject to mitigation measures which will be required to adhere to the Environmental Permit and imposition of conditions including compliance with the DEMP, it is considered that the impact on air quality would be acceptable.

## 10.5 **Ecology and Biodiversity**

- 10.5.1 Havering Local Plan Policy 30 states that the Council will protect and enhance the Borough's natural environment and seek to increase the quantity and quality of biodiversity by ensuring developers demonstrate that the impact of proposals on protected sites and species have been fully assessed when development has the potential to impact on such sites or species.
- 10.5.2 The submitted ecological information has been updated several times as a result of the issues and concern raised by the Council's Ecology Advisor. Some of the surveys conducted, at the behest of the Environment Agency, with respect to Water Voles, has been updated and no water voles were found on site. This provides sufficient certainty that Water Voles are not present on the site. It is possible that they will be present on the wider site.
- 10.5.3 The submitted Ecological Mitigation and Management Plan (EMMP) also advises that no vegetation will be cleared during the bird nesting season and there is additional mitigation for Marsh Harrier and Cetti's Warbler.
- 10.5.4 The RSPB, in its consultation response, advised that the submitted Ecology Mitigation and Management Plan (EMMP) must be followed, and reviewed and updated as appropriate, and the recommendations in the Preliminary Ecological Appraisal of 23 August 2022 should be followed; that while broadly the applicant has addressed many issues of potential concern, given the sensitivity of the area within the Inner Thames Marshes Site of Special Scientific Interest (SSSI), a cautious approach is necessary.
- 10.5.5 The Council's Ecology Advisor has reviewed the final Preliminary Ecological Appraisal relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and is satisfied that there is sufficient ecological information available for

determination of this application, and therefore recommend that there should also be a separate long-term (at least 30 years) Landscape and Ecology Management Plan (or similar) by way of a suitably worded condition and secured for the long term through a legal agreement. The proposed plant would be located in an area of the site forming part of the operational, processing area, and it is therefore considered that the proposal would not have any significant impacts on local ecology

10.5.6 This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

10.5.7 Based on the above, it is considered that sufficient information has been provided to demonstrate how the protected or priority species being present in the vicinity of the site for biodiversity enhancements and biodiversity net gain. According to the EA, the eventual restoration of the site will create better habitat in the long run. As such, subject to mitigation measures which will be required to adhere to the Environmental Permit and imposition of conditions including compliance with the Ecology Mitigation and Management Plan (EMMP), it is considered that the proposal accords with national and regional planning policy, Policy 30 of the Local Plan and The Conservation of Habitats and Species Regulations 2017 (as amended).

#### 10.6. **Flood Risk**

10.6.1 The site is located in Flood Zones 2 and 3. The application is accompanied by a Flood Risk Assessment, which has been considered by the Environment Agency. The Environment Agency has raised no objections to the proposal subject to Emergency Planning reviewing the proposal.

10.6.2 As regards surface water, the Council's Flood Officer has raised no fundamental objection subject to a surface water drainage strategy being submitted and approved. This is recommended to be attached as a planning condition. The proposal is considered to be acceptable in terms of flooding and run-off.

#### 10.7 **Land Contamination**

10.7.1 The application has been considered by the Council's Environmental Health officers. No objections have been raised.

#### 10.8 **Lighting**

10.8.1 The separation distance to neighbouring properties is such that there would not be disturbance by way of lighting.

10.8.2 The planning Statement states that fixed lighting is currently in place and operational on the corners of the concrete road around the proposed washing and processing area. As part of the proposed development additional lighting will be installed on the outside of the processing area facing inwards. All existing and proposed lighting will

be directed downwards and shielded to avoid unnecessary light spillage. Any lighting on site will only be used as necessary during operational hours. The processing plant and mobile plant will continue to be fitted with lighting as necessary.

- 10.8.3 A condition requiring the submission of a lighting strategy is recommended to ensure that lighting is angled and designed to maintain a 'dark corridor' to ensure that wildlife and general amenity is not adversely affected. The Ecology Advisor has not raised any fundamental objection on this.

## 10.9 Highways/Parking

- 10.9.1 London Plan (LP) Policy T4 states that 'when required in accordance with national or local guidance, transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Transport assessments should focus on embedding the Healthy Streets Approach within, and in the vicinity of, new development. Travel Plans, Parking Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance'. Policies T2 and T5 relate to healthy streets, the provision of cycle and pedestrian friendly environments, whilst policy T6 relates to parking standards. London Plan Policy T4, aims to contribute to modal shift through the application of parking standards and implementation of a Travel Plan. These aims are also reflected in Policies 23 and 24 of the Local Plan.
- 10.9.2 The PTAL is 0 (worst) with buses the only public transport mode available within the PTAL calculation area. The development is not located in a controlled parking zone nor is there one likely to be in place by the time the development is occupied.
- 10.9.3 The applicant has provided a transport assessment (TA) in support of their proposal, which concludes that the proposal would give rise to no highway or transportation reasons to object to the proposal. According to the submitted Planning Statement, the proposed development will not result in an increase in the number of vehicles using the nearby roads above that associated with the current operations. Recycled aggregates exported from the site will be exported by road with a proportion backhauled from the site. Where practicable and feasible materials will be exported by water making use of the existing jetty.
- 10.9.4 There is no restriction on the vehicle movements from the local highway network associated with the site operations. Planning application reference P0803.21 to increase the HGV movements associated with the transfer of materials from the jetty to the lagoons site from the current 200 movement per day to 600, was the subject of an appeal under the non-determination appeal process. The Council informed the Planning Inspectorate that it would have been refused had the application not been appealed. This appeal and planning application have now been formally withdrawn.
- 10.9.5 Notwithstanding that there is no restriction on the number of HGV movements from the local highway network associated with the site operations in the original



permission, TfL have raised concern on the likely impact of the proposal on the local network as development in the area has evolved since the 1980 permission particularly, taking account of a large development just across the border in Barking & Dagenham and the impact it would have on the A13 and those generated by the industries in Ferry Lane and Coldharbour lane and the junction of Coldharbour Lane with the A13.

- 10.9.6 TfL have therefore recommended the imposition of conditions including restricting the number of HGVs movements to no more than 53 one-way vehicle movements to enter or exit the site between the hours of 0600 and 1000 on weekdays (Monday to Friday) in any full week and also having travelled through or intending to travel through the eastern junction of Coldharbour Lane with Ferry Lane, with the limit applied pro-rata for any weeks in which the development is not open for operation on every weekday in order to mitigate the impact of the proposal on highways and pedestrian flow and safety.
- 10.9.7 The site would likely accommodate 6 additional members of staff, although 3 would be part-time. The provision of car parking spaces, motorcycle parking spaces and cycle parking spaces is considered to be sufficient for the intended use.
- 10.9.8 Subject to specific mitigation measures and associated modal shift incentives, implementation of the package of works required to manage the impacts of the development on the surrounding network, including pedestrians and cyclists and having regard to the findings of the transport assessment, the proposal need not give rise to significant adverse environmental effects that would warrant rejection of the proposals outright, and as such the proposal is not in conflict with the relevant policies stated above.

### **Equalities**

- 10.1 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 10.2 For the purposes of this obligation the term “protected characteristic” includes:- age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 10.3 Policy CG1 of the London Plan also seeks to support and promote the creation of an inclusive city to address inequality.

10.4 Therefore in recommending the application for approval, officers have had regard to the requirements of the aforementioned section and Act and have concluded that a decision to grant planning permission for this proposed development would comply with the Council's statutory duty under this important legislation.

10.5 In light of the above, the proposals are considered to be in accordance with national regional and local policy by establishing an inclusive design and providing an environment which is accessible to all.

## 11 **Conclusions**

11.1 The application is considered to have satisfactorily demonstrated (with adequate measures in place) that traffic movements would not increase, that parking would be adequate and that issues of noise and dust would be sufficiently mitigated by way of conditions and requirements in order to gain an Environmental Permit to avoid material harm to local amenity.

11.2 It is acknowledged that the activity would generate some noise and dust, however, these impacts would be sufficiently mitigated. On balance, having regard to the site's location and proximity to a Strategic Industrial Location, the proposal is considered to be acceptable.

11.3 The proposal has demonstrated that the proposed use as an aggregate crushing/washing plant including excavation of deposited materials, treatment of imported waste and stockpiling of chalk and clay rich waste material, would be a 'less vulnerable' use and not at significant risk in terms of flooding. Subject to conditions, the impact on the adjacent watercourse and flood issues are considered to be acceptable.

11.4 The proposed development will not result in an impact on the current operations at the site, or a change to the restoration timescales for the site or to the final approved restoration scheme for the site, which has been designed with input from the RSPB and Natural England to ensure the habitats established at the site are suitable to improve the Inner Thames Marshes Site of Special Scientific Interest (SSSI) and will result in substantial biodiversity net gains at the site and local area.

11.5 Government strategy for resources and waste has an emphasis on the reduction, reuse and recycling of waste and for the adoption of waste management that contributes to the Circular economy. This proposal is consistent with this aspiration and with pushing waste up the waste hierarchy.

11.6 The environmental effects of the proposed development have been assessed and it is considered that the proposals are consistent with local planning policy and the protection of the environment and amenity.

13.7 The proposed development is temporary and will be removed on completion of the restoration works at the site. Condition(s) to restrict the use of the area and ensure that the plant, stockpiles and hardstanding is removed and the land restored in accordance with the restoration plan in line with the 2018 permission is imposed.

- 11.8 The proposal is considered to be acceptable subject to conditions and the prior completion of a Section 106 Agreement securing the planning obligations set out in the recommendation.
- 11.9 The decision to grant planning permission has been taken having regard to the National Planning Policy Framework, the policies of The London Plan (2021) and Havering Local Plan 2021, having regards to all relevant material considerations, and any comments received in response to publicity and consultation. It is therefore recommended that planning permission be granted.

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