PART B
MAJOR APPLICATIONS RECOMMENDED FOR REFUSAL

PLAN NO. 11/01715/FULMEA
FORMER NUFARM UK LTD, CRABTREE MANORWAY NORTH, BELVEDERE

Redevelopment of site and erection of a material recycling facility and energy generation facility, incorporating a gatehouse, double weighbridge, ancillary external plant and equipment, a flue stack, air cooling units and silos, associated access, parking and landscaping

APPLICANTS – Burts Wharf Resource Park Ltd & Standard Life Investment

SUMMARY
The main issues for consideration of the proposal is whether there is a need for this type of facility, given London Plan waste apportionment targets for the Borough and South East London Borough’s SELB identified surplus waste capacity, Highway and Design considerations, air quality and noise considerations and efficiency of the proposed technology, and whether it will assist in London Plan and Core Strategy aspirations of establishing a decentralised local heat network in the Belvedere Employment Area.

REASONS FOR RECOMMENDATION
The applicant has failed to demonstrate that there is a strategic need for an additional waste management facility in the Borough, and failed to submit sufficient information on matters such as the efficiency of the technology, whether an appropriate site selection search was undertaken, and where the waste will come from within the local area.

NOTE
This summary is not intended to be a comprehensive review of all the issues in relation to this application.

DESCRIPTION OF SITE AND SURROUNDINGS
The site is the former Nufarm Agro chemicals site, which is situated on the western side of Crabtree Manorway North opposite the junction with Fishers Way with a site area in the order of 4.88ha. The main access to the site is gained from Crabtree Manorway North which abuts the eastern boundary of the site. To the north of the site is the site known locally as the former Burt Boulton Holdings site which has been subdivided over the years to contain a variety of small industrial and commercial activities both on open sites and within small to medium sized buildings. The western boundary of the site which follows the extent of the former Nufarm Site curves out to the west as it moves southwards as it extends to the widest point at approximately two thirds of the way down from the northern boundary to the south western extreme of the
site. The final third of the western boundary then curves back to the east to meet the southern boundary of the site. The southern boundary is marked by a fence that runs perpendicular to Crabtree Manorway North.

PROPOSAL

Planning permission is sought for the development and operation of the site to include a material recycling facility and energy generation facility, with associated means of access, gatehouse and double weighbridge, ancillary external plant and equipment, flue stack, air cooling units, silos, car parking, landscaping and associated works.

The site will have a throughput capacity of 140,000 tonnes of waste residual materials per annum.

The proposed building would be constructed with a minimum floor level of 1.88m above datum and will have overall dimensions of 190.6 metres in length, 119 metres in width and a maximum roof height of 17 metres to ridge and 13.5 metres to eaves. The main building will be clad in profile metal cladding in keeping with the buildings in the Belvedere Industrial Area. Where practical the applicant has sought to use the design and appearance of the current extant warehouse consent on the site

The proposed Burts Wharf Resource Park (BWRP) building will consist of the following materials:

- Contemporary materials and colours to be used with metallic silver and light greys to provide a clean and simple aesthetic appearance;

- Material specification and finishes will include the following:
  
  (i) Walls to be profiled cladding with the upper cladding to be Oyster White (RAL 1013) and the lower cladding to be Kronos.
  (ii) Infill panels to be Metallic Silver (RAL 9006).
  (iii) Feature panels to be smooth cladding finished in Black Gloss (RAL9005).
  (iv) Roof to be profiled cladding finished in Goosewing Grey (RAL7038).
  (v) Personnel doors to be painted Dark Grey (RAL7011).
  (vi) Door and window frames to be Dark Grey (RAL7011).
  (vii) Roller shutter doors to be silver finish.
  (viii) Flue stack to be galvanised silver finish.
  (ix) Silos and storage tanks to be finished in Goosewing Grey (RAL7038).
  (x) Black glazed photovoltaic panels.

Whilst the approved warehouse design featured vertical glazed panels to break down the overall mass of the building, due to operational reasons and to reduce the potential acoustics impact, the glazed panels will be replaced with black gloss cladding on the BWRP building.
The flue stack will be the most prominent feature on the BWRP site and will stand 65 metres above the ground. The flue stack will be a galvanised silver steel finish, and if necessary, red aviation warning lights will be installed at the top of the structure.

The proposed building will consist of the following elements/processes:-

**Materials Recycling facility (MRF)** – The segregating and sorting of recyclable materials from waste comprising a reception area, feed hopper, conveyors, picking station, ferrous/non ferrous metals separator, baler and recyclate storage area.

**Energy Generation Facility (EGF)** - This will compromise of the majority of the plant and energy generation equipment within the building consisting of five ‘trains’ of primary gasification chambers (four chambers per train), secondary chambers, covered conveyor/storage area for ash removal, flue gas treatment equipment, power generation area (combined and heat power unit/turbine).

**Waste Reception Tipping area** – this area will have a series of tipping and storage bays for the waste materials, located around the perimeter walls of the southern part of the building interior. Access to the BWRP will be through individual fast acting roller shutter doors (5 No.). All waste material will be unloaded, stored and processed inside the building.

**Flue stack** – This will comprise of five internal flues surrounded by a wind shield (giving the appearance of a 'single stack') extending to 65m high, with a maximum elevation height of 67m AOD. This will be located along the northern elevation of the building, to the west of the cooling module units.

**Cooling Modules** - these air cooled units will be located externally, along the northern elevation of the BWRP. The condenser units will be located to the right of the flue stack, will consist of 18 units, with an overall dimension of 19.4m x 43.4m x 10m high.

**Boiler house/CHP room** - this will form part of the Energy Generation Facility and will have connection to an underground pipe to allow for the future export of CHP offsite.

**Office (2 floors)** – two storey office incorporating an internal viewing gallery of the Waste Reception and Energy Generation Facility. Welfare, educational and visitor facilities are also included. The offices will form part of the overall BWRP building located adjacent to Crabtree Manorway North, and will be served by a separate vehicle and pedestrian access.

In addition the external site areas will include:-

- two weighbridges and gatehouse;
- commercial vehicle site entrance and manoeuvring area;
- 2.4m high Palisade galvanised boundary fence;
- car parking spaces with disabled user bays;
- covered cycle shelter provision and motorcycle parking area;
boundary treatment and landscaping;
permeable/non-permeable surfacing and a Sustainable Urban Drainage System (SUDS); and
external area for lime and sodium bicarbonate silos, diesel tank and generator, transformer and ancillary units.

The applicant has indicated that the development will provide a minimum of 44 permanent and shift based jobs as well as jobs within the construction phase of the development. Indirect employment off-site would also arise from the development.

The building would normally operate on a 24 hour 7 days a week basis throughout the year. The waste delivery times via HGVs and rigid/articulated HGVs would be limited to between 07.00 hours and 22.00 hours Mondays to Fridays and 07.00 and 17.00 hours on Saturdays.

The applicant has also indicated that subject to the granting of planning permission, the construction progress for the facility will be approximately 12 – 15 months with a further 6 – 12 months to undertake the internal “fit out “ and complete the commissioning phase.

CONSULTATIONS

Highway Authority: The application site is located on the west side of Crabtree Manorway North opposite the junction with Fishers Way. The existing site is an area of vacant land which formerly accommodated an industrial complex now demolished.

Crabtree Manorway North forms a roundabout junction to the south with Anderson Way, Crabtree Manorway South and Mulberry Way. Anderson Way forms the main access road into this industrial area and is linked to the main highway network, the A2016, via a roundabout junction with Picardy Manorway and Bronze Age Way. A secondary means of access is also available via the Church Manorway link road which connects Church Manorway with Mulberry Way.

Although there are bus stops serving routes 180 and 401 within a reasonable walking distance of the site and Belvedere Station is located 1.3km walking distance to the southeast, the application site has a PTAL score of 1b when evaluated using Transport for London’s methodology. This is described as a very poor level of public transport accessibility.

The proposals are for the redevelopment of the site to provide a material recycling facility (MRF) and an energy generation facility (EGF). The MRF would have a capacity for 40,000 tonnes per annum and the EGF a capacity of 100,000 tonnes per annum, comprising 80,000 tonnes of delivered materials and 20,000 tonnes of residual material from the MRF.
The proposed operations would take place on a 24 hours per day, 7 days per week basis with HGV waste deliveries being limited to 7am to 10pm Monday to Friday and 7am to 5pm on Saturdays only, employing a total of 44 staff.

There would be two vehicular accesses to the site off Crabtree Manorway North. The first will be located in the south east corner of the site and will be used by lorries. The second access, located on the northeast corner will be used for the main car park and pedestrian access to the site. The accesses are acceptable in terms of geometry and visibility.

There is an extant planning permission for the site which comprises of 22,483m² B2/B8 warehousing and 743m² of ancillary office space. 195 car and 61 lorry parking spaces were to be provided.

A Transport Assessment (TA) which supported this earlier application included an assessment of the likely impact of the development proposals on the roundabout junctions in either end of Anderson Way including the main A2016 junction. A 12 hour classified traffic count was undertaken at this junction in June 2010 to establish the baseline traffic figures.

The predicted traffic generated was calculated using published trip rate data from industry standard databases. Although there was no end user for this scheme the assumptions adopted were considered to be reasonable.

The TA suggested the earlier redevelopment proposals would generate a total of 193 and 137 two way vehicle movements for the AM and PM peaks respectively. No allowance was made for the former site uses. The network assessments and the subsequent conclusions were therefore considered robust.

The TA considered the impact of the recent opening of the Church Manorway link road and the construction of committed developments in this area, such as the former Pirelli works, in a sensitivity test. The results of the computer modelling indicated that this junction would operate within capacity, for all scenarios, with only very marginal increases in delays.

The current applicant suggests that these current proposals would generate approximately 110 lorry movements per day and a maximum of 88 car trips by staff which is considerably lower than those predicted for the extant scheme.

It has not therefore been necessary to produce a further full Transport Assessment in support of the current proposals and a Transport Statement (TS) has been provided at Chapter 8 of the Environmental Statement, which the Highway Authority considers to be satisfactory.

The provision of 68 car parking spaces for 44 staff would appear to be generous but accords with both UDP and London Plan maximum car parking standards based upon
the proposed floor area of the redevelopment and is therefore considered to be satisfactory in this location with very poor PTAL.

The ES also includes a draft Travel Plan which is broadly acceptable but will need to be amended to reflect the actual numbers of proposed staff before it becomes a fully operable document.

The applicant has provided vehicle tracking analyses that show how vehicles enter the site, deposit their loads and leave in a forward direction and also how vehicles used to distribute materials to various locations within the site.

The Highway Authority has no objections to the proposals subject to the imposition of conditions in respect of the site access and egress arrangements, car parking, manoeuvring spaces for all vehicles and the provision of a Travel Plan.

**Environmental Health:** The applicant was requested to consider the potential noise, ground contamination and air quality impacts of the proposal and appointed specialist consultants to undertake appropriate assessments. Officers from this Department were involved in the consultation process and provided relevant guidance to agree acceptable methodologies at the pre-application stage.

1. **Potential Noise impacts**
   Noise and vibration associated with construction and 24 hour operation of the development to be examined and compared with existing standards and guidance criteria.

2. **Ground Conditions**
   Assessment of the levels of existing soil contamination and ground gas and appropriate remediation strategies as necessary.

3. **Air quality**
   Review of the area air quality data and consideration of the impact of the proposed development, during construction and operation and incorporating cumulative effects from other significant emission sources locally, in light of local authority and central government policies to improve ambient air quality.
   The resulting observations from Environmental Health are as follows:

**1.0 Noise Impacts**
An acoustic assessment in accordance with relevant standards and guidance was undertaken by Vibrock, acting as consultants for the applicant, to determine the potential noise and vibration during construction and residual noise impacts from the operation of the proposed plant, (provided in Report CY1069/ES).

**1.1 Construction Noise/Vibration**
Existing background noise levels were monitored at four representative sensitive locations closest to the site. Construction noise predictions used the worst-case noise situations and assumptions, most likely overestimating the predicted noise potential at
the nearest residential properties. Piling will generate high noise levels, however this
and other noisy activities, such as use of cement lorries, excavators, compressors etc.,
will not last for a considerable time. The assessment during construction identified that
the worst case predicted noise levels do not exceed the proposed criterion for
construction given in BS 5228-1 2009 Code of Practice. Given the distance to the
nearest sensitive residential receptors vibration from piling may be bordering on
perceptible, but well within the set limits for continuous vibration according to BS5228-2
2009.

However, should permission be granted, a condition should be attached to suitably
control the proposed hours of construction.

1.2 Operational and Delivery Noise
Whilst the proposed plant will operate the gasification process 24 hours a day, 7 days a
week, the delivery of materials, sorting and processing of the waste and removal of
residual waste will be confined to daytime hours only (07:00-23:00 hours). During
these daytime hours noise from the operation of the plant was assessed against
general background noise levels and found at worst to be of marginal significance at
one receptor position. The main source of noise is highway traffic. During the night time
noise from activities were assessed as being less than current background noise levels
and thus of less than marginal significance.

2.0 Ground Conditions
Attention is drawn to the response from the Contaminated Land Officer, on 21.11.2011
( Remediation works are being carried out at present but these are incomplete and the
applicant will have to ensure they are suitable for the proposed development as well as
carry out any additional works that may be required) to be verified prior to any
development being undertaken.

3.0 Air Quality
Consultants (GF Environmental Ltd), acting for the applicant, have submitted a report
into atmospheric dispersion modelling of the emissions from the proposed waste to
energy plant. This assessment included potential air quality impacts associated with the
development proposals during the construction phase and subsequent plant operation,
with reference to existing local air quality, relevant legislation and guidance. Should
planning permission be granted for the plant any local air quality impacts arising from
construction would be under the control of the LA.

3.1 Construction implications
The impact of dust and exhaust emissions arising from construction can be mitigated
via best practice control measures. The applicant has advised that all construction
workers would adhere to the considerate construction scheme. To minimise any
adverse effects, should permission be granted, a suitably worded condition should be
attached to ensure the impacts of construction are effectively controlled by
implementation of industry best practice measures.

3.2 Daily Operational Controls
All emissions resulting from the daily operation of the plant would be required to comply with the Waste Incineration Directive (WID) and all operating conditions set down in an Environmental Permit issued by the Environment Agency (EA), under the terms of the Environmental Permitting Regulations 2010. The EA permit will set out environmental standards for the operation of the plant, controlling all emissions to atmosphere and environmental performance requirements. The permit may be revoked by the EA if the facilities, once built, should fail to meet these requirements.

Detailed atmospheric dispersion modelling was undertaken for normal operating conditions, with the five waste gasification lines at maximum output discharging to atmosphere via the proposed 65 metre high stack. In addition a worst case assessment was made of the potential impact on the health of local residents resulting from exposure to pollutants released during a controlled rapid shutdown procedure for two of the five waste gasification lines. These emissions would bypass the air pollution control system and discharge via the bypass vent, a scenario which could persist for a maximum of four hours. The influence from adjacent structures on the dispersion of the plume and the consequential set of worst-case predictions were also included in the modelling.

The assessment included all the pollutants designated by the EC Waste Incineration Directive (WID) for which the proposed plant would be regulated by the Environment Agency should it becomes operational. The modelling predicted that the plant process contributions for all WID pollutants, would be well below the relevant objective limits defined within both the Air Quality Regulations and Environmental Assessment Levels in Environment Agency Guidance.

All of Bexley is an Air Quality Management Area (AQMA) for nitrogen dioxide (NO₂) and particulates (PM10). Modelling identified that, taking the worst case scenario, at some locations the emissions of nitrogen oxides (NOX) may result in a predicted concentration that is above the annual average air quality standard (AQS). However, the predicted slight increase in the annual average due to these plant emissions is likely to be considerably less than the 1% significance threshold. Results of modelling abnormal operating conditions, where two of the five lines gasification lines may be rapidly shut down, identified that there is unlikely to be an exceedence of any short term AQS or environmental assessment level during these abnormal operating conditions.

3.3 Dioxin Assessment
A detailed dioxin health risk assessment was also undertaken into the potential uptake of dioxins as a result of inhalation and dietary factors following maximum exposure to dioxins released from the flue stack. Intake for both adults and infants was considered to be not significant, with results for nearby residential properties likely to be significantly lower in relation to their distance from the site. The proposed plant would be designed with pollutant minimisation techniques to control all emissions to meet the required regulatory standards and would use continuous emission monitoring systems to control pollutant discharges to within the limit values required by the EA.
3.4 Cumulative Impact Assessment
The impact of emissions from this proposed plant was modelled in conjunction with emissions from all other nearby major combustion plants, currently operating or with planning permission. This cumulative impact assessment demonstrated that emissions from the proposed plant are unlikely to have a significant impact on annual average NO2 concentrations in the Bexley area, either in isolation or cumulatively with these other combustion sources. Findings from the detailed modelling of emissions show that the magnitude of potential health effects associated with exposure to pollutants released from the proposed plant is likely to be insignificant.

**Land Contamination:** Remediation works are being carried out at present but these are incomplete and the applicant will have to ensure they are suitable for the proposed development as well as carry out any additional works that may be required. The imposition of the following condition is recommended:-

“No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remediation strategy, together with a timetable of works being submitted to the local planning authority for approval.

The site investigation, including refined conceptual model, relevant soil, soil gas surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial work as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice. Any variation to that scheme shall be agreed in writing with the LPA in advance of works being undertaken. If during the course of the works contamination is encountered which has not previously been identified then the additional contamination should be fully assessed and an appropriate remediation scheme submitted to the LPA for approval.

Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology; i.e. verification details must be included in the validation report. Details of any post remediation sampling and analysis to show the site has reached the required
clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

There is potential for the site to have been contaminated by previous activities. Applicants should be aware of their possible responsibilities under Part IIA of the Environmental Protection Act 1990 to ensure that human health, controlled waters and ecological systems are protected from significant harm arising from contaminated land. Guidance should be obtained primarily by reference to DEFRA publications.”

Informative:
It should be noted that investigations undertaken to date have largely met the provisions of parts a) & b) of the Planning Condition, however, as part of the development plan additional ground gas assessment and a refined conceptual site model is required. With regards to Part c) of the Planning Condition, remedial works have been agreed with the Local Planning Authority and are currently being undertaken, however, any significant change to the proposed site layout may require additional works, and the current works do not take areas of soft landscaping into consideration. On completion of the current remedial works, and in accordance with part d), a verification report will be submitted to the Local Planning Authority, however, an additional verification report will be required on completion of the final development.

Drainage: The proposals appear satisfactory in principle but with the following comments:

The proposed flow into the Crabtree Dyke requires a connection under Crabtree Manor Way. This may be difficult to achieve without damaging the integrity of the road and due to level clashes with services and the highway drainage infrastructure.

How will below ground water storage tanks etc be kept dry and ready for use given high ground water levels combined with likely depth of yard slab construction.

Maintenance plan to be submitted for surface water drainage. This should include details of how system will be kept free of silt.

Bexley Community Policing Engagement Group: No objections.

Thames Water

Waste Comments
Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames
Water Developer Services will be required. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments:
The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be imposed: Development should not be commenced until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with this additional demand.

English Heritage:
Recommend Approval of Geo-Archaeological Assessment Report. The submitted documentation includes a copy of the report for the geo-archaeological report dated November 2010 from Dr Corcoran, MoLA. Having considered the report I am happy to recommend its approval.

Having considered the current planning application, in the circumstances I do not consider that any additional archaeological fieldwork need be undertaken prior to determination of this planning application but that the archaeological position should be reserved by attaching a condition to any consent granted under this application:

Condition
“No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority."

Informative
The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with appropriate English Heritage guidelines.

The current information now collated and assessed indicates the need for a limited number of geo-archaeological boreholes to supplement the current distribution. The boreholes should be targeted around the likely impacted areas, so that the Landscape Zones within those areas are more fully characterised. Boreholes are particularly useful for gathering samples to establish a C14 chronology, and clarify the stratigraphy and ecofact preservation qualities.
The information so obtained will enable to clearly determine the palaeo-environmental potential of the site and whether this form of fieldwork could be mitigation for this aspect.

In this context a suitable archaeological specification will need to be prepared by the developer appointed archaeological practice and for it to be approved before its implementation.

The potential for prehistoric track ways and other structures can only be addressed by targeted trenching. However the need for this possible additional work can only be clarified once the additional geo-archaeological borehole information is reported.

**Environment Agency:** There is no objection to this proposal, provided the conditions set out below are imposed on any permission granted.

**Flood Risk**
This site is on very low lying land protected by the Thames Tidal Flood Defences. The risk of a failure of the defences is low but in the unlikely event of such a failure the consequences could be very serious. We are now taking an advisory role in the residual flood risk of a failure of flood defences, however you may wish to impose a planning condition requiring a site flood plan and details of dry refuge. Please note, we may not be able to comment on the discharge of any such condition. In line with the PPS25 practice guide it is your role to determine the adequacy of safe escape and safe flood refuge provision.

The Flood Risk Assessment (FRA) recommends that the first floor office level is used as the temporary safe refuge. Comparing the ground levels to the modelled breach flood level of 4.11 to 4.40 m AOD in the SFRA, the offices would need to have an unusually high ceiling height for the first floor to provide safe refuge. The FRA also notes that the design should provide adequate structural strength to ensure that the refuge would remain intact in the event of a flood given the high forces that could be created. You may also wish to consider whether the size of the refuge is adequate for the number of people it will need to accommodate, as well as the length of time it may take for rescue.

We do however wish to recommend a condition on surface water drainage, and request to be consulted on its discharge:

**Condition**
Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:
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- details of how the scheme shall be maintained and managed after completion
- How pumping and underground tanks have been designed out as far as reasonably practical.

Reason
To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

The drainage drawing included in the FRA shows a large underground tank with a capacity of 1,400 cubic metres. We believe that this is a poor option in terms of achieving necessary storage and controlling surface water run-off. We have discussed this concern with BWB Consulting (authors of the FRA) and suggested that as much surface drainage as possible is directed to balancing ponds on the northern part of the site. The hard landscaping in this area could also be dished to allow shallow flooding during longer return periods. This may remove the need for underground storage tanks.

Additional channel drains would also be required and the discharge point be moved to the northern end of the site. BWB have confirmed by e-mail that the applicant is happy to investigate making these changes to the design.

Please note, that in the interests of groundwater protection, no infiltration drainage should be permitted in areas impacted by contamination. The water table is extremely high in this area, therefore care should be taken to ensure there is no direct discharges to groundwater.

Condition
No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason
Residual contamination will remain post remediation. Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground that could have a detrimental impact on groundwater quality.

Informative
Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the brink of the Green Level Dyke main river. Contact Robert Williams on 0207 091 4016 for further details.

Contamination
We have previously commented on the submitted reports:

- Geo environmental Interpretative Report, Card Geotechnics (Jan 2010)
The reports have established that the site is impacted by contamination as a result of historical activities that have been carried out. A remedial strategy has been agreed (in accordance with the Remediation Specification) and we are aware that remedial works have recently commenced. We will require the submission of a verification report once this work has been completed. This report should also be intended to meet the requirements of the environmental permit surrender.

Condition:
Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason:
The site has been identified as being impacted by contamination, and the associated reports have demonstrated that without remediation the site poses a risk to sensitive receptors. The applicant should therefore demonstrate that any work has been carried out effectively and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

Piling

Condition
Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:
To prevent mobilisation of contaminants into the groundwater.

We recommend that where soil contamination is present an environmental piling/foundations risk assessment is carried out as per our guidance 'Piling into Contaminated Sites', and we will not permit piling activities on parts of a site where an unacceptable risk is posed to controlled waters.
Informative
Where it is proposed to store more than 200 litres (45 gallon drum = 205 litres) of any type of oil on site it must be stored in accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.

Informative
Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials are stored (for example in bunded areas secured from public access) so as to prevent accidental/unauthorised discharge to ground. The areas for storage should not drain to any surface water system.

Waste to be Taken off Site: Advice to Applicant
Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011
- Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 ‘Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
- If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

District Heating
The applicant should investigate the possibility of district heating, whereby excess heat from facility is used to heat neighbouring developments.

Greater London Authority: The concluding section of their Stage 1 referral letter states:-

London Plan policies on industrial land, waste, climate change, air quality, urban design and transport are relevant to this application. The application complies with some of these policies but not with others for the following reasons:
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**Principle of the development:** The site is an appropriate location for a waste facility and the principle of a combined MRF and gasification energy generation facility is supported, however, the method the applicant is proposing to make heat available for district heating is thermodynamically inefficient [in the production of heat for the district heating network] and this is likely to threaten the viability of any district heat network. A significant amount of further information is required to determine whether the application complies with London Plan waste policy.

**Climate change:** Further information is required to determine whether the application complies with London Plan climate change policies.

**Air quality:** The air quality information is currently being assessed and further discussion is required to determine whether the application is air quality neutral.

**Urban Design:** Further information is required to determine whether the application complies with London Plan design policies.

**Transport:** Further information is required to determine whether the application complies with London Plan Transport policies.

The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan.

**Principle of the development:** The application should use a more thermodynamically efficient technology which achieves the best practice levels of efficiency [in the production of heat for the district heating network]. The applicant should also provide further justification for the basic method of MRF proposed. In addition, further information is required regarding the net thermal efficiency of the facility, the control system and plant installation and the opportunities for heat distribution. Therefore a significant amount of further information is required to determine whether the application complies with London Plan waste policy.

**Climate change:** The applicant should investigate heat loads in the vicinity of the development and consider the extent to which the available heat output matches these demands. The applicant should also consult interested stakeholders and the GLA Decentralised Energy Project Delivery Unit (DEPDU). Further details of the design of the heat off take facility should be provided, including the thermodynamic conditions at which steam will be available for passing out from the steam turbine and how these relate to the operating temperature of the district heating network.

**Air Quality:** The air quality information is currently being assessed and further discussion is required to determine whether the application is air quality neutral.

**Urban Design:** The applicant should provide additional information regarding the visual impact of the development on the wider area and reconsider the western elevation.
Transport: The applicant should: seek to reduce the level of parking; commit to the provision of electric vehicle charging points; confirm the level of cycle parking; consider the provision of showers and changing facilities for staff; provide further information on how the Travel Plan will be secured and produce a delivery and servicing plan and a construction and logistics plan.

REPRESENTATIONS

Bexley Civic Society: The Society strongly objects to the building of another plant for burning waste. We already have the Cory Plant. Belvedere should not be used as a dumping ground for waste burning plants. There is no estimate in the application for how many London Boroughs would be sending their waste to this site as proposed. The biggest concern would be the large number of heavy trucks coming and going. Why not bring the waste by river anyway?

Erith Forum: At the meeting of Erith Town Forum on Wednesday 30th November the planning application for the erection of a Recycling Facility and Energy on the old Nufarm UK Ltd site in Crabtree Manorway North Belvedere was discussed.

Members of the public present and Forum members were all totally amazed at the idea of another facility so close to the one recently completed and presently being commissioned by Cory. Everybody agreed that the application should be vigorously opposed by all sides. Our local councillors, present at the meeting, assured us that they would be making sure the Forum's comments were made clear to the Planning Committee when the application was being considered.

The people of Erith and Belvedere believe that we are doing more than our fair share of providing facilities for waste to energy for a major number of London boroughs. Bexley waste is going to the Cory incinerator so we are certainly also taking care of our own waste. Enough is enough!

Bexley Natural Environment Forum: Whilst we have no major objections to the development and we appreciate the need to bring Brown Field back into operation, BNEF believes that there are several issues that need to be addressed and corrected. These relate particularly to the ecology and flooding sections of the Environmental Assessment. We also feel that there are other opportunities within the scope of the development to introduce features that would benefit the environment.

On page 6 section 3.1 of the Ecology section, Crossness Nature Reserve is referred to as being managed by the RSPB. It is in fact managed by Thames Water. Equally Crossness Southern Marshes are also owned and managed by Thames Water and BNEF believes that the proximity of this site should be recorded in the assessment. It should be noted that Crossness has recorded over 150 bird species, including Barn Owls and Peregrine Falcon, making it one of the leading bird sites in the Greater London area. The Environmental Assessment should greater reflect the importance of this site. Similarly, Lesnes Abbey LNR is also not managed by the RSPB. It is of concern that basic errors like this occur within this document.
Para 3.14 refers to ditches running beyond the site boundary. Many of these ditches have been subject to restoration as part of the East London Green Grid project in order to create a more substantive link and connected habitat resource along with the ditches of the Crossness Nature Reserve. Therefore, they will eventually hopefully be colonised by Water Voles and therefore this impact assessment should acknowledge the fact and the appropriate measures be taken during the construction and operation phases of this project to ensure the integrity of the ditch system is maintained.

BNEF notes the comments that the “site provides no suitable habitat for roosting bats.” We are however concerned that there is no acknowledgement that Crossness and the southern marshes provide regular feeding sites for bats. There is therefore the probability that the ditches around the site will form feeding stops on their movement to Crossness and the result would be that the development may well impact the species. BNEF welcomes the fact that bat boxes are to be installed on the site but we would also hope that site lighting will be designed to ensure minimal impact on bat species.

Whilst BNEF acknowledges that the whole area has long since passed from the original grazing marsh habitat, we believe that in preparing a neutral grassland seed mix some reference should be made to the grass species that occurred within that habitat. As such we would like to see crested dogs tail cynosurus cristatus, meadow barley Hordeum secalinum, creeping bent Agrostis stolonifera, meadow foxtail Alopecurus pratensis and timothy Phleum pratense, included in a rye grass matrix. White clover Trifolium repens rather than red clover would also be a more natural constituent of the mix. This specification would also be similar in constituents to that used at the Cory facility. BNEF welcomes the statement in Para 4.11 that native tree and shrub species are to be used. As previously stated BNEF would like the additional biodiversity enhancements as recorded in Para 4.13 carried out, with the additional use of green roves if possible. With the known presence of peregrine falcons at Crossness, BNEF would like to raise the possibility of nesting facilities being provided on the stack.

In respect of issues relating to flooding and drainage BNEF is concerned regarding the question of separating foul and surface waters and the disposal thereof. This issue is highlighted, as, previously recorded by the connected ditch system and the possibility of contaminants, particularly in the form of oil and diesel, washing into the ditches from surface run off, which must be prevented. It may be better to retain the existing system of combined disposal through the foul water system.

We are also concerned that flood mitigation proposals do not appear to include measures for preventing contaminated waters entering the ditch system.

From Para 5.2 of the soil surveys, BNEF is unclear as to whether pump and heat or complete removal of contaminated soils is envisaged. In light of the ecological value of the surrounding ditches BNEF would prefer to see the complete removal of all contaminated soils no matter how small the contamination might be.
BNEF notes from the Environmental Assessment and application that there are landscaping and planting proposals. These do not appear to have been included in the documents. We would reiterate our preferences that any planting schedule that is prepared for this development and that we may comment further on its suitability.

RELEVANT PLANNING HISTORY

Planning consent was granted on the 27\textsuperscript{th} January 2011 under planning reference 10/01665/FULM for the redevelopment of the site for the erection of a building for general industry (Use Class B2) and distribution (Use Class B8) uses with associated means of access, ancillary offices, gatehouse, car parking, landscaping and associated works.

In summary the building comprised:-

- 22,756m\textsuperscript{2} gross external floor space B2/B8 building
- 842m\textsuperscript{2} ancillary 2 storey B1 offices
- 36m\textsuperscript{2} gatehouse
- 195 car parking spaces
- 61 lorry parking spaces

The proposed height of the approved building was approximately 13.5m to eaves and 15m to ridge. The approved building would be located within the centre of the plot and was designed to provide docked access for 21 vehicles and level access for 4 vehicles on the southern elevation of the building. 35 trailer spaces would be provided on the southern boundary of the site. The 195 car parking spaces along with landscaped areas and balancing ponds were provided on the northern part of the site.

PLANNING POLICIES


National Guidance

National Planning Policy Framework 2012

Paragraph 2: “Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.”

Paragraph 5: “This Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management
PART B (cont'd)
MAJOR APPLICATIONS RECOMMENDED FOR REFUSAL

PLAN NO. 11/01715/FULMEA (cont'd)

Plan for England. However, local authorities preparing waste plans and taking
decisions on waste applications should have regard to policies in this Framework so far
as relevant.”

Planning Policy Statement 10 (PPS10): Planning for sustainable waste
management

PPS10 sets out the requirements for local authorities to observe in the forward planning
and future provision of waste management infrastructure and in producing
development and planning strategies, and also requirements when determining
planning applications on proposals for development. Specific sections from PPS10
regarding these requirements are set out below.

LOCAL DEVELOPMENT DOCUMENTS

16. The core strategy of a waste planning authority should set out policies and
proposals for waste management in line with the RSS and ensure sufficient
opportunities for the provision of waste management facilities in appropriate locations
including for waste disposal. The core strategy should both inform and in turn be
informed by any relevant municipal waste management strategy. It should look forward
for a period of at least ten years from the date of adoption and should aim to look
ahead to any longer-term time horizon that is set out in the RSS.

Identifying land for waste management facilities

17. Waste planning authorities should identify in development plan documents sites
and areas suitable for new or enhanced waste management facilities for the waste
management needs of their areas. Waste planning authorities should in particular:

– allocate sites to support the pattern of waste management facilities set out in the
  RSS in accordance with the broad locations identified in the RSS; and,

– allocate sites and areas suitable for new or enhanced waste management
  facilities to support the apportionment set out in the RSS.

Identifying suitable sites and areas

20. In searching for sites and areas suitable for new or enhanced waste management
facilities, waste planning authorities should consider:

– opportunities for on-site management of waste where it arises;

– a broad range of locations including industrial sites, looking for opportunities to
  collocate facilities together and with complementary activities.

21. In deciding which sites and areas to identify for waste management facilities, waste
planning authorities should:

(i) assess their suitability for development against each of the following criteria:

– the extent to which they support the policies in this PPS;

– the physical and environmental constraints on development, including existing
  and proposed neighbouring land uses (see Annex E);
the cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential;

- the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.

(ii) give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages.

DETERMINING PLANNING APPLICATIONS

Approach – waste planning authorities

22. Development plans form the framework within which decisions on proposals for development are taken. It is important that plans are kept up-to-date and properly reflect national policy. When proposals are consistent with an up-to-date development plan, waste planning authorities should not require applicants for new or enhanced waste management facilities to demonstrate a quantitative or market need for their proposal.

Unallocated sites

24. Planning applications for sites that have not been identified, or are not located in an area identified, in a development plan document as suitable for new or enhanced waste management facilities should be considered favourably when consistent with:

(i) the policies in this PPS, including the criteria set out in paragraph 21;

(ii) the waste planning authority’s core strategy.

25. In the case of waste disposal facilities, applicants should be able to demonstrate that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the waste hierarchy.

ANNEX E

Locational Criteria

In testing the suitability of sites and areas against the criteria set out in paragraph 20, waste planning authorities should consider the factors listed below. They should also bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). Advice on likely impacts and the particular issues that arise with specific types and scale of waste management facilities is given in accompanying practice guidance.

a. protection of water resources

Considerations will include the proximity of vulnerable surface and groundwater. For landfill or land-raising, geological conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area. The suitability of locations subject to flooding will also need particular care.
b. land instability
Locations, and/or the environs of locations, that are liable to be affected by land instability will not normally be suitable for waste management facilities.

c. visual intrusion
Considerations will include (i) the setting of the proposed location and the potential for design-led solutions to produce acceptable development; (ii) the need to protect landscapes of national importance (National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts).

d. nature conservation
Considerations will include any adverse effect on a site of international importance for nature conservation (Special Protection Areas, Special Areas of Conservation and RAMSAR Sites) or a site with a nationally recognised designation (Sites of Special Scientific Interest, National Nature Reserves).

ANNEX F

London

GOL Circular 1/2000 *Strategic Planning In London* provides advice and guidance on the planning arrangements that apply in London.

The Mayor is responsible for strategic planning for London, and in particular for producing a Spatial Development Strategy (SDS) for London. The SDS, also known as the ‘London Plan’, provides a strategic framework for the boroughs’ local development documents and sets out the spatial context for the Mayor’s other policies and strategies.

The advice on waste set out in GOL Circular 1/2000 should be implemented within the framework provided by the policy set out in this PPS. GOL Circular 1/2000 advises that the SDS should play an important role in supporting the Mayor’s municipal waste management strategy through the identification of strategically important locations and sustainable transport routes. In particular, the SDS is expected to:

- evaluate the adequacy of existing strategically important waste management and disposal facilities to meet London’s future needs, both for municipal and other waste streams, and identify the number and type of new or enhanced facilities required to meet those needs; and
- identify opportunities for the location of such facilities and, where appropriate, criteria for the selection of sites.

Regional Guidance

**London Plan 2011**

Policy 2.17 - Strategic Industrial Locations

Policy 5.8 - Innovative Energy Technologies

Policy 5.16 - Waste Self Sufficiency
Policy 5.17 - Waste Capacity
Policy 5.18 - Construction, Excavation and Demolition Waste
Policy 5.19 - Hazardous Waste
Policy 7.14 - Improving Air Quality
Policy 8.3 - Community Infrastructure Levy.

Table 5.2 Municipal and commercial/industrial waste projections at borough level at key milestones through to 2031 (thousand tonnes per annum).

Table 5.3 Waste to be managed in London apportioned by borough (thousand tonnes per annum). As identified in this table, Bexley's percentage share of London's waste to be managed in London is the second highest apportionment at 5.5%.

Core Strategy (2012)
Policy CS01 - Achieving sustainable development
  j providing a complementary mix of land uses as part of well designed developments in order to contribute positively towards meeting the needs of the local community, to create safe and inclusive places, and manage flood risk;

Policy CS03 - Belvedere geographic region
  f facilitating innovation and economic development, including higher levels of local employment, especially by support of projects that build on Belvedere's emerging knowledge-sector base, such as the Thames Innovation Centre, and proposals that help to intensify and diversify the local employment base including skills and training provision;
  g ensuring that all new development is built to high design standards, and that new commercial property development improves the quality of industrial estates and the public realm, particularly in bringing sites and infrastructure up to modern business standards, including ICT and supporting investigations into the potential for wind turbine development and a decentralised heat and power network within the Belvedere Industrial Area;
  h ensuring all new development addresses the deficit in public open space and access to nature in the region, protects or enhances biodiversity and mitigates against all types of flood risk, particularly through design solutions that incorporate flood resilience and resistance in areas at risk of flooding;

Policy CS08 - Adapting to and mitigating the effects of climate change including flood risk management
  f investigating opportunities for the funding and development of decentralised energy networks in Bexleyheath town centre, Crayford town centre, Belvedere town centre and Employment Area and Erith town centre;
  h applying the recommendations of Bexley's Strategic Flood Risk Assessment;
Policy CS20 - Sustainable waste management

In support of the objectives of sustainable waste management and its contribution to sustainable communities, the Council will ensure that land resources are available to implement European and government policy and directives on waste by:

a. meeting its waste apportionments and other requirements, such as the Mayor’s recycling or composting targets, including collaboration with the other London boroughs as appropriate;

b. supporting regionally significant waste management infrastructure, including the Crossness Sewage Treatment Works;

c. identifying and safeguarding future sites suitable for waste management uses; and

d. setting out criteria for development of new waste management facilities.

In new development, the Council will ensure that waste is managed in ways that protect human health and the environment and will follow the principles of the waste hierarchy as set out in the Waste Management Strategy for Bexley. Where opportunities arise, this principle will also be applied to existing development. Targets have been set, in line with national and regional guidance, and local circumstances, and these will be reviewed as appropriate.

Paragraph 4.11.6

Among other requirements, the London Plan sets out the waste apportionment for each borough and the broad pattern of waste management types. Sustainable waste management addresses all aspects of the waste hierarchy and facilities include aggregate recycling, materials recovery, civic amenity sites and final disposal facilities, such as incinerators. The Council currently sets out its local requirements in these respects in Bexley’s Sustainable Design and Construction SPD. This will be reviewed and further information, to support the Core Strategy approach, including detailed criteria, will be set out in future policy documents, such as a development plan document that deals with detailed sites and policies.

Paragraph 4.11.7

Bexley has been assigned the second highest waste apportionment in London. There are already enough existing waste sites in the borough to meet Bexley’s waste capacity allocation, as set out in Table 5.3 of the London Plan (2011). The sites themselves are indicated within Appendix B of the Southeast London Boroughs’ Joint Waste Apportionment Technical Paper. In addition, the Council may work with other London boroughs to make the most efficient use of any surplus capacity after London Plan apportionments have been applied.

Paragraph 4.11.8

Specific criteria for the assessment of any future waste sites, including identifying a range of waste facilities, needed to meet the requirements of Bexley’s Waste Management Strategy, such as the safeguarding of existing regionally significant infrastructure and the enhancement of Crossness Sewage Treatment Works, will be
set out in future policy documents, such as a development plan document that deals with detailed sites and policies. In addition, the Southeast London Boroughs’ Joint Waste Apportionment Technical Paper identifies how the borough will meet the Mayor’s recycling or composting targets through the life of the plan.

Unitary Development Plan (UDP) 2004 remaining (UDP Addendum 2012) saved policies (UDP Addendum 2007)

Policy ENV39 – Built environment
Policy ENV41 – Air quality strategies and preparation of an Air Quality Assessment
Policy E1 – Criteria for proposed industrial and commercial development
Policy E3 – Primary Employment Areas
Policy TS6 – Belvedere Industrial Area
Policy TS13 – Protection & enhancement of the character of the Thames Policy Area
Policy TS15 – Wildlife habitats – riverside and other watercourses

ASSESSMENT

The key issues for consideration in the assessment of the application relate to the following:-

i. Consideration of national guidance, and policies within Bexley’s Development Plan, including the London Plan 2011, Bexley Core Strategy (2012), remaining (2012 addendum) saved policies (2007 addendum) from the Unitary Development Plan (2004); consideration of evidence the Southeast London Boroughs’ Joint Waste Apportionment Technical Paper (which sets out the London Plan waste apportionment requirements for the southeast London sub region and the strategic safeguarded waste sites for each of the southeast London boroughs), to determine:

- Whether there is a need for additional waste recovery capacity in the plan area,
- whether there is a need for the type of waste facility being proposed, and
- Whether there is certainty that the waste produced for the facility is from within a local catchment area.

ii. Traffic generation and Highway Considerations
iii. Living conditions of residents in terms of health and air quality
iv. Design of the building and visual impact in the local area
v. Landscaping
vi. Planning Obligations and Mayoral CIL
vii. Outstanding GLA matters
viii. Other matters including land contamination, flooding, and archaeology.

As already highlighted in this report an earlier planning consent (reference 10/01665/FULM) was granted for a large B use building on the site. This has set the general framework for the potential redevelopment of the site.
(i) **Consideration of national guidance, and policies within Bexley’s Development Plan, including the London Plan 2011, Bexley Core Strategy (2012), remaining (2012 addendum) saved policies (2007 addendum) from the Unitary Development Plan (2004); consideration of evidence set out in the Southeast London Boroughs’ Joint Waste Apportionment Technical Paper**

National policy seeks to make communities responsible for their own waste. One of the key objectives in PPS10 is to “provide a framework in which communities take more responsibility for their own waste…”

The Key Objective is for communities to take responsibility for their own waste. It does not say that communities should take responsibility for the same amount of waste as is produced in their area.

PPS10 requires the Mayor of London through the London Plan to:-

- identify the tonnages of municipal and commercial/industrial waste requiring management and to apportion them by waste planning authority area
- evaluate the adequacy of existing strategically important waste management and disposal facilities to meet London’s future needs, both for municipal and other waste streams
- identify the number and type of new or enhanced facilities required to meet those needs
- identify opportunities for the location of such facilities and where appropriate criteria for the selection of sites.

The London Plan 2011 sets out, in Table 5.2, borough level projections of London’s waste arisings, and in Table 5.3, borough level apportionment of Municipal Solid Waste (MSW) and Commercial and Industrial Waste (C&I). Boroughs may collaborate by pooling their apportionment requirements.

London Plan policies are contained primarily in Policies 5.16 and 5.17. The Mayor of London is committed to a policy framework for waste management which starts from the position that the best approach is to reduce the amount of waste that arises in the first place. The London Plan goes on to say that London should manage as much of the capital’s waste within its own boundaries as practicable enabling London and Londoners to receive environmental and economic benefits from its management.

In assessing the need for the proposal which is the subject of this application it is also relevant to review the waste apportionment capacity as outlined for the five southeast London Boroughs of Lewisham, Greenwich, Bromley, Southwark and Bexley, along with the City of London, which is set out in Appendix A of the Southeast London Boroughs’ Joint Waste Apportionment Technical Paper (the ‘SELB waste paper’) which fed into the Bexley Core Strategy. The sites safeguarded for waste management
part B (cont'd)

Major Applications recommended for refusal

Plan NO. 11/01715/FULMEA (cont'd)

Facilities set out in this technical paper form the pool of 'allocated sites' that support Bexley's development plan.

Proposals for waste management for unallocated sites will need to prove that they have met the criteria set out in PPS10 and London Plan Policy 5.17 B (a – j).

The supporting Planning Statement which accompanied the application sought to demonstrate that there is a demonstrable need for significant additional waste management capacity in Bexley and SELB in order to meet the requirements of the London Plan.

Prior to the submission of the planning application the applicants requested a pre application meeting to discuss their proposals. At the meeting the applicant was advised that the Borough did not have any need for additional facilities over and above the six safeguarded strategic waste sites in the borough (these being the clinical waste incinerator at Queen Mary's Hospital, Sidcup, the Foots Cray reuse & recycle centre, the Materials Recycling Facility at Century Wharf, Crayford, the Riverside Resource Recovery energy from waste facility in Belvedere, the Thames Road reuse & recycle centre and waste transfer station in Crayford, and the Thames Road waste and street services depot in Crayford.)

Notwithstanding the original advice given to the applicants, officers undertook an assessment of the submission as part of the processing of the planning application. A number of queries and mistakes were identified in the analysis which were passed on to the developer in December 2011 along with the GLA queries inviting a response from the applicant. No response was received from the applicant who has indicated that he wants the Local Planning Authority to determine the application as it stands.

In summary the queries by Council officers related to the following matters:-

(i) In Paragraph 6.1.2 of the Planning statement (PS) the applicant claims “The BWRP will primarily target residual commercial and industrial waste arisings…”

(ii) At the pre application stage officers had requested that the applicant provide details of businesses that will use the facility. None was provided. This is required to ascertain whether the proposal accords with the general principle outlined in PPS10, London Plan Policy and the Waste Management Strategy for Bexley that waste should be managed at the closest point of origin.

(iii) In Table 6.5 of the PS the applicant failed to take into account all the safeguarded Strategic waste sites capacity outlining Bexley’s apportionment of waste capacity which have been the subject of thorough examination at the Bexley Core Strategy EiP and approved by the GLA. This effectively outlines that the throughput/capacity of the safeguarded facilities are sufficient to meet Bexley’s apportionment totals set out in the London Plan and the SELB waste paper. Additionally, the waste paper sets out the types of facilities that are already operating in the sub-region, and as a result there is no need for this type of facility
to be located in the London Borough of Bexley or indeed anywhere in the southeast London sub region.

(iv) Other oversights by the applicant in his design and access statement included errors in the assumptions of capacity of the MRF at Century Wharf, omission of the clinical waste facility at Sidcup Hospital, apportionment capacity of the RRRL facility at Norman Road and a failure to take into account facilities (and apportionment totals) where no planning applications have yet been submitted on sites within the SELB Joint waste technical paper (three of which are in the control of Local Authorities).

(v) In respect of site location search the applicant’s study is very limited in scope as only sites within Bexley have been considered. All of the southeast London joint waste working group area should be examined for alternative sites if the applicant feels that there is a need to meet a waste apportionment deficit in this sub region (which Appendix A of the SELB waste paper demonstrates that there is not). Additionally, alternative sites should be considered across the entire London region, if the argument is that the facility is needed to contribute to London becoming self-sufficient in dealing with its waste.

The applicant has clearly misunderstood the interpretation of waste apportionment in their assessment of need for their facility. All of the London boroughs’ waste arisings, set out in London Plan table 5.2, provide the data with which to determine the overall capacity of facilities in London that will be needed in order for London to become self-sufficient in dealing with its waste. Table 5.3 of the London Plan then apportions this capacity across the London boroughs, based on their ability to contribute to London’s waste infrastructure. Waste apportionment capacity is therefore counted in the area that the facility (or safeguarded land for a waste facility) is located, not where the waste is arising from.

PPS 10 and the London Plan have requirements for local authorities in the production of local development documents, and the SELB waste paper sets out the type, location and waste capacity of all safeguarded strategic waste facilities and sites within the southeast London sub-region, providing the evidence that the requirements have been met. The SELB waste paper has been accepted as key evidence supporting four adopted core strategies (Bexley, Southwark, Lewisham and the City of London) all having been found sound by independent Planning Inspectors and the GLA in their statements of general conformity with the London Plan. The SELB waste paper is a ‘living draft’ that is kept up to date and republished at the time of submission of a core strategy to the Secretary of State by a local authority within the group. The most up to date Appendix A of the SELB waste paper is attached.

London Plan Policy 5.16 – the applicant’s case is that the facility will supplement the energy from waste facility in Belvedere. However, the Belvedere facility is drawing waste in from more than what is identified (Western Riverside Waste Authority and the City of London) as it also takes waste from LBB, plus commercial waste. In fact, at the moment, there is no need to supplement Belvedere. There are other strategic waste facilities in the borough, such as MRF, two reuse and recycling centres, a clinical waste
incinerator and a sewage treatment plant with a sludge incinerator. In addition to this, there are a number of transfer stations, scrap metal and construction waste processing plants that are not safeguarded strategic sites but that nonetheless contribute to Bexley’s and London’s overall ability to deal with its own waste.

The London Waste and Recycling Board also takes the view that there is not a strategic need to provide further facilities in this part of London, as "over previous plan periods, the majority of the infrastructure projects that LWARB has supported have been located in East London. This has been as a result of project proposals dominating this area of London. As such, LWARB will be particularly keen to support projects outside of East London during this plan period in order to support the development of localised solutions."

It is for these reasons that the proposal is unacceptable in principle.

(ii) **Traffic generation and Highway considerations**

The extant planning permission on the site comprises of 22,483m2 B2/B8 warehousing and 743m2 of ancillary office space with 195 car and 61 lorry parking spaces to be provided. The applicant prepared a supporting transport assessment to accompany the application to calculate the predicted traffic generation of the proposed development with background traffic flows and an assessment of the wider highway network used to predict the distribution and assignment of the traffic.

The proposed development is served by two accesses one for light vehicles at the same location as the previous Nufarm access to a 58 space car park and one towards the southern boundary of the site for HGVs to a servicing area and weighbridge.

The development could generate up to 13 vehicle trips in the AM network peak hour, 17 in the PM network peak and 198 during the day as a whole. The transport assessment for the extant planning permission detailed the likely traffic generations for the development. This was estimated at 193 vehicle trips for the AM peak hour, 137 in the PM peak hour and 1941 over the daytime 12 hour period of the daily vehicle trips.

The traffic flows for the proposed development equate to some 10% of those predicted for the Class B use development. The number of HGV trips also represents a significant reduction at some 57% of those predicted for the extant consent.

On this basis as the comments from the Highway Authority above have confirmed there are no objections on the grounds of traffic impact.

The provision of 68 car parking spaces for 44 staff accords with both UDP and London Plan maximum car parking standards based upon the proposed floor area of the
redevelopment and is therefore considered to be satisfactory in this location with very poor PTAL.

On this basis it is concluded that there are no objections on highway matters.

In the Stage 1 referral the GLA requested provision for electric vehicle charging points at a level similar to employment uses. This could be covered by the imposition of a planning condition.

The GLA also requested further clarification on cycle parking, justification on the level of parking and in the event that planning permission was to be recommended the imposition of planning conditions to cover a delivery and servicing plan and a construction logistics plan.

(iii) **Living conditions of residents in terms of health and air quality, and noise**

The Environmental Statement contained a section that assessed the potential impact of the development on air quality in the area with particular regard to:

**During the construction phase**

Fugitive dust from traffic movements and construction and
Combustion pollutants from construction traffic

**During the Operational Phase**

Combustion pollutants from operational traffic
Combustion pollutants from the Stack
Fugitive dust and litter from waste handling operations and
Fugitive odours and bio-aerosols from waste handling operations

Whilst the GLA raised a query on air quality matters stating that further discussion was required as detailed above Environmental Health have undertaken an assessment of the studies. They have confirmed that construction emissions could be controlled by a planning condition requiring compliance with industry best practice measures.

To commence operations the Environment Agency (EA) would have to issue an Environmental Permit which would set out environmental standards for the operation of the plant controlling all emissions to atmosphere and environmental performance requirements. The permit could be revoked by the EA if the facilities once built should fail to meet these requirements.

On this basis Environmental Health have raised no objections to the application and the air quality implications of the proposed development. The applicant also modelled the impact of emissions from the plant in conjunction with emissions from all other nearby combustion plants currently operating or with planning permission. The cumulative impact assessment demonstrated that emissions from the proposed plant are unlikely
to have a significant impact on average NO2 concentrations in the Bexley area either in isolation or cumulatively with the other combustion sources.

In relation to noise impacts an assessment of potential noise and vibration during construction and residual noise impacts from the operation of the plant was undertaken. In relation to construction noise again Environmental Health concluded both in relation to noise and vibrations that British Standard levels were unlikely to be breached/compromised. In relation to operational noise from the operation of the plant both during daytime and night time hours noise levels were considered minimal when assessed against current background levels.

In conclusion it is considered that the development both during its construction and during operational activity would not result in any significant detrimental impacts to local occupiers or the borough wide air quality in general.

(iv) **Design of the building and visual impact in the local area**

Policy 7.1 of the London Plan (2011) sets out overarching design principles for development in London. The Stage 1 GLA referral raised issues in relation to the proposal. Paragraphs 44 – 47 of their report stated:-

“Whilst the proposal is for an industrial development in a predominantly industrial area the design of the building and its site layout will have a cumulative impact on the look and feel of the area as well as in the quality of the internal spaces. Consideration needs to be given to both of these aspects to ensure that the development will be of the highest quality possible.

The height and scale of the building implies that it is likely to be visible from a significant distance away. An assessment of where the building is visible from is required to assess the appropriateness of its visual impact in the wider area and to identify the most visible elevations. This is of particular importance considering the height of the chimney.

The location of the site is such that it terminates views from Fishers Way. This makes it likely that the western elevation of the development will have an impact in the wider character of the area, so considerable attention needs to be given to its design. The current elevation is disappointing and lacks clarity of concept. Further justification for why it is designed in this way is required. A simple approach to the elevations and good attention to detailing is more likely to make this a distinctive and attractive industrial building. The current strategy does little to screen the car park or to make it a distinctive development. Further consideration is required.

Further information is required to determine whether the application complies with the London Plan design policies. The applicant should provide additional information regarding the visual impact of the development on the wider area and reconsider the western elevation.”
In relation to the building which was approved under the extant permission this was also referred to the GLA and amendments were made prior to reconsideration by the GLA at the stage 2 referral. As has been highlighted the applicant was sent a letter in December 2011 outlining matters raised by the GLA in addition to those raised by Council officers. No further information was received before the applicant requested the Local Planning Authority to determine the application.

It is accepted that the proposed building is situated within the Belvedere Industrial Area and that a revisit of elements of the design could potentially result in a favourable recommendation on this issue given that no further discussion was entered into by the applicant at this stage. Whilst no further discussion was entered into by the applicant at this stage given the approval of the previous building on the site it is not considered at this stage that a separate reason for refusal could be substantiated on design grounds.

(v) Landscape impact assessment and site landscaping

The Environmental Statement included an assessment of the building on the landscape fabric of a wider 2km area around the site. Given the existence of the Riverside Resource Recovery Energy from waste facility, which has a building 51m in height and a stack of 90m, this is the main building that sits in the landscape. The assessments and photomontages confirmed that in general terms the visual/landscape impact is slight with the only real visible element being the views of the stack however this is viewed in an existing industrial context and is not considered to have a significant deleterious visual impact on the overall landscape of this part of the north of the borough. The applicant states that in views from more distant areas the stack will be viewed against the sky, therefore colours based on this such as pale greys or blues may be appropriate and that a matt surface will help prevent glare on bright days.

In relation to landscaping on the site itself as is the case with the extant permission on the site the main area of landscaping is at the northern part of the site around the car parking area. This area will have three water lagoon areas with a mixture of grassed and wild flower areas along with areas of trees. The applicant will also seek to provide landscaping around the site boundaries which will also consist of tall ornamental shrub and tree planting. The scheme reflects that approved as part of the extant planning consent on the site.

(vi) Planning Obligations and CIL

Following the submission of the planning application the applicant confirmed that he was willing to agree to financial contributions to offset the anticipated impact of the development in accordance with the Planning Obligations SPD with contributions towards Transport and Public Realm. However given the fact that problems were highlighted in respect of general concerns on the principle and details of the proposal discussions in respect of Planning Obligations were not progressed to conclusion by the applicant.
In accordance with Policy 8.3 of the London Plan the Mayoral Community Infrastructure Levy became active on the 1st of April 2012. The development would be CIL liable.

(vii) Other matters including those raised by the GLA not covered above and comments of representations received.

The GLA raised concerns in respect of the provision of a CHP and the fact that the method of heat being made available for potential district wide heating is inefficient and may make any district wide heating scheme unviable. Policy CS08 of the Core Strategy highlights that a decentralised heat and power network within the Belvedere Industrial Estate will be sought. No further clarification on this point was received from the applicant. The GLA also raised queries over the efficiency of the proposed technology.

The Environment Agency raised no objections to the application on grounds of flooding, contamination and piling. In the event that the Local Planning Authority had recommended approval of the application they had suggested a number of planning conditions be imposed including drainage conditions which had also been raised by the Council Drainage officers.

English Heritage raised no objections to the application on archaeological grounds and recommended a pre commencement planning condition. Similarly Thames Water raised no objection subject to a planning condition requiring the applicant to undertake a study of the existing water supply infrastructure.

In respect of comments raised by both the Bexley Civic Society and the Erith and Belvedere Forum that there is no need for another facility, this has already been addressed above.

The Bexley Natural Environment Forum raised objections on biodiversity and ecology grounds. The body that provides comments to the Local Planning Authority on these issues is the Environment Agency. As highlighted above the Environment Agency have raised no objections/comments on these matters, as such it is not considered that there are grounds to oppose the application on this issue.

**RECOMMENDATION** – That, subject to referral to the Mayor of London, in respect of application No 11/01715/FULMEA for the Development and Operation of Burts Wharf Resource Park, building to include material recycling facility and energy generation facility, with associated means of access, gatehouse and double weighbridge, ancillary external plant and equipment, flue stack, air cooling units, silos, car parking, landscaping and associated works that planning permission is refused for the following reasons:-

**REASONS:**
1. The applicant has failed to demonstrate the need for additional waste capacity in the borough contrary to PPS10, London Plan Policies 5.16 and 5.17, Bexley Core Strategy (2012) policy CS20, and against the evidence set out in the Southeast London Boroughs' Joint Waste Apportionment Technical Paper.

2. Insufficient information has been submitted to demonstrate that a comprehensive site search and evaluation was undertaken across the wider area covered by the South East London Joint Working Group or across all of Greater London contrary to PPS10.

3. Insufficient information has been provided to confirm that the waste will be collected from local businesses in accordance with the requirements of Bexley Core Strategy Policy CS01(j), which states that ‘developments… contribute positively towards meeting the needs of the local community…”

4. Insufficient information has been submitted on matters such as efficiency of the proposed technology, and suitability for the provision of a district heat network, contrary to Policies 5.16 and 5.17 of the London Plan (2011) and Policy CS08 of the Bexley Core Strategy (2012).

-------------------- END -----------------------------
PART B (cont'd)
MAJOR APPLICATIONS RECOMMENDED FOR REFUSAL

PLAN NO. 11/01715/FULMEA (cont'd)