LONDON THAMES GATEWAY DEVELOPMENT CORPORATION

PLANNING COMMITTEE MEETING: 09 August 2007

PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC

REPORT OF THE DIRECTOR OF PLANNING

UDC CASE NUMBER:	LTGDC-06-043-PP	**DATE MADE VALID:**	31/03/2006
APPLICATION NUMBER:	06/00641/LTGDC/LBNM	**TARGET DATE:**	

APPLICANT:	Cory Environmental
AGENT:	Cory Environmental
PROPOSAL:	Materials recycling facility (MRF) and container handling facility (This application is accompanied by a Environmental Written Statement)
LOCATION:	Plaistow and Peruvian Wharf North Woolwich Road Silvertown London

SUMMARY

1.1 This application was originally submitted at the end of March 2006 and Newham Council decided to put forward a refusal recommendation to the Corporation. At the request of the applicant, and upon consultation with the LTGDC, the Council decided to defer its recommendation to allow the applicant to address the recommended reasons of refusal. Revisions to the scheme and further information have been provided and consulted on.

1.2 The principle of a MRF and associated facilities on part of the safeguarded wharf has been the subject of much discussion and consideration. The Planning Committee in June 2006 considered a report regarding representations to be submitted to a public inquiry regarding a residential led mixed use scheme on the entire site - see Appendix 4, the “public inquiry”. The representations included support in principle for an aggregates facility on the safeguarded wharf and conditional permission subject to a S106 agreement was agreed at the June Planning Committee for such a use plus a cement plant on part of the safeguarded area. However the view was taken that a MRF on the site was inappropriate. This reflected the findings of a study carried out by URS on behalf of the Corporation into safeguarded wharves and uses on them – see Appendix 5 for the section of the study relating to Waste Operations and Wharf Requirements. The applicants along with the GLA and PLA consider that the application is in accordance with key planning policies, particularly those relating to safeguarded wharves.

1.3 Strong arguments have been put forward for both the granting and refusal of planning permission on the basis of planning policies. An important additional consideration is whether prematurity is also a justification for refusal given ongoing studies – both in terms of an assessment, as part of the LDF process, of how waste should be dealt with in the future in East London and also the Thameside West study. On balance it is recommended that permission should be refused for the reasons set out in Section 8 of this report.

SITE AND PROPOSAL

2.1 Peruvian Wharf is a large, cleared site fronting the River Thames and part of it (approximately 35%) adjacent to the Thames is a safeguarded wharf. The site is bordered by industrial uses to the east and the west with the DLR and North Woolwich Road to the north and Britannia Village being north of the road.

2.2 The full application, for the eastern half of the safeguarded site and which is accompanied by an Environmental Statement, is for a river served MRF, initially processing 50,000 tonnes of per annum on a one shift basis, with a maximum throughput of 150,000 tonnes operating over three shifts. Employment levels would start at 30 and potentially rise to 90 with three shifts. The proposals include a 5,617sq metre shed with offices/visitor centre, a weighbridge, on site storage, parking and a new access route to North Woolwich road which is to be shared with the proposed aggregates/ cement operation on the remainder of the safeguarded site. It is intended to bring recyclables, mainly by barge from the West London Waste Authority and from the City of London. These would then be separated and sent on to reprocessing outlets, with the residue going to land fill.

AMENDMENTS TO ENVIRONMENTAL STATEMENT

2.3 The amendments to the environmental statement do not result in significant changes of the layout of the site or the nature of the application. They focus on addressing the reasons for refusal as previously recommended by Newham. A statement has been prepared addressing the acceptability of an MRF in this location and the applicant has provided revisions to the flood risk and water resources assessments to address the concerns of the Environment Agency.

2.4 Included within the further information were appendices consisting of a waste policy statement, revised Flood Risk Assessment, ecological mitigation report, revised noise assessment, and a reconfiguration of the consented scheme on the non safeguarded part of the site to the rear of the application property.

MAIN ISSUES

3.1 There are a range of issues which still need to be examined following the revisions. The main issues are - the principle of the use of the land for a waste recycling facility and associated movement of vehicles, compliance with the various relevant policies, impact of the proposal on the local area and whether the proposal is premature in the light of ‘studies’ in the area.

RELEVANT SITE HISTORY

4.1 On 15th Feburary 2007 additional information was submitted setting out both amendments to the Environmental Statement and addressing Newham's recommended reasons for refusal June 2006. The reasons for refusal were as follows:

1. The proposal would result in an undue concentration of waste facilities in Newham and is contrary to the proximity principle contained in PPS10, policies 4A1,4A2,4A3 in the London Plan and policies EQ54 and EQ56 of the UDP, whereby waste should be dealt with locally if at all possible. The proposal would represent an unnecessary interim stage in the recycling process involving additional handling and the possibility of extended HGV journeys to reprocessing outlets, contrary to policies 3C16 and 3C24 of the London Plan and EQ54 of the UDP.

2. In conjunction with the adjacent application for an aggregates/concrete facility, the application would prejudice the redevelopment of the site to the rear and inhibit regeneration of part of the Thameside West area, contrary to policy 5.2 of the London Plan, EQ56 of the UDP and the intentions in the Royal Docks and Thameside West Action Area Plan Draft Preferred Options, which has completed its consultation stage.

3. In conjunction with the adjacent application for an aggregates/concrete facility the application would cause disturbance to amenities of local residents by virtue of night time traffic, dust and noise contrary to policy EQ45 of the UDP.

4. The applicant has not demonstrated how a 10% reduction in carbon emissions can be achieved contrary to policy 4A9 of the London Plan and policy EQ24 of the UDP.

4.2 The applicant has not satisfactorily addressed Environment Agency concerns regarding flood risk, the structural integrity of the river defences or adequate access for maintenance, contrary to policies 4C7 & 4C22 of the London Plan and EQ5 of the UDP. Moreover, the Environment Agency's requirement for a buffer zone between the flood walls and development compromises the application proposals.

4.3 The applicant has not satisfactorily provided details of pollution prevention measures or addressed the impact on ecology and the river corridor value contrary to policies 4C3 of the London Plan and EQ4 of the UDP.

4.4 It should also be noted that there is a consented scheme for a commercial development on the non safeguarded part of the site.

The Appeal

4.5 As the MRF application had been submitted to the Council at the time of the public inquiry, it formed a material consideration in the appeal. The Inspector's conclusions are set out at Appendix 6. These obviously relate to the residential led scheme for the overall site as well as the separate aggregate/ concrete and MRF proposals. He also refers to the URS study (Para.12.19). With regard to the MRF, key comments are at Paras.27-41, 61-65, 135-145 and 153.

Paras.12.27-41 particularly focus on locational critieria, both in terms of where the

waste comes from and where it might be sent to. Locating a MRF at Peruvian Wharf would have benefits and disbenefits and "assessing its sustainability in terms of distances to the sources of materials and eventual markets is a matter for the LTGDC, who have to decide whether to approve the application or not." (12.36). Later on, the Inspector comments on location being the third material consideration for the appeal and the argument that the operations would not be located near or convenient to the market areas for inputs or outputs, and whether there is cogent evidence that a MRF would be able to export its outputs by river, therefore reducing vehicle movement or vehicle miles travelled (12.61). The Inspector also comments on the fifth consideration as to whether there is ample capacity at other wharves for a MRF, and whether there is no compelling reason why a MRF could not be located elsewhere (12.64). This leads him to conclude, in respect of this particular consideration, that the arguments that the possibility of longer journeys by road to transport waste and the adverse visual effects on nearby land uses "do not amount to compelling reasons why a MRF should not be located at Peruvian Wharf" (12.65).

4.6 In terms of the Council's comments about the MRF development comprising an unnecessary interim stage, the Inspector also discussed this. It was noted that the Cory MRF would rely heavily on a landfill site downstream at Mucking which was originally due to close in 2007 but this period has been extended to 2010. This is a consequence of Cory gaining planning permission on appeal for a large incineration plant at Belvedere, construction of which has not yet commenced. The Inspector commented that there are better located wharves in proximity to the Belvedere site "which is specifically identified for such use in the Recycling and Recovery Facilities report, rather than incurring unnecessary additional handling costs unloading and reloading at a MRF located in between" (Para 12.144 of his report).

Thameside West Study

4.7 Prior to the public inquiry the Corporation along with the GLA, including Design for London, the LDA and the PLA had been working on a masterplan for the Thameside West area (from River Lea to Barrier Park) to consider how changes in land use, and in particular the use of up to 40% employment land for residential led schemes, could be accommodated along with the necessary social and community infrastructure. This work was then put on hold and is shortly to recommence. The URS study was commissioned as a means of helping to inform this process.

The URS Study

4.8 Appendix 5 of this report comprises Chapter 3 of the Study - Waste Operations and Wharf Requirements. This provides an overview of the substantial changes in EU and UK legislation and how these filter down into regional and local policy via the London Plan, including Alterations to the Plan and supporting documentation, and documents from the boroughs as waste authorities and under the LDF process. Included is an assessment of the different waste streams and how the various streams might be dealt with on a London wide basis. The point is made at the fifth paragraph on page 17 that multiple handling of materials and transporting between different sites not only impacts on local road networks but also disproportionately adds costs to the end material, often when it is at the lowest value in the supply chain.

4.9 Section 3.7 from Pages 19 to 21 looks at the potential for riparian waste shipments in Thameside West. It is concerned with the appropriateness or otherwise of Cory being located at Peruvian Wharf, drawing on public documents and URS'

consideration of the market. Reference is made to comments in the past by Cory when commenting on the Mayor's draft consultation on Safeguarding Wharves and the need for "substantial economies of scale" and their interest in sites east of Newham. URS focus on what they perceive to be the benefits of co-located waste recovery and recycling industries and identify the best site as being within the large Dagenham Dock Sustainable Business Park.

4.10 The conclusion within the Summary at Page 22 is that the "application for a ..MRF at Peruvian Wharf as part of this readjustment (of waste management) is not in our view sustainable, either economically or environmentally."

5. CONSULTATIONS/NOTIFICATIONS

5.1 Notification letters advising of the further information provided were sent to all statutory consultees, relevant Newham departments and others who had commented originally.

Name of Consultee
External
Commission for Architecture and the Built Environment
Dockland Light Railway
Environment Agency
Greater London Authority
Health and Safety Executive
LB Greenwich Property & Design
London City Airport Ltd
London Thames Gateway DC
Port of London Authority
Thames Water Authority
English Nature
English Heritage
London Development Agency

5.2 LB Newham
Building Control Service
Environmental Health
Forward Planning and Transportation
Canning Town Regeneration Project team

NEWHAM POST COMMITTEE COMMENTS

Newham's Development Control Committee on the 9th May 2007 agreed that the recommendation to the LTGDC should still be that the application be refused. The reasons being:

1. The proposal would result in an undue concentration of waste facilities in Newham and is contrary to the proximity principle contained in PPS10, Policies 4A1, 4A2 and 4A3 in the London Plan and Policies EQ54 and 56 of the UDP, whereby waste should be dealt with locally if at all possible. The proposal would represent an unnecessary interim stage in the recycling process involving additional handling and the possibility of extended HGV journeys to reprocessing outlets, contrary to Policies 3C16 and 3C24 of the London Plan and Policy EQ54 of the UDP.

2. Neither the original not the revised environmental statement addresses any pollution control measures in relation to odour as the recyclable materials to be sorted on site are likely to include odorous material, it is likely that the development would cause disturbance to amenities of local residents by virtue of odour contrary to Policy EQ45 of the UDP.

3. The applicant has not demonstrated how a 10% reduction in carbon emissions can be achieved contrary to Policy 4A9 of the London Plan and Policy EQ24 of the UDP.

APPLICATION PUBLICITY

Site Notice Expiry: 24/05/2006

Press Notice Expiry: 24/05/2006

Cory also placed an advertisement in the local press and on site following the revisions to the Environmental Statement.

Neighbour Notification: Three properties that commented on the first application were consulted. As with the application for the aggregates/concrete facility on the adjacent site, representations from individuals in the area and from local organisations have bene received as ot inadequate consultation. However they have had the opportunity to comment on the scheme before the Committee – see section below under “Residents”.

REPRESENTATIONS

External

GLA - Comments were received last year following a Stage One report at the time of the original application and are still applicable:

The proposals accord with the London Plan objectives relating to regional self-sufficiency. The applicants use high quality materials and ladnscaping, and address sustainable energy use and design.

The key strategic issues relating to the application include safeguarded wharves, freight and aggregates, employment location, design, renewable energy, noise, air quality, biodiversity and transport.

Environment Agency - Objection removed - Conditions recommended include a survey of the existing river wall.

English Heritage – If permission is granted need condition regarding archaeological investigation

Docklands Light Railway - The new London Airport DLR link across the top of the Peruvian Wharf site, and it is unclear as to whether this MRF will access below DLR’s viaduct. A condition is recommended to address this matter

London City Airport - No objections on airport safety grounds. However object on impact of the use, including traffic generation, on the regeneration plans for the

Royal Docks and Thameside West areas. The Mayor's London Plan identifes Peruvian Wharf as capable of delivering 500,000 tonnes of aggregates and that has been met by the recent agreement to grant planning permisison for AI. Therefore do not believe that the MRF is suitable on this site.

Port of London Authority – Application is fully supported as satisfies national, London and local policy and brings safeguarded wharf back into use. No navigational concerns. Compatible with nearby industry

Thames Water – Need to be satisfied that no adverse impact on sewer or surface water drainage. Also, if permission to be granted request a condition to ensure adequate water supplies can be provided

LB Newham

Environmental Health - Refuse handling operations have the potential to cause offensive odour. This was not addressed in the Environmental Statement. Subsequently accepted that this is not an issue

Forward Planning – Proposal is contrary to proximity principles; would have adverse environmental impact on surrounding area; would undermine the Council's regeneration objectives (Policies EQ 55 and 56 of the UDP); as Joint Waste Development Plan Document (DPD) is at early stages can not yet confirm whether this site is appriopriate for waste facilities; a MRF could prejudice emerging proposals as part of the AAP process for significant residential, community and open space facilities in Thameside West area

Transportation - The LINSIG modelling combines the two sites. LINSIG modelling should be undertaken for the individual sites in order to assess the impact of each proposal on the road network. The changes to the modelling referred to by Transportation previously will need to be applied, i.e. growth factors, future year assessments, future capacity of the plant etc.

Residents

West Silvertown Community Village Foundation – Object because of industrial traffic on local roads, noise, dust, odour, pollution and visual intrusion and overall negative impact on regeneration of the area
Bridges Community Project, Royal Docks Community Church, 2 residents - Concern regarding the impact on local residents and local school in Britannia Village. Unattractive, increase in lorries, no management of odour, noise, vibration and general air pollution. Site should be used for new housing and related facilities.

Other
Capital and Provident Management Ltd (applicant for appeal site to rear) - The application should be refused – see Appendix 7. Further comments are that the Waste Policy Statement provided does not provide sufficient justification regarding the suitability of the site. The applicant has responded to these comments as well as providing some additional information and commenting on Newham's recommended reasons for refusal – see Appendix 8.

Royal Docks Partnership – On behalf of the business members of the Partnership have various concerns. Provision of a MRF is contrary to the proximity principle in the London Plan; seems likely that most of the onward movmeent of sorted waste will be by road; Newham should not have to cope with significant amounts of waste

not generated by the ELWA boroughs and suggestion by Cory that the MRF could deal with Newham's commercial recyclables is misleading as ELWA has capacity at least in the short term; not convinced that other sites nearer to Belvedere have been properly explored; aware that local community opposed because of impact on regeneration of the area; the Corporation needs to work with Newham to clarify planning process for Thameside West as danger of area being developed piecemeal. Therefore the Corporation is urged to decline the application.

Tate and Lyle – Serious concerns as to the impact on their "high grade food facility" in terms of odour, contamination and control of pests and birds and would need to be satisfied that Cory would be able at all times to address these concerns effectively.

RELEVANT PLANNING POLICY

Planning Policy Guidance
- PPS10 (2005) Sustainable waste management
- PPG13 (2001) Sustainable transport
- PPS23 (2004) Pollution control
- Waste Strategy (2000) Minimisation, reuse, recycling targets

The London Plan (Feb 2004)
- 2A4 Area for regeneration
- 3C16 Tackling congestion and reducing traffic
- 3C20 Walking
- 3C21 Cycling
- 3C24 Freight strategy
- 4A1 Waste strategic policy and targets.
- 4A2 Spatial policies for waste management
- 4A3 Criteria for selection of sites for waste management and disposal.
- 4A6 Improving air quality
- 4A9 Renewable energy
- 4B6 Sustainable design and construction
- 4C3 The natural value of the Blue Ribbon Network
- 4C7 Flood defences
- 4C8 Sustainable drainage
- 4C12 Sustainable priorities for Blue Ribbon Network
- 4C14 Freight uses on the Blue Ribbon Network
- 4C15 Safeguarded wharves
- 4C17 Increasing pedestrian access along and to the Blue Ribbon Network
- 4C20 High quality of design for waterside development
- 4C23 Safety on and near the blue ribbon network
- 4C27 Green industries along the Thames.
- Section 5C East London and the Thames Gateway

LB Newham UDP & LDF
- EQ1 Waterway improvements
- EQ2 Waterside access
- EQ3 Waterside commercial development
- EQ4 Quality of waterside development
- EQ5 Waterway structures
- EQ19 Urban design considerations
- EQ21 New development landscaping
- EQ24 Energy efficiency

EQ25 Access
EQ43 Archaeological area of investigation
EQ45 Pollution
EQ46 Air quality management
EQ47 Noise impact statement
EQ49 Contaminated land assessment
EQ54 Promoting Sustainable waste management
EQ55 Safeguarding suitable waste management sites
EQ56 Criteria for applications for waste management facilities
EQ61 Recycling
EQ63 Surface water disposal
EQ 64 Tidal defences
EMP4 Principal employment areas: preferred uses
T121 Public transport accessibility
T15 Parking standards
T22 Public access to the Thames
T24 Cycle parking
T26 Motorcycle parking
Proposals:
PE16 Principle employment areas
122 Safeguarded wharf
Part of Arc of Opportunity

Other Relevant Planning Policies & SPG's

GLA - Rethinking rubbish – the Mayor's Municipal Waste Management Strategy (2003)
Policies 1 &3 - increased recycling targets
Policy 7 Regional self sufficiency within robust recycling infrastructure
Policy 33 Support for reprocessing industries
Policy 39 Minimise the environmental impact of collection and transportation of recyclables
Policy 40 - Sustainable modes of transport

GLA - Safeguarded Wharves on the River Thames, London Implementation Report (2005)
Peruvian wharf protected by safeguarded wharves direction
Policy 4C24 – viability assessment

GLA - Consultation Draft Alterations to London Plan
3. Strategic recycling facilities for London Borough of Newham
4. Broad locations for facilities
4. A2 Spatial policies waste management
4. A3 Criteria for selection of sites

LB Newham - Draft Core Strategy Preferred Options Stage
5.7 Peruvian Wharf identified for housing

LB Newham - Royal Docks and Thameside West Area Action Plan Draft Preferred Options Stage
2.15 Safeguarding of wharf facilities
4.13 Proposals for 40% release of industrial land supply for housing

LB Newham – Joint Waste Development Plan Document (DPD): Building the Evidence Base and Identifying Issues and Options (April 2007)

6. ASSESSMENT OF MAIN ISSUES

6.1 The applicants have provided further information following a meeting and to address the reasons for refusal recommended by Newham and in response to comments from the agents for the Capital and Provident, the owners of the overall site.

6.2 Whilst the objections of the Environment Agency have been addressed and concerns from Newham's Environmental Health Officer satisfied, the principle of a MRF being provided on part of this safeguarded wharf remains contentious for several reasons. These include the absence of any certainty that businesses to recycle the sorted refuse are based in the London Thames Gateway area and secondly the extent of onward movements by road as opposed to by river.

6.3 Newham's view is that it is still unable to support the principle of the development of this site, as the proposed use in this particular location is distant from both the source and end user, is without connections to the borough, and appears to involve an unnecessary stage which could be better accommodated at another wharf in proximity to the Belvedere site. The Borough also considers that this argument is in part supported by the Planning Inspector at the recent appeal on the site.

6.4 Additionally, the development does not accord with the proximity principle set out under PPS10 – being that recyclables should be separated as close to the source of collection as possible and communities should take more responsibility for their own waste. This MRF would be divorced from the area where the waste is collected (west London) and therefore is still considered to be unacceptable. The Borough also supports the stance taken in the Wharves Report commissioned by the LTGDC. This specifically refers to the MRF application, with URS advising that in their view, the use would not be sustainable 'either economically or environmentally. It should be located either next to the proposed (now approved) Energy from Waste plant at Belvedere or at the Dagenham Sustainable Industrial Park, still served by the river in both cases.'

6.5 The main points of DP9 submissions, as set out at Appendix 7, and that are considered to still apply following the additional information, are summarised as follows.

- With regard to Waste Policy, apportionment of waste by borough should be measured by tonnage and not area of land. Therefore the applicant does not adequately address links between waste sources and end users and proximity of other facilities either already developed or being developed in the ELWA area
- It is more sensible to locate a MRF at either Walbrook Wharf or at Belvedere
- The application will affect the regeneration of the area and there is a failure to assess the proposal against key regeneration policies
- There is not a proper assessment as to the principles of regional self-sufficiency or proximity and related planning policies at both regional and local level
- Absence of riparian end users

6.6 The applicants have provided additional information in support of the application and arguments against Newham's stance and representations from DP9, as set out at Appendix 8. These can be summarised as follows.

- There is no land available at Belvedere for a MRF (although previously it was considered that there would be)

- For contractual reasons they can not provide details of reprocessors but do list the many products involved
- A supply of recyclates has to be established before any specific links for riparian facilities can be considered but willing "to undertake to use reasonable endeavours to secure river transport of goods"
- The use of Peruvian Wharf is considered to satisfy the proximity principle in PPS10 and they seek to support this in the comments from the Inspector who recommended the Belvedere plant
- The Waste Policy Statement prepared by the GLA offers strong support for their proposals and it is wrong to describe the materials sorting as an "unnecessary interim stage". A MRF is an integral part of the recycling chain
- A MRF in this location will not affect the regeneration potential of the area
- There are no other readily available sites along the river
- It is rarely feasible to co-locate a MRF with either the source of waste or final reprocessing plants
- Odour is not an issue
- 10% reduction in carbon emissions can be dealt with by a condition
- The MRF will have the capacity to serve local markets in Newham
- Cory were not consulted on the URS study and believe that the views as to the sustainability of the site as a MRF are incorrect and "serious at odds with the policy context and need for waste management facilities in London". Also "London is greatly in need of additional recycling capacity and the ability to locate such a facility at a safeguarded wharf is crucial to ensuring sustainable transport for waste." (At Page 19 of the extract from the URS study reference is made in the first paragraph to the fact that Cory declined to be directly involved because of their involvement in the public inquiry. This was accepted as reasonable and conclusions were drawn from public documents and URS' interpretation of the market)
- With regard to the Inspector's report a number of conclusions support their proposal. There is an overwhelming need for recycling capacity in London and this should include river served locations – "by using the river to transfer material both to and from a location there will be a corresponding reduction in road based freight." The Mayor of London and Cory do not believe that "the immediate lack of riparian reprocessing facilities should create a barrier to the development of river served recycling facilities."

6.7 The relevant GLA and UDP policies were the subject of much debate and analysis at the public inquiry and in the Inspector's report as well as being considered in the URS report. A more recent document which also merits consideration is the "Joint Waste DPD for East London – Building the Evidence Base and Identifying Issues and Options". This was published for comment in April 2007 by the four East London Waste Authority (ELWA) boroughs – Newham, Redbridge, Barking and Dagenham and Havering under the LDF process. The purpose of the DPD is to set out a planning strategy to 2020 for sustainable waste management facilities (including disposal) in appropriate locations for all waste streams. As the title suggests this is the first stage of several and four key steps are identified for developing the Issues and Options – how much waste will be needed to be managed in 2020, what facilities will be need to manage that amount of waste, how much land will be needed and where should new facilities be located. This document set out the evidence base, baseline data, projections and reasons for options. The options are also considered on the basis of two targets – meeting current national/regional targets and meeting the suggested higher targets as reflected in Further Alterations to the London Plan. With regard to the location of facilities this document only identifies broad opportunity areas within the ELWA area and a detailed investigation of potential sites will be part of the next stage once

comments received during the consultation (which closed on 4th June) have been analysed and further investigations and discussions with various stakeholders have occurred.

6.8 Planning Policy Statement 1 (PPS1) states that in some circumstances it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared but it has not yet been adopted. This is the case here, especially as locations will be addressed in the next stage of the DPD. PPS1 states that this will apply where the development is substantial or its cumulative effect would be so significant in predetermining scale, location or phasing of new development. Again, this is the case here. The determination of this application now would have effects including to pre-empt the consideration of recently closed consultations, locational considerations, identification of amounts of waste that need to be addressed and meeting higher targets in the London Plan.

6.9 The Corporation is also progressing the concept of a Sustainable Industrial Park (SIP) at South Dagenham extending to the Thames. This includes an assessment of what types of businesses involved in recycling/processing activities can be accommodated on land mainly owned by the LDA plus proposed site acquisitions by the Corporation. There is an obvious potential to consider where a MRF operation would fit into such a concept.

7. CONCLUSIONS

7.1 At the time of the public inquiry into the appeal for the residential led scheme for the entire Peruvian Wharf site, representations were made on behalf of the Corporation to the Inspector, as set out at Appendix 4 of this report. Whilst dismissing the appeal the Inspector did accept that there were issues around the proposed MRF on part of the safeguarded wharf site on which the Corporation would have to come to a view on and that the case was not as straightforward as for an aggregates/cement facility. The applicants, the GLA and the PLA believe a MRF is appropriate whilst LB Newham, agents for the site owners, some significant businesses and local residents believe the opposite and views have been set out in some detail in this report.

7.2 A key consideration is not just the fact that the Thames can be used to bring refuse to the site but that there is no certainty, let alone guarantee, that any of the many and varied materials capable of recycling will be moved on by water. Indeed, the applicants suggest that there are no other readily available sites along the river, which affects end users of recyclates too. A commitment by the applicants “to undertake to use reasonable endeavours to secure river transport of materials” is not considered to be acceptable. This links into principles of proximity and providing a MRF close to, or in conjunction with, processing facilities to provide an end product.

7.3 Another key, and recent, consideration is that additional and more specific locational assessments are to be carried out as part of the next stage of the Joint Waste DPD for ELWA. To grant permission pursuant to this application would be premature given the need for the DPD to advance further.

7.4 There is also the fact that the Thameside West study is to be progressed which will include a consideration of where wharf capacity and associated uses might best be located. The work on the South Dagenham SIP also is of relevance.

7.5 It is concluded that on balance, and on the basis of this section and Section 6 of the

report, that refusal of permission is justified and the reasons are set out below.

8. RECOMMENDATION AND REASONS FOR REFUSAL

8.1 The Committee is recommended to refuse the application for the following reasons:

8.1.1The proposal is considered to be premature pending the next stage of the Joint Waste DPD for East London in that it could prejudice the consideration of the location of waste and associated recyclate facilities including conclusions as to the amount of waste involved and how that waste should be dealt, as well as the outcome of the Thameside West study and the South Dagenham SIP work.

8.1.2 The proposal would result in an undue concentration of waste facilities in LB Newham and is contrary to the proximity principle contained in PPS10, Policies 4A.2 and 4A.3 in the London Plan and Policies EQ54 and EQ56 of the UDP

8.1.3 The proposal would represent an unnecessary interim stage in the recycling process involving significant lorry movements through the borough and onwards to reprocessing outlets, contrary to Policies 3C16 and 3C24 of the London Plan and EQ54 of the UDP.

8.1.4 The proposal would adversely affect the amenity of residents of the surrounding area by virtue of noise and disturbance from the movement of lorries contrary to Policy 4A.3 of the London Plan and Policy EQ45 of the UDP.

CASE OFFICER: Peter Minoletti

Appendix 1: Site Location Plan

Appendix 2: Proposed Site Layout Plan

Appendix 3: Joint Site Plan and Elevation (Cory and AI)

Appendix 4: LTGDC representations to Public Inquiry

Appendix 5: Extract from URS study relating to waste operations and wharf requirements

Appendix 6: Conclusions from Inspector's report on Public Inquiry

Appendix 7: Representations from DP9

Appendix 8: Representations from Cory