planning report PDU/2191/02
14 October 2009
763 Old Kent Road
in the London Borough of Southwark
planning application no.08-AP-2209

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<tr>
<th>Strategic planning application stage II referral (new powers)</th>
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<td>That Southwark Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.</td>
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<td>1 On 13 October 2008 the Mayor of London received documents from Southwark Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1B and 2B of the Schedule of the Order 2008: 1B “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres” and 2B “Waste development to provide an installation with capacity for a throughput of more than 50,000 tonnes per annum of waste produced outside the land in respect of which planning permission is sought.”</td>
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2 On 12 November 2008 the Mayor considered planning report PDU/2191&2191a/01, and subsequently advised Southwark Council that the application did not comply with the London Plan, for the reasons set out in paragraph 73 of the above-mentioned report; but that the possible remedies set out in paragraph 75 of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor’s concerns (see below). On 8 September 2009 Southwark Council decided that it was minded to grant planning permission for the revised application, and on 2 October 2009 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Southwark Council under Article 6 to refuse the application or issue a direction to Southwark Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 15 October 2009 to notify the Council of his decision and to issue any direction.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The decision on this case, and the reasons will be made available on the GLA’s website www.london.gov.uk.

Update

Waste

6 The original application did not include sufficient justification of the proposed process to enable a decision to be made as to whether the application complies with the London Plan. The applicant has since submitted further information as part of the Regulation 19 Statement and ongoing discussions with GLA officers. In particular the applicant has provided the reasoning behind the choice of technology and the opportunities to generate energy from the combined heat and power plant at SELCHP. The proposal to use the waste from the waste plant at the Old Kent Road to provide fuel for SELCHP to power Southwark Council’s surrounding housing estates is strongly supported. The combined heat and power facility at SELCHP will be secured through the section 106 agreement which binds the applicant to provide the facility at SELCHP or the money to Southwark Council to provide the facility within twelve months of receiving planning consent.

7 Whilst the applicant has stated it intends to produce a solid recovered fuel comprising around 90% biomass, it maintains it cannot guarantee this waste to meet the definition of biomass as described in Part 1 Section 4(1) of the Renewable Obligations Order 2009.

8 The applicant is also unable to commit to meeting the Mayor’s recycling targets detailed in policy 4A.21 of the London Plan. The applicant is, however, contractually obliged through the PFI recycling targets to achieve recycling household performance of 40% by 2015. The applicant has stated this conforms to Southwark Council’s waste management strategy and that it will endeavour to meet the 5% shortfall between the Mayor’s and the PFI municipal waste recycling targets.

9 Whilst it is disappointing the applicant cannot commit to produce 90% biomass or meet the Mayor’s recycling targets, on balance, these shortfalls do not warrant a refusal of planning permission. The proposal will provide a much-needed waste management facility in central London, helping to meet the Mayor’s self-sufficiency targets and providing the fuel and impetus for the SELCHP district-heating network. As such the proposed facility complies with London Plan policy.
Energy

10 The original application did not include sufficient information to ensure the proposal complied with London Plan’s energy policies. The applicant has since submitted an amended energy strategy and further clarification on energy in the Regulation 19 Statement. The revised strategy includes details of the demand reduction measures and an analysis of the energy associated with the resource centre using building regulation compliant software. The statement also confirms that the proposal will include 28kW of photovoltaic panels on the roof. This will reduce the carbon emission of the resource centre by 23%.

Climate change adaptation

11 At the consultation stage further information was requested demonstrating how the proposal meets the essential, and where possible, preferred standards as listed in the London plan sustainable design and construction SPG relating to energy efficiency, water efficiently, waste and biodiversity.

12 The applicant has submitted a sustainable design and construction statement which assesses the application against the measures outlined in policy 4A.3 of the London Plan and has paid particular attention to energy, water, waste and biodiversity. In accordance with London Plan policy 4A.3 the proposal includes passive control from solar gain, water meters, natural ventilation and energy efficient outdoor lighting.

13 The applicant is also proposing the following climate change adaptation measures:

- A green roof
- A green wall system
- The recycling of grey water for toilet flushing and washing of HGVs
- Ecological enhancements including the provision of bat and bird boxes

14 These measures will be secured by condition. As such the proposal complies with London Plan policy.

Urban design

15 At the consultation stage the applicant was advised that on the whole, the design approach is acceptable. But there is scope for increased landscaping and green walls. The applicant was also advised that the design of the access road is unacceptable.

16 The issues relating to the access road have been address through a separate planning application granted by Southwark Council on 1 July 2009.

17 The applicant has submitted a detailed description of the type of landscaping to be provided. This includes planting to the south, south eastern, western and northern boundaries of the site, climbing walls on the south eastern boundary of the site with trellis on top of the boundary wall, a green corridor, meadow grassland, tree planting and a woodland copse. These measures will be secured by condition. As such the proposal complies with London Plan policy.

Transport for London’s comments

18 At consultation stage Transport for London raised a number of strategic transport issues in relation to the original transport assessment submitted as part of the application for this site. The overall quality of the transport assessment was deemed unsatisfactory and in order to meet London Plan policies further information was sought particularly in relation to the likely vehicular impacts on the A2 Old Kent Road, which forms part of the Transport for London road network. In addition further information was requested in relation to car and cycle parking provision, the travel plan
required further development and an agreement to provide delivery servicing and construction management plans was also sought.

19 TfL has had continued discussion with the Council’s planning and transport teams as well as with the applicant and its consultants in an attempt to progress and resolve these issues. A supplementary transport assessment dated 8 July was consequently received and has been fully reviewed. TfL’s position on the revised assessment and information is set out below.

Site Access

20 The planning application which relates to the access road (09-CO-0045) has already been approved by both the council and the Mayor (planning report PDU/2191b/02), discussions regarding detailed design are ongoing as part of the Section 278 process. TfL requests that the following planning condition is attached to the this (the Waste Management Facility) decision:

‘prior to commencement of operations, detailed design of the access road must be agreed with the relevant highway authorities and all necessary Section 278 highways works complete’

21 This is to ensure that an appropriate means of access to the site is provided and fully complete, which does not compromise the operation of local roads or the Transport for London Road Network.

Traffic impacts on the A2 Old Kent Road

22 TfL’s view remains that the vehicle movements generated as a result of this development are likely to be significant particularly during the AM peak period. Given the nature of the proposed development, the type of vehicles, anticipated movements and the assumptions made, in the supplementary transport assessment there will undoubtedly be impacts on the A2 and these will require mitigation.

23 Following discussions with both the council and the applicant it is evident that it would be appropriate for a mechanism to be put in place which assesses the development through an agreed monitoring strategy. Any future mitigation would then be provided through an appropriate capped financial contribution. On this basis TfL is confident that all significant impacts incurred on the A2 as a result of this development can be mitigated either through physical highways or traffic management measures.

24 The future impact and proposed mitigation will be enforceable through the Section 106 agreement. This will ensure that the development is in accordance with London Plan policies 3c.2 Matching development with transport capacity and 3C.17 Tackling congestion and reducing traffic.

Impact Mitigation / Section 106 Agreement

25 At consultation stage TfL requested a total of £2 million towards mitigating impacts on the A2. Further work has since been undertaken and there is now greater confidence in the analysis provided. This still shows that there are likely to be some significant impacts on the A2 and associated junctions.

26 TfL is a party to the Section 106 Agreement currently being negotiated, the applicant has stated that they have ‘no objection to TfL being a party to the Section 106 Agreement and that they will use reasonable endeavours to agree the Section 106 Agreement with TfL as signatories’. The agreement sets out an agreed approach to monitoring the impacts on the Transport for London road network as well as borough roads and provides for the cordons and specifications for the
‘before and after surveys’ to be fully agreed with TfL and the council prior to occupation of the development, a number of points of detail are yet to be agreed.

27 To ensure adequate funds are available to mitigate any identified impacts TfL has requested and the applicant has agreed to a Section 106 contribution of £1.5 million, an additional £500,000 has been secured in relation to mitigation on local borough roads; this will be capped and held to mitigate any identified impacts on the A2 as a result of the increased traffic associated with this development.

28 In summary, TfL is satisfied that issues raised at consultation stage will be adequately addressed via both planning conditions and the Section 106 Agreement which is being negotiated. The Mayor is therefore advised that subject to completion of the Section 106 Agreement with TfL being a party, TfL has no further objection to this proposal.

Response to consultation

29 Environment Agency does not object to the proposal subject to the inclusion of flood risk and groundwater protection conditions.

30 The Metropolitan Police Authority raise no issues.

31 Natural England raise no objections to the proposal.

32 Lewisham Council has no objection in principle.

33 London Fire and Emergency Planning Authority

34 National Grid state that based on the information provided and the proximity and sensitivity of their networks to the proposal is of a negligible risk.

35 Southwark Council received 238 letters of objection and a petition with 112 signatures.

36 The objections relate to: -

- Social blight
- Plans excessive for area with an existing waste facility
- Visual impact of the proposal
- Scale and bulk
- Proximity to Grade II listed building and conservation area
- Increase in heavy traffic
- Roads not suitable for HGVs
- Impact on pedestrian and cycle safely
- Parking restrictions
- Noise pollution
- Odour pollution
- Creation of a more hostile environment
- Pollution from vehicle and plant emissions
- Length of consultation
- Potential for vermin
- Procedure of awarding PFI contracts
- Suitability of Veolia as a contractor

37 Southwark Council also received 8 letters of support: -

- Veolia held regular meeting which were poorly attended by residents
• Proposal could demonstrate story of recycling
• Support local use and reuse of resources
• Landscaping could reflect old market gardens
• Has to be built somewhere

38 The Mayor received 3 letters objecting to the proposal on the grounds of: -

• Premature to permit the road before the waste facility
• The site could be used more creatively for other uses
• Removal of sections of bus lane
• Increased traffic
• Roads are not wide enough for HGVs
• Poorly design, low budget ‘make do’ approach

39 Matters relating to the suitability and location of the waste plant, its design and transport have been addressed in this and the previous report.

40 Localised noise, odour, impacts on air quality, the length of consultation and environmental health standards are not in this instance considered to be strategic planning matters and have been dealt with by Southwark Council.

41 The awarding of PFI contracts and the suitability of Veolia as a contractor are not planning matters.

**Article 7: Direction that the Mayor is to be the local planning authority**

42 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation which satisfactorily addresses that matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

**Legal considerations**

43 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction. The Mayor must also have regard to the guidance set out in GOL circular 1/2008 when deciding whether or not to issue a direction under Articles 6 or 7.
Financial considerations

44 Should the Mayor direct refusal; he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (‘Costs Awards in Appeals and Other Planning Proceedings’) emphasises that parties usually pay their own expenses arising from an appeal.

45 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

46 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

47 The principle of the re-development of the site to provide a new waste management facility is in the interests of good strategic planning in London. Further information and clarification has been submitted with regard to waste, climate change, urban design and transport. As such the proposal complies with London Plan policy.

for further information, contact Planning Decisions Unit:
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020 7983 4783 email colin.wilson@london.gov.uk
Justin Carr, Strategic Planning Manager (Development Decisions)
020 7983 4895 email justin.carr@london.gov.uk
Kim Hoffman, Case Officer
020 7983 6589 email kim.hoffman@london.gov.uk
763 Old Kent Road (Gasworks Site) in the London Borough of Southwark

planning application no. 08-AP-2209 & 08-CO-0076

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<td>1. <strong>Waste facility only (2191):</strong> erection of an Integrated Waste Management Facility (incorporating mechanical biological treatment plant and waste transfer station, material recycling facility and household waste re-use and recycling centre), with ancillary infrastructure including a municipal depot, contract administration and visitor centre with associated landscaping, car parking and internal access road.</td>
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<td>2. <strong>Access road only (2191a):</strong> construction of a new access road to eventually serve the proposed waste management facility including the demolition of buildings at 763 Old Kent Road, the closure of part of Devonshire Grove and works to Old Kent Road between Sylvan Grove and Asylum Road and at the junction with Devon Street and Commercial Way.</td>
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<td>The suitability of this location for a waste facility; the suitability of the waste processes proposed; the acceptability of the energy strategy; the appropriateness of the design and transport solution; whether the effects of the development have been suitably mitigated particularly in terms of air quality and noise.</td>
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(Mayor of London) Order 2008 the Mayor has until 21 November 2008 and 10 December 2008 to provide the Council with a statement setting out whether he considers that the applications comply with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The waste facility application is referable under Category 1B and 2B of the Schedule of the Order 2008: 1B “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres” and 2B “Waste development to provide an installation with capacity for a throughput of more than 50,000 tonnes per annum of waste produced outside the land in respect of which planning permission is sought.”

3 Once Southwark Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

**Site description**

6 The site covers an area of 5.6 hectares and comprises the eastern part of the former gasworks site at the southern end of the Old Kent Road. It is bounded on the north, east, south, and west by industrial sites and to the south-east by residential development, with site access from the A2 Old Kent Road and Devon Street. The A2 Old Kent Road is part of the Transport for London Road Network (TLRN). The site has a public transport accessibility level of 3 (on a scale where 1 is low and 6 is high). The nearest bus stops are located near the site access roads and are served by the numerous bus routes that run along the Old Kent Road corridor. The Old Kent Road forms part of London Cycle Network (LCN) route 181.

7 The site forms part of a larger site that was an operational gasworks from the 1890s to the 1960s and still contains gasworks infrastructure, including gasholders, engine houses, coal storage areas and a number of storage tanks. Until recently, the application site accommodated several businesses and site uses included a British Telecom distribution warehouse, a car and coach park, building supply storage and a timber yard. The site contains a number of detached buildings in varying but generally poor condition.

8 The north-east corner of the site was used by BT for cable storage. To the south of this area, two buildings were used as training centres. The buildings comprised a former gasworks building and a house-like office. Further south, the principal use of the site was a car and coach park and included a functional diesel pump. A coach travel business was based at the southern boundary, together with further coach parking. In the south-east corner of the site, two construction companies had building supply storage areas. A timber yard was located along the eastern site boundary. At the western boundary there is a further raised car park area and double-decker portacabin office. The former gasworks building is located at the western area boundary.

9 The application site principally comprises hard standing with almost no vegetation. The surface treatment is a combination of asphalt, concrete, gravel and compacted dirt. In general, the site is level. However, it slopes upwards to the northern site boundary at the west but
remains level in the east. To the south, the area slopes downwards from the car park to the warehouse buildings. The narrow area along the southern boundary used by the construction company for storing building supplies is raised above the site level by approximately two metres.

10 The site has been vacated following its purchase by Southwark Council earlier this year. Demolition will commence during 2008 prior to site remediation works that are the subject of a separate planning application.

11 The area surrounding the site is largely industrial, although there are residential properties and a school close to the site. An electrical substation is located to the north of the site and industrial units adjacent to the eastern boundary. Thirty metres to the north of the site is housing development in Varcoe Road, Eagle Close and Gerards Close. Towards the south-east of the site is a residential development including a school (Pilgrims Way Primary School) and playground. The back gardens of properties in Manor Grove immediately adjoin the south-eastern corner of the site.

Details of the proposal

12 **Waste facility only:** The proposed development will provide a total capacity to manage approximately 200,000 tonnes of municipal waste per year and comprises the following elements. Each of these elements is housed in an enclosed structure to mitigate the impact on neighbouring uses.

- A mechanical biological treatment (MBT) plant with a capacity of 87,500 tonnes per annum of street cleansing and household residual waste.
- A waste transfer station (WTS) with a capacity of 20,000 tonnes per annum of domestic waste, residual waste from the household waste re-use and recycling centre (HWRRC) and bulky waste.
- A material recycling facility (MRF) with a capacity of 85,000 tonnes per annum of dry recyclables, including paper/cardboard, plastics, cans (ferrous and non-ferrous) and glass.
- A household waste re-use recycling centre (HWRRC) with an expected throughput of 5,500 tonnes per annum, although the design would allow up to 10,700 tonnes per annum to meet potential increases in recycling activity.
- A municipal depot providing parking capacity for approximately eighty heavy goods vehicles (HGVs) including articulated lorries, roll-on roll-off vehicles, skip-carrier lorries and refuse collection vehicles (RCVs) and ten light vehicles including vans and pick-ups. The depot will also include a vehicle maintenance workshop enclosure with associated vehicle washing and refuelling facilities and an area for bin and skip storage.
- A contract administration and visitor centre facility (Resources Centre).
- A weighbridge and office, to service the overall site.

13 **Access road only:** The access road from the Old Kent Road to the waste facility. Access is gained via Devon Street (including signalisation of the Old Kent Road) and egress will be via a new road leading to another signalled junction with Old Kent Road close to Sylvan Grove. Devonshire Grove will be removed from the public road network, aside from its junction with Old Kent Road, which is proposed as an alternative access to the adjacent petrol station.
Case history

14 The site is designated as a waste facility in Southwark’s Unitary Development Plan and is a preferred industrial location in the London Plan.

Strategic planning issues and relevant policies and guidance

15 The relevant issues and corresponding policies are as follows:

- Urban design  London Plan; PPS1
- Transport  London Plan; the Mayor’s Transport Strategy; PPG13;
- Parking  London Plan; the Mayor’s Transport Strategy; PPG13
- Access  London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)
- Ambient noise  London Plan; the Mayor’s Ambient Noise Strategy; PPG24
- Air quality  London Plan; the Mayor’s Air Quality Strategy; The Control of dust and emissions from construction and demolition BPG; PPS23
- Waste/minerals  London Plan; the Municipal Waste Management Strategy; PPS10

16 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2007 Southwark Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

17 The Southwark Core Strategy development plan document, which is at the ‘Issues and Options’ stage, is also a relevant material consideration.
**Principle of the land use**

18 The application site is in the Bermondsey South East Preferred Industrial Location (PIL), designated as Strategic Industrial Location (SIL) within the London Plan. It is also designated as a Proposed Waste Management Site in Southwark’s UDP. London Plan Policy 3B.4 states that the Mayor, with strategic partners, will promote, manage and where necessary protect the varied industrial offer of strategic locations as London’s strategic reservoir of industrial capacity. Policy 3B.4 also emphasises that borough councils should have regard for the need to make strategic and local provision for waste management on industrial sites.

19 London Plan Policy 4A.27 identifies broad locations suitable for recycling and waste treatment facilities including SILs (both Preferred Industrial Locations and Industrial Business Parks). It is envisaged that SILs will provide the major opportunities for locating new facilities. It is therefore considered that the Integrated Waste Management Facility constitutes an appropriate use for this SIL location.

20 The site’s location close to residential properties and a school is not ideal. However, given the existing industrial nature of the uses on the site, the extensive site allocation process the Council has been through and the designation of the site as a waste site in the UDP the use is, on balance, appropriate for this site provided the issues identified in the following sections are dealt with.

**Waste**

21 London Plan policy 4A.23 identifies the following criteria for the selection of sites for waste management and disposal: proximity to the source of waste; the nature and scale of the proposed activity; the environmental impact on surrounding areas; the full transport impact of all movements and maximising the potential use of rail and water transport; and primarily using sites located on Preferred Industrial Locations or existing waste management locations. It also seeks to maximise the potential use of water transport for waste collection, transfer and disposal movements.

22 The site is in a preferred industrial location and is designated as a waste site in Southwark’s UDP and as set out above is a suitable site for such a facility.

23 A materials flow chart should be submitted by the applicant providing an indication of the estimated waste input and output.

24 At this stage it is not possible to determine if the applicant’s proposal for the MBT facility producing refuse derived fuel (RDF) from residual waste for incineration at SELCHP or landfill complies with London Plan Policy 4A.21, 4A.23 and 4A.23. Policy 4A.21 seeks to promote the provision of waste facilities that “promote generation of renewable energy and renewable hydrogen from waste”; and the production of energy from waste using “new and emerging technologies, especially where the products could be used as fuels (eg biofuels and hydrogen)”. In addition, London Plan Policy 4A.23 states that wherever possible, opportunities should be taken to include provision for combined heat and power and combined cooling heat and power and to accommodate various related facilities on a single site (resource recovery parks/consolidation centres)."

25 Evidence is required to show where RDF and any other residual waste will go. A review of technologies used on site to treat residual waste, and treat RDF offsite will be required to ensure that they are the optimum efficient solution at this time, and/or whether it requires replacement. This is essential to ensure that the scheme has been future-proofed.
26 The applicant should also outline how the development will contribute towards the regional self-sufficiency targets set out in London Plan Policy 4A.21 for waste to be managed in London. Guidance on waste deemed to be managed in London can be found in Section 4.71 of the London Plan. To comply with London Plan Policy 4A.21 the applicant needs to set out clearly how the development will:

- Exceed recycling or composting levels of municipal waste of 35% by 2010 and 45% by 2015.
- Achieve recycling or composting levels of 70% by 2020.
- Achieve recycling and re-use levels in construction, excavation and demolition waste of 95% by 2020.

27 Clarification is also sought as to how the 80% regional self-sufficiency target will be achieved by 2020. This is emphasized in Policy 4A.21, Section 4.71 and Table 4A.4, and Table 4A.6 of London Plan.

28 How the proposal contributes towards Southwark’s waste apportionment targets set out in Table 4A.6 in the London Plan should also be clearly set out.

29 Clarification is needed with regard to the performance of the MBT in terms of what materials for recycling will be extracted and the capture rate to ensure the resulting RDF produced for incineration is orientated towards non-recyclable residual waste in line with London Plan policy 4A.21. The applicant should also consider more advanced waste conversion facilities, such as mechanical biological treatment and anaerobic digestion, where the resulting biogas could be recovered to generate energy onsite.

30 In order for a decision to made as to whether the application complies with the London Plan the applicant should submit further justification of the other options that have been considered for treating residual waste onsite and the opportunities to generate energy in combined heat and power mode, as well as why these are not being taken forward.

**Energy**

31 London Plan Policy 4A.1 requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide, adopting sustainable design and construction and prioritising decentralised energy including the adoption of on-site renewable energy systems with a target of reducing carbon dioxide emissions by 20%. A series of policies are set out in chapter 4A that expand on how developers should deliver the above. Comments on each element of the energy strategy are set out below.

32 The facility consists of three unheated linked process buildings, two part-heated ancillary buildings and a heated administration/resource centre.

33 Conventional building regulation modelling is not appropriate in relation to determing the carbon baseline of the main waste processes being undertaken on site, hence, the applicant has provided estimates on the basis of energy consumed.

34 A more detailed breakdown of the total energy use and carbon emissions from the site is required, including energy consumed in the MBT application through typical processes such as dewatering, drying, gas clean-up, pumping, etc. Furthermore, details should be provided of measures proposed to make the MBT plant and other areas of the waste management facility as energy-efficient as possible in the first instance, across these processes.
35 The resource centre has been designed to include a number of sustainable features and will be designed to have emissions 10% below the building regulation requirements; however, the centre is responsible for only 2.1% of the facility’s total carbon dioxide emissions.

36 The applicant is proposing the use of 28 small roof-mounted wind turbines on site to reduce the associated carbon dioxide emissions from the Resource Centre alone by 20%.

37 However, no modelling detail with regard to the baseline for the resource centre or proposed carbon savings has been provided, and little information with regard to the viability of the wind turbines achieving a 20% reduction. Further modeling work and viability information should be provided.

38 The justification for a very low renewable energy contribution on this site is accepted, because of the nature of the waste processes being undertaken and their high electrical energy use.

39 As the Resource Centre is the sole building on site where any significant carbon reduction savings can be made, and as a site open to the public, the applicant should be looking at best practice and seeking solutions to maximise carbon reductions. The applicant states that the centre has been designed to high sustainability credentials, and the centre and workshop is stated to go beyond building regulations through the use of energy efficient technologies, such as air source heat pumps, by a total of 5%. Further opportunities for energy and carbon savings should be explored.

40 The applicant has also proposed to deliver a new community heating system utilising waste heat from the SELCHP waste incinerator to supply existing housing estates in the locality of SELCHP. This approach is welcomed. Overall, further information is needed before it can be concluded that the energy strategy as a whole is in compliance with the London Plan.

Climate change adaptation

41 The applicant should demonstrate how the proposal meets the essential, and where possible, preferred standards as listed in the London Plan sustainable design and construction SPG relating to energy efficiency, water efficiency, waste, biodiversity and other issues.

42 The Resource Centre building has a green roof. A green screen and small landscape buffer are provided to the south-eastern end of the building and a landscaped strip to the south-west of the site. The applicant should further investigate the use of a green walling system or additional landscaping buffer at this site for the inherent visual, noise attenuation, biodiversity and climate change adaptation benefits. This would most likely need to be on the boundary wall of the site up which suitable climbing plants could grow. This would also present a sustainable screening and boundary treatment option at the site.

43 Opportunities for grey water recycling should be explored for washing the wheels of the heavy goods vehicles, plant equipment and for toilet flushing.

Urban design

44 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London.
45 The nature of the proposed uses justifiably gives rise to the large-scale warehouse type structure proposed. The main operational building is steel (silver colour) clad, with steel trusses (light metallic green colour) supporting the ‘wave’ roof which is 16.2 metres high at its maximum height and 13.7 metres high at the lowest height. The building incorporates large fast acting, automatic service doors which are dark green. The building has two air dispersion stacks of 38 metres in height at the northern end of the building. These stacks are relatively slim elements of the scheme and in the context of the existing gas-holders they should not have a significant visual impact on the surrounding area. Whilst the warehouse typology is not at odds within the prevailing industrial context, supporting verified views are needed to demonstrate that the impact of the building on sensitive receptors such as the school and residential properties to the south-east of the site is acceptable. The majority of the perimeter of the site is adjacent to existing industrial uses, however a school and residential uses are located in the south eastern corner of the site and residential uses are located to the north of the site. As the proposal uses almost all of the site area it is not possible to pull the building away from the boundary significantly in these areas. Consequently the applicant should further investigate the use of a green walling system in these areas or alternatively integrate the landscaping with the school use for example by the provision of a landscaped area for educational use.

46 Detailed comments on the design of the access road are set out in TfL’s comments below. Whilst these are an improvement, from a traffic point of view, to the single point of access previously proposed, the current arrangement results in the creation of unusable space between the access road and the petrol station. Consideration should be given to moving the sprinkler tanks to this area to free up space for increased landscaping and a possible outdoor educational area. In finalising the proposed arrangements the applicant should ensure that these provide an inclusive, clear, direct and legible approach to the site, that is safe, well lit, appropriately landscaped and adheres to secured by design principles. In particular it should be safe and comfortable for pedestrian use during unsociable hours given the proposed shift working patterns.

47 The landscape scheme for the proposal should be further developed to both mitigate its impacts on the locality, to support local biodiversity and to provide an amenable local environment. This should be conceived as an integrated scheme encompassing ground level works, green walls and green roofs. It has been stated that the triangular south-west corner of the site cannot be developed as it provides the foundation to the gas holder and should therefore be landscaped as appropriate.

48 The Resources Centre is a 2-storey, rectangular building with a flat sedum roof which also accommodates a number of small wind turbines. The building is 7.3 metres high (9 metres including the turbines). It has been designed and sized to accommodate the number of staff anticipated to be working at the site whilst also providing a safe and educational environment for visitors. Visitor facilities include a presentation room and dedicated visitor assembly area within the building designed to accommodate a group of up to 30 persons. Visits are expected to take place from local authorities, overseas visitors, local groups, schools, colleges and universities. This provision is welcomed and the design of this building is consistent with the policies above.

49 Policy 4B.5 of the London Plan expects all future development to meet the highest standard of accessibility and inclusion. This together with the Mayor’s Supplementary Planning Guidance ‘Accessible London: achieving an inclusive environment’ underpins the principles of inclusive design and the aim to achieve an accessible and inclusive environment consistently across London. Further details of how the needs of disabled users and staff have been taken into consideration in the development of the design should be submitted.
Air quality

50 The London Plan air quality policy 4A.19 and the Mayor’s Air Quality Strategy set the framework for managing air quality within London. The applicant has assessed the development and concludes that the odour concentrations will be below nuisance levels and that the impact on air quality is negligible. This information has yet to be assessed and it is not possible to conclude that the development complies with the London Plan in this regard at this time. Further details of relevant mitigation that should be put in place in light of the fact that residential development and a school are located close to the boundary of the site should be submitted. Appropriate precautionary measures are required for the likely dust emissions that can add to health problems. The mitigation should be secured by condition.

Noise

51 London Plan policy 4A.20 on reducing noise requires that the potential adverse noise impacts from development proposals should be minimised. The uses on the site have all been contained within buildings in order to minimise the noise impact on surrounding uses. The applicant has assessed the development and concludes that the long-term impact on local receptors is predicted to be neutral during the operational phase of the development. This information has yet to be assessed and it is not possible to conclude that the development complies with the London Plan in this regard at this time.

55 Transport for London comments.

Traffic impact

52 Following an independent assessment of the traffic impact that this development would generate, TfL concludes that the proposed waste facility and access arrangement will result in a significant impact upon the Transport for London Road Network (TLRN). The increase of 200,000+ vehicle moments per annum on this section of the TLRN will reduce capacity at several points along the A2 from the Bricklayer’s Arms roundabout to the Kender Street triangle.

53 Without significant mitigation, the proposal is considered to generate an unacceptable negative impact on traffic on the Old Kent Road. However, TfL considers that the impact on the TLRN can be successfully mitigated provided that the following package of measures are agreed and appropriately secured as part of any planning permission:

- **Planning condition:**
  TFL considers the applications for both the waste facility and the access road as being inextricably linked and therefore expects a condition to be attached to the waste facility application that states that ‘prior to occupation of development detailed design of the access road must be agreed with the relevant highway authorities and all Section 278 works complete.’ This is to ensure that an appropriate means of access to the site is provided which does not compromise the operation of local roads for the TLRN. TFL also requires that an additional condition be attached to the planning consent preventing the waste facility from processing more than 200,000 tonnes of material per annum. This is to ensure that vehicles from the site do not exceed the vehicle movement figures set out in the transport assessment.

- **Contributions:**
  As the waste recycling facility will result in a significant increase in vehicle movements on the TLRN, specifically the Old Kent Road (A2), TfL is seeking a Section 106 contribution
of £2 million to mitigate the short and long term impacts of the increased traffic generation on the TLRN. This will be directed to the following three areas in order to help mitigate the impact of the development:

1. A capacity review which will seek to maximise traffic capacity within current junction alignments in order to offset the loss of capacity resulting from the waste facility. The review would cover the following junctions: Rotherhithe New Road/A2; Trafalgar Avenue/A2; Peckham Park Road/A2; Pomeroy Street/A2; Kender Street (A202)/A2; Besson Street/A2; and Besson Street/Kender Street (A202).

2. Maintenance of road surfaces, road markings and kerb lines as the significant increase in heavy goods vehicles (HGV) movements will result in greater degradation of the physical road structure of the A2.

3. Road safety initiatives for pedestrians and cyclists to counteract the increased conflict with HGVs resulting from the waste facility.

**Corrections and clarifications:**

All details and technical concerns relating to the access road application must be addressed to TfL’s satisfaction before a Section 278 agreement will be entered into. This includes, but is not limited to, traffic modelling, survey data, consideration of committed developments, and clarification on origin-destination surveys.

In addition the applicant should note that any Mayoral decision on this planning application does not prejudice the Director of Traffic Management’s position in any unresolved issue associated with the Traffic Management Act (2004) at a later stage.

**Access Road**

TfL is satisfied that the proposed junction designs for the two access roads are generally suitable to accommodate the heavy goods vehicles that would be used in connection with the waste facility. The applicants are advised that the detailed junction alignments are likely to be amended through the TfL formal scheme approval process (post planning permission).

**Car parking**

It is unclear how many parking spaces are proposed. TfL requires clarification on this before being able to determine whether the proposal is in line with London Plan policy 3C.23 ‘Parking Strategy’.

**Cycle parking**

Eighty cycle parking spaces will be provided on the site for staff and visitors. TfL has no specific cycle parking standards for waste facilities; however, this level of provision is sufficient for this development and in line with London Plan policy 3C.22 ‘Improving conditions for cycling’. The cycle parking areas should be sheltered and the parking provision should be of a type that allows secure cycle parking practices. TfL requests further information regarding the proposed parking. The cycle parking should be secured as part of any planning permission.

**Walking**

The applicants have proposed to provide a pedestrian crossing for the new access road and the removal of several vehicle crossovers near the petrol station, with the latter being reinstated.
to footpath. These are welcomed as they will improve pedestrian movements along the Old Kent Road.

59 TFL has concerns regarding the access to the site for staff walking from the Old Kent Road, particularly from the bus stops nearest the site. The walking route to the site entrance should be safe, well-lit, and provide appropriate pavements and crossings at both the junction with the Old Kent Road and at the site entrance.

60 Furthermore, the site is located in a business park, which has little activity outside of normal business hours. Given the proposed shift working during unsociable hours, it is particularly important that the pedestrian connections between the Old Kent Road, particularly the bus stops, are well lit and as secure as possible in order to encourage use of public transport services in the late evenings and early mornings. TFL requests further information about the design of the access roads with respect to pedestrian safety.

Travel plan

61 A draft travel plan has been submitted as part of the application. However, as the application is for a single use development with a known user, TFL will require a full workplace travel plan to be developed prior to any planning permission being granted. TFL considers that this is necessary to comply with London Plan policy 3C.2 ‘Matching development to transport capacity’ regarding travel plans. In addition, further work is necessary on targets, measures, management, and monitoring; TFL can provide more detailed comments separately. The travel plan should be iTRACE compliant and secured, enforced, monitored and reviewed as part of the Section 106 agreement.

Construction logistics plan

62 TFL welcomes the applicant’s intention to produce a construction and logistics plan (CLP). This should address the applicant’s efforts to minimise the impact of construction traffic on the local highway network, particularly the TLRN, and should take the likely cumulative construction movements of any other nearby developments into consideration.

63 Due to the impact on the Old Kent Road as part of the TLRN, the CLP must be agreed and approved by TFL in addition to Southwark Council as part of any planning agreement.

Delivery and servicing plan

64 TFL welcomes the applicant’s intention to produce a delivery and servicing plan (DSP). Due to the impact on the Old Kent Road as part of the TLRN, the DSP must be agreed and approved by TFL in addition to Southwark Council and secured as part of any planning agreement.

Summary

65 Although the proposal will result in a significant increase in vehicle movements on the TLRN at Old Kent Road, TFL considers that the impact can be successfully mitigated through a combination of Section 278 works and planning conditions. TFL can only consider the proposal to be acceptable in transport and planning terms if the mitigations measures set out above are implemented.

66 In addition, further information is required regarding the level of car parking and details of cycle parking facilities. A full travel plan will be required and should be secured as part of any planning permission, along with a construction logistics plan and a delivery and servicing plan.
London Development Agency comments

67 The LDA therefore considers that the Integrated Waste Management Facility constitutes an appropriate use for the SIL location.

68 Given the scale of the development, and in accordance with London Plan Policy 3B.11, the Council should seek to ensure that local residents benefit from the development. Southwark Council should ensure that the wider benefits of the proposal are maximised in order to improve employment opportunities for Londoners, to remove barriers to employment; and to tackle low participation in the labour market. The applicant states that the construction phase is anticipated to last twenty months and employ up to eighty people. In addition, it is anticipated that the operation of the proposed development will employ a total of 274 employees, an increase of 120 on those currently employed by the Manor Place Municipal Depot that will be relocated as part of the proposal.

69 The LDA therefore welcome that the s106 agreement draft principal terms which states that the applicant will undertake to set up a programme to provide training and support to assist unemployed people into employment to enable them to access jobs created in the proposed development both during construction and during subsequent operation of the facility. The programme will involve working with a local university to set up appropriate training courses.

Local planning authority’s position

70 The Local planning authority supports this application.

Legal considerations

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

Financial considerations

72 There are no financial considerations at this stage.

Conclusion

73 London Plan policies on land use, waste, energy, climate change adaptation, urban design, air quality, transport and employment are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Land use:** the site’s location in close proximity to residential properties and a school is not ideal; but, given that the site is located in a Strategic Industrial Location, the existing
industrial uses on the site and its designation as a waste site in the UDP, the use is, on balance, acceptable provided other issues are dealt with.

- **Waste:** the application has insufficient justification of the processes proposed to enable a decision to be made as to whether the application complies with the London Plan in this regard.

- **Energy:** there is insufficient information to enable it to be concluded that the application complies with the London Plan in this regard.

- **Climate change adaptation:** there is insufficient information to enable it to be concluded that the application complies with the London Plan in this regard.

- **Urban design:** On the whole, the design approach is acceptable. There is scope for increased landscaping and green walls, and the design of the access road is unacceptable.

- **Air quality:** the information submitted has yet to be assessed and it is not possible to conclude that the development complies with the London Plan in this regard at this time.

- **Noise:** the information submitted has yet to be assessed and it is not possible to conclude that the development complies with the London Plan in this regard at this time.

- **Transport:** the proposal will result in a significant increase in vehicle movements on the TLRN at Old Kent Road. This impact can be successfully mitigated through section 278 works, section 106 contributions, and appropriate planning conditions. Insufficient information on the level of car parking and details of cycle parking facilities has been submitted. Further details are required regarding the development of a full travel plan, construction logistics plan and a delivery and servicing plan for this site as well as details of site access for pedestrians.

- **Employment and training:** a training and employment programme is proposed and this is in line with the requirements of the London Plan.

74 On balance, the application does not comply with the London Plan.

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

- **Waste:** Further justification should be submitted of the other options that have been considered for treating residual waste onsite, the opportunities to generate energy in combined heat and power mode, and why these are not being taken forward.

- **Energy:** further information on the energy use and carbon emissions for the site should be provided; details of demand reduction measures should be provided; further modelling of the resources centre should be provided; further energy and carbon savings for the resources centre should be investigated.

- **Climate change adaptation:** further information is needed on how the proposal meets the essential, and where possible, preferred standards as listed in the London Plan sustainable design and construction SPG relating to energy efficiency, water efficiency, waste and biodiversity. In particular further consideration should be given to the use of a green walling system and additional landscape buffers and opportunities for grey water recycling.
• **Urban design:** the landscape scheme should be further developed and consideration should be given to the piece of unusable space created by the layout of the new access road.

• **Transport:** the conditions and contributions set out above need to be provided; further details of car parking and cycle parking need to be provided together with a full travel plan, construction logistics plan and a delivery and servicing plan.

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