

 <b>Havering</b> LONDON BOROUGH	<b>Strategic Planning Committee</b>  <b>10 July 2025</b>
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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 8<sup>th</sup> 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.