



STRATEGIC PLANNING COMMITTEE AGENDA

7.00 pm	Thursday 10 July 2025	Council Chamber, Town Hall, Main Road, Romford RM1 3BD
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Members 6 Quorum 3

COUNCILLORS:

**Conservative Group
(2)**

Ray Best
Timothy Ryan

**Havering Residents' Group
3)**

Reg Whitney (Chairman)
Robby Misir (Vice-Chair)
Vacant

**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 8 July 2025**

**Please would all Members and officers attending ensure they sit in their allocated seats
as this will enable correct identification of participants on the meeting webcast.**

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:-

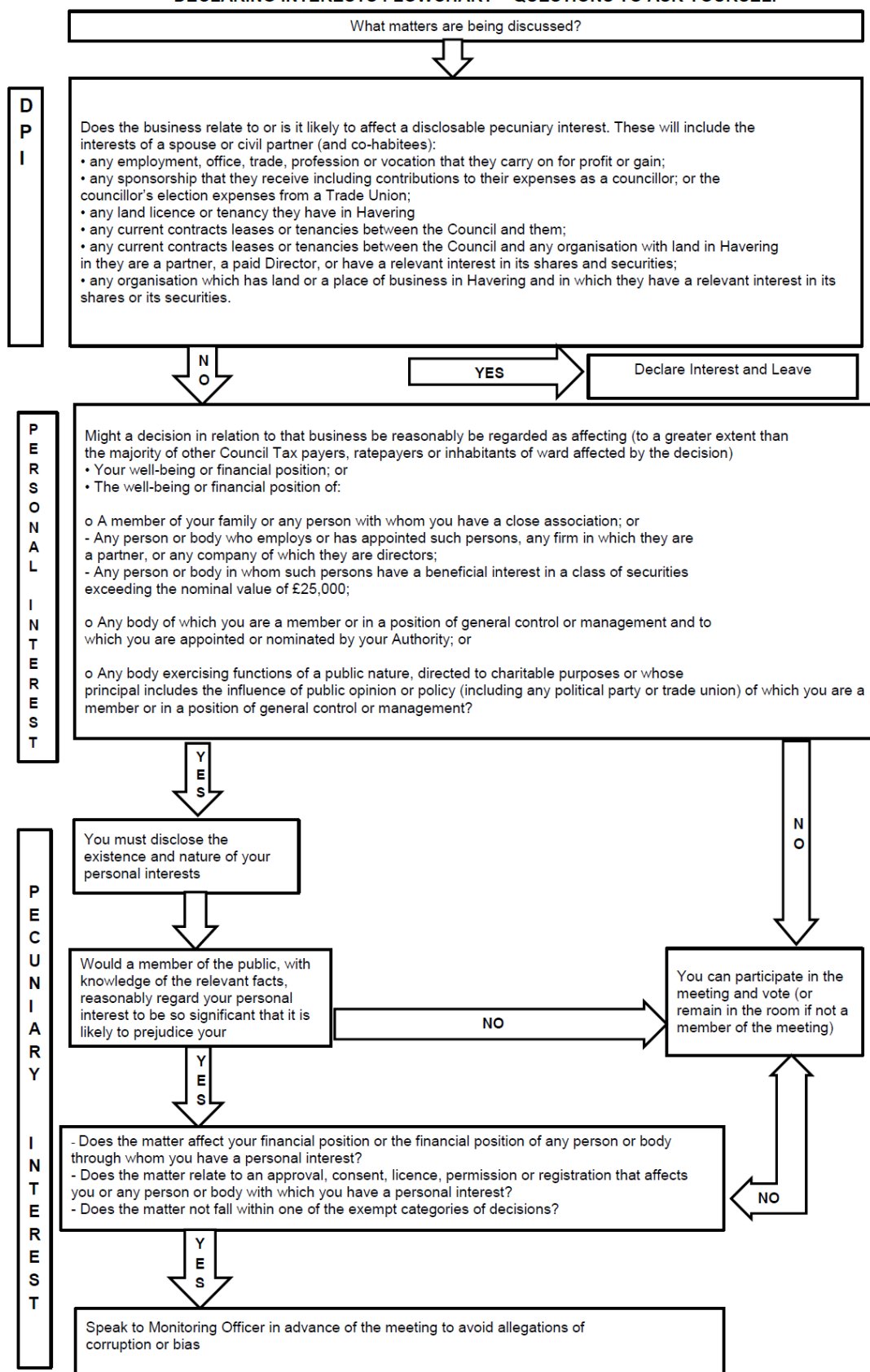
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing,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



Principles of conduct in public office

In accordance with the provisions of the Localism Act 2011, when acting in the capacity of a Member, they are committed to behaving in a manner that is consistent with the following principles to achieve best value for the Borough's residents and to maintain public confidence in the Council.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

AGENDA ITEMS

1 CHAIR'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 8 May 2025 and to authorise the Chair to sign them.

5 DEVELOPMENT PRESENTATIONS (Pages 11 - 12)

Report attached.

6 W0291.24 - PLAYING FIELD AT BALGORES LANE, ROMFORD (Pages 13 - 26)

Report attached.

7 APPLICATIONS FOR DECISION (Pages 27 - 30)

Report attached.

**8 P1498.24 - LAND ADJACENT TO ST MARY'S LANE, OCKENDEN, UPMINSTER
(Pages 31 - 64)**

Report attached.

**9 P1633.24 - VEOLIA ES (UK) LTD COLDHARBOUR LANE, RAINHAM (Pages 65 -
102)**

Report attached.

**10 P0718.23 - VEOLIA ES LANDFILL LTD, COLDHARBOUR LANE, RAINHAM (Pages
103 - 120)**

Report attached.

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

**MINUTES OF A MEETING OF THE
STRATEGIC PLANNING COMMITTEE
Council Chamber, Town Hall, Main Road, Romford RM1 3BD
8 May 2025 (7.00 - 9.40 pm)**

Present:

COUNCILLORS

Conservative Group	Ray Best and Timothy Ryan
Havering Residents' Group	Reg Whitney (Chairman), Bryan Vincent (Vice-Chair) and John Crowder
Labour Group	Jane Keane

Councillor Matthew Stanton was also present for the meeting.

7 members of the public were present.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

18 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

There were no apologies received.

19 DISCLOSURE OF INTERESTS

There were no disclosures of interests.

20 MINUTES

The minutes of the previous meeting held on 27 February 2025 were agreed as a correct record and signed by the Chairman.

21 P1463.24 - DORRINGTON GARDENS CAR PARK (HORNCHURCH)

The report before members detailed an application that sought full planning permission for the demolition and removal of all existing hardstanding and ancillary structures associated with the existing car park, and the redevelopment of the site to provide 34 residential dwellings. The proposal comprises a mix of 10 one-bedroom apartments, 12 two-bedroom apartments, and 12 three-bedroom semi-detached houses.

The development also includes the formation of a new vehicular access from Dorrington Gardens, associated car parking, hard and soft landscaping, and the installation of ancillary infrastructure, including a new electricity substation.

The development adopts a mixed typology, with two pairs of semi-detached houses (HT2) on either side of the main site access road fronting Dorrington Gardens, two apartment blocks (Blocks A and B) fronting the internal road of the site, and a row of 8 semi-detached houses (HT1) to the south of the site fronting the internal road to the site.

The scheme has been subject to a detailed design evolution, incorporating feedback from pre-application consultation, the Havering Quality Review Panel, and the Council's urban design and highways officers. The development is predominantly two to three storeys in height and has been designed to respond to local character, manage level changes across the site, and provide appropriate separation distances to neighbouring residential boundaries.

The report stated that from the consultation responses, 138 letters were sent to the adjoining occupiers. 42 objections have been received and 1 letter of support.

The Committee noted that the key issues from the consultations were concerns regarding overlooking, light loss and noise, loss of public parking, and infrastructure capacity given the addition of the housing, the design and massing of the housing, some amenity impact regarding the planning planting and trees, highways and parking pressure impact, ecology, the visible impact of the flats and construction disruption during the project.

The officer recommended that permission be granted, subject to several conditions and a Section 106 agreement.

In accordance with the public speaking arrangements, the Committee was addressed by an objector Mr David Durrant who had 5 minutes to make his representation to the Committee with his concerns. He urged Members to consider the following options: to refuse the application; defer until more clarity is provided about the impact of leasing the Town Centre car park to Sainsbury's; or to vote to retain the front part of Dorrington Garden's Car Park.

Mr Steve Walters, agent to the applicant, responded to the issues raised by the objector for 5 minutes. He stated that the site had previously been declared surplus by the Council's Cabinet, with the proposed housing benefiting the Council long-term. He noted that all amenity, design and internal space standards will be met. He stated that the proposed development is anticipated to achieve a 67 per cent reduction in carbon emissions over the 2020/21 baseline. He supported and defended the application on this basis.

Following the debate, the Committee resolved to grant planning permission subject to the report conditions.

The vote for approval, was carried by the Chair's casting vote, resulting in 4 votes for, to 3 against with no abstentions.

22 P1633.24 - VEOLIA ES (UK) LTD COLDHARBOUR LANE (RAINHAM AND WENNINGTON)

The report before members detailed an application that sought planning permission for an extension to the operational life of the landfill and composting facilities until the end of December 2029 and restoration of the land by 31st December 2031.

The Committee noted that the annual projected input is 200,000 cubic metres of waste, which equates to 1 million cubic tonnes of waste after 5 years.

The report stated that the proposal is therefore considered acceptable and in line with the borough's waste management strategy and sustainability goals, as well as the Joint Waste Development Plan for the East London Waste Authority Boroughs.

The Committee noted that the recommendation is to grant planning permission, subject to a number of conditions and the Section 106 agreement.

In accordance with the public speaking arrangements, the Committee was addressed by an objector, Councillor Matt Stanton who had 5 minutes to make his representation to the Committee with his concerns. He urged the Members to consider his comments.

A brief adjournment was granted during the debate to allow Officers and the Legal Adviser to clarify points raised by Members.

Following the adjournment, the Director of Planning stated that Officers had addressed Member's concerns during the break. It was proposed that the application be deferred from this evening. The Director explained that this would enable a subsequent report with a revised set of obligations.

The Director of Planning invited Members to ask questions on the current proposal which the report will respond to when it returns for a decision.

The Director of Planning asked the Committee if they would like officers to provide answers to questions proposed by Councillor Stanton. The Committee stated that they would like his comments taken into consideration. The Director noted that this content would be provided in the report.

Following debate, the Committee agreed to defer the application.

The vote for deferral, was carried by 5 votes. Councillor Tim Ryan asked to be excused from the meeting before the vote was taken.

Chairman

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.

 Havering LONDON BOROUGH	Strategic Planning Committee – Developer Presentation 10 July 2025
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Pre-Application Reference: W0291.24

Location: PLAYING FIELD AT BALGORES LANE,
ROMFORD

Ward: SQUIRRELS HEATH

Description: CONSTRUCTION OF A 300 PUPIL
SCHOOL FOR PUPILS WITH SPECIAL
EDUCATIONAL NEEDS (SEN) WITH
ASSOCIATED ACCESS, PUPIL PICK UP
AND DROP OFF, PARKING AND
OUTDOOR PLAY/AMENITY SPACES.

Case Officer: RAPHAEL ADENEGAN

1 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 provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
- 1.2 The proposed planning application has been the subject of pre-application meetings with Officers. There have been five (5) pre-application meetings including one workshop with officers and the scheme has evolved over the months. The proposal was presented to the Council's Quality Review Panel on the 6th May 2025. Pre-application discussions with the applicants have included the principle of the development proposed including quantum of development, massing, height layout, access, parking arrangement and landscaping planning that have been undertaken by the applicants subject to a masterplan being

developed for the site. The proposal is being brought to Committee at this stage.

2 PROPOSAL AND LOCATION DETAILS

2.1 Proposal

Full planning application for a special school (SEND) catering to the needs of

- 300 no. students with complex autism,
- aged between 4 and 19 years old,
- building height up to 2 storeys with a ground floor footprint = 4075sqm;
- GIFA = 6,350sqm
- Site area = 23,208sqm
- Associated landscaping, parking spaces and cycle stores;
- Access is from the Balgore Lane as existing albeit widened.

Facilities to include:

- General and specialist teaching spaces
- A suite of therapy spaces
- A therapy pool and associated changing facilities
- Assembly halls for both upper and lower school cohorts
- Enterprise hub with specialist life skills focus
- Electricity Substation

Providing some use of external formal games facilities to Squirrels Heath School, as well as an ambition to provide use of both building and landscape to the community, out of school hours including weekends, evenings and out of term time.

Parking to include:

- 41 staff, 10 visitor/parent drop off and 5 minibus spaces.
- 12 (20%) to be active charge spaces, and all the rest (44) to be passive.
- 4 of the parking spaces are currently shown as accessible.
- Total of 28 long stay cycle spaces, 4 (14%) of which will be suitable for enlarged bicycles.
- Currently showing 14 short stay cycle spaces.
- All long and short stay cycle spaces are in the form of Sheffield stands.

Landscape to include:

- Individual outdoor landscaped areas for early years, primary, secondary and post 16 students
- A MUGA (multi use games area) and a natural grass pitch suitable for children's 5 a side football.
- A forest school area
- An additional grassed recreational area

- 2.2 The proposed pre-application enquiry subject to review is detailed application. The information provided as part of this enquiry includes proposed quantum, layout and community use space areas.

- 2.3 The key objective will be to create high quality public school building(s) catering for pupils and students with special needs and disability, within the London Borough of Havering.

Site and Surroundings

- 2.4 The site measures approximately 2.33hectares in area and comprises an open playing field located west of the road, which according to the applicant is used for informal sport and amenity by Squirrels Heath Infant School which is located close by to the south. It abuts a public library and allotment gardens to the north and gardens of residential properties to the east, west and south. Access to the site is from Balgores Lane but this is a short frontage which forms part of the site's northeast boundary.
- 2.5 The immediate area around the site is predominantly residential in character but local parades of shops in Brentwood Road and Heath Park Road are within 230m. Gidea Park (Elizabeth Line) Station is within 250m from the site, and as such a building of a high architecture would be preferred in this semi-open location
- 2.6 In terms of its local context, the site does not fall within a conservation area and there are no listed buildings on site. But Gidea Park Conservation Area is within approximately 160 away including Gidea Park train station.
- 2.7 The application site also has a PTAL rating of 3 (Moderate).

Planning History

- 2.7 None

3 CONSULTATION

- 3.1 At this stage, it is intended that the following will be consulted regarding any subsequent planning application:
- Secretary of State (SoS)
 - GLA
 - Transport for London (Statutory Consultee)
 - Sport England (Statutory Consultee)
 - Historic England -Archaeology
 - Thames Water
 - Essex and Suffolk Water
 - EDF Energy
 - LFEPA – Water

- Fire Brigade
- Natural England
- Metropolitan Police – Design Out Crime

The following consultees have commented as part of the pre-application process:

- 3.2 Sport England – Raised fundamental objection to the proposal as a result of the loss of the playing field. This is notwithstanding the inclusion of a MUGA pitch and an indoor sensory pool as part of the proposal. As such, an approval of the proposal would constitute a departure requiring the approval of the Secretary of State to date.
- 3.3 TfL – Expressed concern about the level of proposed parking; that it is on a high side and should be reduced or a robust justification has to be put forward.
- 3.4 Highways Authority – No fundamental objection raised but issue regarding loss of 3 to 4 existing marked on-street parking spaces needs to be justified including the carrying out of parking audit in the immediate surrounding.
- 3.5 GLA – A pre-application meeting was also held with the GLA on 11th June, however, a written response has not yet been received.

4 COMMUNITY ENGAGEMENT

- 4.1 In accordance with planning legislation, the developer will consult the local community on these proposals as part of the pre-application process

Planning Policy

National Planning Policy Framework (NPPF) 2024
 London Plan 2021
 London Borough of Havering Local Plan 2016 – 2031

5 MATERIAL PLANNING CONSIDERATIONS

- 5.1 The main planning issues raised by the application that the Committee must consider are:
 - Principle of development
 - Appearance, scale and site layout
 - Impact on amenities of residential properties and occupiers

- Parking/Traffic
- Quality Review Panel (QRP) Comments
- Other issues

5.2 Principal of Development

- London Plan Policy S3 Education Facilities sets out that the Mayor will support the provision of education facilities to meet the demands of a growing and changing population to enable greater educational choice, and that the establishment of new schools, including academy and free schools, is strongly supported in this context. The policy identifies that development proposals which enhance education and skills provision will be supported, including new build, expansion of existing schools and changes of use to educational purposes. The policy confirms that proposals for new schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the use of appropriate planning conditions or obligations

Loss of Playing field

- The application site lies entirely within a playing field as identified in the Local Plan.
- NPPF paragraph 104b states that existing open space and playing fields should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Sport England has advised in the course of the pre-application process that the proposal will not meet any of the exceptions for the loss of a designated playing field to overcome the potential detriment caused by the loss, or prejudice to the use, of the area of playing field.
- London Plan Policy G4 and Local Plan policy 29 identifies that proposals that increase or enhance the provision of sports and recreation facilities will be supported; whereas those that result in a net loss of sports and recreation facilities, including playing fields should be resisted.
- The applicant has put forward the use of an area of the building of the new school for community use including a new MUGA pitch to allow for use by members of the public outside school hours.
- The applicant is the Council; the proposal would lead to loss of a playing field and Sport England have raised fundamental objection to the proposal as a result. This is notwithstanding the inclusion of a MUGA pitch and an indoor sensory pool as part of the proposal. As such, an approval of the

proposal would constitute a departure requiring the approval of the Secretary of State.

- The neighbouring Squirrels Heath Infant School have a shortage of on-site playground space, and there is a longstanding agreement that the existing playing field on the proposed site can be used by the existing school. However, it is understood this currently only happens on an occasional basis. The applicant is still in discussions with the Squirrels Heath School as to the extent to which they would get access to the new recreation pitch and the MUGA.
- Whilst officers, GLA and Sports England have advised that there has to be a meaningful community use benefit for the loss of the playing field, it is still not clear as to how accessible the proposed community use aspect of the development will be to members of the public. It should be stressed that for the proposal to be acceptable, there has to be a meaningful community benefit. Members may wish to comment on this.

5.3 Appearance, scale and site layout

- Scale, design, appearance and layout of the scheme have evolved over the preapplication process. Officers have advised that the site layout and massing should continue to be tested and reviewed in response to comments raised including consideration of how it may be appropriate to redistribute some of the accommodation.
- A two-storey school building would not appear unduly out of character. However, the design has been evolving in response to the officers and QRP comments.
- Any height and bulk should be justified through a thorough streetscape and contextual approach including identifying important viewpoints, in accordance with policies 7 and 10 of the Local Plan. Members may wish to comment on this part of the proposal.

5.4 Impact on amenities of residential properties and occupiers

- There is merit in an approach as demonstrated which gives high priority to the quality of materials and which can demonstrate a coherent design led approach to the development of the site.
- It is important that any potential overshadowing, overlooking and noise issues relating to neighbouring must be adequately addressed. Officers have been working with the applicant to ensure that the layout and scale of the building would be sufficiently distant from nearby residential properties not to have a detrimental impact on the amenity of neighbouring occupiers.

5.5 Parking/Traffic

- Transport requirements will affect the strategic site layout, and therefore need to be explored in more detail to understand the suitability of current proposals. The intake of 300 pupils, with a high staff ratio (stated to be around 1:1 in the meeting) will create a very significant demand.
- However, as stated above, GLA and TfL have raised concern about the level of on-site parking space advising further reduction in the number of parking spaces to promote the Mayor's objectives in promoting modal shift towards active travel away from use of private car journeys.

5.6 Quality Review Panel (QRP) Comments

- The proposal has been presented to the Havering Quality Review Panel 6th May 2025. Members should note that the proposal as presented to them may have changed to reflect the QRP. The applicant has provided the Table 1 below to demonstrate how the scheme has evolved in response to QRP comments. The following comments were made by the QRP:

Table 1

QRP Comment	Response
1. The panel suggests that the sport and leisure hall should be aligned with the houses on Balgores Lane, to form a boundary to control site access and to give a public face to the school.	1. Moving sport and leisure block - to be explored.
2.It is unclear how and when the public square will be used. The panel feels that the space will be of greater value within the school's secure line.	2.. The public square will now function as a semi public square which will be fenced and gated when the school is not in use. The space will provide a feature entrance into the school with seating and future opportunities for flexible use. School branding, paving and planting will be used to define the space and create a sense of welcome.
3.Further consideration should be given to the strategic position and the footprint of the school building to ensure that large areas of useable outdoor space are prioritized and a heart is created for the scheme.	3.Communal spaces have been developed to provide passive play and social opportunities closer to the building with more active play placed further away. Outdoor areas have been carefully distributed between early years + primary and secondary + post 16 to ensure all BB104 areas are met.

4. Boundaries between public and private space should be designed to be dissolved outside of school hours. For example, gates that are designed to swing back and/or fold away.	4. Fences and boundaries have been kept to a minimum and screened with planting or timber infill where possible.
5. A relationship with the allotment gardens should be created, to provide an opportunity for the pupils to engage with the allotment owners who typically like to share their knowledge and skill of growing produce.	5. Building a relationship with the school and the adjacent allotments is being explored.
6. Consideration could also be given to relocating the MUGA adjacent to the sport and leisure hall, to facilitate the control of community access for these two facilities.	<p>6. Consideration could also be given to relocating the MUGA adjacent to the sport and leisure hall, to facilitate the control of community access for these two facilities.</p> <p>An additional grass recreation area has been provided and both pitch and MUGA locations adjusted to improve layout and access to and around the facilities.</p> <p>Relocating the MUGA has also been explored. However, it is considered preferential to retain in its current position to facilitate access for Squirrels Heath and the school and MUGA locations adjusted to improve layout and access to and around the facilities.</p>

Landscape Design

QRP Comment	Response
7. A welcoming environment should be provided that affords the children a pleasant everyday arrival and departure experience. Further thought should be given to the layout of the car park, to provide additional trees, planting and seating around each of the entrances to the building.	7. The redesign focuses on improving a welcoming arrival and departure experience for the students using surface materials to define routes and providing a greener aesthetic to key areas such as the car park.
8. Additional trees should also be planted in the grassed area between the central courtyard and the MUGA.	8. Additional tree planting has been added to the area between the central courtyard and the MUGA.
9. The thin strips of greening in the central courtyard and to the north of the vehicle entrance are too narrow to be useable. Green space should be consolidated across the site to maximize the area of useable space. Circulation space should be tightened.	9. Planting beds have been reconfigured across the scheme to maximize the planting offer and provide the best growing conditions for planting. Narrow beds are allocated for hedge planting only.

10. Details on biodiversity net gain should be provided. The panel recommends preserving some of the brambles around the boundary of the site, additional tree planting and the greening of roofs and vertical surfaces.	10. Biodiversity net gain has been carefully considered to meet the required targets with habitat retained and enhanced where possible. The retention of existing vegetation will need to be carefully balanced with the health and safety requirements of the students. Where it is not possible to accommodate, off site provision will be required.
11. Information should be provided on the number of existing trees to be retained and the number and species of additional trees to be planted.	11. A BNG plan and report will be provided by the ecologist with detail of proposed trees in the landscape planting information.

The Car Park

QRP Comment	Response
12. The car park has the potential to provide an opportunity for children to learn key skills, including traffic safety and how to catch a bus. However, green parking with permeable surfaces to support the growth of short grass or moss should be used to reduce the amount of hard surface.	12. The car park provides safe and secure defined pedestrian routes for both staff students and visitors. Areas of surfacing will be permeable in line with SUDs requirements for the scheme.
13. Additional trees should be planted and pergolas provided, to maximize greening and to increase shade for people and cars. The pergolas could also support photovoltaic panels.	13. Swathes of shrub and groundcover planting create a green aesthetic across the space to create a welcoming environment. Tree planting will provide structure and seasonal interest and a green frontage to the school.

The MUGA, the Forest School and the Pitch

QRP Comment	Response
14. The forest school, MUGA and grass pitch should be designed as one large space to minimize the length of secure fencing required. Lower, child-friendly partitions could be used to define each area, to allow for flexible use of the spaces.	14. The MUGA, 'forest school' and sports pitch has been rationalized into one large space with controlled access for Squirrels Health. Woodland planting has also been extended to provide a buffer between each area enhancing the native planting to the perimeter of the site. An additional grass area for recreation has been provided and the pitch and MUGA locations adjusted to improve layout and access to and around the facilities.
15. A well-used sports facility could help to build a strong case to present to Sport England. Further thought should be given to the location of the MUGA and the pitch, to ensure that they will be easily accessible by the community outside of school hours.	15. Care has been taken to ensure full circulation in this area with segregation provided through the use of appropriate fencing and gates.

16. Toilet facilities should be available for the Squirrels Heath Junior School pupils when they use the MUGA and the pitch during school hours. They will also need to be available to the wider community when the sports facilities are in use outside of school hours.	16. Provision of toilet facilities within southern area of the site - to be explored.
<p>17. The surface of the MUGA should be upgraded to a material that is more forgiving than tarmac for the children to play on. An appropriate all-weather surface will also ensure that the MUGA is well-used by the wider community.</p> <p>Consideration should also be given to an all-weather surface for the pitch, to ensure its wider use year-round.</p> <p>Consideration should be given to the design of an attractive, fun enclosure for the MUGA in place of the usual green wire mesh.</p> <p>The panel supports the use of mounds in the landscape. Additional mounds and berms could be designed to enclose the pitch, in place of a fence, and would provide welcome additional landscape features for play.</p>	17. The MUGA will have a polymeric surface and 3m high fencing. Mounds have been rationalized to maximize areas for sports use.

Internal Layout of the school Building

QRP Comment	Response
18. The entrances should be given greater prominence. Further thought should also be given to the experience of the children as they enter the school building.	18. The prominence of the two main entrances has been developed through design of the landscape and its relationship with the building. In addition, the colonnaded design at both the primary and secondary school entrances highlight the entrances, as well as providing shelter and shade to those arriving and leaving the building.
19. Natural or borrowed light should be introduced to improve the experience of the long double-loaded corridors.	19. Natural light within the building - to be developed in tandem with daylight analysis. There are glazed screens in each classroom onto the circulation spaces. There is also a requirement, to align with Dept. of Education guidance, for all office and staff spaces to have glazed screens onto corridors. While the requirement is driven for the need for passive supervision, it also benefits in providing natural light.

20.The dining rooms will be key communal spaces. They should have high levels of natural light and a good relationship with the adjacent exterior space.	20. The primary dining hall has been redesigned following comments, making it both larger (from 42sqm to 51sqm) and increasing the amount of available glazing (from 3.8 linear meters to 4.8m). The relationship to external dining has also been improved. Natural light is also being provided via a large lightwell over the adjacent primary library space.
21.Further thought is needed to address the outlook and acoustics of the secondary pupil's dining area which overlooks the carpark. The primary pupil's dining area also needs further consideration as the crank in the building limits the amount of daylight that it receives.	21.The secondary dining hall remains in its location, with a large aspect of glazing overlooking the Entrance and Car Park space. This room is positioned so that when large numbers of secondary students are arriving and leaving the school, they may congregate here and gain direct access to the car park.
22.The group spaces, located in the quads between classrooms, should have high levels of natural daylight.	22.Group spaces - presuming here it refers to internal quad space at center of classroom arrangement. Refer also to response no. 19.
23.The quality of the group spaces is currently compromised by a narrow plan and the noise that is likely to result from the through-access to the classrooms on either side.	23.The design of the group spaces, which occur between classrooms within the secondary school, has been tested with the required furniture and space planning. In addition, and in tandem with the client and trust, who have experience of similar spaces within other schools they operate, noise and distraction between classrooms is not seen as a risk.

Environmental Sustainability

QRP Comment	Response
24. Daylight / sunlight analysis should be undertaken to determine if external solar shading will be needed.	24..An initial daylight analysis has been conducted across various teaching spaces in accordance with DfE Climate- Based Daylight Modelling (CBDM) criteria. The design aims to maximize the use of natural daylight in teaching and general learning areas to enhance occupant comfort and reduce energy consumption, with artificial lighting serving as a supplementary source when daylight levels are insufficient. Further daylight assessments will be carried out during the design development stage. One key consideration is the potential impact of larger windows, which, while improving daylight access, will increase solar heat gains and contribute to overheating. This could necessitate requirements for local cooling, therefore increasing project costs.

25. External decking could be used to provide solar shading for the ground level, as well as outdoor amenity for the upper level of the building.	25. The provision of external amenity space at first floor has been optioned with the client. However, due to the nature of the students in the school (complex autism), it was deemed to present too high a risk of falling/climbing and causing injury and harm to both students and staff.
26. The panel has concerns that the building does not appear to have any natural ventilation. Further details are requested on the ventilation strategy.	26. A CIBSE TM54 assessment will be carried out at the next design stage to ensure that the proposed energy consumption sits within the defined parameters.
27. An ambitious target should be set for the building's energy use intensity.	27. Natural ventilation has been the first consideration when it comes to defining the ventilation strategy. The MEP team are currently developing the overheating assessment, however preliminary results indicate that classrooms/ teaching spaces will require natural ventilation via secured opening louvres as well as 1 or 2 No. Natural Ventilation Heat Recovery Units, which is a form of fan assisted natural ventilation. Mechanical ventilation will only be required essential i.e. Kitchens, WCs, Pool Area and Changing Spaces.
28. Thought should be given to how biodiversity and solar technology can be combined. Photovoltaic efficiency could be improved through the use of building integrated organic photovoltaics.	28. The project proposes the use of high-efficiency photovoltaic (PV) panels that exceed the baseline 19% efficiency value outlined in Technical Annex 2G of the DfE Output Specification. To minimize maintenance requirements and extend the system's operational life, a self-cleaning methodology has been incorporated into the PV array design. While integrated organic photovoltaic panels were initially considered, they were ultimately not proposed due to budget constraints, lower efficiency, and shorter lifespan, offering higher maintenance regimes, requirements for a green roof hence a limited overall project benefit.

Financial and Other Mitigation

5.8 Due to the nature of use (education), the Havering Council's Community Infrastructure Levy is not applicable.

5.10 Other Planning Issues:

- Archaeology
- Biodiversity
- Microclimate - Daylight/Sunlight

- Infrastructure and Utilities
- Open Space and Recreation
- Flooding and Sustainable Drainage System
- Secured by Design
- Servicing Management

Summary of Issues

- 5.11 In order to assist members, officers have raised similar concerns/issues expressed by the Quality Review Panel with the developer team as outlined in Paragraphs 5.2 to 5.5 and members may wish to comment in relation to these points in addition to any other comments/questions that they may wish to raise.

Conclusion

- 5.12 The proposed development has been considered at five pre-application meetings with officers, and the scheme has been developed as a result. There are some aspects that require further work as identified in this report and Members' guidance will be most helpful to incorporate as the various elements are brought together.
- 5.13 Further, it is likely that this scheme may come back to this Committee for final review as part of the continuing Pre-Application engagement but only if members seek further clarification.

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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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 Havering LONDON BOROUGH	Strategic Planning Committee 10 July 2025
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Application Reference:	P1498.24
Location:	LAND ADJACENT TO ST MARY'S LANE, OCKENDEN UPMINSTER
Ward	UPMINSTER
Description:	THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A BATTERY ENERGY STORAGE SYSTEM (BESS) WITH ASSOCIATED INFRASTRUCTURE AND WORKS INCLUDING HIGHWAY ACCESS, LANDSCAPING AND BIODIVERSITY ENHANCEMENTS.
Case Officer:	RAPHAEL ADENEGAN
Reason for Report to Committee:	• Call-in application by ward councillors.

1. BACKGROUND

- 1.1 The application has been called-in by the local ward councillors, and as such is referred to the Strategic Planning Committee for decision in accordance with the Committee Consideration Criteria of the Constitution.

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.2 The application seeks full planning permission for the development of a Battery Energy Storage System (BESS) with a capacity of 200MW for a temporary period of 40 years. The site is located in the Green Belt and the proposed development would constitute inappropriate development in the Green Belt.
- 1.3 The development would have a significant impact upon the openness of the Green Belt. The harm identified by inappropriateness and significant harm to openness are given substantial weight in the planning balance.
- 1.4 The proposal would, due to mitigating factors, not have a significant adverse impact upon the character of the area in the long term. The proposed landscaping and planting would introduce a visual barrier which would help protect views into the site from the nearby public footpaths and viewpoints.

- 1.5 No other harm has been identified in terms of residential amenity, drainage, flooding, ecology, contaminated land, archaeology and subject to conditions the consultees raise no objection.
- 1.6 The applicant has put forward a comprehensive case of very special circumstance (VSC) for the proposed development. The harm by reason of inappropriateness and any other harm, are clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.
- 1.7 The proposal is therefore in accordance with the adopted development plan and guidance in the National Planning Policy Framework (the Framework). As such, officers consider the proposal to be acceptable.

2 RECOMMENDATION

2.1 That the Committee resolve to GRANT planning permission subject to:

Conditions

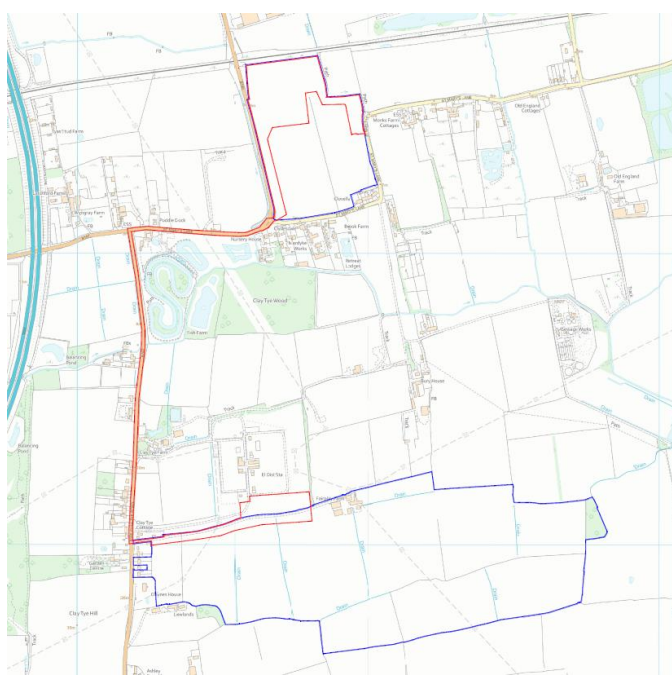
- 1) Time Limit
- 2) Temporary Permission - The use of proposed development shall cease on or before (insert decision date) 2068,
- 3) Scheme for the decommissioning and restoration
- 4) Submission of signed restoration plan lease agreement with landowner
- 5) In Accordance With Approved Drawings
- 6) Details of Material – colours to be agreed
- 7) Landscaping
- 8) Landscape Management Plan
- 9) Biodiversity and BNG
- 10) Boundary Treatments
- 11) No External Lighting Scheme
- 12) Noise Protection
- 13) Contaminated Land
- 14) Surface Water Drainage
- 15) Sustainable Drainage Systems (SUDs)
- 16) Demolition, Construction Management and Logistics Plan
- 17) Construction Hours (8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.)
- 18) Highway Works
- 19) Wheel Washing
- 20) Fire Brigade Access
- 21) Site Levels
- 22) Construction Ecological Management Plan
- 23) Archaeology

Informatives

- 1) NPPF positive and proactive.
- 2) Highways
- 3) Fire Rescue
- 4) Wildlife and Habitat Regulations

3 SITE AND SURROUNDINGS

- 3.1 The application site comprises part of a larger field whose boundaries are clearly defined by the B186 Warley Street to the west, by St Mary's Lane to the south and east and the Liverpool Street to Southend railway line to the north. The site extends to approximately 11.05 hectares and is located to the north of the overall 17.92 hectares field parcel which it forms part.
- 3.2 The southern part is divided by a ditch, classified as an 'ordinary watercourse' and known as Mary Brook, which extends north from St Mary's Lane for a distance of approximately 400m and serves to separate the field into two halves.
- 3.3 The southern part of the field also contains a network of underground high and medium pressure gas pipes which traverse the land in a generally east-west direction immediately to the south. In addition, much of the land not proposed to be developed is shown as within Flood Zone 2.
- 3.4 The Site is approximately 1.1km north of the Warley Substation from which it is separated by the Puddledock Farm fishing lakes and Clay Tye Wood, as well as a number of commercial premises. It is visible from the highway on its western boundary. To the north is the railway overbridge beyond which is the Upminster Trading Estate, a modern development of warehouses and trade counter though visibility is limited by vegetation.
- 3.5 The general character of the area is rural and agricultural, with fields delimited by hedgerows. According to the submitted Agricultural Land Classification Report, the land has been assessed as being of Grade 3b agricultural quality. As such, not the "best and most versatile" agricultural land.
- 3.6 The entire site lies within the designated Metropolitan Green Belt and the Thames Chase Community Forest area. The actual area to which this application relates is nevertheless not noted for any ecological or landscape designation.



Site Location Plan (Drawing CST011- WAR3.0 Rev. C)

4 PROPOSAL

- 4.1 The application seeks full planning permission for a Battery Energy Storage System (BESS) with a capacity of c.200MW. The batteries would be housed within containers and be supported by ancillary development, including transformers, inverters, substation and switchgear units. The site would also be surrounded by a security fencing, associated infrastructure including highway access new landscaping, hedgerows and biodiversity enhancements. The proposal would be for a temporary period of 40 years.
- 4.2 The Planning, Design & Access Statement provides the following overview of the proposed development:-
- 104no. strings of battery units measuring 2.1m wide x 3.2m long x 2.6m high arranged in rows of six units;
 - ACC/DCC panels positioned at the end of each row of six battery units;
 - 26 no. MV Twin Skid units measuring 2.2m wide x 6m long x 2.3m high;
 - 52 no. Inverter units measuring 2m wide x 3.1m long x 2.4m high;
 - 1 no. Spare equipment container measuring 2.4m wide x 12.2m long x 2.4m high;
 - 2 no. emergency water tanks measuring a height of 2.5m with a diameter of 10m;
 - 6no. Fire hydrants with a pumped distribution system measuring a maximum height of 0.6m;
 - 27 no. CCTV columns measuring 3m in height;
 - 1 no. Customer switchgear substation measuring 4.8m wide x 12.7m long x 3.4m;
 - 2 no. Transformers measuring a maximum height of 9.3m;
 - Palisade fencing and double gates surrounding the battery compound and substation measuring a maximum height of 2.4m.
 - The development has been designed to be recessive in the landscape, including materials with natural colour tones to blend in with the landscape.
 - Beyond the main portion of the application site, a short section of new access track will be constructed to link the proposed site to the existing access roads to the east and west. An underground cabling route to link with the national grid substation will also be required, and this will closely follow the route along St, Mary's Lane and B186 Clay Tye Road, which forms part of the application site.
 - Access would be obtained via an existing track from, the road running along the eastern and western boundary of the wider site.
- 4.3 The Planning, Design & Access Statement explains that the BESS would store electricity and would allow the local Grid network to operate more efficiently; taking excess energy, storing it and releasing it onto the network when the grid needs it at times of peak demand. It is stated that the development is part of necessary grid reinforcements as well as a longer-term plan to make the network more efficient. This in turn will ensure long term sustainable local and regional power distribution; supporting the grid in times of high energy consumption.



Indicative Site Layout Plan (drawing ref. CST011-WAR4.0 Rev. C)

5 PLANNING HISTORY - N/A

Environmental Impact Assessment

- 5.1. On the 05 July 2024 Clearstone Energy Ltd requested a Screening Opinion from London Borough of Havering, under Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), for the installation a 200MW Battery Energy Storage System for Warley Energy Hub at Land Between Warley Street and St. Mary's Lane, North Ockendon. The area of land and the development was the same as currently proposed. The purpose of the request was to determine whether the proposed development, as described, would be likely to have significant effects on the environment and therefore require an environmental assessment.
- 5.2 The Council issued a Screening Opinion (ref Z0002.24) on the 15 August 2024 confirming that "based on the information provided, it is the opinion of the local planning authority that the proposed development would not result in effects the significance of which would require an environmental impact assessment. An environmental impact assessment is not required for this proposal".

Community and Stakeholder Engagement

- 5.3 A Statement of Community Involvement (SCI) accompanies the application and this document explains the programme of public consultation and community engagement carried out prior to the submission of the application. As part of its programme of community engagement, the applicant has initiated a number of public consultation exercises including, in-person meeting, mailing distribution and webinar (online) presentation was conducted, where questions and comments could be posted and recorded.

5.4 The applicant's response to the issues raised in the course of the public engagement raising the following questions and concerns:

- a) Concern of the visual impact of the project.
- b) Visual look of the acoustic fence
- c) Will there be any closure to St Mary's Lane?
- d) Will the project add traffic to the area?
- e) General opposition to the location of the proposal.
- f) Suggestions to use the land at the Warley Substation instead.
- g) There are more suitable and unused fields opposite Puddledock Fishery.
- h) Projects like this should be put on old and disused coal power stations.
- i) Would it not be more appropriate to store batteries under solar panels, where there will be no loss of energy in transport and a lower impact on agricultural land.
- j) Will Warley Energy Hub make much noise?
- k) Concern regarding the project affecting red listed wildlife, including skylark, yellowhammer and grey partridge.
- l) What trees are you looking to plant?
- m) Questions regarding the need for Battery Energy Storage Systems.
- n) There is a two stage energy conversion process required – the AC from the sub-station needs to be converted into DC to be stored in the batteries and the converse when the battery energy is fed back to the substation. What is the conversion efficiency of both these processes and do they create heat, noise or other waste?
- o) Who manufacture the batteries and where do they come from?
- p) What happens to the batteries at the end of the lifecycle?
- q) Have you considered Sodium batteries instead of Lithium?
- r) Concern at the loss of agricultural land.
- s) What is going to happen to the land in the site boundary that you are not proposing to build on?
- t) What is the arrangement of the land, are you buying the land or leasing it from the owner?
- u) Suggestion for community benefit fund: There is no real community, just scattered houses with a limited number of low-income households. There needs to be creativity in making sure the community benefits identify "the community" and ensure they do actually benefit.
- v) Who gets access to the community benefit funds? Is it just for the residents who fall within Havering?
- w) What is the cost for the consumer for having this facility?
- x) Does this project have anything to do with the North Ockenden Data Centre?
- y) What is the connection between Clearstone and Warley Battery Storage Ltd?
- z) How much money will the project make and how much will it cost?

5.5 In response, the applicant states the following in the SCI of "The applicant recognises that there are differing views on the principle of development and understands that residents have concerns related to the impact of development. The Applicant has sought to address these concerns positively, both within this document, and within the wider planning application documentation". The applicant's full response to the issues listed above is contained in the submitted SCI.

6 CONSULTATION RESPONSE

6.1 Statutory and Non Statutory Consultation

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

LBH Environment Health – (Air Quality and Contamination) – No objection on land contamination or air quality grounds subject to conditions.

LBH Ecology Consultant –we are now satisfied that there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

With regard to the baseline details for mandatory biodiversity net gains, we support the submitted Biodiversity Net Gain Summary Report Rev A February 2025 (Clearstone Energy and Weddles) and Biodiversity Net Gain Statutory Biodiversity Metric calculation tool Rev A February 2025 Neil Northrop (John Harvey, Weddles, 03 October 2024). The habitat maps in the Biodiversity Net Gain report (Clearstone Energy and Weddles, October 2024) now cover the whole site, and the condition assessments have been added to the Preliminary Ecological Appraisal (PEA). The BNG calculation details are now consistent across the reports.

No ecology objection / No objection on Biodiversity Net Gain BNG subject to conditions.

LBH Landscaping Consultant – The latest Landscape Strategy plan 1643-003 Rev D address the request for additional detail information on proposed plant species and locations. We are satisfied with the proposed plant species, and we welcome the addition of multi-stem Acer campestre and Betula pendula to the planting scheme.

To improve visual appearance while planting is establishing, we would advise that the 2.4m High Paladin Security Fence is specified as colour black and not green.

We refer to our previous comment regarding the recommended conditions, including the consideration of a restoration and decommissioning plan.

LBH Waste Management – No Domestic waste associated with this application.

LBH Heritage Consultant– The proposal would have a neutral impact and would not harm any heritage asset. The proposal complies with Chapter 16 of the NPPF.

Environment Agency – Following review of the additional info dated 19.03.25, we are now in a position to remove our previous objection subject to conditions.

Health and Safety Executive – Battery Energy Storage Systems are usually not a relevant development in relation to land-use planning in the vicinity of major hazard sites and major accident hazard pipelines.

This is because they do not, in themselves, involve the introduction of people into the area. HSE's land use planning advice is mainly concerned with the potential risks posed by major hazard sites and major accident hazard pipelines to the population at a new development. No fundamental objection.

London Fire Brigade (LFEPA - Water Office) – No fundamental objection to proposed hydrants in the location as indicated in red on the attached plan.

Cadent – Confirm that cadent have no objection to the proposed planning application P1498.24 and the holding objection can be removed.

Natural England – Based on the plans submitted the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. No fundamental objection.

Friends of the Earth – This is inappropriate for land on the green belt. A brownfield site must be found, or some other solution. There will be adverse visual impact

UK Power Network – No fundamental objection to the scheme.

Historic England – The development could cause harm to archaeological remain and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains followed by full investigation if necessary. No fundamental objection raised subject to condition.

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 84 consultation letters were sent to neighbouring properties including businesses regarding this application.

8.3. 122 representations (119 objection, 3 support and 1 comment) have been received.

Representations

8.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objection

- i. Against this decision. This is green belt land and needs to remain this way. The views from these homes are amazing and being able to look at large open spaces is why people purchase these homes;
- ii. The development represents an unjustified intrusion into protected Green Belt;
- iii. A brownfield site must be found, or some other solution;

- iv. What battery storage is this? There is a risk of fires and hazardous gas pollution;
- v. Safety Hazard - The electromagnetic fields and potential risks to health
- vi. Increase traffic which will include large vehicles especially during construction, which the road cannot handle;
- vii. This will have a huge impact on all the wildlife;
- viii. If this goes ahead along with the Data Centre and the widening of the M25 there will be an enormous impact on the environment and harm to the wildlife;
- ix. This is a very good arable field and supports red list breeding species wildlife which are of conservation concern, i.e. Skylarks, Yellowhammer, Grey Partridge, Yellow Wagtail. 3 species of Owl also hunt the fields, any lighting would be detrimental to them;
- x. Not in keeping with local surroundings;
- xi. The proposed Battery Storage project, with its vast scale, would disrupt the rural atmosphere and change the character of this area;
- xii. Proximity to homes and businesses too close;
- xiii. Visual intrusion of the landscape;
- xiv. Will be a visual eyesore for local residents;
- xv. The proposal would significantly alter the openness of this green belt area;
- xvi. Too near schools;
- xvii. The area holds a great deal of water in the winter, allowing gradual drainage into brooks and ditches, preventing flooding to nearby properties;
- xviii. The proposed five-year delay until the project commences adds unnecessary uncertainty to the development. This prolonged waiting period increases the disruption to local communities and raises questions about the feasibility and commitment to the project;
- xix. Location Should Be Closer to the Substation;
- xx. Loss of Agricultural Land;
- xxi. Environmental impact being largest concern;
- xxii. Visual Impact from my property;
- xxiii. Impact on Mental Wellbeing;
- xxiv. The site plan originally presented during Community Engagement have since been altered. These changes are not reflected on the project's website, which still contains outdated information causing considerable confusion and concern within the local community.

Support

- i. Sounds like a good idea
- ii. Havering has not, historically, seen much private investment beyond housing developments, so this project represents a major opportunity for the area;
- iii. The landscaping plans could transform the site into a more scenic and accessible space for people to enjoy, adding something positive value to the community;
- iv. We believe this development will bring a significant boost to local employment and provide smaller businesses with opportunities to get involved in a large-scale project;

Comment

If the council is minded to approve this, the mitigation should be changed, to reflect lower noise decibel limits, the most modern, safest and efficient battery types, as well as greater bunds and green screening to completely obscure the batteries and other structures from sight. The amount offered by the applicant of £40k to £50k per annum for the benefit of the local council buildings and initiatives is far too low. This figure should be £500k per annum as a minimum in order to have a maximum impact to local

initiatives. This would still allow the applicant a profitable business, as the return on Capex of £100million as stated by applicant) is 7% per annum, ie £7 million. A much larger amount of this return should be given to council initiatives to offset the impact on green belt land.

Councillors Oscar Ford, Christopher Wilkins and Jacqueline Williams:

The land is designated Green Belt and the development does not appear to meet the very special circumstances required for such proposals, and is a loss of productive agricultural land.

Effects on water table and/or surface drainage which could lead to local flooding in the area.

The proximity to properties and businesses, including the visually intrusive nature of the proposal

Public/resident concerns including health and safety risks associated with battery storage in close proximity to properties

Officer comment: The issues raised are addressed in the context of the report.

9 RELEVANT POLICIES

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

National Planning Policy Framework (2024)

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:

- 2 - Achieving sustainable development
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 - Making effective use of land
- 12 - Achieving well-designed places
- 13 - Protecting Green Belt land
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 - Conserving and enhancing the natural environment
- 16 - Conserving and enhancing the historic environment

London Plan 2021

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GG5 Growing a Good Economy

GG6 Increasing efficiency and resilience

D12 Fire safety

D14 Noise

G2 London's Green Belt

G6 Biodiversity and access to nature

G7 Trees and woodlands

G9 Geodiversity
HC1 Heritage
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy Infrastructure
SI12 Flood risk management
SI13 Sustainable drainage
T4 Assessing and mitigating transport impacts

Havering Local Plan (2021)

The following policies should inform design of the proposed development:

23 - Transport connections
26 - Urban design
27 - Landscaping
28 - Heritage assets
29 - Green infrastructure
30 – Biodiversity and geodiversity
33 - Air quality
34 - Managing pollution
35 - On-site waste management
36 - Low carbon design, decentralised energy and renewable energy

Havering Climate Change Action Plan (HCCAP) 2023

Havering Council declared a climate emergency in March 2023 and has an ambition to become carbon neutral by 2040. A revised Havering Climate Change Action Plan (HCCAP) provides, what it describes as, a fundamental tool in tackling climate change building on the foundations of a previous action plan.

10 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of Development
- Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;
- The effect of the proposal on the openness of the Green Belt;
- Whether the proposal causes harm to the purposes of including land within the Green belt;
- The effect of the proposal on the character and appearance of the area;
- The effect of the proposal on the amenities of the occupiers of neighbouring properties;
- Climate Change;
- National Policy and recent appeals;
- Loss of agricultural land; and
- Whether the harm by reason of inappropriateness (VSCs), and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Other Material Considerations

- The effect of the proposal on highway safety and the free flow of the road network;
- Archaeology;
- Ecology;
- Drainage;
- Health and safety;
- Decommissioning and liability;

10.2 Principle of Development

- 10.2.1 The Infrastructure Planning (Electricity Storage Facilities) Order 2020 removed all forms of electricity storage, other than pumped hydroelectric storage, from the definition of nationally significant energy generating stations under the Planning Act 2008. As such, any proposal for a Battery Energy Storage System below 200MW must be determined by Local Planning Authorities.
- 10.2.2 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Planning policies and decisions must also reflect relevant international obligations and statutory requirements (NPPF, par 2). For the purpose of determining this application, the development plan comprises the Havering Local Plan 2021, London Plan 2021 and the NPPF 2024. A core objective of the development plan is to address climate change and through Policy 36 'Low carbon design, decentralised energy and renewable energy', the Council sets out the parameters within which standalone renewable energy installations, which would equally apply to supporting infrastructure, shall be supported.
- 10.2.3 The NPPF advises that Local Planning Authorities should take a proactive approach to mitigating and adapting to climate change and to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources (para 158). Battery Storage Facilities are a form of infrastructure that support the use and supply of renewable energy. The Planning Practice Guidance advises that "Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity" (Paragraph: 032 Reference ID: 5-032-20230814).
- 10.2.4 The NPPF through paragraphs 163 to 169 recognises the role planning plays in mitigating and adapting to climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
- 10.2.5 Specifically paragraph 163 states that when determining planning applications for renewable and low carbon development, local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions;

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas; and

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.

10.2.6 The application explains that the proposed development would provide a source of continued power supply for the local area so that in the event of supply interruptions or surges in demand, the local community and businesses would continue to be served when renewable technologies are not producing, or when there is insufficient capacity within the Grid. Furthermore, it is stated that the BESS is part of a National Grid strategy, implemented and operated by third parties, to ensure continued power supply during a transition process away from large-scale fossil fuel installations to allow renewable energy installations to fulfil their value to our future energy requirements.

10.2.7 The proposal therefore aligns with the Government's objective to strengthen the electricity network and enable energy to be used more flexibly. The proposed development is therefore considered to be acceptable in principle in terms of the type of development. However, in order to establish the acceptability of the proposal on the site in question, all material planning considerations associated with the proposal must be considered, and are discussed within the following sections. It is however important to note that application highlights that the development does not contain any permanent buildings, and only introduces small temporary ancillary equipment required for operation. The proposal is entirely reversible and the land would return to agriculture on decommissioning.

10.2.8 In terms of the proposed location of the battery storage facility, the Planning Inspectorate has highlighted that "Locational factors that influence the siting of battery storage facilities include, provision of access to unrestricted network capacity, proximity to a financially viable access to the national grid and point of connection, availability of suitable land and the proximity of a point of access to the highway network" (appeal ref APP/H1705/W/21/3289603, par 30). In this instance, the proposed development would not be sited immediately adjacent to National Grid's substation and involves connection via cabling as part of the application. The reasoning for the site selection is therefore clear and accepted, however the site specific impacts of the proposed development and thus the acceptability of the development are however considered in the following sections.

10.2.9 In context of the above, Policy 36 of the Local Plan and Policy SI 2 of the London Plan provide in principle policy support for developments such as this, subject to the development being deemed acceptable in respect of all other material planning considerations.

10.3 Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies

- 10.3.1 The Havering Local Plan 2013 identifies the site within the Green Belt.
- 10.3.2 In relation to Green Belt Policy, the development plan (Havering Local Plan 2021) and NPPF confirm that both the Local Plan and Government guidance attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (Para 142 NPPF).
- 10.3.3 Paragraph 143 of the NPPF confirms that the Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 10.3.4 As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Para 153 NPPF).
- 10.3.5 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (Para 153 NPPF).
- 10.3.6 Paragraph 154 of the framework states that the construction of new buildings is inappropriate in the Green belt and identifies a number of exceptions to this. The proposed development is not included within the list of exceptions.
- 10.3.7 Paragraph 154(h) confirms some other, named, forms of development are not inappropriate in the Green Belt if they preserve openness and do not conflict with Green Belt purposes. These include engineering operations and some changes of use of land.
- 10.3.8 Paragraph 160 confirms that many elements of renewable energy projects will comprise 'inappropriate development' in the Green Belt. Developers will need to demonstrate 'very special circumstances' if projects are to proceed. These may include wider environmental benefits associated with increased production of energy from renewables.
- 10.3.9 Policy G2 of the London Plan 2021 advises that development proposals that would harm the Green Belt should be refused except where very special circumstances exist.

- 10.3.10 It can be seen that there is a strong presumption against new development unless it is considered to be appropriate in the Green Belt as defined by the policies in both the NPPF, London and Local Plans.
- 10.3.12 Inappropriate development as defined by the NPPF is considered to be harmful to the Green Belt and that harm carries substantial weight. A planning permission should not be granted unless there are material planning considerations of such weight to clearly override that Green Belt harm and any other harm. Very special circumstances (VSCs) will therefore be needed to justify any grant of consent.

10.4 The effect of the proposal on the openness of the Green Belt

- 10.4.1 “Openness” is not defined either in the NPPF or in any development plan policies but is widely taken to mean an absence of building or development. It is also widely accepted that the extent to which a building or development may be seen from the public realm is not a decisive matter.
- 10.4.2 Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts; the fundamental aim of Green Belt policy is to prevent urban sprawl but keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 10.4.3 The site is currently undeveloped agricultural fields bounded on the eastern side by St. Mary’s Lane and on the western side by Warley Street and the site presents an open rural character and appearance overall. To the north of the site, the openness is tempered by the commercial buildings and structures at the Upminster Trading Park, Warley Street and a cluster of two blocks of two-storey terrace houses totalling 10 and a pair of two-storey semi-detached houses set some 322m to the south along St. Mary’s Lane. The Green Belt and its open nature towards the borough boundary to the north and east, is valuable in its continuity and appears not vulnerable to erosion of the essential characteristics of Green Belt land and the purposes of the Green Belt.
- 10.4.4 The nearest public vantage points into the site are from the public footpath from St. Mary’s Lane to the east and from Warley Street which runs along the western boundary of the site. The operational and landscape areas form part of a larger field parcel amounting to some of 17.92 hectares. The gross site area of the three elements, comprising the proposed development as a whole as defined by the redline boundary, amounts to 11.05 hectares (An operational area – 3.67 ha (including the accesses and substation), Landscaping and biodiversity area – 2.25 ha, and Cable route – 5.13 ha). The proposed built form would cover approximately 3.67 hectares (33%) of the site area. The proposed containers, inverters and other equipment would be relatively modest in size and widely distributed throughout the site. These would be relatively low-lying, and the facility would be enclosed by a relatively dense landscaping screening and a 2.4m high palisade fence.
- 10.4.5 In spatial and visual terms, the proposal would include a number of industrial features that would cumulatively erode the undeveloped nature of the existing site. The BESS is proposed for a temporary 40-year period. This represents a considerable period of time, however, the impact upon the Green Belt would not be permanent, limiting its long-term effects. Therefore, taking both visual and spatial impacts of the proposal together, the proposal would result in a significant impact

upon the openness of the Green Belt, notwithstanding the landscape mitigation proposed.

10.5 Whether the proposal causes harm to the purposes of including land within the Green belt.

10.5.1 Paragraph 143 of the NPPF defines the five key purposes of the Green Belt, safeguarding the countryside / rural landscape from encroachment being one of them. In terms of encroachment, the proposed scheme would place a range of industrial plant within a fenced compound. This would enclose the existing open green space and result in development and subsequent significant encroachment, in contradiction to 1 of the 5 purposes of including land within the Green Belt.

-Green Belt Summary

10.5.2 In summary, the proposed BESS represents inappropriate development which is by definition harmful to Green Belt (NPPF para 153). The proposal causes significant harm to the openness of the Green Belt since it would involve significant new development into an area which is currently open countryside. Further, given the physical extent of the land take required for the development, it would also cause significant encroachment upon the countryside harming 1 of the 5 purposes of including land within the Green Belt. The harm identified attracts substantial negative weight in the planning balance.

10.5.3 The proposal therefore does not accord with the London Plan in respect of Policy G2 nor does it accord with those categories of development deemed appropriate within Green Belts by the Framework. The fundamental question then becomes whether there are very special circumstances. These do not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

10.5.4 The matter of VSC will be returned to later in the Planning Balance section in this report.

10.6. The effect of the proposal on the landscape character and appearance of the area

10.6.1 The NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment (par 187) and Policy 27 'Landscape' of the Local Plan outlines that new development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic local landscape character and street scene.

10.6.2 The applicant has submitted a Landscape and Visual Appraisal (LVA). The LVA identifies and outlines the existing landscape character and visual amenity receptors within the area, to assess the potential impact of the proposal. Impacts and effects are assessed at significant stages in the life of the proposed development, including construction, operation and decommissioning.

10.6.3 The landscape proposals have been developed to respond to the relevant strategies. The detailed landscape design sets out the planting strategy for the

probably take 10-15 years before it begins to provide useful screening to the development.

- 10.6.9 The proposals will introduce technical/infrastructural elements into the agricultural landscape that are not characteristic but would be experienced in the context of other features of a similar nature that already exist in nearby landscape that are of a larger scale such as the Warley Substation and solar farms on Clay Tye Hill. While the proposals would be noticeable and a recognisable new feature they would avoid being overly prominent or dominant due to their general low level and being contained within the existing field pattern. Furthermore, the opportunity to mitigate its impact through the enhancement of hedgerow and tree planting, the actual impact on the landscape character of this additional development is considered to be local in extent and moderate in scale.
- 10.6.10 The assessment found that the site could accommodate the development proposed without significant adverse impacts to the landscape character or visual amenity of the area, which can be lessened by the mitigation proposed through the landscape strategy. The Council's Landscape Officer has not raised any fundamental objection to the proposal on the basis that the landscape and visual effects have been reduced to negligible.
- 10.6.11 It is considered that the proposal would result in moderate landscape and visual harm contrary to Policy 26 of the Local Plan. This is given negative weight in the planning balance. The scale and extent of the landscape and visual impact will need to be considered within the overall planning balance against the benefits of the proposal.

10.7 The effect of the proposal on the amenities of the occupiers of neighbouring properties

- 10.7.1 The NPPF advises that the planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability (para 187). This aim is also reflected within Local Plan policies 26 'Urban design' and 34 'Managing pollution' which seek to secure a high standard of design in all new development with one key element being the need for consideration be given to the compatibility with adjoining land uses and the impact on the amenities of existing occupants as a result of noise or air pollution etc.
- 10.7.2 According to the submitted Noise Assessment Report, "the calculated noise from the site is well below the measured ambient noise levels and would not result in any significant increase in those ambient noise levels.
- 10.7.3 The report relates to the potential impact of the operational noise arising from the running of the proposed development when assessed at nearby noise sensitive receptors. The sensitive receptors used in this assessment are marked R1 – R3 on Figure 3 of the Noise Assessment Report and are as follows:

R1: Gated Community off St Mary's Lane to the east located approximately 265m away;

R2: Houses on St Mary's Lane to the south located approximately 347m away;

R3: Houses on Warley Street to the north located approximately 793m away.



Receptor and Noise Monitoring Locations

- 10.7.4 Given the separation distances involved the proposed development would not harm residential amenity in terms of daylight and sunlight, loss of privacy or an overbearing impact. Potential noise impact is considered below.
- 10.7.5 The comparison with the BS8233 guidance criteria indicates that in absolute terms the calculated daytime noise levels are well below the criterion for gardens. The calculated levels of daytime noise intrusion into properties with the windows open are well below the daytime noise criteria. The calculated levels of night-time noise intrusion into properties with the windows open are around or below the night-time noise criteria. This calculation is provided only to give an indication of the scale of the plant noise levels and any properties with windows open would have higher levels of noise intrusion from other noise. The calculated noise from the site is well below the measured ambient noise levels and would not result in any significant increase in those ambient noise levels.
- 10.7.6 In summary, the assessment identifies that no significant change in ambient sound level will be engendered as a result of the proposed development in its proposed and assessed form, at either residential or public amenity space receptors. Consequently, the assessment demonstrates that the proposed development will give rise to a Low Impact in the context of BS8233 guidance.
- 10.7.7 The Council's Public Protection Officer has reviewed the evidence submitted and confirms the findings and raises no objection to the proposed development.
- 10.7.8 It is recognised that there may be some disturbance created during the construction phase, however the site is remote enough that impacts due to noise and dust from its construction is unlikely to significantly impact on local residents. It is however

recommended that a Construction and Environmental Management Plan (CEMP) be submitted and approved via condition, which would also control the construction hours as requested by the Council's Public Protection Officer.

- 10.7.9 On this basis, it is considered that the proposed development will not conflict with the relevant policies of the plan, including Local Plan policies 26 and 34, or with relevant provisions of the NPPF.

10.8 Climate change

- 10.8.1 In March 2023 the Council made a climate emergency declaration and a statement of intent to protect the environment. This was unanimously approved by the Council and has led to the development of the Council's Net Zero Action Plan and supported the evidence base to deliver new policies within the Havering Local Plan Review HLPR. Also, the adopted Policy 36 of the Local plan sets out measures to help tackle climate change through new development, this is echoed in the London Plan requiring new development to meet up to date Climate Change and sustainable policies – responding to the aims and objectives of the Climate Change deceleration.
- 10.8.2 Nevertheless, existing planning applications such as this, are already required to perform well against wider climate change and sustainable policies. To this end, officers have sought to achieve the best solutions as part of this application within the remits of adopted policy. Matters of sustainable urban drainage can be secured, a net gain in biodiversity can be achieved and landscaping limits tree loss and providing mitigation where appropriate.
- 10.8.3 There is little doubt that battery storage units are set to play an important role in the transfer of energy supplies from fossil fuels to renewables. Renewable energy amongst other sources is created through the capture of energy from solar arrays, wind and tidal. Here in Havering, it is likely that the majority of green energy will be sourced from solar sources. Net Zero is a goal that the energy sector is working to, with an aim of achieving this by 2050. As Britain moves towards achieving this goal more and more reliance will be placed on renewable energy sources, whereas creation and supply of energy from non-renewables (carbon) is set to decrease.
- 10.8.4 There is therefore a challenge to capture and store renewable energy within National Grid's infrastructure so that the demands of the consumer during night-time hours and over winter months is met, because clearly energy sourced through solar cannot be created during night-time hours or in certain weather conditions. Whilst a BESS does not increase the overall capacity of energy travelling through national grids infrastructure, a BESS will allow electricity to be stored at times when supply exceeds demand. At these times, energy can be stored by the BESS and is only released when demand exceeds supply along the main network. The reliance on the use of coal fired powered stations during evening hours will therefore be diminished. Whilst National Grid has not commented as to whether they support or object to this planning application, the applicant has provided supporting document which shows arrangement with the National Grid to connect to the local Warley Substation which is planned to be expanded.
- 10.8.5 Presently, BESS can only be proposed, where any particular substation is not working at full capacity and therefore has unused capacity to move electricity

around the network. For the avoidance of doubt, a BESS do not in themselves create additional capacity for creating electricity, they simply make best use of capacity within the existing grid. Going by previous similar planning applications, National Grid has confirmed that they cannot rely on battery storage as a guaranteed source of power for the network, the core capacity of the grid won't change only the method of energy generation. It is the responsibility of the National Grid to expand its network to respond to economic development needs.

- 10.8.6 The proposal accords with provision of Policy 36 'Low carbon design, decentralised energy and renewable energy' and positive weight is given to the planning balance.

10.9 National Policy and recent appeals

- 10.9.1 The proposed scheme is designed to store 200MW within the batteries and would be able to absorb and release energy to and from the power network.
- 10.9.2 The applicant identifies a national need for energy storage facilities. This both ensures energy security and assists the Country in achieving a net zero economy. Current National policy and recent relevant appeal decisions are in support of the principle of this type of development.
- 10.9.3 The provision of low carbon energy is central to the economic, social and environmental dimensions of sustainable development set out in the NPPF. There is strong national policy support from the Government's Energy White Paper (Energy White Paper Powering out Net Zero Future (2020)) and National Policy Statement EN-1 (NPS) (Overarching National Policy Statement for Energy (EN-1)(2023)), for the development of battery storage, which would aid in the storage of energy generated from renewable sources which by their nature, intermittently generate energy. Additionally, the NPS advises that storage is needed to reduce the costs of electricity and increase its reliability.
- 10.9.4 National Grid's Future Energy Scenarios (2021) advises that currently the energy storage capacity in the UK is 4GW and by 2050 it is anticipated that 40GW of storage capacity would be required in order to meet the UK's target of net zero carbon by 2050.
- 10.9.5 A material consideration in the determination of planning proposals for renewable energy are the National Policy Statements (NPS) for the delivery of major energy infrastructure. The NPSs recognise that large scale energy generating projects will inevitably have impacts, particularly if sited in rural areas. The Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Renewable Energy Infrastructure (EN-3) both state that the NPSs can be a material consideration in decision making on applications that both exceed or sit under the thresholds for nationally significant projects. Further, Paragraph 213 of The Energy Act 2023 now includes energy provided from battery storage as its own subset of energy generation.
- 10.9.6 The NPPF explains that when dealing with planning applications, planning authorities should support the transition to a low carbon future, improve resilience and support renewable and low carbon energy and associated infrastructure. The policy support for renewable energy and associated development given in the NPPF is caveated by the needs for the impacts to be acceptable or capable of being made

so (paragraph 161). The Framework also confirms that applicants are not required 'to demonstrate the overall need for renewable or low carbon energy' (para 167).

10.9.7 Recent appeal decisions have given substantial weight to battery storage development. Comparable schemes which have been allowed on appeal on Green Belt sites include 50MW BESS in South Gloucestershire (PP/P0119/W/20/3261646), 50MW in Barnet (APP/N5090/W/22/3298962), 320MW in Selby (APP/N2739/W/22/3300623), 99.8MW in Halesowen (APP/C4615/W/24/3345744)

10.9.8 The significant energy storage benefit of the proposal must be accorded substantial weight.

10.10 **Loss of agricultural land**

10.10.1 The existing use of the site is agriculture. The NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by "...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland, and of trees and woodland" (paragraph 187).

10.10.2 Natural England's Technical Information Note TIN049 '*Agricultural Land Classification: protecting the best and most versatile agricultural land*' explains that: "the Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system... The ALC system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance (see Annex 2 of NPPF)"..

10.10.3 The site comprises Grade 3b agricultural land which is confirmed within the Agricultural Land Classification report (October 2024) by Amet Property Ltd. The site does not therefore include the 'best and most versatile agricultural land'. The development will also not result in the loss of a 'significant' amount of agricultural land due to the site area. Further, it should be noted that the BESS is for a temporary period on 40 years and the land would then return to its existing use as agricultural land. This is given neutral weight in the planning balance. There is therefore no conflict with planning policy in this regard and the need for the facility against the loss of the small area of agricultural land will need to be considered within the overall planning balance.

10.11 **Whether the harm by reason of inappropriateness (VSCs), and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development**

10.11.1 The applicant acknowledges that the proposal would constitute inappropriate development in the Green Belt, which causes harm to openness and harm to the purposes of the Green Belt and has therefore put forward a case for very special Circumstances (VSCs) in section 6 of their Planning Design Statement and Alternative Sites Assessment as set out, appraised and discussed below as follows:

The temporary and reversible nature of the proposal

10.11.2 The Application is proposed for a lifetime of 40 operational years. After the 40-year period the Proposed Development would be decommissioned and all equipment removed from the Site. The Openness of the Green Belt will be preserved in the long term.

10.11.3 The temporary impact of construction traffic associated with the Proposed Development will be limited to the construction period of approximately 26 weeks (though could be up to 1 year) and will not have a material effect on the safety or operation of the local highway network.

10.11.4 The temporary period is for 40 years, although the land will be reinstated to its former use, this is a significant length of time. Therefore, very limited positive weight is given to this matter in the planning balance.

Increasing renewable energy generation

10.11.5 The proposal would provide high-speed energy balancing services to the National Grid. The UK is at a time of climate emergency and there is an urgent need for renewable energy infrastructure in order for the UK to meet the target to reduce greenhouse gas emissions to net zero by 2050 in accordance with the Climate Change Act 2008. BESS are essential in achieving these targets.

10.11.6 The 'UK Climate Change Risk Assessment 2022' (January 2022) makes it clear that "climate change is happening now. It is one of the biggest challenges of our generation and has already begun to cause irreversible damage to our planet and way of life" and "to achieve net zero, we must integrate adaptation action into mitigation efforts. Successful mitigation will in turn ensure adaptation remains achievable. This includes the need to ensure our increasingly electrified power system, nature-based solutions and other low carbon infrastructure are resilient to future climate impacts".

10.11.7 The NPS EN-1 and NPPF state that renewable and low carbon energy should be supported in the planning system, as part of working towards a radical reduction of greenhouse gases to tackle climate change. Paragraph 165 encourages local planning authorities to maximise the potential for renewable or low carbon energy and to approve such applications where their impacts are acceptable.

Climate Emergency

10.11.8 On a local level, Havering Council (Havering Climate Change Action Plan (HCCAP) has set an ambitious target to become carbon neutral by 2040.

10.11.9 The Proposed Development would make a significant and valuable contribution to achieving emission targets on a national and local level.

Energy Security

10.11.10 The Proposed Development supplies energy to the National Grid, comprising secure, distributed and diversified energy generation which accords with the Government's policy on energy security as identified within NPS EN-1 which explains the need for energy security allied with a reduction in carbon emissions.

10.11.11 The 'British energy security strategy' (April 2022 and updated in 2024) and 'Powering Up Britain' report (March 2023) were prepared in response to rising global

energy prices, provoked by surging demand after the pandemic as well as conflict in Eastern Europe. These strategies are very clear that all forms of flexibility with sufficient large-scale, long-duration electricity storage to balance the overall system by developing appropriate policy to enable investment will be required.

- 10.11.12 Electricity storage is widely recognised as a key technology in the transition to a smarter and more flexible energy system and the Government acknowledges that it will play an important role in helping to reduce emissions to net-zero by 2050.
- 10.11.13 In July 2017, the Government and Ofgem published the 'Smart Systems and Flexibility Plan', followed by a 'Progress Update to the Plan in July 2021. These documents set out 38 actions for the Government, Ofgem and the industry to take forward to support the transition to a smarter and more flexible system, including removing barriers to electricity storage. This document has recently been updated by the 'Transitioning to a net zero energy system which was published in July 2021.
- 10.11.14 In June 2019, the UK became the first major economy in the world to pass laws to end its contribution to global warming by 2050. The Climate Change Act 2008 (2050 Target Amendment) Order 2019 sets a legally binding target to bring all greenhouse gas emissions to net zero by 2050, compared with the previous target of at least 80% reductions from 1990 levels.
- 10.11.15 The UK Government published its Energy White Paper in December 2020. The Paper builds on the then Prime Minister's Ten Point Plan to set the energy-related measures consistent with net zero emissions by 2050. One of the key aspects of achieving net zero identified in the paper is the modernisation of the energy system. The Paper indicates that electricity demand in the UK could double by 2050 due to the electrification of transport and heating.
- 10.11.16 Furthermore, in March 2023, members of Havering Council unanimously recognised the scale of the climate change emergency. In response to the seriousness of the situation, the target is for Havering as a Borough to reach net zero emissions by 2040. In addition, tackling climate change is an integral part of the Council Plan.
- 10.11.17 All forms of electricity generation exhibit uncontrolled increases or decreases in output (intermittency) and the term intermittency is typically associated with the renewable technologies of wind and solar. The inflexibility of large-scale generation facilities and renewable energy sources to respond to peak power variations in energy demand mean that Battery Storage developments are essential to balance the supply and therefore maintain energy security for the neighbouring communities and businesses.
- 10.11.18 The Government supports National Grid's position that these energy storage facilities plants are a crucial balancing mechanism to ensure continuous supply of power during the transition to a low carbon economy and are therefore an important solution to the emerging energy crisis.
- 10.11.19 Policy 36 (Low carbon design, decentralised energy and renewable energy) of the Local Plan and Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan aim to make the community more resilient to climate change through passive measures such as the lifespan of housing and other energy consuming development.

It also notes that the policy encourages decentralised energy and heating networks. The policy also states that impacts of infrastructure on the natural, built, and historic environment will be considered and that considerable weight will be given to reduction of greenhouse gas emissions.

10.11.20 The NPPF explains that when dealing with planning applications, planning authorities should support the transition to a low carbon future, improve resilience and support renewable and low carbon energy and associated infrastructure. Paragraph 168(a) also explains that local planning authorities should not “require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future”

10.11.21 This benefit weighs strongly in favour of the proposal.

Good Design

10.11.22 Through undertaking an iterative design process as outlined in the Planning Design and Access Statement, the design of the proposed development has been a key consideration in the layout of the site through the placement of equipment and proposed landscaping to minimise harm, including significant amounts of tree planting, providing significant benefits to the development as a whole.

Ecological and Biodiversity Enhancements

10.11.23 The significant enhancement of the biodiversity of the Site is demonstrated by the Net Biodiversity Gain Calculator, which concludes that biodiversity would be significantly improved with 24.06% net gain in habitat units and 42.27% net gain in hedgerow units through the implementation of the proposed development.

10.11.24 The proposal includes significant on-site Biodiversity Net Gain and positive weight can be attributed to this matter in the planning balance.

Agricultural Land

10.11.25 Whilst the Framework presently refers to the availability of agricultural land used for food production it seeks to prioritise lower grades of land first. The general ALC Map shows much of the land around North Ockenden to be Grade 2, however, land to the north, including the site of the Proposed Development is not, and the Agricultural Land Assessment submitted with this application demonstrates that the land is not the ‘Best and Most Versatile’ hence, a preferable choice compared to other similar land use.

10.11.26 Moreover, the use is temporary, and once decommissioned it will be restored to productive agricultural use. On return to agriculture, the land will have been ‘rested’, not subject to intensive use of fertilisers and agricultural chemicals – which will also have a beneficial effect on ground water quality. It should therefore be in at least equivalent if not better condition than at the time the development is brought into use. This is given neutral weight in the planning balance.

Openness and permanence

10.11.27.1) Spatial and visual aspects – The battery storage units and other structure and equipment elements of development will be contained within the existing field margins. The fencing will be 2.4m high and can be painted a recessive colour, such as dark green or brown, however, the landscape consultant has advised the use of

black colour to reduce the visual impact. Additional planting is proposed along the eastern, southern, northern and western boundaries, combined with the existing extensive field margin planting which will be retained. The landscape and visual appraisal concludes that any notable effects on landscape character or visual receptors would be confined mostly to adjacent receptors, with visual effects reduced by the proposed mitigation and existing surrounding context. The mitigation measures involving planting of new native trees and hedgerows will help to minimise potential negative impact on the openness of the countryside to a considerable extent. The underground grid connection to the Warley National Grid Substation will not give rise to any spatial or visual effects on the openness of the Green Belt.

10.11.28.2) Duration and remediation – Regarding permanence, the development of a BESS is not a “gateway” to other forms of development. The Applicant assumes a decommissioning condition to be attached to the planning permission; when the use of land for electricity storage ends, the batteries and associated equipment shall be removed, the planting will remain, and the site shall be restored to its current condition. There will be no harm to the Green Belt in terms of permanence.

10.11.29.3) The degree of activity to be generated such as traffic – The BESS will generate very little traffic in its operation and there will be no moving parts that need regular maintenance.

10.11.30 The proposal would include a large number of industrial features that would erode the undeveloped nature of the site. However, these elements would be limited to a much localised visual impact. The BESS is proposed for a 40 year period. This represents a considerable period of time over which the affects would be experienced. Nonetheless, the impact on the Green Belt would not be permanent, limiting its long-term effects.

Lack of available non-Green Belt Sites.

10.11.31 The National Grid infrastructure means that there are only limited assets available to provide stability and control to the network which renewables require as they provide fluctuating energy when demand may be low.

10.11.32 National Grid have identified the Warley Substation, as the main National Grid substation in the Borough of Havering, as having capacity for a BESS of 200MW.

10.11.33 Furthermore, the applicant has identified key considerations when identifying appropriate sites for BESS developments of this size summarised as follows:

- Grid Connection – National Grid provided a 200MW Grid Connection at Warley 275kV Substation, forming the basis for the project search location;
- Grid Connection Route Constraints;
- Distance from Grid Connection – proximity to electricity infrastructure (for example an existing National Grid Substation of sufficient scale and capacity);
- Open Land minimum of 4ha site area and maximum of 10ha site area of land is required to accommodate 200MW BESS facility;
- Topography a relatively level and clear site is required;
- Land-use previously developed land or lower-grade agricultural land preferred due to conformity with planning policies; that BESS is incompatible within built up and residential areas and industrial estates;

- Land availability;`
- Environmental and Land Designations;
- Flooding/Drainage Ideally outside of Flood Risk areas;
- Accessibility Appropriate and functional access is required, including for larger vehicles during construction;
- Residential Amenity - Suitable separation distance from sensitive receptors.

10.11.34 Given that the Warley Substation has been identified as the only connection point with sufficient capacity within London Borough of Havering, the site selection process has been limited to a 3km (1.86miles) radius of the connection point. Sites beyond 3km including Local Nature Reserves, or SSSI's are automatically discounted due to the viability of connection to the grid beyond this distance, as explained above.

10.11.35 Section 3 of the Alternative Site Assessment highlights constraints within the site search area and the statement concludes that there are no feasible locations for the proposed development that are outside of the Green Belt and the entire search radius is within the Green Belt. Further the Local Plan does not identify any such sites.

10.11.36 This consideration carries substantial weight as the locational requirements for the proposal are limiting and site specific with no more suitable, non-Green Belt sites being available.

Conclusion

10.11.37 The application proposes a development to provide a BESS facility which will allow the more efficient use of energy and will as a result, help to reduce carbon emissions to the benefit of the environment. This is in accordance with national and local planning policy and weighs strongly in favour of the development.

10.11.38 It is considered that the proposed development would conflict with the purposes of the Green Belt; namely encroachment. There is potential for adverse landscape and ecological impacts, however, it has been demonstrated that these can be mitigated through landscaping and biodiversity net gain. There will be no significant adverse impacts on residential amenity locally or any potential for significant noise impact. Whilst there would be an impact on the openness of the Green Belt in both spatial and visual terms, these are limited in terms of the surrounding context, the low scale of the development and proposed additional planting.

10.11.39 Any harm to the Green Belt attracts substantial weight. The 'very special circumstances' required to approve 'inappropriate' development in the Green Belt will not exist unless the potential harm to the Green Belt, by reason of inappropriateness and any other harm resulting from the proposal, is clearly outweighed by other considerations.

10.11.40 Very special circumstances relating to the locational need, the sustainability benefits of the proposal in helping to contribute to the nation target of decarbonisation by balancing the supply and demand of the electricity network have been put forward. As such, great weight should be afforded to this.

10.11.41 It is considered that very special circumstances exist which clearly outweigh the harm caused by inappropriateness to the Green Belt. Landscape enhancements will ensure that there is an increase in biodiversity and that the development is relatively well integrated into the wider landscape with any visual harm being very localised.

10.11.42 In conclusion therefore, there is merit in the argument that there are limited site opportunities for developments of this nature. Energy storage facilities do need to be sited in locations where available connection into the National Grid exist. In this case that means that a Green Belt site is almost inevitable. Given the national and local policy in providing energy infrastructure, it is considered that these factors clearly are sufficient to tip the balance in favour of finding that the proposal can be supported and thus that they amount to the very special circumstances necessary to support the proposal.

10.11.43 Therefore, notwithstanding that the proposals would represent inappropriate development in the Green Belt, in the particular circumstances of the case, very special circumstances do exist in this instance.

10.12 Other material considerations

10.12.1 The effect of the proposal on highway safety and the free flow of the road network
The NPPF indicates that developments should only be prevented if a safe and suitable access to the site cannot be achieved.

10.12.2 Policy 23 of the Havering Local Plan 2021 requires all development proposals to have regard to transport efficiency and highway safety and to demonstrate that adverse impacts on the transport network are avoided or, where necessary, mitigated.

10.12.3 Paragraph 116 of the Framework indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 23 of the Local Plan is consistent with policies set out in the Framework and full weight can be attributed to this Local Plan Policy.

Parking

10.12.4 There is no fixed parking standard for the proposed use which, therefore, has to be assessed individually having regard to the demand profile of the development. There is no designated parking proposed within the site. Once operational, the BESS will be remotely monitored and requires occasional maintenance visits on an as required basis. Vehicle parking will be accommodated using the access track that run past the batteries.

Construction Traffic

10.12.5 Trip Generation (HGV) – It is anticipated that the construction phase will last between six to twelve months. The largest vehicle that will be used to deliver equipment to the site will be a 16.5m articulated vehicle or 8-10m rigid vehicles.

10.12.6 During the construction period, it is anticipated that approximately 277 deliveries could be made by during the construction of the BESS facility, at an average of approximately two deliveries per day assuming a six months construction period (26

weeks or 150 working days), equating to an average 11 deliveries per week over a 26 week period.

- 10.12.7 However, if a 25% buffer is added on to these deliveries, there will be 346 deliveries, at an average of just over three vehicles per day.
- 10.12.8 According to the submitted Construction Traffic Management Plan (CTMP), there is likely to be a small peak in deliveries early in the construction process for Site set-up, including the construction of the access track and then again when the electrical equipment (BESS units) are ready for installation.
- 10.12.9 The Applicant has advised that there will be no more than 10-15 deliveries per day by HGV during this period, which will last approximately four to six weeks
- 10.12.10 As the application site is proposed to generate, on average 2, two-way vehicle trips per day. As such, it is considered that the proposal is unlikely to generate a significant increase in vehicle trips to have a severe impact on public highway safety, or on the operation or capacity of the local highway network.
- 10.12.11 The Planning Statement submitted states the development once operational, maintenance vehicle visits (typically a transit van or similar) will be limited in number and visiting the site approximately 10-20 times per year. These visits will have a negligible impact on the local highway network.

Access

- 10.12.12 All vehicles will route to the Site from the A127 (Southend Arterial Road) to the north of the Site. Construction vehicles will then exit the A127 onto the B186 (Warley Street) where they will continue for approximately 1.2km before turning left into the Primary Site Access.
- 10.12.13 As set out in Paragraph 6.11-6.13 of the CTMP, a booking system will be in place for the duration of the construction phase. All deliveries be given a time-slot to arrive. Vehicles will not be permitted to depart the Site when another vehicle is expected to arrive. This will prevent instances of vehicles having to pass each other on the road or a vehicle arriving to the site at the same time as another vehicle is departing. As another level of precaution, banksmen will be present at the access on Warley Street to ensure that vehicles arrive and depart the Site in a safe manner.

Public Rights of Way

- 10.12.14 There is one existing Public Right of Way (PRoW) which runs alongside the north-eastern boundary of the Site. It is not anticipated this will be affected by the construction or operation of the proposed development.
- 10.12.15 The proposal therefore accords with Policy 23 of the Local Plan and guidance within the Framework. This should be accorded neutral weight in the planning balance.

Archaeology

- 10.12.16 The site is not within the setting of a listed building or conservation area nor lies within an archaeological priority area.
- 10.12.17 The NPPF paragraph 207 requires that where a site on which development is proposed includes, or has the potential to include, heritage assets with

archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- 10.12.18 It is probable that the site has been in agricultural use since at least the medieval period. The applicant has submitted a Heritage Environment Desk-Based Assessment with the supporting information for this application. Limited evidence for prehistoric activity has been recorded across the surrounding area this may be a reflection of the limited number of previous archaeological interventions. The potential for prehistoric archaeological remains to survive across the site should therefore be considered as unknown.
- 10.12.19 The Council's Heritage Consultant and Historic England (GLAAS) have raised no objection to the proposal. GLAAS has advised that the development could cause harm to archaeology remains and field evaluation is needed to determine appropriate mitigation. A two-stage archaeological pre-commencement condition is recommended in order to provide an acceptable safeguard. This condition is therefore imposed, which will require trial trenching on the site, which will define the character, extent, state of preservation and importance of any archaeological remains present and will provide useful information for identifying options for minimising or avoiding damage to them.
- 10.12.20 Subject to conditions the proposal would comply with policies 28 of the Local Plan, HC1 of the London Plan and the NPPF. This should be accorded neutral weight in the planning balance.

Ecology

- 10.12.21 Policies 30 of the Local Plan and G6 of the London Plan seek to protect habitats and to conserve, enhance and restore biodiversity. The policy is consistent with the NPPF and thus carries significant weight.
- 10.12.22 The NPPF contains a number of policies relating to ecology including "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".
- 10.12.23 The applicant has submitted a Preliminary Ecological Appraisal and a Breeding Birds Survey Report (PEA), which has been updated through the course of the application process to address the concerns raised by the Council's Ecology Consultant. According to the consultant, the updated survey report now has sufficient ecological information available to support determination of this application; and provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 10.12.24 The Ecology consultant advised that while the PEA states that no trees were considered as having bat roost potential, that there are mature and semi mature trees, and trees with dead wood (and evidence of Oak Processionary Moth) recommending that roosting bats is included in the Construction Environment Management Plan for biodiversity (CEMP) to ensure that they are reconsidered should there be a time lapse prior to any clearance works.

- 10.12.25 The site layout preserves and enhances boundary vegetation and existing trees. As a result of the proposed habitat creation, the grassland connectivity in the wider area would also improve.
- 10.12.26 The Council's Ecologist is satisfied that Biodiversity Net Gain can be achieved as the habitat maps in the Biodiversity Net Gain report (Clearstone Energy and Weddles, October 2024) now cover the whole site, and the condition assessments have been added to the PEA. Support is also given to the proposed reasonable biodiversity enhancements for protected and Priority species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d of the National Planning Policy Framework (December 2024).
- 10.12.27 Subject to the inclusion of the requested conditions, it is concluded that the proposal is compliant with policies 30 of the Local Plan and G6 of the London Plan. Limited positive weight can be attributed to this matter in the planning balance.

Drainage

- 10.12.28 Policies SI13 of the London Plan and 32 of the Local Plan relate to water management and require that the Council recognises the need for water efficiency in all new development, and that all new development shall incorporate sustainable drainage systems, unless it is shown to be impractical to do so.
- 10.12.29 Paragraph 181 of the Framework advises that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 10.12.30 The Planning Practice Guidance (PPG) advises that when considering major development (such as the current application), sustainable drainage systems should be provided unless demonstrated to be inappropriate.
- 10.12.31 In term of what sort of sustainable drainage system should be considered, the PPG advises 'generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system; and
 4. to a combined sewer.
- 10.12.32 Particular types of sustainable drainage systems may not be practicable in all locations. It could be helpful therefore for local planning authorities to set out those local situations where they anticipate particular sustainable drainage systems not being appropriate' (Paragraph: 080 Reference ID: 7-080-20150323).
- 10.12.33 The site is greater than 1 hectare and is within Flood Zone 2, as such a Flood Risk Assessment and Sustainable Drainage System (SUDs) scheme have been submitted to support the planning application. According to mapping produced by the Environment Agency and held by the Council, areas of the site along the eastern most site boundary are at risk of surface water flooding. It is therefore recommended that the development is constructed using flood resilient construction techniques

and permeable surfaces where possible and ensuring the site levels design does not cause an increased flood risk to third parties.

- 10.12.34 The Lead Local Flood Authority (LLFA) have confirmed no objection to the proposal and notwithstanding the submitted documents, a scheme to manage the surface water runoff from the development will be required by condition. Subject to condition the proposal therefore accords with the aforementioned policies and guidance in the Framework. This should be afforded neutral weight in the planning balance.

Health and Safety

- 10.12.35 Local residents have raised concerns that the development could be vulnerable to fire, providing references to fires that have occurred at other BESSs. The site is a considerable distance (265m) from the nearest residential property and therefore the risk of a fire effecting neighbouring residential areas would be minimal. There is no compelling evidence to demonstrate that the facility would be hazardous or incompatible with its location within the open countryside. In the event of a fire, the facility would be accessible by a fire tender and London Fire service have raised no objection.
- 10.12.36 Moreover, the applicant has provided documentary evidence showing that the National Grid have confirmed that licence to connect to National Grid infrastructure will be likely to be issued. Furthermore, a network study and review is undertaken by National Grid to ascertain that proposed inverters are compliant with relevant safety standards set by the Energy Networks Association. If the battery storage is sufficient in size, witness testing may be required by National Grid to ensure the inverter is in working order. This aspect is dealt with outside of the planning system.
- 10.12.37 In addition, the Health and Safety Executive (HSE) were consulted and have raised no health and safety concern. The applicant has submitted a Site Safety Report which sets out an overview of management and safety measures to be implemented as part of the battery storage facility to safeguard the amenity of local residents and the environment.
- 10.12.38 BESS projects are heavily regulated and the facility could not be connected without the relevant Legislation and standards being met. In a worst-case scenario event, and a fire were to break out at the BESS then regulations under the under The Environmental Damage (Prevention and Remediation) Regs 2015 would come into play, and these are dealt with via the Environment Agency.

Decommissioning and liability

- 10.12.39 Ownership is not a planning matter; however, officers are aware that the applicant would be leasing the land from the private landowner. Under the terms of the lease the developer will be legally obliged to provide a Bond/Insurance to ensure the land is remediated and returned to its agricultural use at the end of the term, this is standard within the energy industry. The Developer is responsible for any contamination as a result of the battery storage units or any other works on site. As further protection the Developer has an obligation to put in place bank or insurance backed security for the benefit of the landlord to cover decommissioning costs as assessed by an independent expert including the costs of dealing with any potential hazardous.

Financial and Other Mitigation

- 12 Due to the nature of use (BESS), the Havering Council's Community Infrastructure Levy is not applicable.

Equalities

- 13 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

- 13.1. It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence. The recommendation for approval is considered a proportionate response to the submitted request based on the considerations set out in this Report.

14 Conclusions

- 14.1 The proposed development is for the installation of a Battery Energy Storage System (BESS) with a capacity of c.200MW. The development would store power from the national grid at times of excess supply and would feed this power back into the grid at times of high demand/reduced generation capacity.
- 14.2 The proposed development would introduce an uncharacteristic industrial form of development on the site which currently forms part of the open undeveloped agricultural rural landscape. However, the impact of the proposal from a landscape and visual perspective will be localised and mitigated through a soft landscape design scheme. The proposed reason for the site selection relatively close to National Grid's substation is recognised. The site is not however located within any protected landscape, and identified issues of ecology, landscaping, highways and drainage can be satisfactorily addressed by appropriate conditions.
- 14.3 The development would provide a source of continued power supply for the local area so that in the event of supply interruptions or surges in demand, the local community and businesses would continue to be served when renewable technologies are not producing, or when there is insufficient capacity within the Grid. There would be a positive public benefit in the form of energy security and the ability to store excess energy and thereby a saving of carbon emissions contributing towards government supported goal of a reduction in such emissions.
- 14.4 The landscape and visual impact of the proposed development, results in conflict with the policies of the development plan which seeks to protect and enhance the natural environment. However, the harm, which would be temporary due to reversible nature of the development and the temporary planning permission sought, needs to be weighed against the very significant benefits of the proposal which will deliver improvements to essential infrastructure to secure a sustainable future energy

supply. On balance, it is therefore recommended that planning permission be granted, subject to conditions to mitigate the impacts of the development as best as possible.

- 14.5 The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2024), 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.

 Havering LONDON BOROUGH	Strategic Planning Committee 10 July 2025
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Application Reference:	P1633.24
Location:	Veolia ES (UK) Ltd Coldharbour Lane
Ward	RAINHAM AND WENNINGTON
Description:	Extension to the operational life of the landfill and composting facilities until the end of December 2029 and restoration of the land by 31st December 2031 with aftercare to 31 December 2036 (Amended description).
Case Officer:	MALACHY MCGOVERN
Reason for Report to Committee:	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.

0. BACKGROUND

- 0.1 This report concerns one of the two related planning applications at the Veolia Landfill site, Coldharbour Lane and is presented to the Strategic Planning Committee, reflecting the interdependent nature of the proposals and enabling Members to consider them in the full site context.
- 0.2 Application P1633.24 seeks temporary planning permission for the retention and extension of landfill and composting operations until 31 December 2029, followed by full restoration of the site to public open space by 31 December 2031. Application P0718.23 seeks permanent planning permission for the continued use of an adjacent compound area housing critical environmental infrastructure, including a gas engine compound, flare stack, and leachate treatment plant. This compound is operationally essential to the landfill site, as it manages the gradual release of landfill gas and the collection and treatment of leachate generated during waste decomposition. These processes are governed by an Environmental Permit issued by the Environment Agency and

will need to continue for decades beyond the cessation of active landfilling, as the waste mass stabilises.

- 0.3 Although the two proposals have been submitted under separate applications, with distinct red line boundaries and treated as separate planning units, they are functionally and would be legally intertwined (in an overarching planning agreement). The landfill cannot be safely restored without the ongoing operation of the gas and leachate systems. For this reason, the two applications are being reported together, but with two distinct recommendations, to reflect their different land use designations and planning durations. Importantly, it is proposed that both applications be subject to a single Section 106 legal agreement (should members determine to grant temporary consent for the landfill and composting use pursuant to planning application P1633.24) which will secure a unified framework for delivery, monitoring, land transfers, and long-term obligations across the full extent of the landfill site and associated infrastructure within the compound area.
- 0.4 This application P1633.24 was presented to Members at the SPC meeting on 8th May 2025 and the item was then deferred by Members to obtain further clarity and completeness of the s106 Heads of Terms before making a decision. In addition, for officers to provide a response to the questions raised by Members concerning the proposals which officer were unable to during the meeting.

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The current proposal is to extend the life of the existing landfill site for a further 5 years i.e. until the end of December 2029, to complete the infill of the proposed landscaped mound, which requires a further 1 million cubic metres of non-hazardous waste. A further 2 years is required to restore the land to its intended form i.e. by the end of December 2031, with the aftercare period extending to 31 December 2036. A temporary planning permission was granted in July 2016 under planning reference P1566.12 for the continuation of waste deposition and the operation of the 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) which expired on 31 December 2024. The current application is for a further temporary planning permission to extend waste deposition (landfill) and composting facilities to December 2029, the restoration period to 31 December 2031 and the aftercare period to 31 December 2036.
- 1.2 The applicant has submitted a separate application under planning reference P0718.23 for that part of the application site subject to the expired planning permission (under planning reference P1566.12) which is detailed further in the report for that application P0718.23 and subject to a separate recommendation. It should be noted that the application under planning reference P0718.23 is not for a temporary period but to retain without limit of time the continued operation of the compound area consisting of existing gas engines, and leachate treatment plant beyond 31 December 2024.

- 1.3 This existing site wide operation including the landfill, composting facilities, gas engines, and leachate treatment plant was first granted planning permission in 1997 (having operated as a largely uncontrolled landfill site for many years) and then an extension to the period to complete the landform granted in 2012 as part of the larger waste activities on the wider site. 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. The consequence of increased recycling and less waste going to landfill is that the anticipated timeframe for filling the existing landfill site has slipped, and an additional 5 years is required to complete the filling of the mound. The annual projected input is 200,000 cubic metres of waste which equates to 1 million cubic metres of waste after 5 years. 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.
- 1.4 The proposed scheme to complete the filling of the existing mound and to enable reprofiling and greening of the site for use as public open space would represent a notable improvement in the visual amenity of the site and would also represent a more sustainable use of the land in the long run.
- 1.5 Given the proposal is a continuation of the existing landfill operation this would not cause additional material harm to local ecology and biodiversity, nor would it cause additional 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.
- 1.6 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.
- 1.7 Officers consider the proposal to be acceptable, subject to the completion of a Section 106 legal agreement pursuant to Section 106, Section 106A of the Town and Country Planning Act 1990 (as amended) and all other enabling powers to discharge the obligations in the original Section 106 dated 12 July 2016 subject to completion of a Section 106 agreement securing the planning obligations set out in the heads of terms under the Recommendation and those obligations taking immediate legal effect and the planning conditions set out in the report. Members will note that the next report on the agenda with planning reference P0718.23 is to retain without limit of time the continued operation of the compound area consisting of existing gas engines, and leachate treatment plant beyond 31 December 2024.

2. RECOMMENDATION

- 2.1 Although the application is referable to the Mayor, the Mayor has confirmed by letter that the proposed development does not need to be referred back to the GLA at Stage 2 for any direction.

2.2 That the Committee resolve to GRANT planning permission subject to:

- the prior completion of a legal agreement to simultaneously discharge the obligations in the original Section 106 Agreement dated 12 July 2016 pursuant to Section 106A of the Town and Country Planning Act 1990 (as amended) relating to the extended temporary use of landfill and composting and in the same legal agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) and all other enabling powers to secure the planning obligations set out in the heads of terms below with those obligations taking immediate legal effect on the date of completion of the agreement :

Legal Costs, Administration and Monitoring

The Council's legal costs associated with the preparation of the planning obligation to be paid prior to completion of the deed and irrespective of whether the deed is completed; to pay the Council's administrative costs associated with monitoring compliance with the obligation terms and monitoring fees and contribution sums to be subject to indexation from the date of completion of the deed to the date of actual payment by applying the BCIS Tendered Price Index.

1. Extension of Operational Life and Restoration

- Extension of landfill and composting operations until **31 December 2029**;
- Full site restoration to be completed by **31 December 2031**.
- The Aftercare Period to be completed not later than 31 December 2036

2. Land Transfer Option to the Council

- Provision of land for a water sports facility, visitor centre, and associated uses;
- Location of future visitor centre to be agreed between the parties prior to transfer.

3. Provision of Visitor Car Parking

- Provision of visitor car parking to serve public access and the visitor centre, to be delivered in accordance with the approved Public Access Plan.

4. Waste Input and Settlement Monitoring

- Submission of six-monthly reports detailing waste inputs including quantities of waste for infill in cubic metres settlement behaviour, landfill progression, and compliance with approved contours.
- Payment to the Council by the operator to allow the Council to commission an independent expert should the trend of actual reported quantities of infill by 31 December 2027 projected forward fail to achieve the quantity of infill waste required to achieve the previously agreed contours (1.085 million cubic metres of landfill). The operator to commence restoration in accordance with the revised contours and in accordance with the temporary consent approved time frames and associated planning obligations.

5. **Revised Restoration and Public Access Plan**
 - Submission and approval of a new Restoration and Public Access Plan, to include:
 - Phased restoration schedule;
 - Delivery of public riverside pathways and recreational access;
 - Prioritisation of ecological and community areas.
 - Maintenance and management of the site and public access post aftercare
6. **Green Travel Plan**
 - Continued implementation of the Green Travel Plan, limiting HGV movements to no more than 300 two way movements per day, and annual review of river transport alternatives.
7. **Aftercare Management**
 - Delivery of aftercare obligations following restoration, with completion of restoration by **31 December 2031** and Aftercare by **31 December 2036**
8. **Environmental Education Facility**
 - Provision and maintenance of a visitor centre or environmental education facility (the Gatehouse or alternative facility) during the Aftercare Period.
9. **Public Access and Riverside Pathways**
 - Maintenance and delivery of new and existing public access routes, including the First, Second, and Third Riverside Footpaths, until the end of the Aftercare Period.
10. **Brown Land (PLA Access Protection)**
 - Securing and protecting Port of London Authority (PLA) access rights over the Brown Land to facilitate river dredging and navigation rights.
11. **Yellow Land (Nature Conservation Transfer)**
 - To incorporate the yellow land into the wider site including nature conservation and public access paths.
12. **Blue Land (Riverside Access Rights)**
 - Protection and maintenance of public rights of access over the Blue Land along riverside routes and footpaths.
13. **Financial Bond and Insurance**
 - Provision of a financial bond to which the Council is party with the operator and the Guarantor to be completed simultaneously with the Section 106 agreement to the sum of £2,000,000 to secure restoration, aftercare, and access obligations in default or partial default of the operator;
 - Maintenance of public liability insurance for the duration of the Aftercare Period.

14. Replication of obligations in the Section 106 dated 12 July 2016

Replication of all obligations in the Section 106 dated 12 July 2016 (mutatis mutandis) which have not been discharged by performance by the applicants and/or the owners of the application site and which are not listed in the heads of terms under this Recommendation

- 2.3 That the Director of Planning is delegated authority to negotiate the legal agreement indicated above and that if not completed by the 31 December 2025 the Director of Planning is delegated authority to refuse planning permission or extend the timeframe to complete the legal agreement and grant approval.
- 2.4 That Director of Planning has delegated authority to settle the precise wording of planning conditions and to issue the planning permission subject to the prior completion of the legal agreement and conditions to secure the following matters:

Conditions:

- 1. Time Limit for Operations (Temporary Planning Permission)
- 2. Approved Plans
- 3. Notice of commencement of Restoration
- 4. Notice of commencement of Aftercare Period
- 5. Restoration and Aftercare Schemes with Phasing Plan
- 6. Alternative Restoration Contingency Condition (Landform Reprofilling) -
- 7. Noise Mitigation Scheme
- 8. Dust and Air Quality Control
- 9. Wheel Wash and Road Cleanliness
- 10. Traffic Management
- 11. Pest and Gull Management Plan
- 12. Lighting Scheme
- 13. Interim Seeding and Soil Management
- 14. Soil (topsoil and sub-soil) Storage and Reuse
- 15. Waste Type Restriction
- 16. Unexpected Cessation of Operations
- 17. Biodiversity Net Gain
- 18. Habitat Management and Monitoring Plan (HMMP)
- 19. Ecological Method Statement and Invasive Species Strategy
- 20. Review and Update of CEMP and Site Management Plan
- 21. Invertebrate Survey Strategy
- 22. Final Landform and Surface Water Drainage Compatibility
- 23. Non-Road Mobile Machinery (NRMM) Emissions Control

3 SITE DESCRIPTION

- 3.1 The application site is approximately 177 hectares in area and 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 (SSSI). 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 southwest of the site is the Momentum Logistics Park (former Freightmaster Estate) and to the south is the existing Veolia Materials and Plastics recycling facility.

- 3.2 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.
- 3.3 Due to the expansive marsh area surrounding the north of the site, the nearest residential properties to the application site are located approximately 1km to the southwest across the River Thames in Erith. The nearest residents in Havering to the site are on Wennington Road some 1.5km away. The public transport accessibility of the site is PTAL 0 (Worst).
- 3.4 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).
- 3.5 The site also falls within the Havering Site-Specific Site Allocations DPD reference 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). The site is not located on Green Belt land.

4 BACKGROUND (Existing Site Operations)

- 4.1 This planning application, submitted by Veolia ES Cleanaway (UK) Ltd, seeks permission to extend the operational life of the existing landfill and composting facilities at Rainham Landfill, located at Coldharbour Lane, Rainham. The site has previously been granted planning permission (ref. P1566.12), which extended the period for waste disposal and other waste management activities to operate until 31 December 2024, with site restoration by 31 December 2026.
- 4.2 Due to significant changes in waste management practices—specifically increased recycling rates and reduced waste generation—there remains approximately 1.085 million cubic metres of landfill void capacity at Rainham to achieve the required landscaped mound finish. Consequently, the applicant proposes an extension of landfill and open windrow composting operations until 31 December 2029, with final restoration completed by 31 December 2031.
- 4.3 The applicant submits that the proposed extension is necessary for ensuring sustainable management of residual non-hazardous waste, achieving approved restoration contours, and delivering comprehensive site restoration. The continued operations would facilitate strategic waste disposal capacity for London and the wider region, supporting waste management practices aligned with the waste hierarchy principles. The applicant submits that furthermore,

extending landfill operations at Rainham would avoid the environmental and logistical impacts associated with developing new landfill sites elsewhere.

- 4.4 Finally, the applicant submits that if the temporary 5 year extension to the life of the existing landfill operation to 31 December 2029 is not permitted, the site risks significant environmental issues, including increased leachate production, uncontrolled gas emissions, compromised landfill stability, and substantial limitations to habitat restoration and public amenity provision. The proposal therefore aims to avoid these negative impacts and deliver enhanced biodiversity outcomes, alongside high-quality amenity space integrated into the broader London Riverside Conservation Park initiative.

5 DESCRIPTION OF PROPOSAL

- 5.1 The submitted Planning Statement describes the proposal as follows:

The proposal consists of the following composite parts:

- 1. Extension of Operational Life:**
 - Landfill operations to continue until 31 December 2029 (5 years).
 - Open windrow composting operations to continue concurrently until 31 December 2029.
- 2. Restoration Timeline:**
 - Completion of final site restoration by 31 December 2031.
- 3. Landfill Void Utilization:**
 - Use of the remaining landfill void capacity, approximately 1.085 million cubic metres, for residual non-hazardous waste disposal.
- 4. Restoration and Landscape Scheme:**
 - Achieving approved restoration contours to deliver a sustainable and stable final landform.
 - Comprehensive site restoration providing enhanced biodiversity, high-quality habitats, and public amenity space.
- 5. Environmental Safeguarding:**
 - Continued adherence to environmental controls to prevent leachate production, control landfill gas emissions, and maintain landfill stability.
- 6. Integration with Local Initiatives:**
 - Restoration to integrate with and enhance the London Riverside Conservation Park, improving local ecological connectivity and recreational amenities.

- 5.2 An Environmental Statement has also been submitted with the application and the main findings have been incorporated into the relevant planning considerations section below.

6 RELEVANT HISTORY

- 6.1 P1275.96 - Deposit of refuse materials through controlled landfill provision of material recovery facilities and creation of contoured landform and restoration scheme – Approved with conditions 14th February 1997.

- 6.2 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 22nd September 2016.

7 CONSULTATIONS/REPRESENTATIONS

Rainham Veolia Landfill Pre-Application SPC meeting Thursday 5th December 2024

- 7.1 The following comments were made by Members of the SPC:

- To have confidence in any submission that Veolia is able to complete the landfill development in the timeframe. Reassurance about calculation, Members sought reassurance that this period of five years would be sufficient to complete landfill development.
- Question around negative effects of not completing landfill development. It was expected that the application would detail out such information.
- Wish to ensure that all safeguards as previously imposed on the permission through conditions and S106, including those in relation to pests, litter and condition of Coldharbour Lane are going to be adhered to, particularly given that there are newly completed employment uses in close proximity to the site and the continued recreational use of the area.

Planning Application Consultation Responses:

- 7.2 As part of this formal planning application, public consultation took place in accordance with statutory requirements on the 20th December 2024. This included a total of 63 letters sent to occupiers of neighbouring properties and a press advert published in Romford Recorder and site notices displayed outside the application site.
- 7.3 3 responses from neighbours and 2 objections were received and can be summarised as follows:
- Concerns were raised by a resident regarding odour/ smells and air quality impacts arising from ongoing landfill and composting operations.

Officer response: *The submitted Environmental Statement includes an updated Air Quality Assessment, which confirms that emissions of dust, odour and other pollutants remain within acceptable levels. Existing mitigation measures, including odour management protocols, surface capping, and composting controls, are in place and will continue to be regulated under both planning conditions and the Environmental Permit issued by the Environment Agency. No significant adverse impacts on human*

health or amenity are predicted, and the proposal does not involve an intensification of operations. Planning conditions can be reviewed and updated to ensure continued compliance.

- Adverse impact on the Strategic Industrial Location (SIL) at Momentum Business Park, undermining its ability to attract tenants and deliver jobs.

Officer response: It is acknowledged that the landfill site lies adjacent to a newly developed SIL. The planning application does not propose any intensification of operations but rather allows for completion of previously approved works. The ES confirms no significant impact on adjacent land uses, and conditions can be imposed or updated to minimise any amenity effects. A Deed of Variation to the S106 will secure restoration commitments and provide certainty. The applicant has prioritised the infill and restoration of the land to the north of the Momentum Logistics Park in order to mitigate the impact see dragging ref: Restoration Phasing Plan – Drawing No. 3462-01-02

- Ongoing breaches of planning conditions and Section 106 obligations under previous permission P1566.12, including dust, odour, wheel washing and vermin control.

Officer response: The Council acknowledges past concerns. Through this application, conditions will be reviewed and updated to secure compliance with site management standards. Continued operation will be contingent on full compliance, with monitoring mechanisms linked to planning enforcement and the Environmental Permit.

- Poor maintenance of Coldharbour Lane, with mud and debris affecting access and site perception.

Officer response: The applicant has been reminded of their obligations and conditioned maintenance of Coldharbour Lane and wheel washing facilities will be re-emphasised in any approval.

- Operations generating seagulls and vermin that negatively affect the amenity and hygiene of adjacent industrial units.

Officer response: Additional controls will be reviewed in relation to gull and pest management and the applicant has agreed to consider further controls however the typical use of birds of prey is prohibited given the neighbouring marshes nature reserve and shooting is prohibited due to the airport flight path

. The existing ecological sensitivity of the area (due to SSSI proximity) requires a balanced approach, but a revised mitigation scheme can be secured by condition or legal agreement.

- Lack of a clear restoration and aftercare phasing plan, contrary to previously approved planning conditions.

Officer response: *A restoration phasing plan and aftercare scheme will be required as a condition of approval. The absence of delivery to date will be addressed through enforceable triggers and monitoring. The final restoration deadline of 2031 will be formalised through the updated S106.*

- Absence of updated environmental documents and waste forecasting data available on the planning portal, affecting transparency and ability to fully assess impacts.

Officer response: *The objectors have been advised that a full Environmental Statement and supporting technical material are publicly available. This ensures transparency and compliance with the EIA Regulations.*

- Concerns that continued operations are harmful to public health and well-being of future employees and users of the Thames Path.

Officer response: *The ES and supporting assessments confirm no significant health risks. Odour, noise and air quality controls remain enforceable and are managed under both planning and environmental permitting regimes. The approved restoration scheme will ultimately enhance environmental quality and provide future community benefit.*

- Failure to acknowledge or mitigate proximity to newly completed commercial development, contrary to Agent of Change principles and London Plan Policy E5.

Officer response: *It is acknowledged that the site context has changed since the original 2012 permission. This application is being assessed in light of updated London Plan policies including E5 and GG3. A coordinated approach between the applicant, SIL stakeholders, and the Council is encouraged, with mitigation secured where appropriate.*

- Objection to the principle of further landfill use given the waste hierarchy and updated evidence on capacity in the draft East London Joint Waste Plan (ELJWP).

Officer response: *While landfill is at the bottom of the waste hierarchy, the proposal does not seek new landfill capacity but allows for completion of an existing, engineered cell. The Joint Waste Plan's evolving evidence base will inform future allocations but does not preclude this transitional use.*

- Calls for immediate enforcement action and cessation of operations due to perceived unlawful activity post-December 2024.

Officer response: *The Council is assessing this application as a new full planning application, not as a minor amendment or variation. The legal and planning status of operations post-2024 will be regularised through this process. Should the application be refused, appropriate enforcement options will be considered.*

Questions from Strategic Planning Committee 8th May 2025 with Applicant response below in bold	
Q1.	<p>How confident is the applicant that the current and proposed safeguarding mechanisms will effectively mitigate any negative impact from the site such as emissions, including landfill by-product gas, water run-off into the Thames and other surrounding watercourses, and what monitoring is in place to ensure that waste being collected/deposited is non-hazardous?</p>
	<p>It is important to note that there will be no change to how the site operates. The application is for a temporal extension only to enable the site to be completed and restored.</p> <p>The Site operates under an Environmental Permit (EP) (reference EPR/EP3136GK/V011) issued and monitored by the Environmental Agency (EA). By obtaining an EP Veolia has submitted sufficient information to the EA to satisfy them that the landfill continues to be operated within the regulatory requirements. Environmental issues monitored by the EA through the EP include waste types, waste quantities, emissions to air and water.</p> <p>For the current planning application an Environmental Statement was submitted as required under the Environmental Impact Assessment (EIA) Regulations. This considers the potential for ‘significant’ effects of the proposal on the surrounding environment.</p> <p>The assessments, which were undertaken by independent technical consultants, demonstrated that no significant effects would occur as a result of the proposed extension of time to the landfill operations.</p> <p>Landfill gas: The landfill gas is captured by the existing gas abstraction wells dotted around the landfill site and connected by pipework. The gas is transferred to the gas engines compound located to the east of the site where the gas is processed and converted into electricity. The electricity output from the gas engines contributes towards the National Grid energy supply thereby helping to provide energy to a wider network of power users.</p> <p>Surface water & leachate: Specifically, only the surface water runoff from the restored areas of the landfill is captured in the existing perimeter ditches surrounding the landfill and discharged to the River Thames and to the Common Watercourse to the northwest. Leachate is different to surface water output. Leachate, which are liquids produced by the waste in the landfill, is drained from the site via the internal leachate drainage infrastructure that exists for each phase of the landfill operation, which generally comprises of basal drainage, leachate abstraction wells and fin drains that feed into the leachate treatment facility to</p>

	the east via the site ring main. Treated leachate is discharged to the sewer or watercourse. Leachate and surface water discharges are closely monitored to ensure compliance with the conditions of the EP.
Q2	What is the plan if in 2029 or before, Veolia come back and say 'we need another Extension'?
	The 5-year timescale applied for is based on current and forecast inputs to the Site. The operator is confident the Site will be completed within this timescale. It is important to highlight that the proposed extension to the landfill operations is a 'closure' scheme to deliver comprehensive and high-quality restoration of the Site. Veolia has agreed to a planning condition to be attached to a planning permission should the application be approved, which will monitor and manage the phased progress of landfill completion until 2029, with restoration by 2031.
Q3	Will the promised progress reports be referred to Scrutiny?
	Officers would suggest that once the applicants provide their six-month progress report on the progress of the landfill, that this would then be reported to the next SPC meeting.
Q4	What proportion of the waste going to site is from Havering?
	In the past two quarters (September 24 – March 25) approximately 7.5% of waste disposed at Rainham Landfill Site originated in Havering, with approximately 22.5% originating from London.
Q5	What proportion of our suitable waste is going to this site?
	The site accepts residual waste which cannot be recycled or recovered.
Q6	Does Veolia operate other sites taking this waste? a. Are they ahead of schedule on their plans? b. Could waste be diverted to this site instead? c. Could the waste currently going to the site at Choats Road, also operating as an A16 site, be diverted here?
	Additional landfill void is required to manage residual waste that cannot be managed further up the waste hierarchy. The Rainham Landfill site is a regionally important facility for the safe management of residual waste from London and the South East of England. Specifically: a. The other landfills operated by Veolia nearest to Rainham Landfill are Pitsea landfill in Basildon and Ockendon Landfill in Thurrock. Pitsea Landfill is coming to close by the end of this year and will enter the two-year restoration phase; therefore, waste cannot currently be diverted from there to Rainham Landfill. b. Some waste has in the past been diverted from Ockendon to Rainham Landfill however the two landfills serve different geographical areas and waste materials are typically sent to the nearest facility from their source or via waste transfer stations operated by third parties. Current inputs to Rainham Landfill site are in line with the forecasts in the planning

	<p>application. Whilst it is considered unlikely to be required, Veolia can consider diversion of waste from Ockendon Landfill over the next five years to ensure that all remaining void within Rainham is filled by the end of 2029.</p> <p>c. Veolia's site at Choats Road in Dagenham is a plastics recycling facility, which accepts only plastic materials that are processed to create recyclable pellets that can be turned into recycled plastic. In accordance with the Waste Hierarchy, this plastic waste should not be sent to landfill and instead should be managed up the waste hierarchy.</p>
Q7	Is there waste that is currently going to waste-to-power incineration that could be brought here instead?
	<p>The Waste Hierarchy is set out as:</p> <ul style="list-style-type: none"> • Re-use • Recycling • Recovery of waste • Disposal <p>Although the Waste Hierarchy exists to encourage waste being managed at the higher level, it remains the case that landfill will continue to be needed for those non-biodegradable wastes that must be disposed of appropriately and safely, which cannot be subject to treatment further up the Waste Hierarchy. Rainham Landfill plays a vital role in providing a safe point of final disposal for truly residual waste when re-use, recycling and recovery is not an option as management for those materials. Waste which can be managed through a recovery facility should not be sent to landfill.</p>
Q8	Is there the possibility of suitable waste from other sources - say outside of ELWA - being used to ensure that the timetable does not slip?
	Rainham landfill currently accepts waste from London and the South East of England.
Q9	River transport alternatives - are there any movements on the river currently? What are the barriers around this?
	There is currently no movement of waste to the Site by river transport. Most of the waste accepted at the Site is from the local area for which river transport would not be suitable.
Q10	Will the described aftercare provisions - visitor centre and so forth - require separate planning permission? Given the time limiting condition for the delivery of such, what would happen in the event that a delay on the LA side prevented this?
	Yes, some of the aftercare provisions will most likely require additional planning permissions i.e. visitor centre and extension to a public access car park. Veolia would work with the planning authority to ensure there is sufficient time for planning permissions to be sought to enable their delivery.
Q11	If we did turn this down, would the applicant then have to reshape the existing terrain into an acceptable configuration?

	<p>The planning application is to deliver a ‘closure’ scheme to complete the landfill to a suitable landform before restoration.</p> <p>Over many decades a methodology of completing modern engineered, containment landfill sites with a raised, landform profile has been developed and is recognised as best practice, with the least impact on the environment. This prevents the ingress of rainfall water into the waste and allows the land to be returned to a beneficial after use. The adoption of such a landform, with settlement tolerant gradients and slopes that encourage surface water to drain off the landform, is key to ensuring the restored site does not give rise to environmental pollution, nuisance and instability. This is recognised by the regulatory regime and these good practices are underpinned by law through the Landfill Framework Directive and promoted in Environment Agency guidance.</p> <p>If restoration of the landfill is left incomplete by the early cessation of waste inputs, it would almost certainly give rise to long term environmental pollution risks and leave an unsustainable legacy of onerous pollution control and site maintenance issues. It would also restrict public access to the restored landfill for longer than is necessary.</p> <p>Alternative scenarios to either cease landfilling, change the waste types or reprofile the existing wastes have been demonstrated in the planning application to be unsustainable and to pose an unnecessary, and entirely avoidable, long-term risk to the environment.</p> <p>If the planning application is refused and the Site remained as it is there are several environmental consequences which may occur:</p> <ul style="list-style-type: none"> i) Ingress of surface water into the landfill due to an unsustainable landform leading to increased landfill gas generation, leachate production and risks of water pollution. ii) Reduced efficiency of the landfill gas collection system leading to increased risks of uncontrolled gas emissions. iii) Long-term negative impacts on stability and integrity of the capping, pollution control infrastructure and basal engineering containment lining systems. iv) Inability to restore large parts of the Site and loss of valuable, finite void. v) Significantly restrict the operator from complying with the Site’s Environmental Permit. vi) Impair the effective functioning of the environmental control infrastructure.
Q12	What potential is there to secure funding for dedicated on-site monitoring of conditions (even part-time) from the applicant?
	<u>Under Regulation 15 of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, as amended, planning authorities dealing with county matter applications can</u>

	charge to monitor mineral and landfill permissions. This covers initial implementation to the end of the period of aftercare required by a condition of the planning permission. During a site visit, the planning authority may also check compliance with other permissions and planning obligations which apply to the site.
Q13	'odour remains within acceptable levels' - is this with regards to the nearest buildings?
	The potential for odour has been considered within the context of potential impacts on surrounding receptors which includes commercial buildings and the nearest residential properties.
Q14	9.28 - given that odour is such a concern to the nearest properties - the Momentum Freightmaster estate - why has the described Environmental Permit not been included in this agenda pack? (I have requested this by email already but have not received it yet from EA)
	The Freightmaster Estate has removed their objection. Veolia submitted a copy of the Environmental Permit with the planning application.

Internal Consultees

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

LBH Business Development – No objection

LBH Regeneration – No objection

LBH Parks – No objection

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

Place Services (Ecology) - No objections subject to conditions

LBH Community Safety – No objection

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

External Consultees

East London Waste Authority – No objection

Brentwood Borough Council – No objection

Thurrock Borough Council – No objection

Historic England (GLAAS) - No objections

Environment Agency - No objections subject to conditions

Essex & Suffolk Water – No objection

Ministry of Defence Safeguarding – No objection

Natural England – No objection subject to conditions

RSPB – No objection

Port of London Authority – No objection

London Fire (LFEPA) - No objections subject to conditions

Thames Water - No objections subject to informatives

Transport for London (TFL) - No objection

Greater London Authority –No strategic issues raised – local authority can determine the application without further reference to the GLA.

8 RELEVANT POLICIES

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

National Planning Policy Framework (2024)

Relevant themes:

- Achieving sustainable development:
- Plan-making
- Decision-making
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding, and coastal change
- Conserving and enhancing the natural environment

- Conserving and enhancing the historic environment

London Plan (2021)

Relevant policies:

- GG1 - Building strong and inclusive communities
- G1 – Green Infrastructure
- G6 – Biodiversity and access to nature
- GG2 - Making the best use of land
- GG5 – Growing a good economy
- D2 - Infrastructure requirements for sustainable densities
- D3 - Optimising site capacity through the design-led approach
- 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 7 - Reducing waste and supporting the circular economy
- SI 8 - Waste capacity and net waste self-sufficiency
- SI 9 - Safeguarded waste sites
- SI 12 - Flood risk management
- SI 13 - Sustainable drainage
- G5 - Urban greening
- G6 - Biodiversity and access to nature
- T1 - Strategic approach to transport
- T3 - Transport capacity, connectivity, and safeguarding
- T4 - Assessing and mitigating transport impacts
- T7 - Deliveries, servicing, and construction
- T9 - Funding transport infrastructure through planning
- DF1 - Delivery of the Plan and Planning Obligations

Havering Local Plan (2016–2031, adopted 2021)

Relevant policies:

- Policy 19 – Business Growth
- Policy 23 – Transport Connections
- Policy 27 – Landscaping
- Policy 28 – Heritage Assets
- Policy 29 – Green Infrastructure
- Policy 30 – Biodiversity and Geodiversity
- Policy 31 – Rivers and River Corridors
- Policy 33 – Air Quality
- Policy 34 – Managing Pollution
- Policy 35 – Waste Management
- Policy 36 – Low Carbon Design and Renewable Energy

Additional Relevant Guidance

Site Specific Allocations Development Plan Document – Adopted 2008

National Planning Policy for Waste (NPPW, 2014):

Paragraphs relating to ensuring landfill and waste proposals align with the waste hierarchy and sustainable restoration.

Joint Waste Development Plan for East London (DPD, 2012):

- 8.2 In 2012 the Council adopted the Joint Waste Development Plan, which was developed in collaboration with Barking and Dagenham, Newham, and Redbridge.
- 8.3 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.
- 8.4 The Joint Waste Plan forms part of the planning policy suite of documents for each borough.
- 8.5 The East London Waste Plan Evidence Base (2022) has been produced as the first step towards creating a new Joint Waste Plan. The relevant sections are as follows:
- W1 – Sustainable Waste Management
 - W2 – Waste Management Capacity, Apportionment & Site Allocation
 - W4 – Disposal of inert waste by landfilling
 - W5 – General considerations with regard to waste proposals

PLANNING CONSIDERATIONS

- 9.1 The main planning issues raised by the application to be considered are:
1. Principle of Development
 2. 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. Environmental Statement Summary
 11. Other Issues (Health)
 12. S106

PRINCIPLE OF DEVELOPMENT

- 9.2 The NPPF 2024 places a presumption in favour of sustainable development, highlighting three overarching objectives: economic, social, and environmental.
- 9.3 Although the landfill facility is established under permission ref. P1566.12, this permission expired in December 2024. Therefore, reassessment against current development plan policies and NPPF 2024 criteria is required.
- 9.4 Sustainable Development (Paragraphs 7-14): The NPPF 2024 emphasizes sustainable development. Extending the landfill operation would support sustainable waste management by responsibly utilizing existing landfill voids, thereby achieving economic, social, and environmental objectives.
- 9.5 Building a Strong, Competitive Economy (Paragraphs 85-89): The NPPF 2024 supports economic development and job creation. Continued landfill operations maintain strategic waste infrastructure necessary for regional economic stability.
- 9.6 Promoting Healthy and Safe Communities (Paragraphs 96-108): The landfill's proper management and eventual restoration will enhance community safety, mitigate health risks, and improve public accessibility and recreation, aligning with the NPPF's community-focused objectives.
- 9.7 Making effective use of Land (Paragraphs 124-130): The landfill proposal aligns with NPPF guidance on effective land utilization by maximizing the existing landfill void and avoiding the need to establish new landfill sites elsewhere.
- 9.8 Achieving Well-Designed Places (Paragraphs 131-141): Restoration activities will deliver improved landscapes and biodiversity enhancements, contributing positively to local character and environmental aesthetics as envisaged by the NPPF.
- 9.9 Conserving and Enhancing the Natural Environment (Paragraphs 187-201): Ongoing landfill operations and restoration practices ensure compliance with environmental safeguards, contributing positively to local biodiversity and habitat enhancement.
- 9.10 At a regional level, London Plan policy SI 8 'Waste capacity and net waste self-sufficiency' specifically supports maintaining strategic waste facilities. This proposal continues an existing landfill site, ensuring that London's waste management needs are sustainably met.
- 9.11 Havering Local Plan Policy 35 'Waste Management' and Joint Waste Development Plan Policy W4 explicitly support landfilling where necessary to achieve restoration and after-use objectives. The proposed extension aligns with these strategic aims by using existing landfill void space effectively.

- 9.12 The application site lies within the area designated under Policy SSA17 of the Havering Site-Specific Allocations DPD, which allocates the former Rainham Landfill for restoration to a public open space and recreational asset, supporting ecological, leisure and environmental education objectives. Policy SSA17 seeks the creation of "a high quality, sustainable public open space providing opportunities for informal recreation, biodiversity enhancement, and educational activities," with a phased programme of public access delivered across the site as restoration progresses.
- 9.13 In considering the current proposal, it is recognised that a failure to complete the approved landfill restoration would result in a sub-optimal landform and significantly impair the site's long-term ability to deliver the quality and extent of public open space envisaged by Policy SSA17. A partly restored site would undermine the policy objectives of ecological enhancement, public accessibility, and recreational provision though this would need to be balanced against the risk of ongoing delay in the restoration of the site resulting in the ecological enhancements, public access and recreation provision being delayed.
- 9.14 The proposed extension of time to allow for the continued operation of landfill and composting activities until 31 December 2029, with final restoration completed by 31 December 2031, is therefore considered acceptable in planning terms. The applicants have expressed confidence that the temporary extension would enable the delivery of the desired restoration contours and landform necessary to create a sustainable, accessible public open space, in line with the aspirations of Policy SSA17 and the wider London Riverside regeneration framework.
- 9.15 In summary, the proposals are considered to be in line with the policies of the NPPF 2024, 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.

LANDSCAPING

- 9.16 The application has been accompanied by a Landscape and Visual Impact Assessment (LVIA) which updates the original 2012 LVIA submitted in support of the recently expired permission. The updated LVIA considers changes to the baseline conditions, including more recent photographic evidence and planning context, and assesses the effects of the proposed five-year extension to landfill operations and associated restoration to 2031 (and aftercare to 2036).
- 9.17 The site's existing landform and visual appearance are significantly influenced by ongoing landfill and associated waste management activities. The site currently exhibits an unfinished landform, characterised by varied contours, elevations, and exposed operational infrastructure.

- 9.18 The approved restoration contours for the landfill site, established under permission ref. P1566.12, define a domed final landform to ensure surface water runoff management and stability, thus reducing risks associated with leachate generation and landfill gas management. The applicant's submitted restoration drawings (Drawings 3462-01-06 and 3462-01-07) illustrate pre-settlement and post-settlement contours, respectively. The approved restoration profile indicates final post-settlement elevations reaching up to approximately 35 metres AOD (Above Ordnance Datum) at the site's highest central points, grading gently downwards towards the site boundaries and riverbank.
- 9.19 At present, deviations from the approved pre-settlement landform have occurred locally due to operational constraints. The proposed development seeks to regularise these deviations and deliver the previously approved landform within an extended operational timeframe. This is necessary because approximately 1.085 million cubic metres of landfill void remain to be filled, a consequence of reduced residual waste volumes available for landfill disposal over recent years.
- 9.20 The application proposes no changes to the maximum height or the fundamental profile previously approved, instead focusing solely on delivering the already consented restoration contours through additional landfill activities extended to December 2029, with final restoration by December 2031. Importantly, the proposal does not seek to increase landfill heights beyond those approved previously.
- 9.21 The submitted Landscape and Visual Impact Appraisal (LVIA) accompanying the application assesses visual impacts and concludes limited additional visual effects due to the proposed time extension, largely attributed to the retention of existing landfill infrastructure and operational patterns rather than any significant new structures or landform modifications. Views of landfill operations are predominantly distant and intermittent, limited mainly to users of the adjacent public footpath along the Thames riverside and longer-range viewpoints from elevated positions in Erith, approximately 930m south-west across the River Thames.
- 9.22 It is considered that the visual impacts associated with continued landfill operations are moderate and localised in nature, remaining consistent with current conditions experienced at and around the site. Furthermore, continuation of landfilling activity is critical to achieving the final domed landform as consented, which is essential for safe and sustainable management of surface water, leachate, landfill gas, and long-term landscape stability.
- 9.23 Upon completion of landfill operations, the proposed restoration scheme would result in substantial landscape improvements, including the creation of and substantially enhanced open space integrated with the wider London Riverside Conservation Park. This restored landscape would provide measurable biodiversity net gain exceeding 10% and will significantly enhance public access, local ecology, and recreational value.

- 9.24 Overall, the landscape impacts of extending landfill operations by five years are deemed acceptable, given the strategic necessity of completing the consented restoration profiles. Projecting the actual landfill quantities reported to the Council by the operator in accordance with their obligations in the S106/conditions if by 31 December 2027 the Council reasonably considers that the approved contours will not be achieved within the temporary consent by 31 December 2029 a scheme demonstrating how an alternative landfill mound profile can be created which will facilitate restoration the land at the end of the 5 year time frame will be commissioned by the Council from an independent expert (such appointment to be independent of and paid for by the operator) to be secured by planning condition and planning obligation. Subject to appropriate conditions ensuring timely restoration delivery and robust site management, the proposed development aligns with London Plan Policies G5 and G6 and Havering Local Plan Policies 27 (Landscaping), 29 (Green Infrastructure), and 30 (Biodiversity and Geodiversity). The proposed continuation and finalisation of the landfill operation is therefore acceptable in landscape terms.

IMPACT ON AMENITY

- 9.25 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.
- 9.26 As stated above, the application site is located some 1km away from the nearest residential receptors which are on the south side of the River Thames and some 1.5km away from the nearest Havering residential receptors to the north of the site. The proposal, given these significant separation distances is not considered to cause any substantial harm to nearby residential amenity.
- 9.27 The application site adjoins the Momentum Freightmaster site to the south, an established commercial operation. Representations have been received from Momentum raising concerns about potential impacts associated with the continued landfill operations, including odour, pests, noise, dust and general disturbance affecting the operation of their business.
- 9.28 Impacts on neighbouring commercial premises are not directly covered by Havering Local Plan Policy 7, which relates to the protection of residential amenity. However, it remains necessary to consider general planning principles to ensure that neighbouring uses are not unacceptably harmed. Environmental matters such as pests, odour, dust and waste management are primarily regulated through the site's Environmental Permit issued by the Environment Agency, which provides controls over operational emissions.
- 9.29 It is acknowledged that since the original permission, the operational activity of Momentum Freightmaster adjacent to the landfill boundary has increased. The continued operation of the landfill could, without appropriate management, give rise to environmental impacts affecting nearby businesses. To provide additional local safeguards, planning conditions and obligations within the

Section 106 Agreement are proposed, requiring the continuation of the Waste Input Monitoring, and Aftercare Management Plans.

- 9.30 Overall, with the safeguards provided by the Environmental Permit and the additional planning controls proposed, it is considered that the development would not result in unacceptable impacts on neighbouring commercial operators. The proposal would remain consistent with the relevant provisions of the London Plan, national planning policy on environmental protection, and local planning principles.

ENVIRONMENTAL IMPACTS (NOISE, DUST, AIR QUALITY)

Noise

- 9.31 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.
- 9.32 A Noise Impact Assessment has been submitted in support of the application. The assessment considers the likely effects associated with the proposed five-year extension of landfill and composting operations at the Rainham Landfill site. The assessment includes baseline noise monitoring, identification of the nearest noise-sensitive receptors (including residential areas in Erith, Wennington and Rainham), and comparison of predicted operational noise levels with relevant criteria.
- 9.33 The methodology follows recognised standards including BS 4142:2014+A1:2019 and considers both day and night-time operational periods. It is noted that no material changes to the type or intensity of activities are proposed; rather, the existing noise environment would be prolonged for an additional five years.
- 9.34 The assessment concludes that operational noise levels from the continued use of the landfill and composting facility would remain below the threshold of significance at all sensitive receptors. The predicted rating levels are considered to result in *low or negligible impacts* when assessed against the prevailing background noise levels. Mitigation measures are already in place (e.g., controlled operational hours, bunding, and distance to receptors), and no additional measures are considered necessary. No significant cumulative noise effects have been identified.
- 9.35 It is therefore considered that the proposal complies with London Plan Policy D13 (Agent of Change) and Policy D14 (Noise), which seek to manage noise impacts through early identification and design mitigation. The proposal also aligns with Havering Local Plan Policy 33 (Air Quality and Noise), which seeks to avoid significant adverse impacts on health and quality of life from noise-generating development. Given the limited operational changes and the temporary nature of the time extension, the proposal is considered acceptable in terms of noise and would not give rise to any unacceptable impacts on residential amenity or sensitive ecological receptors. In respect to 'agent of

change' the proposals are the continuation of an existing use and not proposing a new use in this location. Also, the nature of the adjoining uses such as at the now Momentum Logistics Park have not changed and are still used for warehousing and industry, thus the impacts are not significantly different.

Air Quality

9.36 London Borough of Havering was declared an Air Quality Management Area in 2006. An Air Quality Assessment (AQA) has been submitted in support of the application, which evaluates potential air quality impacts associated with the proposed five-year extension of operational activity at Rainham Landfill. The site lies within an Air Quality Management Area (AQMA) designated by the London Borough of Havering due to exceedances in nitrogen dioxide (NO₂) and particulate matter (PM₁₀), primarily from road traffic sources.

9.37 The assessment uses detailed dispersion modelling to quantify potential impacts from both on-site operations and associated traffic. Receptors assessed include residential properties in Rainham, Wennington and Erith (located approximately 900m to 1.5km from the site), and ecological receptors within the adjacent Inner Thames Marshes SSSI and RSPB reserve.

9.38 Road Traffic Emissions

The development would not alter the existing number or routing of HGVs. The current average traffic flow is approximately:

- 100 HGV movements per day (50 in / 50 out) associated with landfill operations.
- An additional 30 HGV movements per day related to the composting facility.

9.39 No increase in daily vehicle numbers is proposed. These levels are consistent with those previously assessed and permitted under the extant planning consent.

Modelled concentrations of NO₂ and PM₁₀ at worst-case receptor locations were predicted to be:

- NO₂ annual mean: 24.8–28.5 µg/m³ (well below the 40 µg/m³ objective)
- PM₁₀ annual mean: 17.2–20.1 µg/m³ (below the 40 µg/m³ objective)
- Daily mean PM₁₀ exceedances: <10 days/year above 50 µg/m³ (threshold is 35 days)

9.40 These results indicate that the proposal would not result in new exceedances or significant changes in pollutant concentrations.

Composting and Bioaerosols

9.41 The open windrow composting facility remains in place and is proposed to operate for the same five-year extended period. Bioaerosol concentrations have been assessed based on Environment Agency guidance. The nearest

residential receptor is over 900m away (in Erith), while the nearest ecological receptor (SSSI) is approximately 200m away.

- 9.42 Modelling and risk assessment confirm that bioaerosol levels would remain within acceptable limits, particularly as operational controls (e.g. turning restrictions, windrow spacing, and on-site irrigation) would continue to have effect. No additional mitigation is considered necessary.
- 9.43 The assessment identifies and evaluates the potential impacts from both road traffic emissions and on-site activities, including ongoing waste operations and the composting facility. Baseline air quality data, including recent monitoring results, have been used alongside dispersion modelling to assess impacts at the nearest human receptors (residential areas in Wennington, Rainham and Erith), as well as ecological receptors including the adjacent SSSI and RSPB reserve.
- 9.44 The AQA confirms that no change in the volume or nature of vehicle movements is proposed, and there are no alterations to the existing waste throughput or operational practices. As such, emissions from traffic and on-site operations are expected to remain consistent with the current consented use.
- 9.45 Predicted concentrations of NO₂ and PM10 at identified receptors remain below the relevant air quality objectives, both for human health and ecological protection. The continued operation of the composting facility has also been assessed, with bioaerosol risk evaluated using Environment Agency guidance. The assessment concludes that there would be no significant risk to health or amenity, and existing control measures remain adequate.
- 9.46 It is considered that the proposed development complies with the air quality objectives set out in London Plan Policy SI 1 (Improving air quality), which requires developments to be air quality neutral and to minimise exposure to poor air quality. The proposal also complies with Havering Local Plan Policy 33 (Air Quality and Noise), which seeks to avoid significant adverse impacts on air quality, particularly within AQMAs.
- 9.47 Further, the proposal is consistent with the aims of the Havering Air Quality Action Plan (2018–2023) and the Mayor of London’s Air Quality Strategy, which seek to reduce emissions from waste and transport sources. While the AQA indicates that the development is not required to undertake a formal air quality neutral assessment (as there is no material increase in emissions), the proposal is considered to be consistent with the principle of minimising emissions and exposure.
- 9.48 As such, the proposed development is not considered to result in any unacceptable impact on air quality and would not hinder the borough’s objectives to improve public health or meet its legal air quality obligations.

- 9.49 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

- 9.50 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.
- 9.51 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.
- 9.52 A Transport Statement (TS) has been submitted in support of the proposal to extend the operational life of the landfill and composting facility for a further five years, to 2029, with restoration by 2031. The Statement confirms that no physical changes are proposed to site access arrangements, routing, or vehicle numbers. Coldharbour Lane will remain the primary access route, linking the site to the A13 via Ferry Lane approximately 2.5km to the north. The lane also serves a number of commercial and waste-related premises, including the Freightmaster Estate (now Momentum) and adjacent recycling facilities.
- 9.53 Vehicular access is already established and accommodates Heavy Goods Vehicles (HGVs) safely and efficiently. The continued operation of the site is not anticipated to introduce additional pressure on the local highway network. Existing operational volumes will be maintained, with a typical daily profile of:
- 100 HGV movements/day associated with landfill operations (50 in / 50 out), and
 - 30 HGV movements/day associated with the composting facility (15 in / 15 out).
- 9.54 This level of traffic remains within the capacity of the local road network and has previously been assessed as acceptable under the extant planning permission. It is considered that the proposal continues to meet the requirements of London Plan Policy T4, which seeks to ensure that developments do not result in unacceptable impacts on highway capacity, safety, or operational resilience. The TS notes that operational traffic is typically distributed across the working day and does not concentrate during peak hours, thereby minimising disruption to other road users.
- 9.55 The site also benefits from proximity to an existing jetty on the River Thames, which enables the importation of waste by barge. While the modal share remains modest, the retention of river access is consistent with London Plan Policy T7, which supports the safeguarding and increased use of wharves to reduce the number of freight trips by road. It is noted that the extension of time

would continue to support operational flexibility and modal shift potential, in line with this objective.

- 9.56 Swept path analysis confirms that the access arrangements can continue to accommodate large vehicle movements safely. No alterations to the highway network, junction design, or visibility splays are required. The proposal is therefore considered consistent with Havering Local Plan Policy 23, which supports development that provides safe, direct, and legible access to the highway network, and with Policy 24, which relates specifically to waste facilities and their need to demonstrate sustainable and well-managed transport arrangements.
- 9.57 There are no reported highway safety concerns associated with the site access, and no accidents of note have occurred that would indicate any current or future risk arising from the continuation of landfill or composting operations. Havering Highways and Transport Teams and Transport For London have been consulted on the scheme and have no objection.
- 9.58 The proposed extension of time would not result in any intensification of traffic or change to existing access arrangements. The development is considered to maintain a safe and sustainable transport profile and would not result in any unacceptable impact on highway capacity, safety, or amenity. It is therefore considered that the proposal complies with London Plan Policies T4 and T7 and Havering Local Plan Policies 23 and 24 and is consistent with the objectives of the Mayor's Transport Strategy to promote efficient freight movement and protect highway efficiency and safety.

SUSTAINABILITY / ENERGY

- 9.59 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.
- 9.60 The proposed development seeks a five-year extension to the operational life of the existing landfill and composting facility at Rainham, with completion of restoration by 2031. As the proposal does not involve any new built development or permanent above-ground structures, there is no requirement for submission of a formal Energy Strategy or BREEAM assessment. However, wider sustainability objectives remain relevant, particularly in relation to minimising environmental harm, promoting resource efficiency, and delivering a long-term beneficial after-use of the site.
- 9.61 The landfill facility forms part of the Borough's safeguarded waste infrastructure and contributes to regional self-sufficiency in waste management, consistent with the circular economy principles set out in London Plan Policy SI 7 (Reducing waste and supporting the circular economy). The continuation of

operations on an existing, well-established site avoids the need for new land take or construction, thereby supporting efficient use of land and embedded energy.

- 9.62 The associated composting facility supports organic waste recovery and diversion from landfill and incineration, thereby contributing to reduced greenhouse gas emissions over the life of the project. The retention of this facility until 2029 supports the waste hierarchy and aligns with London Plan Policy SI 2 (Minimising greenhouse gas emissions) and SI 8 (Waste capacity and net self-sufficiency).
- 9.63 Operational energy use is expected to remain broadly consistent with current baseline levels. On-site energy generation continues via the existing landfill gas engines, which capture methane emissions for conversion to electricity. This supports carbon reduction and energy recovery goals in line with Havering Local Plan Policy 33 (Air Quality and Noise) and the Mayor of London's Environment Strategy, which promotes decentralised energy where feasible.
- 9.64 The restoration scheme proposes a mix of biodiverse habitats, grassland, and wetland features. These are designed to enhance ecosystem resilience, contribute to carbon sequestration, and support local biodiversity networks. These outcomes contribute positively to climate adaptation objectives and wider sustainability targets.
- 9.65 Although the proposal does not involve new built development, it supports several key sustainability principles through the continued operation of an existing facility, diversion of organic waste through composting, on-site energy recovery via landfill gas, and the delivery of a multi-functional restored landscape. The proposal is therefore considered to comply with London Plan Policies SI 2, SI 7 and SI 8, as well as the relevant objectives of the Havering Local Plan relating to sustainable resource use and environmental enhancement.

ARCHAEOLOGY

- 9.66 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.
- 9.67 The application site lies within an area of archaeological interest, with the Rainham, Wennington and Aveley Marshes historically associated with prehistoric, Roman, and later activity due to their proximity to the River Thames. However, the proposed development relates solely to the extension of time for ongoing waste disposal operations within an already engineered and operational landfill site.
- 9.68 No new excavation, groundworks or construction activities are proposed beyond those already permitted. The remaining activity involves the controlled

placement of waste material to achieve final restoration contours within the central part of the site, which has already been substantially disturbed through historic landfill operations.

- 9.69 As such, it is considered that the proposal would not give rise to any new archaeological impacts. There would be no further ground disturbance within previously undisturbed strata and therefore no potential to affect any buried heritage assets. The proposal is consistent with London Plan Policy HC1 (Heritage conservation and growth) and Havering Local Plan Policy 30 (Heritage Assets), both of which seek to protect the significance of archaeological resources.
- 9.70 Given the previously disturbed nature of the site and the absence of any proposed excavation, it is not considered necessary to secure any archaeological mitigation or monitoring. Historic England (GLAAS) and the Greater London Archaeological Advisory Service would not typically be consulted in such circumstances unless new intrusive works are proposed.
- 9.71 The proposal would not involve any further ground disturbance beyond the engineered landfill operations already undertaken. As such, it is considered that there would be no impact on archaeological assets, and no further assessment or mitigation is required. The development is considered acceptable in archaeological terms and compliant with the relevant provisions of the London Plan and the Havering Local Plan.

ECOLOGY AND BIODIVERSITY

- 9.72 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.
- 9.73 An updated Ecological Impact Assessment (EIA) has been submitted as part of the Environmental Statement in support of the application. The proposed development, which seeks a five-year extension of landfill and composting operations within the existing operational footprint, does not involve any new land take or excavation into previously undisturbed areas. As such, the baseline conditions are already substantially altered, and the site largely comprises engineered landform, with areas of ephemeral vegetation, neutral grassland, scrub, ditches and artificial waterbodies.
- 9.74 The application site lies adjacent to the Inner Thames Marshes Site of Special Scientific Interest (SSSI), which forms part of the wider RSPB Rainham Marshes reserve and supports a diverse assemblage of habitats and species. The assessment confirms that the proposed development would not result in any direct impact on the SSSI, nor would it affect its qualifying features. Potential indirect effects such as dust, noise, and lighting have been assessed as negligible, owing to the continuation of embedded mitigation measures already in place under the current operational regime, the temporary nature of the extension, and the separation distance of approximately 100–150 metres between the active working area and designated site boundary.

- 9.75 Surveys have been undertaken to establish the ecological baseline, with no evidence of adverse effects on protected species. The habitat types present on-site are predominantly of low intrinsic ecological value, consistent with the disturbed character of the landfill. Nonetheless, features such as field margins, ditches and transitional habitats have the potential to support invertebrates, ground-nesting birds and amphibians. The proposed continuation of existing operational practices, which already incorporate good environmental management, is not considered likely to lead to any significant effects on these species.
- 9.76 The site restoration scheme, which would be implemented following completion of operations in 2031, has been designed to deliver a measurable biodiversity net gain, in line with the requirements of London Plan Policy G6, which seeks to enhance biodiversity and secure ecological resilience. The final restored landform would comprise approximately 12 hectares of species-rich neutral grassland, 8 hectares of wet grassland and marginal wetland, new open water features, scrub planting, and hedgerow enhancement. These works would enhance habitat connectivity with the adjacent SSSI and support strategic green infrastructure objectives, consistent with London Plan Policy G1 and Havering Local Plan Policies 18 and 27.
- 9.77 The submitted restoration scheme forms a key component of the proposal and is designed to deliver long-term biodiversity net gain (BNG), in accordance with national policy and London Plan requirements. The restoration will create a mosaic of habitats, including:
- 12 hectares of lowland meadow and species-rich neutral grassland;
 - 8 hectares of wet grassland and marginal wetland habitat;
 - New open water features and ditches;
 - Scrub and hedgerow planting; and
 - Enhanced habitat connectivity with the adjacent SSSI and Wildspace landscape.
- 9.78 A Biodiversity Net Gain (BNG) assessment using the Defra Metric has been undertaken and confirms a net gain in excess of 10% in habitat units and 15% in hedgerow units relative to the existing site baseline. These outcomes meet the requirements of paragraph 180 of the NPPF, which expects development to secure net gains in biodiversity, and align with the Council's broader green infrastructure and climate adaptation goals.
- 9.79 Long-term management of the restored habitats would be secured through an aftercare and monitoring plan, with a minimum 30-year commitment to habitat establishment and maintenance. Biodiversity Net Gain became mandatory save in limited exceptions on 12 February 2024 under under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

- 9.80 The proposal would not result in any adverse effects on designated ecological sites or protected species and would deliver a high-quality restoration scheme that secures a measurable biodiversity net gain. The development is therefore considered acceptable in ecological terms and consistent with the relevant provisions of the London Plan, Havering Local Plan, and national planning policy relating to biodiversity, ecological enhancement and strategic green infrastructure.

FLOOD RISK

- 9.81 Guidance under the NPPF seeks to safely manage residual risk including by emergency planning and give priority to the use of sustainable drainage systems.
- 9.82 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.
- 9.83 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.
- 9.84 The application site lies within Flood Zone 3 as identified by the Environment Agency, indicating a high probability of flooding. However, the site benefits from existing flood defences and is covered by an Environmental Permit which governs water management, including leachate control and surface water drainage.
- 9.85 The proposed development relates solely to an extension of time for existing landfill and composting operations and does not involve any changes to the site footprint, operational processes, or surface water regime. As such, there would be no increase in impermeable area or alteration to runoff rates.

- 9.86 The Environmental Statement confirms that the continued operations would not increase the risk of flooding on- or off-site, and that the current drainage and environmental control measures would remain in place throughout the extended operational period. These include surface water management infrastructure, and controlled discharge points regulated under permit.
- 9.87 The proposal is therefore considered to comply with the requirements of London Plan Policy SI 12 (Flood risk management) and SI 13 (Sustainable drainage), as well as Havering Local Plan Policy 32 (Flood Risk), all of which require developments to demonstrate that they will be safe for their lifetime without increasing flood risk elsewhere.

ENVIRONMENTAL STATEMENT

- 9.88 The application is accompanied by an Environmental Statement (ES) prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The proposed development falls within Schedule 1, Part 9 of the EIA Regulations as it involves the continuation of waste disposal operations exceeding 100 tonnes per day. Accordingly, Environmental Impact Assessment (EIA) is a statutory requirement in this instance.
- 9.89 The ES, submitted in December 2024, provides an updated assessment of the likely significant effects of the proposal to extend the operational life of the landfill and composting facility at Rainham for a further five years (to 2029), with restoration completed by 2031. The ES supplements the original assessment produced for the extant planning consent and reflects updated baseline conditions, environmental guidance, and policy context. It draws upon site-specific surveys and professional judgement to determine whether the extension would give rise to new or materially different environmental effects compared to those previously assessed.
- 9.90 The ES is structured into technical chapters, supported by baseline data, figures and appendices. It addresses the following key topics:
- 9.91 Landscape and Visual Effects: The ES confirms that the extended duration of operational activity would result in a minor and temporary continuation of existing visual and landscape effects, particularly from elevated public rights of way and distant residential viewpoints. The completed restoration would result in long-term improvements to landscape character and visual amenity. No significant effects are predicted, consistent with GLVIA3 methodology.
- 9.92 Ecology and Biodiversity: No direct impacts are predicted to the adjacent Inner Thames Marshes SSSI or the RSPB reserve. Ecological survey data confirm that the continuation of landfill activity would not result in harm to protected species or habitats. The restoration scheme would deliver biodiversity enhancements, including the creation of diverse grassland and wetland habitats. A Biodiversity Net Gain (BNG) of over 10% habitat units and 15% hedgerow units has been calculated, in accordance with Defra's metric.

- 9.93 Noise: Noise monitoring and modelling confirm that the proposal would not result in exceedances of relevant noise thresholds at sensitive receptors. The continuation of operations for five additional years would result in no change in the type or pattern of noise emissions. Effects are assessed as not significant, with operational controls remaining in place.
- 9.94 Air Quality and Bioaerosols: Dispersion modelling predicts that emissions of nitrogen dioxide and particulate matter would remain below air quality objectives at all nearby receptors. Predicted annual mean NO₂ concentrations at the nearest receptors are below 30 µg/m³, well under the 40 µg/m³ objective. Bioaerosol risk from the composting facility remains low, with standard operational mitigation maintained. No significant effects are predicted.
- 9.95 Transport and Access: The proposal does not involve any increase in HGV movements, which remain at approximately 130 vehicle movements per day (including composting operations). Access continues to be taken from Coldharbour Lane. The ES concludes that the local road network has sufficient capacity to accommodate the continued operations without adverse safety or capacity impacts.
- 9.96 Hydrology and Flood Risk: The site is managed under an existing environmental permit and includes active leachate and surface water management systems. No changes are proposed to drainage or hydrological processes. The extension of time would not increase flood risk on or off site.
- 9.97 Cultural Heritage and Archaeology: The proposal involves no new excavation or ground disturbance. The ES concludes that there is no potential for impacts on buried heritage assets or the setting of designated heritage features.
- 9.98 Cumulative Effects: The ES considers the cumulative impact of the proposed extension in combination with nearby development, including the Freightmaster Estate. It concludes that there would be no significant cumulative effects, given the limited and temporary nature of the extension.
- 9.99 The ES identifies no likely significant environmental effects arising from the proposed development, either individually or cumulatively, subject to the continuation of existing controls and the implementation of the approved restoration scheme. Where impacts are identified, these are assessed as temporary, localised, and not significant under the EIA Regulations.
- 9.100 The submitted Environmental Statement meets the requirements of the EIA Regulations 2017 and provides a comprehensive and proportionate assessment of the proposed time extension. The conclusions of the ES are robust and confirm that the proposal would not result in any likely significant adverse environmental effects. The environmental effects of the scheme are well understood and can be appropriately managed through the continuation of existing operational controls and delivery of a biodiversity-led restoration scheme. The conclusions of the ES are accepted.

OTHER ISSUES

Health Considerations

- 10.1 Policies GG3, 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.
- 10.2 The proposed development has been considered in the context of its potential effects on human health and wellbeing, in accordance with London Plan Policy GG3, which seeks to create a healthy city and reduce health inequalities, and Policy S2, which requires development to assess and mitigate health impacts. The continuation of operations at Rainham Landfill and composting facility for a further five years would not introduce new sources of emissions or intensify activity on the site. The submitted Environmental Statement confirms that there would be no significant adverse impacts in relation to air quality, noise, water, or amenity that would affect public health. Existing environmental controls, including those secured under the site's Environmental Permit, would remain in place, thereby ensuring that local communities are not exposed to harmful levels of pollutants.
- 10.3 In the longer term, the approved restoration scheme would contribute positively to community wellbeing through the creation of accessible green infrastructure, new habitats, and enhanced landscape character. These improvements support the delivery of Havering Local Plan Policy 12, which promotes healthy and liveable neighbourhoods and encourages the enhancement of physical and mental wellbeing through improved environmental quality. Once restoration is completed, the site will form part of the wider Wildspace / London Riverside green corridor, with the potential to support informal recreation, biodiversity awareness, and engagement with nature—factors that have been widely recognised as beneficial to public health.

SECTION 106

Planning Obligations

- 11.1 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.
- 11.2 The proposed development represents an extension of time to an existing planning permission granted in 2012, which was subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990. That agreement secured a range of obligations related to the phased restoration of the landfill site, long-term aftercare, environmental monitoring, and public access provisions as part of the strategic Wildspace vision for the London Riverside area.

- 11.3 As the current application proposes extending the duration of landfill and composting operations to 31 December 2029, extending the final restoration date from 2026 to 2031 and extending the aftercare Period to 31 December 2036. The obligations in the original S106 agreement (dated 12 July 2016) will be subject to the temporary extensions of landfill and composting, restoration and aftercare periods and to the extent that they have not already been discharged be replicated in a new Section 106 Agreement,
- 11.4 It is therefore recommended that any grant of planning permission be subject to the prior completion of a Section 106 Agreement, to secure continued compliance with the obligations previously agreed and ensure that restoration, aftercare, and community benefits are delivered in accordance with the extended timescales.
- 11.5 The proposal is not Community Infrastructure Levy (CIL) liable.

EQUALITIES

- 12.1 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
- 12.2 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.
- 12.3 Policy CG1 of the London Plan also seeks to support and promote the creation of an inclusive city to address inequality.
- 12.4 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.
- 12.5 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

- 13.1 The presumption in favour of sustainable development outlined in paragraph 11 of the National Planning Policy Framework (NPPF) is engaged.

- 13.2 The proposal is considered to comply with the strategic waste management objectives set out in the London Plan and the Havering Local Plan. London Plan Policy SI 8 promotes a circular economy and requires waste facilities to be safeguarded and efficiently utilised. The proposed extension of time allows the continued use of an existing, strategically significant waste site without the need for new land take, consistent with Policy SI 9 (Safeguarded Waste Sites). At the local level, Havering Local Plan Policy 19 supports the continued use and restoration of safeguarded waste sites where this does not result in unacceptable environmental or amenity harm. The temporary continuation of operations, combined with the proposed high-quality restoration, is considered to support the sustainable management of waste while also delivering long-term environmental benefits. The proposal also remains consistent with the Joint East London Waste Plan (JELWP), which identifies Rainham Landfill as a safeguarded strategic site for waste treatment and disposal.
- 13.3 The proposal is considered to align with London Plan Policies G1 and G6 by contributing to the strategic green infrastructure network and improving access to nature. Furthermore, the proposal supports Havering Local Plan Policies 27 through the integration of a landscape restoration scheme that reflects the local marshland character. The scheme is also consistent with Policy 18 in enhancing green infrastructure. While the operational extension prolongs visual impacts for a limited period, the residual effects are considered negligible following restoration and consistent with the Borough's long-term objectives for biodiversity, recreation and landscape enhancement in line with policy SSA17.
- 13.4 All material planning considerations, including the potential impact on neighbouring land uses, have been carefully assessed. It is acknowledged that the continued operation of the landfill could give rise to environmental effects; however, with appropriate controls secured through the Environmental Permit, planning conditions, and obligations within the Section 106 Agreement, it is considered that any impacts on neighbouring businesses and occupiers would be appropriately mitigated and managed. The proposal is therefore considered to accord with relevant local and strategic planning policies and guidance in this regard. It is therefore recommended that temporary planning permission should be approved.

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 Havering LONDON BOROUGH	Strategic Planning Committee 10 July 2025
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Application Reference: P0718.23

Ward: RAINHAM & WENNINGTON

Address: Veolia ES Landfill Ltd, Coldharbour Lane Rainham

Description: Retention and continued operation of the compound area consisting of existing gas engines, and leachate treatment plant beyond the end of 2024. The compound area serves to manage the gas and leachate from the adjacent landfill.

Case Officer MALACHY MCGOVERN

Reason for Report to Committee: Given the interdependency between this application and the landfill application (P1633.24) there is a need for an overarching Section 106 agreement, and the public interest in the wider restoration scheme, it is appropriate that this application is referred to the Strategic Planning Committee for determination alongside application Ref: P1633.24.

0 BACKGROUND

- 0.1 This report concerns one of the two related planning applications at the Veolia Landfill site, Coldharbour Lane and is presented to the Strategic Planning Committee, reflecting the interdependent nature of the proposals and enabling Members to consider them in the full site context.

- 0.2 Application P1633.24 seeks temporary planning permission for the retention and extension of landfill and composting operations until 31 December 2029, followed by full restoration of the site to public open space by 31 December 2031. Application P0718.23 seeks permanent planning permission for the continued use of an adjacent compound area housing critical environmental infrastructure, including a gas engine compound, flare stack, and leachate treatment plant. This compound is operationally essential to the landfill site, as it manages the gradual release of landfill gas and the collection and treatment of leachate generated during waste decomposition. These processes are governed by an Environmental Permit issued by the Environment Agency and will need to continue for decades beyond the cessation of active landfilling, as the waste mass stabilises.
- 0.3 Although the two proposals have been submitted under separate applications, with distinct red line boundaries and treated as separate planning units, they are functionally and would be legally intertwined (in an overarching planning agreement). The landfill cannot be safely restored without the ongoing operation of the gas and leachate systems. For this reason, the two applications are being reported together, but with two distinct recommendations, to reflect their different land use designations and planning durations. Importantly, it is proposed that both applications be subject to a single Section 106 legal agreement, which will secure a unified framework for delivery, monitoring, land transfers, and long-term obligations across the full extent of the landfill site and associated infrastructure within the compound area.
- 0.4 The application P1633.24 was presented to Members at the SPC meeting on 8th May 2025 and the item was then deferred by Members to obtain further clarity and completeness of the s106 Heads of Terms before making a decision. In addition, for officers to provide a response to the questions raised by Members concerning the proposals which officer were unable to during the meeting. This application ref. P0718.23 has not been reported to any Planning Committee before.

1. SUMMARY AND REASONS FOR RECOMMENDATION

- 1.1 Planning permission is sought for the continued use and retention of the existing compound area comprising gas engines, leachate storage, and treatment infrastructure, located adjacent to the main Rainham Landfill site. This infrastructure plays a critical role in the environmental management of the landfill site, enabling the capture, treatment, and control of landfill gas and leachate in accordance with the site's Environmental Permit. While if the new temporary planning permission under planning reference P1633.24 were granted consent the landfill operations would cease by the end of 2029 (with restoration by the end of 2031), the compound area must remain operational for a significantly longer period—estimated at 40–50 years—until post-closure emissions are suitably stabilised. Whether or not the landfill and composting operation was granted a further temporary consent the existing compound area comprising gas engines, leachate storage, and treatment infrastructure would need to operate to manage landfill gas and leachate from the landfill site. The

proposal has therefore been brought forward under a separate application boundary and planning unit to allow continued operation beyond the landfill aftercare period.

- 1.2 The proposal is considered to be in general accordance with the Development Plan, including Policy 35 of the Havering Local Plan (2021), which supports essential infrastructure required for sustainable waste management. The long-term use of the compound for leachate and gas control is consistent with Policy SI9 of the London Plan (2021), which encourages appropriate measures to minimise greenhouse gas emissions from landfill operations. In addition, the continued use of the compound will assist in mitigating potential environmental harm, including risks to ground and surface water, odour, and air pollution, thereby supporting compliance with national planning policy objectives as set out in the NPPF (2024).
- 1.3 The development is considered acceptable in land use terms and raises no significant planning concerns in respect of design, access, or visual impact due to its containment within the existing compound area and screening.
- 1.4 An appropriate set of planning conditions is recommended to control the operation of the compound in perpetuity, including limits on noise, lighting, and external alterations.
- 1.5 The proposal will also be subject to a single consolidated S106 legal agreement alongside the landfill extension application (Ref: P1633.24) or independently with a discrete Section 106 agreement relating to the compound area application (Ref: P0718.23) should a further temporary planning permission not be granted for the landfill and composting operation (Ref: P1633.24), which ensures the restoration of the compound area upon its eventual decommissioning.
- 1.6 It is therefore recommended that planning permission be granted subject to conditions and completion of the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) and all enabling powers. Should temporary planning permission be granted for the landfill and composting operation (Ref: P1633.24) the planning obligations will be part of an overarching Section 106 agreement pursuant to Section 106, Section 106A and all other enabling powers.

2. **RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission subject to:
 - to simultaneously discharge of the obligations in the original Section 106 Agreement dated 12 July 2016 pursuant to Section 106A of the Town and Country Planning Act 1990 (as amended) relating to the compound area, comprising gas engines and leachate treatment infrastructure and in the same legal agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations set out in the heads of terms below

with those obligations taking immediate legal effect on the date of completion of the agreement:

1. Continued Operation Post-2024

The compound area, comprising gas engines and leachate treatment infrastructure, shall be permitted to operate after the landfill and composting temporary consent and the associated restoration and aftercare period (ending on 31 December 2036) has expired solely in connection with the management of landfill gas and leachate arising from landfill and composting operation and subject to regulatory approval.

2. Restoration and Decommissioning Clause

Upon written confirmation from the Environment Agency that the infrastructure is no longer required, Veolia shall decommission the compound and submit a Restoration Scheme to the Council for its written approval. Restoration shall then be completed in accordance with the approved scheme within 12 months of approval.

3. Access and Security

The compound area shall remain secured by fencing and locked access gates at all times. Public access shall not be permitted until decommissioning and restoration are satisfactorily completed, unless otherwise agreed in writing with the Council.

4. Environmental Management and Mitigation

All approved environmental mitigation strategies (including odour, noise, emissions, and dust) shall continue to apply to the compound during its operational life. Updated strategies may be required at the Council's request and shall be reviewed at intervals of not more than 10 years.

5. Technology Review Clause

After 10 years from the date of the permission, the Operator shall submit a review statement to the Council setting out:

- Whether the technology remains fit-for-purpose;
- Whether alternative solutions may be implemented;
- Whether early decommissioning or site consolidation is possible.

6. Enforcement and Breach Provisions

The obligations relating to the compound area shall remain enforceable under this Agreement until the compound is fully decommissioned and restored.

7. Integration with Site-Wide Obligations

All relevant site-wide planning obligations and constraints (including indemnity, insurance, bond provisions, and environmental centre proposals) shall apply to the compound area insofar as they are applicable and shall be reapplied and remain in force until the final restoration of the compound.

8. Monitoring Fees and Legal Costs

To pay the Council's reasonable legal fees in relation to the completion of the deed whether the matter goes to completion or not; To pay the Council's reasonable monitoring fees for monitoring the proper performance and compliance with the obligations in the agreement;

Indexing – All contributions and payments to be index linked using the BCIS Index from the date of the deed to the date of actual payment.

- 2.2 That the Director of Planning is delegated authority to negotiate the legal agreement indicated above and that if not completed by the 31 December 2025 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 settle the precise wording of the planning conditions and to issue the planning permission subject to the completion of the legal agreement and conditions to secure the following matters:

Conditions:

- 1. Approved Plans and Documents
- 2. Use Restriction (Gas and Leachate Infrastructure Only)
- 3. Removal of Permitted Development Rights
- 4. Compound Boundary and Visual Mitigation
- 5. Noise Control
- 6. Odour Management
- 7. External Lighting Scheme
- 8. Site Access and Traffic Management
- 9. Long-Term Site Management Plan
- 10. Monitoring and Review

3.0 SITE DESCRIPTION

- 3.1 The application site is an irregular shape measuring approximately 8,000 square metres (0.8 hectares) and relates to the compound area of the larger Veolia site which sits immediately south of the landfill area granted under P1566.12. The site currently comprises 15 no. gas engines alongside associated flare and booster plant/ machinery that is essential for the continued operation of the

existing gas power generation plant. The gas engines are owned and operated by EDL Energy which operates the gas on behalf of Veolia. The eastern part of the site contains a leachate lagoon and tank.

- 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 Momentum (former 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)

4.0 BACKGROUND (Existing Site Operations)

- 4.1 Veolia's wider site at Coldharbour Lane accommodates a number of activities including the existing plastics recycling facility, landfill and other waste management and recycling activities. Currently the compound area is permitted under a time limited planning permission, reference P1566.12 (dated 2nd September 2016), along with Veolia's other activities at Coldharbour Lane as mentioned above.
- 4.2 As it currently stands under the extant permission, the gas engines and leachate treatment plant compound area would have to cease operating by the end of year 2024 and be removed of site by the end of year 2026.
- 4.3 The planning application is proposing to retain a small existing parcel of land at the end of Coldharbour Lane which accommodates this development that is essentially plant and machinery. The applicant submits that the existing plant and equipment is working to capture and divert landfill gas and leachate. The landfill gas is already generating power that helps to supply energy to the wider national power network.

- 4.4 The applicant further submits that the existing compound area is crucial to Veolia's monitoring and management of the gas and leachate generated by the adjacent landfill site during and after the restoration and aftercare periods potentially for 60+ years. Therefore, Veolia is seeking planning permission to retain the compound area, as essential plant and equipment, beyond the life of the permission of P1566.12, i.e. beyond 31/12/24.

5.0 DESCRIPTION OF PROPOSAL

- 5.1 The submitted Planning Statement describes the proposal as follows:

- 5.2 The compound area accommodates plant and equipment that is instrumental for continuing to monitor and manage the gas and leachate generated by the adjacent landfill during and after the operational, restoration and aftercare periods. Veolia therefore anticipates the compound area may be required for potentially 60 +years. Importantly, the plant/machinery contained within the compound area will enable Veolia to continue to comply with the terms of the Environmental Permit for monitoring and managing the landfill gas and leachate, as issued and monitored by the Environment Agency, which will help to ensure a duty of care to the environment and the public as a result.

5.3 Landfill gas engines

- 5.4 The gas engines and associated plant serve to extract and capture the landfill gas (consisting of methane gas and carbon dioxide) via pipework and then process it. The processed gas is then turned into electricity via the existing plant onsite. Classed as a renewable energy source, 10% of the electricity output from the site's gas engines contributes towards the National Grid energy supply thereby helping to provide energy to a wider network of power users.

- 5.5 The existing configuration on site is of 15 no. gas engines onsite alongside other associated plant/machinery and ancillary development which includes the welfare facilities. The current planning application proposes to retain the existing configuration

- 5.6 Over the coming years and after a certain period however the compound arrangement may change slightly, particularly with regards to the configuration of the gas engines given its nature as plant and equipment type of development. Therefore, changes in the compound may result in having to change, remove or replace the gas engines due to reasons such as general maintenance requirements, a drop in gas production and/or flare replacements etc. However, the nature and scale of the compound area will in principle remain the same as existing

5.7 Leachate plant

- 5.8 As mentioned, the eastern side of the compound area accommodates the leachate treatment plant including a lagoon and tank with associated pipework, which captures the landfill leachate. The leachate tank also accepts the

discharge of surface water from other parts of Veolia's site outside the landfill's boundary.

- 5.9 As already stated, Veolia submitted a planning application earlier in 2023 (planning application reference P0070.23), to retain and redevelop the operation of the existing plastics recycling facility at Coldharbour Lane. The leachate tank currently accepts most of the surface water discharged from Veolia's wider site including the landfill, plastics site and is therefore considered to be an essential form of pollution prevention infrastructure for Veolia's wider site.
- 5.10 The current planning application proposes to retain the same configuration given that all the components are established, existing and operational.

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 September 2016.

7. CONSULTATIONS/REPRESENTATIONS

- 7.1 Public consultation took place in accordance with statutory requirements. This included a total of 20 letters sent including to occupiers of neighbouring properties (all commercial), a press advert published in Romford Recorder and site notices displayed outside the application site.

7.2 One objection was received from a member of the public on the following grounds:

- Impact on air quality
- Smells

7.3 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 Business Development – No response

7.4 External Consultees

Environment Agency - No objections subject to conditions

London Fire (LFEPA) - No objections subject to conditions

Thames Water - No objections subject to informative

Greater London Authority – No response

8. RELEVANT POLICIES

8.1 National Planning Policy Framework (2024)

Relevant themes:

- Achieving sustainable development:
- Plan-making
- Decision-making
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change, flooding, and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

8.2 London Plan (2021)

Relevant policies:

- GG1 - Building strong and inclusive communities
- G1 – Green Infrastructure
- G6 – Biodiversity and access to nature
- GG2 - Making the best use of land
- GG5 – Growing a good economy
- D2 - Infrastructure requirements for sustainable densities
- D3 - Optimising site capacity through the design-led approach

- 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 7 - Reducing waste and supporting the circular economy
- SI 8 - Waste capacity and net waste self-sufficiency
- SI 9 - Safeguarded waste sites
- SI 12 - Flood risk management
- SI 13 - Sustainable drainage
- G5 - Urban greening
- G6 - Biodiversity and access to nature
- T1 - Strategic approach to transport
- T3 - Transport capacity, connectivity, and safeguarding
- T4 - Assessing and mitigating transport impacts
- T7 - Deliveries, servicing, and construction
- T9 - Funding transport infrastructure through planning
- DF1 - Delivery of the Plan and Planning Obligations

8.3 Havering Local Plan (2016–2031, adopted 2021)

Relevant policies:

- Policy 19 – Business Growth
- Policy 23 – Transport Connections
- Policy 27 – Landscaping
- Policy 28 – Heritage Assets
- Policy 29 – Green Infrastructure
- Policy 30 – Biodiversity and Geodiversity
- Policy 31 – Rivers and River Corridors
- Policy 33 – Air Quality
- Policy 34 – Managing Pollution
- Policy 35 – Waste Management
- Policy 36 – Low Carbon Design and Renewable Energy

8.4 Additional Relevant Guidance

Site Specific Allocations Development Plan Document – Adopted 2008

National Planning Policy for Waste (NPPW, 2014):

Paragraphs relating to ensuring landfill and waste proposals align with the waste hierarchy and sustainable restoration.

Joint Waste Development Plan for East London (DPD, 2012):

In 2012 the Council adopted the Joint Waste Development Plan, which was developed in collaboration with Barking and Dagenham, Newham, and Redbridge.

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.

The Joint Waste Plan forms part of the planning policy suite of documents for each borough.

The East London Waste Plan Evidence Base (2022) has been produced as the first step towards creating a new Joint Waste Plan. The relevant sections are as follows:

- W1 – Sustainable Waste Management
- W2 – Waste Management Capacity, Apportionment & Site Allocation
- W4 – Disposal of inert waste by landfilling
- W5 – General considerations regarding waste proposals

9. PLANNING CONSIDERATIONS

9.0 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. Ecology & Biodiversity

PRINCIPLE OF DEVELOPMENT

9.1 The NPPF 2024 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.

9.2 Whilst the principle of the landfill 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.

9.3 Sustainable Development: The NPPF 2024 emphasizes the importance of sustainable development as a central objective of the planning system. The proposed gas engines and equipment aligns with these objectives by promoting efficient resource way of capturing waste gas, contributing to energy needs and

the economic, social, and environmental goals outlined in the NPPF's sustainable development priorities.

- 9.4 Effective Use of Land: The NPPF 2024 encourages the effective use of land to meet various needs, including housing and industrial use. The proposed equipment supports the landfill use and 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.
- 9.5 Waste (Paragraphs related to waste management): the NPPF 2024 addresses waste management within its broader environmental objectives. These include protecting and enhancing the natural environment by minimizing waste and pollution. It is accepted that not all waste can be recycled and that the proposed landfill would provide a necessary component of waste infrastructure. The proposed equipment and gas engines support the capture of natural gas support these objectives by promoting the conversion of waste into natural gas for energy needs.
- 9.6 In summary, the proposals are considered to be in line with the policies of the NPPF 2024, 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

- 9.7 The NPPF 'Achieving well-designed and places' states that the creation of high quality and sustainable buildings and places are 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.
- 9.8 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.
- 9.9 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.

- 9.10 The submits plans indicate that the existing structures to be retained would comprise:
1. Leachate tanks measuring approximately 5.3 metres high and 20.2 metres long
 2. Gas engines, flare and booster plant equipment measuring maximum 5.7 metres high
 3. Palisade fence measuring approximately 2.2 metres high
- 9.11 Given the limited nature and scale of the industrial waste infrastructure on site and the isolated location, it is not considered that the proposed equipment would cause any significant adverse impact on the visual amenity of the area and that any adverse impact would be outweighed by the benefits of the scheme with regard to meeting the boroughs waste infrastructure needs.
- 9.12 The proposal is considered acceptable in design and urban design/ townscape terms.

Landscaping

- 9.13 The application site forms part of a wider established industrial area which generally only has pockets of grassed, or scrub areas located sporadically, and which provide limited ecological and visual benefits to this area. Most of the space on the application site is required for the existing operational infrastructure associated with the gas engines and leachate treatment plant.
- 9.14 The applicant submits that the scheme has been considered to ensure that whilst there is enough space available for vehicle manoeuvring and access/egress into the compound area, the scheme would provide new and additional landscaping, and this is secured by planning condition.
- 9.15 The Landscape Masterplan, which accompanies the planning application submission shows how the perimeter of the compound area will be landscaped with a combination of Native Scrub Mix, Hedge Mix and Grass Areas species. Further details shall be secured by planning condition.
- 9.16 The proposed new landscaping will over time become more established and will provide visual screening to mitigate views into the compound area. The applicant submits that the new landscaping will also help to ensure there is visual cohesiveness between the retained compound area and the existing and future uses surrounding it.
- 9.17 The proposals are considered acceptable subject to planning conditions.

IMPACT ON AMENITY

- 9.18 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.
- 9.19 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 due to the significant separation distance.

ENVIRONMENTAL IMPACTS (NOISE, DUST, AIR QUALITY)

- 9.20 Policy W5 of the Joint Waste Development Plan (JWDPD) forms part of the Havering Development Plan and states that the policy focuses on ensuring that any waste related development will not generate significant impacts on people, the environment and resources. The policy lists a number of adverse impacts that should be avoided or minimised and if necessary mitigated.
- 9.21 Importantly, the proposal is not for a new waste related development but for the retention of existing gas engines and associated equipment to be continuously operated beyond the end of 2024 for waste management purposes. Currently the compound area does not generate adverse impacts on the local environment particularly of the same nature as the factors listed (I) of (xvi) in Policy W5.
- 9.22 Given that the compound area is proposed to continue operating as existing, the potential for impacts in the future is unlikely to be generated or adverse. The applicant submits that importantly the compound area will be operated and managed in accordance with an Environmental Permit, which will continue to be monitored by the Environment Agency. The planning application proposal is considered to be in compliance with Policy W5.

Noise

- 9.23 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 effects or impacts since the operations began post 2012. The operational plant and machinery would be the same as existing and no material change in use or processes would occur.
- 9.24 The Council's Environmental Health (Pollution) Team have been consulted and have raised no noise objection to the proposals subject to planning conditions.

Air Quality

- 9.25 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.
- 9.26 The Council's Environmental Health (Pollution) Team have been consulted and have raised no noise objection to the proposals subject to planning conditions.

HIGHWAYS & PARKING

- 9.27 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.
- 9.28 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.
- 9.29 There would be no material change in the equipment use and as such no highways concerns.

SUSTAINABILITY / ENERGY

- 9.30 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.
- 9.31 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.

- 9.32 The applicant submits that the gas engines help to minimise the greenhouse gas emissions, particularly because their purpose is to extract and capture the landfill gas (consisting of methane gas and carbon dioxide) and then process it. The processed gas is turned into electricity which contributes towards the National Grid energy supply to a wider network of power users. Therefore, part of the existing compound area serves to be green and an energy source. Therefore, the planning application proposal is supported by Policy SI 2 and Policy SI 3.
- 9.33 Policy SI8 Waste Capacity and Net Waste self-sufficiency deals with waste self-sufficiency for new and existing sites. The application site development is an essential part of the existing landfill waste management operation and will continue to be after the landfill is restored and beyond. The policy promotes full utilisation of a waste management site and a contribution towards renewable energy generation, which the proposal delivers. Therefore, the planning application proposal is supported by Policy SI 8.

ECOLOGY AND BIODIVERSITY

- 9.34 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.
- 9.35 Whilst the compound area is existing and there would be no material change in operations in terms of use or scale, a revised landscaping plan 'compound boundary and visual mitigation' has been secured by planning condition to ensure adequate integration with the adjoining landfill site and this would also improve biodiversity on site.
- 9.36 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.

EQUALITIES

- 9.37 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

- 9.38 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.
- 9.39 Policy CG1 of the London Plan also seeks to support and promote the creation of an inclusive city to address inequality.
- 9.40 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.
- 9.41 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.

SECTION 106

- 10.1 The proposed works form part of the wider site granted under planning permission ref. P1556.12 which was secured by a S106 agreement dated 12 July 2016 which had numerous planning obligations including the restoration of the land.
- 10.2 This application for retention of the leachate equipment and gas engines within the compound area would therefore require a S106 which does not conflict with the original requirement of the S106 under P1556.12 and subject to a resolution to grant planning permission for the landfill and composting application under planning reference P1633.24 would be part of an overarching Section 106 agreement or if a resolution to grant was not made in respect of P1633.24 subject to a discrete Section 106 agreement taking on the Heads of Terms in the Recommendation above.

11 CONCLUSIONS

- 11.1 The presumption in favour of sustainable development outlined in paragraph 11 of the National Planning Policy Framework (NPPF) is engaged.
- 11.2 All other relevant policies and considerations have been considered. It is therefore recommended that full planning permission should be approved.

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