

7 April 2016

**Former Berryman's Site, Perry Road, Dagenham****in the London Borough of Barking & Dagenham****planning application no. 16/00128/CTY****Strategic planning application stage 1 referral**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

**The proposal**

Demolition of existing buildings and development of a Material Recycling Facility including the sorting, treatment and transfer of non-hazardous wastes, ancillary storage of containers, vehicles and associated weighbridge and office and erection of portal frame building to house waste reception and treatment activities.

**The applicant**

The applicant is **Edwards Recycling Limited** and the agent is **Wiser Environment Limited**.

**Strategic issues**

The development proposal has significant potential to support and capture the benefits of waste recycling and contribute to the Mayor's recycling level targets and deliver the Mayor's waste policy.

**Recommendation**

That Barking & Dagenham Council be advised that the application, on balance, complies with the London Plan, for the reasons set out in paragraph 44 of this report and does not need to be referred back to the Mayor, provided the Council agrees to the inclusion of the identified conditions.

**Context**

1 On 2 March 2016, the Mayor of London received documents from Barking & Dagenham Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 12 April 2016 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 2B of the Mayor of London Order 2008:

- 2B '1. Waste development to provide an installation with capacity for a throughput of more than... (b) 50,000 tonnes per annum of waste; produced outside the land in respect of which planning permission is being sought.'

3 Once Barking & Dagenham Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself. In this instance, the Council does not need to refer the case back to the Mayor, provided the conditions requested in this report are included.

4 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

5 The 0.49 hectare site is located off Perry Road near the Dagenham Dock industrial area. The site currently stores crushed glass and recycling containers such as bins and skips. The site is currently accessed through Berryman's yard from Chequers Lane, however there is a secondary gated access from Perry Road.

6 The site is approximately two kilometres south of the A13 Thames Gateway, which forms part of the Transport for London Road Network (TLRN). The nearest bus route is EL2 with a bus stop on Choats Road, 700 metres walk away. The nearest train station is Dagenham Dock, which is approximately 1.2 kilometres away.

7 The site is designated as a strategic industrial location (SIL) in the London Plan.

## **Details of the proposal**

8 The proposal is to erect a series of four linked portal framed industrial buildings. The buildings will house waste reception and storage and a Material Recycling Facility (MRF) that will accept up to 75,000 tonnes per annum of mixed recyclables and residual waste.

9 Edwards Recycling currently operates from a site located on Gallions Close but due to organic growth has outgrown the current site. The applicant is proposing to transfer the MRF component of the business to the Perry Road site.

10 The site will accept waste materials from both the household and commercial and industrial sectors.

## **Case history**

11 On 2 December 2011 a pre application meeting was held at City Hall for a different scheme. The pre application meeting considered a proposal for 'management of 50,000 tonnes per annum of ferrous and non-ferrous metal waste and associated buildings.'

12 A pre application meeting has not been held for the current proposal however it is understood by GLA officers that the applicant has engaged in pre application meetings with Barking & Dagenham Council.

## Strategic planning issues and relevant policies and guidance

13 The relevant issues and corresponding policies are as follows:

- Waste *London Plan; Municipal Waste Management Strategy*
- Employment *London Plan; Land for Industry and Transport SPG*
- Urban design *London Plan*
- Inclusive Access *London Plan; Accessible London: achieving an inclusive environment SPG*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*
- Ambient noise *London Plan; the Mayor's Ambient Noise Strategy*
- Air Quality *London Plan; the Mayor's Air Quality Strategy*
- Transport *London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG*

14 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Barking & Dagenham Core Strategy (2010); the Borough Wide Development Policies DPD (2011); Site Specific Allocations (2010); and the London Plan (Consolidated with Alterations since 2011).

15 The following are also relevant material considerations:

- National Planning Policy Framework and the accompanying National Planning Practice Guidance.
- London Riverside Opportunity Area Planning Framework.
- Joint Waste Development Plan Document for the East London Waste Authority Boroughs (2012).
- City in the East (2016)

## Principle of development

### Waste

16 A significant amount of waste is transferred outside of London for treatment or disposal. The London Plan aims to ensure that as much of London's waste is managed within London as practicable, working towards managing the equivalent of 100% of London's waste within London by 2026. The Joint Waste DPD supports the London Plan and sets out a planning strategy to 2021 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.

17 The London Plan focuses on minimising the level of waste generated, increasing re-use, recycling and composting of waste and generating energy from non-recycled waste in order to divert waste arisings being managed by landfill. London Plan Policy 5.16 'Waste net self-sufficiency' aims to for London to better manage its waste in order to achieve both the greatest environmental benefit as well as net self-sufficiency. London Plan Policy 5.17 'Waste Capacity' recognises the need to increase waste processing capacity in London and Table 5.2 sets out each borough's waste apportionment and indicates that construction and industrial waste arisings for Barking & Dagenham will reach 231 tonnes per annum by 2036.

18 Policy 5.17 sets out specific criteria that waste management should be evaluated against including locational suitability, proximity to the waste source, nature of activity proposed, achieving high reuse and recycling performance, achieving positive carbon outcomes of waste treatment methods and technologies resulting in greenhouse gas savings, the environmental impact on surrounding areas, full transport and environmental impact of all collection, transfer and disposal movements. The London Plan provides support for developments that include a range of complementary waste facilities on a single site.

19 Policy W2 'Waste management capacity, apportionment and site allocation' of the Joint Waste DPD seeks to safeguard the capacity of existing waste management facilities listed in Schedule 1 of the DPD and encourages increased processing capacity of waste at these facilities. The site is listed in Schedule 1 of the Joint Waste DPD and has an annual permitted tonnage of 260,000. As the proposal is only intending to process 75,000 tonnes per annum, the Council should be satisfied that there is no lost processing capacity on the site that could negatively impact on Barking & Dagenham Council's ability to meet its waste apportionment. Compensatory provision for any lost waste capacity should be required.

20 Given the above, and that the site has operated as a waste facility in the past, the principle of development is supported and will help to achieve the London Plan aim of managing London's waste within London. Provided there will be no loss in capacity of waste managed at the site, the application is considered to be in accordance with London Plan policies 5.16 and 5.17.

#### Industrial land

21 The London Plan promotes a rigorous approach to industrial land management to ensure sufficient stock of land and premises is provided to meet the future needs of different types of industry and related uses in different parts of London, including good quality and affordable space. London Plan Policy 4.4 'Managing industrial land and premises' promotes an evidence based approach to reconcile demand and supply of industrial land through three types of location: SIL; locally significant industrial sites; and other industrial sites (non-designated).

22 The site is designated as a SIL and is situated within the Dagenham Dock/Rainham Employment Area which is listed as a preferred industrial location (PIL) in Annex 3 of the London plan. London Plan Policy 2.17 'Strategic industrial locations' seeks to promote, manage and protect SIL. The London Plan stipulates that a PIL site is particularly suitable for general industrial, light industrial, storage and distribution, waste management, recycling, some transport related functions, utilities, wholesale markets and other industrial activities. The London Riverside Opportunity Area Planning Framework (OAPF) identifies this area as retained SIL, and as a location into which heavier industrial uses can be relocated into from the Royal Docks and the western portion of the London Riverside Opportunity Area. The principle of providing a waste management facility on SIL land is supported.

#### Employment

23 The site is located within the London Riverside Opportunity Area. Policy 2.13 'Opportunity Areas and Intensification Areas' and Table A1.1 of the London Plan identifies the Opportunity Area for a minimum of 26,500 new homes and has an indicative employment capacity of 16,000. The London Riverside OAPF recognises that there is a good supply of land for redevelopment for housing and employment in the Opportunity Area.

24 The applicant has indicated that during the operation phase of the MRF will provide approximately 45 employees. The majority of these will be transferred from the existing site. Given the proposals potential to support and capture the benefits of waste recycling, contribute to the Mayor's recycling level targets and deliver the Mayor's waste policy and contribute to the land use strategy set out in the City in the East plan and the London Riverside OAPF, the proposals are considered to deliver London Plan employment policy.

## **Urban design**

25 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 7 which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and public realm. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (Policy 7.4).

26 The design is driven by the industrial function of the proposal. Provided the buildings are of a high quality, no strategic issues are raised with regards to urban design. The applicant's proposal to improve the streetscape of the two street frontages by widening and providing a planting scheme of native hedges and where possible, trees, is welcome. GLA officers are of the view that the design is appropriate for the type of development proposed. This scheme raises no strategic urban design issues.

## **Inclusive access**

27 The aim of London Plan Policy 7.2 'An Inclusive Environment' is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum). Inclusive design principles, if embedded into the development and design process from the outset, help to ensure that all of us, including older people, disabled and deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity.

28 Given the nature and scale of the application, the majority of the inclusive design standards are neither applicable nor relevant as the site is not open to the general public. The applicant will be providing two blue badge parking spaces, which is welcome. The proposal is in accordance with London Plan Policy 7.2.

## **Sustainable development**

### Energy

29 While the non-submission of an energy strategy is accepted in this instance given the nature of the development, the applicant should commit to install energy efficient lighting and include on-site renewables (such as solar PV) in accordance with London Plan Policy 5.2 'Minimising carbon dioxide emissions' and Policy 5.7 'Renewable energy'; which state that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

## **Air quality**

30 London Plan Policy 7.14 'Improving Air Quality' seeks to achieve reductions in pollutant emission and minimise public exposure to pollution. The site lies within an Air Quality Management Area (AQMA) for PM<sub>10</sub>.

31 The submitted documentation states that there will be no emission points from processing equipment on site. The waste material that will be treated on the site will not require pollution control abatement. It is also considered unlikely that the operation of the MRF will generate significant quantities of dust. All processes are to be conducted inside the proposed buildings, and dust extraction equipment will be installed where appropriate.

32 On the basis of the above information, the development proposals will not cause a detrimental impact on air quality and the development is considered to comply with London Plan Policy 7.14.

## **Noise**

33 London Plan Policy 7.15 relates to reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes. The policy seeks to reduce and manage noise to improve health and quality of life and support the objectives of the Mayor's Ambient Noise Strategy.

34 The applicant's Planning Statement notes that the site is within an existing industrial area and located near a highway network that creates background noise, which the proposal will not increase. Furthermore the distance to noise sensitive receptors will mean that the development will not cause a noise nuisance.

35 Given the above, the proposal is not considered to cause any significant adverse noise impacts. GLA officers are of the view that the proposal is in accordance with London Plan Policy 7.15.

## **Transport**

37 There is a previous consented use on the site, although the previous trip generation of the site has not been provided. Although the Transport Assessment considers that the anticipated number of deliveries and staff movements likely to be generated by the site will not have any material impact on either the TLRN or public transport networks, there may be impacts on local roads and access routes and junctions to the A13 and emerging development sites such as a secondary school at Renwick Road, which will need to be mitigated.

38 A Delivery and Servicing Plan (DSP) should be secured by condition, given that this forms the main function of the proposals, demonstrating how freight movements to and from the site will be managed. Heavy Goods Vehicles movements should be optimised to avoid the AM and PM peak hours to reduce highway impact on the TLRN and junctions and local roads. Membership of the Fleet Operators Recognition Scheme (FORS) is encouraged, which among other matters aims to improve awareness of cyclists by HGV drivers. The applicant proposes minor amendments to the entry point and should discuss with the Council if any adjustments are required to ensure vehicles can safely exit and enter the site, including the position of gates and details on how they will be operated. A Construction Logistics Plan (CLP) should also be secured by condition and include the cumulative impacts of construction traffic.

39 There will be fourteen car parking spaces on site, including two blue badge spaces which is in line with London Plan standards. In addition, two spaces should be provided with electric vehicle charging points (EVCP) and another one space for passive provision, which should be secured by condition. There will be seven cycle spaces provided, which is in line with London Plan standards. There will be a staff welfare facility within the site, that should offer changing, shower and storage facilities for staff to encourage use of sustainable modes.

40 Overall, TfL has no objections to the principle of the proposed development, and details of car parking, electric vehicle charging points, cycle parking, a Delivery Servicing Plan and Construction Logistics Plan should all be secured by condition.

## **Local planning authority's position**

41 It is understood by GLA officers that Barking & Dagenham Council is likely to report this application to its planning committee in May 2016.

## **Legal considerations**

42 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008, the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## **Financial considerations**

43 There are no financial considerations at this stage.

## **Conclusion**

44 London Plan policies on waste, industrial land, employment, urban design, inclusive access, sustainable development and transport are relevant to this application. In general the scheme is supported in strategic planning terms. However, further information and discussion, as stated below, is required to ensure the proposal complies with the London Plan:

- **Waste:** The development proposals have significant potential to support and capture the benefits of waste recycling, contribute to the Mayor's recycling level targets, while delivering the Mayor's waste policy. Provided there will be no loss in capacity of waste managed at the site, the application is considered to be in accordance with London Plan policies 5.16 and 5.17.
- **Industrial land:** The principle of providing a waste management facility on SIL land is supported. The application is in accordance with London Plan policies 2.17 and 4.4 and the London Riverside OAPF.
- **Employment:** The delivery of jobs and the consolidation of industrial uses on this site is supported and in line with the London Riverside OAPF.

- **Urban design:** There are no strategic urban design issues raised and the application is considered to be in accordance with London Plan policies.
- **Inclusive access:** There are no strategic inclusive access issues raised and the application is in accordance with London Plan Policy 7.2.
- **Sustainable development:** The applicant should commit to install energy efficient lighting and include on-site renewables (such as solar PV) in accordance with London Plan Policies 5.2 and 5.7.
- **Air quality:** The application is considered to be compliant with London Plan Policy 7.14.
- **Noise:** The application is considered to be compliant with London Plan Policy 7.15.
- **Transport:** Provided the Council secure conditions relating to car parking, electric vehicle charging points, cycle parking, a Delivery Servicing Plan and Construction Logistics Plan, the proposal is considered to be in accordance with London Plan policies.

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for further information, contact GLA Planning Unit (Development & Projects Team):

**Colin Wilson, Senior Manager – Development & Projects**

020 7983 4783 email [colin.wilson@london.gov.uk](mailto:colin.wilson@london.gov.uk)

**Justin Carr, Strategic Planning Manager (Development & Projects)**

020 7983 4895 email [justin.carr@london.gov.uk](mailto:justin.carr@london.gov.uk)

**Jessica Lintern, Senior Strategic Planner, Case Officer**

020 7983 4653 email [jessica.lintern@london.gov.uk](mailto:jessica.lintern@london.gov.uk)

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