Thames Gateway Energy Facility, Dagenham Dock
London Thames Gateway Development Corporation
(in the London Borough of Barking & Dagenham)
planning application no. 10/00287/ FUL

Strategic planning application stage II referral (new powers)

The proposal
A full planning application for the erection of an industrial building incorporating a 43.6m high stack to be used as an energy from waste generation facility to generate low carbon renewable heat and power.

The applicant
The applicant is Thames Gateway Power Limited, and the architect is Stratus Environmental Limited

Strategic issues
Energy generation from non-recyclable waste on this site which is designated as a strategic industrial location is supported. Energy, design and transport issues identified at Stage I have been satisfactorily resolved.

Recommendation
That the London Thames Gateway Development Corporation 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.

Context

1 On 6 April 2010 the Mayor of London received documents from Barking and Dagenham Council, on behalf of the London Thames Gateway Development Corporation (LTGDC) 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 2B of the Schedule to the Order 2008: "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."

2 On 12 May 2010 the Mayor considered planning report PDU/2507/01, and subsequently advised the Corporation that the application did not comply with the London Plan, for the reasons
set out in paragraph 75 of the above-mentioned report; but that the possible remedies set out in paragraph 77 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 5 July 2010 LTGDC decided that it was minded to grant planning permission for the revised application, and on 15 July 2010 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 or direct the LTGDC under Article 6 to refuse the application. The Mayor has until 28 July 2010 to notify the LTGDC 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

6 At the consultation stage the Corporation was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 75 of the above-mentioned report; but that the possible remedies set out in paragraph 77 of that report could address these deficiencies:

- **Waste management**: The use of the facility for non-recyclable waste only should be conditioned.
- **Climate change mitigation & adaptation**: Submit a detailed energy strategy and agree to conditions proposed. Provide evidence of negotiations with the LDA energy team and indicative timescales for linking the waste heat to the Thames Gateway Heat Network.
- **Design**: Revise the design and access statement and agree to appropriate conditions.
- **Inclusive design**: Revise the design and access statement and agree to appropriate conditions.
- **Employment & training**: Submit employment and training strategy and agree to appropriate conditions.
- **Transport & parking**: Provide further information as required and agree to appropriate conditions.

Waste management

7 The applicant has set out that waste accepted for treatment at the facility will have been through a rigorous assessment by expert waste advisors who are deployed to each customer to ensure that the waste they produce is suitable for the process. These waste advisors will be appointed by Thames Gateway Power to ensure that the rationale behind the waste hierarchy is adhered to during assistance given to waste producers. As such waste will not be diverted to this facility that could be adequately dealt with further up the waste hierarchy. As such the application now complies with the London Plan in this regard.
Climate change mitigation and adaptation

8 The applicant has provided a brief overall energy strategy in relation to the development. This contains estimates of baseline emissions, information on the intention to use the energy generation facility in CHP mode for exporting heat to nearby developments and commitment to installing sufficient area of photovoltaics on the roof of the gasification hall to be able to generate 600,000kWh of electricity per annum. The provision of sufficient PV’s, or alternative renewable technology, to generate this level of energy has been conditioned.

9 In response to the request to investigate the opportunities for the export of heat from the facility, the applicant has indicated that the energy generation facility will provide heat into the proposed district heat network for the London Sustainable Industrial Park (LSIP). The heat output will be fed into an ‘energy hub’ on the LSIP which will also contain heat exchangers, standby boilers and a control system.

10 The heat demand of the proposed LSIP heat network is uncertain at the present time; however, it is unlikely that this local network will require the full heat output from the energy facility. Surplus heat, over and above that required by the proposed local LSIP network, will be available to be fed into the wider Thames Gateway Heat Network (TGHN). The applicant did not respond to the OJEU Tender Notice issued by the LDA for prospective heat supply sources for the TGHN. The applicant suggests this was due to a number of reasons including a mismatch in the proposed timing of the TGHN and the proposed energy generation facility. However, the applicant has now entered into informal discussions with the LDA regarding the supply of heat to subsequent tranches of the TGHN. Evidence of these discussions has been provided. The following condition is included in the decision notice: “The applicant will use reasonable endeavours for excess heat to be used by a future LSIP network or any other adjacent use or network”.

11 As such the energy strategy proposed now complies with the London Plan.

Design

12 At Stage I further details of the treatment to the northern side of the extended building were requested and the applicant was requested to consider active uses along the public green route. The applicant has set out that there are additional plans to plant the area between its site boundary and proposed cycle path with trees as such the building will be screened. In addition to this for operational reasons the applicant decided to locate active uses away from this area. On the northern side of the building there is no room for any landscaping as an access width for maintenance and emergency purposes is needed between the building and the site. The applicant has agreed to discuss further landscaping in this area, outside their site, with the industrial park. As such the design issues raised at Stage 1 have been adequately addressed and as such the application now complies with the London Plan in this regard.

Inclusive design

13 The applicant has confirmed that the pedestrian entrances to the offices will have step free access and that the lift is fully wheelchair accessible. All entrances will be lit and the main entrance will be covered. As such all the comments raised in the Stage I report have been taken account of and the application now complies with the London Plan in this regard.

Employment and training

14 The applicant has stated that a training and employment strategy will be provided to the local planning authority in advance of commencement of the development. The development period between the initial construction phases and the fully operational stage will be utilized to create apprenticeships and allow workforce training.
Transport for London’s comments

15 At Stage I TfL stated that it had no objections in principle to the proposed development but required further information of the assessment on river borne transport and details of cycle parking, travel planning measures, delivery and servicing plan, construction logistics plan and details of electric charging points.

16 The applicant has supplied further information on the feasibility of the use of riverborne transport and is supportive of London Thames Gateway Development Corporation’s investigation into reciprocal arrangements for nearby wharves. The provision of a travel plan, deliveries and servicing plan, construction management plan and details of cycle parking and electric charging points are all conditioned prior to commencement of development. As such the application now complies with the London Plan in this regard.

Other comments

17 CABE commend the crisp and clear design approach, generating a simple and elegant box whilst appreciating that the proposal requires some further refinement regarding materials and detailing. It goes on to state that the quality of the buildings will be dependant on the materials and detailing.

18 The Environment Agency set out that it has no objection in principle to the application provided that the development is conditioned such that it is in accordance with the flood risk assessment, that suitable measures are agreed to deal with contamination prior to development, that measures are agreed to deal with any contamination discovered during the course of development, that monitoring reports are submitted to the local planning authority in accordance with a long term monitoring and maintenance plan, piling or other foundation designs using penetrative methods shall not be permitted without express written consent of the local planning authority and no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority. These conditions are included in the draft decision notice.

19 The Greater London Archaeology Advisory Service recommended a condition to secure a programme of archaeological work. This condition has been included in the draft decision notice.

20 Natural England recommended that measures to mitigate and enhance the natural environment should be conditioned possibly through the provision of an ecological mitigation and management plan. The provision of this management plan has been conditioned. Natural England also asked that the applicant performs a mammal survey to assess the potential impact of the development on the water vole population. A water vole and otter survey formed part of the environmental statement and concluded that no water vole activity was seen along any stretch of the Goresbrook as such the Council has concluded that it is not reasonable to request a further mammal survey. In addition the applicant has advised that a further water vole survey was carried out along the section of Gores Brook which runs parallel to the TGEF development, as part of wider LSIP instruction and water vole evidence was found. The consultants have advised that the TGEF development should not impact so long as there is an 8m buffer retained between the brook and the development. The standoff from the top of the brook bank to the TGEF perimeter fence is more than 10m and as such should not have any impact.

21 The London Fire and Emergency Planning Authority state that access to the building is considered acceptable subject to the roadway being a minimum of 3.7m in width and being able to support a vehicle of 14 tonnes laden weight.

22 The London Fire Brigade recommended that five private hydrants should be installed.
Thames Water requested that the applicant should incorporate within their proposal protection to the property by installing a non-return valve to avoid the risk of backflow at a later date.

Network Rail requested that the applicant enter into a protection provision agreement. This is a matter to be resolved between the parties.

Essex and Suffolk Water wrote to say that it had no comments or observations to make regarding the application.

**Response to consultation**

327 consultation letters were sent out and three objections were received. Planning issues raised are as follows:

- Effect on health of local people;
- Pollution;
- Odour;
- There are already too many industrial uses in the area;

These matters have been dealt with in the Council’s committee report.

Barking and Dagenham Council considered the application on 5 July 2010 and resoled to recommend that the LTGDC grant permission subject to conditions and Section 106 agreement.

**Legal considerations**

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.

**Financial considerations**

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.

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.

**Conclusion**

32 Energy generation from non-recyclable waste on this site which is designated as strategic industrial location is supported. The energy, design and transport issues identified at Stage I have been satisfactorily resolved. As such the Mayor is content for the Corporation to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal.

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Thames Gateway Energy Facility, Dagenham Dock

London Thames Gateway Development Corporation
(in the London Borough of Barking & Dagenham)

planning application no. 10/00287/ FUL

Strategic planning application stage 1 referral (new powers)


The proposal

A full planning application for the erection of an industrial building incorporating a 43.6m high stack to be used as an energy from waste generation facility to generate low carbon renewable heat and power.

The applicant

The applicant is Thames Gateway Power Limited, and the architect is Stratus Environmental Limited.

Strategic issues

Energy generation from non-recyclable waste on the site designated as strategic industrial location is supported. An energy strategy must be submitted. The design and access statement should be revised. An employment and training strategy must be submitted. Concerns in relation to transport and parking should be addressed.

Recommendation

That Barking & Dagenham Council, on behalf of the London Thames Gateway Development Corporation, be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 75 of this report; but that the possible remedies set out in paragraph 77 of this report could address these deficiencies. The application does not need to be referred back to the Mayor if the Corporation resolve to refuse permission, but it must be referred back if the Corporation resolve to grant permission.

Context

1 On 6 April 2010 the Mayor of London received documents from Barking & Dagenham Council, on behalf of the London Thames Gateway Development Corporation (LTGDC) notifying him of a planning application of potential strategic importance to develop the above site for the...
above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 17 May 2010 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Category 2B of the Schedule to the Order 2008: “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 the LTGDC 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 or allow the Corporation to determine it itself, unless otherwise advised. In this instance if the LTGDC resolves to refuse permission it need not refer the application back to the Mayor.

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 application site is largely rectangular in shape, measures approximately 3.93ha and is relatively flat in nature. The site is located at the London Sustainable Industries Park, identified as a Strategically Industrial Location and as the London Riverside Opportunity Area, located off the A13 at the former Dagenham Dock, Essex, with direct access to the A13(T) at Gores brook Interchange, via Choats Manor Way and Choats Road. Junction 30 of the M25 lies approximately 6 miles to the east, whilst the North Circular(A406) lies approximately three miles to the west.

7 The development will be accommodated on a site that was the former set down area and equipment store for the Channel Tunnel Rail Link (CTRL). It is bounded to the east by Choats Manor Way, which links the A13 with Choats Road. To the immediate south of the site lies vacant land, which will be developed, as the major part of the London Sustainable Industries Park, beyond which is Choats Road. To the north of the site is a corridor of vacant land, beyond which is Gores Brook drainage channel, which flows east to west, and then into the River Thames. The western boundary is formed by a ‘metalled’ paved service road, which serves as the current access to the site/ area from Choats Road. Beyond the service road is more vacant land and Gores Brook. To the north of the site, beyond Gores Brook lies the CTRL which is mainly situated within a cutting although the overhead electrical power lines are visible. Beyond the CTRL a number of large commercial and industrial warehouses dominate the skyline. To the east and north east, Choats Manor Way rises by virtue of a concrete bridge and passes over the CTRL towards a major highway interchange with the A13.
8. The last known use of the application site was a storage site for CTRL. The only structure remaining on the site is the power transmission line with its supporting pylons (See figure 1).

9. The nearest railway station is at Dagenham Dock, which is approximately 1.6 km from the entrance to the site, and is therefore not considered to be within acceptable walking distance. The nearest bus stops are 500m walk from the entrance to the site along the site access road. These stops are served by the recently opened EL2 bus service between Ilford and Dagenham Dock. The public transport accessibility level for the wider London Sustainable Industries Park, following the introduction of EL2, is 1b, on a range of 1 to 6 where 1 represents the lowest accessibility. There are dedicated footways and cycle ways along the site access road, which provide access to Choats Road. The nearest access to the A13, which forms part of the Transport for London Road Network, is approximately 1.5 km from the site via Choats Manor Way.

**Details of the proposal**

10. The application (shown in Figure 2) seeks full planning permission for the generation of energy that will be carried out within a purpose built, modern industrial warehouse style building (energy generation building), measuring approximately 272 metres by 57 metres (at the widest point) by 21 metres high (highest rooftop elevation). The building will comprise a reception area for waste storage. Six streams of primary gasification chambers; secondary chambers, covered conveyor/ storage area for ash removal; flue gas treatment equipment and power generation area (combined heat power unit/ turbine). The stack height is 43.6m, compared to the pylons which are 60m and the nearby wind turbine which is 85m.

Figure 2: day and night time aerial photos of the proposal on site (Source: applicant’s planning statement)

11. The details of the energy facility and its output (as shown in Figure 3) comprises the following:
• Recover energy from 120,000 tonnes of residual commercial and industrial waste each year, which is currently going to landfill,

• Generation of 16 Megawatts of low carbon and renewable electricity, sufficient to serve either the needs of the London Sustainable Industries park, or 31,500 households in the Dagenham area (equivalent to 130,000 Megawatts hour).

• Generate and supply of heat to the Sustainable Industries Park, and other district wide heat network initiatives and projects;

12 A two-storey office block (measuring circa 26m by 24m), separate to the main energy generation facility building will be provided as part of the proposal.

13 The proposal will also include:

• Flue stack and air management equipment;
• Two weighbridges and cabin;
• Access/service roads/parking areas;
• Ancillary utility infrastructure; and
• Hard surfacing and landscaping.

Figure 3: schematic diagram of the energy processing plant and its outputs (Source: applicant’s planning statement)

14 An internal spine road is shown aligned east to west on Masterplan PL(00) 103 Revision F, which was proposed to serve Plots G, J, K and N. Based on the current site layout for the TGEF development, the proposed HGV entrance is approximately in the location of the entrance to Plot N, as shown on Masterplan PL(00) 103 Revision F.

15 Access to the site will be gained along new service roads, leading from the existing junction with Choats Road. The existing service road, which currently forms the main access into the London Sustainable Industries Park area between Gores Brook and Choats Road, will be redeveloped and landscaped. Whilst the new service road forms part of the overall planning
application area for the development, this element will be developed separately by LTGDC and in advance of the Thames Gateway Energy Facility and therefore does not form part of these proposals.

**Case history**

16 In February 2003 the previous Mayor decided not to direct the refusal of planning permission for an outline application for the redevelopment of the site for 94,954 sq. m. of employment uses (PDU reference 0311/02). The previous Mayor decided not to direct refusal of this application as the development offered a major opportunity for the creation of a significant amount of new jobs in one of the Mayor’s priority locations for regeneration in the Thames Gateway. It also represented an important step in the delivery of the Council’s vision for the area to be transformed into a Sustainable Industrial Park, a vision supported by the then draft London Plan. On balance, it was agreed that the proposed planning permission fulfilled the strategic aspirations for the redevelopment of this important brownfield site in the Thames Gateway.

17 The previous Mayor also considered two further applications in June 2003 and April 2004 for developments of plots of land within the area covered by the above outline permission (PDU references 0311c/02 and 0311d/02). Both developments were consistent with the outline planning permission and hence the previous Mayor did not direct the refusal of these applications.

18 The previous Mayor also considered an outline planning application in October 2004 (PDU reference 0311d/02) for a (B1, B2 & B8) development consisting of a total floor space of 94,954 sq m with all matters reserved except the road access. This application sought to vary the conditions limiting the different uses (B1, B2 and B8) in the 2003 consent. The Section 106 Agreement accompanying the 2003 permission was amended to reflect the changes at the site between the granting of the 2003 permission and the 2005 permission. The previous Mayor did not direct refusal of the application on the basis that the proposed removal of the mix of use condition will not hinder the aims for regenerating Dagenham Dock as a sustainable industrial employment location as the revised agreement still encourages and provides for a mixture of industrial employment uses to come forward and not solely storage and distribution uses.

19 The 2004 application allowed the relaxation of the B8 floor space limit and required the marketing of 1.82 hectares of the site for B1(c) and B2 purposes. It also required the land available for development on the northern part to generally accord with an approved Masterplan (ref: PL(00)103 Revision F).

20 Masterplan PL(00) 103 Revision F, referenced in Planning Permission (DC/04/00524/OUT) showed the general development and plot layout proposed for Phase 2 Abacus Park. The TGGEF development will occupy the area covered by Plots J, K & N as shown on Masterplan PL(00) 103 Revision F. This plan identified that the main part of the Phase 2 (LSIP) area would be served by an access road leading off Choats Road. The proposed access road is along the alignment of the current service road, previously used to access the CTRL set down compound.

21 In October 2009, a pre-planning application meeting was held at City Hall that included attendees from Cylamax, the applicant and officers from the GLA and the LDA.

**Strategic planning issues and relevant policies and guidance**

22 The relevant issues and corresponding policies are as follows:
Principle of land use

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.

London Plan Policy 4A.27 identifies broad locations suitable for recycling and waste treatment facilities including Strategic Industrial Location (SILs), (both Preferred Industrial Locations and Industrial Business Parks). The facility will be developed on land that forms part of the London Sustainable Industrial Park, which has an outline planning permission for offices, industrial and commercial, distribution warehouse uses (B1, B2 & B8). The proposed development is classified as sui-generis and would therefore require a change of use. However, the principle of land use for energy facility development in the area designated as Strategic Industrial Location complies with policies 4A.27 and 3B.4 of the London Plan. In addition, the East London Joint Waste Development Plan Document, which is at submission stage, states that favoured broad locations for waste management facilities are the Strategic Industrial Locations and the Locally Significant Industrial Sites (subject to amenity and environmental considerations).

Waste management

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.

28 The criteria of policy 4A.23 are reaffirmed within policy 5.17 of the draft replacement London Plan with the addition of a criteria seeking that waste management should achieve a positive carbon outcome of waste treatment methods and technologies to result in greenhouse gas savings, particularly from treatment of waste derived products to generate energy. This proposal is in compliance with draft policy 5.17.

29 London Plan Policy 4A.25 requires boroughs to identify sufficient land to provide capacity to manage the apportioned tonnages of municipal solid waste and commercial and industrial waste. In this instance this will be identified through the Joint Waste DPD. Policy 4A.25 is reaffirmed by policy 5.17 of the draft replacement London Plan.

30 The Barking & Dagenham Core Strategy DPD states that until the Joint Waste DPD has been adopted, applications for waste developments will be determined in accordance with PPS10 (Planning for sustainable waste management) and the London Plan. The Core Strategy also safeguards the capacity of existing waste management facilities. That said, the London Sustainable Industrial Park is identified in Schedule 2 of the Joint Waste DPD as one of the number of areas within which potentially available and suitable sites for waste management facilities can be located.

31 The EU Landfill Directive (adopted in July 1999 and transposed into UK Law by the Landfill Regulations 2002) is the most significant influence on the manner in which waste is treated in the United Kingdom. It includes the following key requirements:

- A phased and substantial reduction (65% by 2020) in the amount of biodegradable municipal waste being landfilled;
- The treatment of all wastes prior to landfill; and
- The implementation of the waste hierarchy of reduction, re-use, recycling, energy generation, landfill

32 The EU Legislation, the proximity principle and the waste hierarchy have led to the emergence of alternative forms of waste management such as energy recovery facilities. The Thames Gateway Energy Facility proposals represent a new generation of industrial development which aims to address climate change and the associated principles of sustainability.

33 The proposed Thames Gateway Energy Facility will reduce the amount of waste currently disposed of to landfill. Residual wastes from segregated and pre-sorted commercial and industrial waste streams will be treated via the gasification process instead of disposal via landfill. This process will recover energy via heat and electricity and will therefore enable waste to be managed higher up the waste hierarchy (See Figure 4 below).
The applicant has stated that the development is intended to provide a facility for managing commercial and industrial waste streams; however, the plant is capable of treating municipal solid waste and other types of waste materials. It is a concern both to the GLA and the Council that this implies that London Sustainable Industrial Park will become a waste incineration facility and a dumping site for other boroughs' waste. The GLA requires an assurance from the applicant that only non-recyclable waste will be used as an input to the energy generation process and this should be conditioned.

The applicant demonstrates that it is likely that the residual waste material shall be transported to the Thames Gateway Energy Facility from a number of existing waste transfer station and treatment facilities. Given that residual waste material shall arise in relatively small quantities from a number of localised sources it would not be possible to effectively use the rail and river system. However, some materials and equipment during the construction phase may be transported by alternative modes, such as river borne transport utilising the nearby wharf facilities. The GLA stresses that this option should be thoroughly investigated working in collaboration with the TfL. (More comments to follow in the TfL comments).

The opportunity to investigate waste processing and river borne freight is being examined further as part of the Opportunity Area Planning Framework (OAPF) for London Riverside, which is currently under preparation, by the GLA and LTGDC.

Given the high profile of the Cylamax proposal the scheme should encourage and facilitate visitors to the plant whether these are people with a commercial interest in waste processing or the general public. The applicant should explain further how this activity will be enabled.

In summary, provided that the feedstock to this facility is non-recyclable waste or waste that is left over after recyclable waste has been extracted. This application positively contributes to the waste policy objectives in the London Plan.

Design

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. Other design polices in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon Network.
The draft replacement London Plan reinforces these principles, with new development required to have regard to its context, and reinforce or enhance the character, legibility and permeability of the neighbourhood (policy 7.1).

London Plan policies 4B.8 and 4B.9, which relate to the specific design issues associated with tall and large-scale buildings, are of particular relevance to the proposed scheme. These policies set out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor. Policy 2A.5 to deliver good design, including pedestrian, open space and, where appropriate, tall buildings in opportunity areas also should be considered.

Figure 5: the design of the proposed development (Source: applicant’s planning statement)

The design of a simple volume of proposed energy facility is successful and elegant. (See Figures 5). On the northern side of the extended building there is a sustainable transport cycle route and green space. The pleasantness of this route will be greatly defined by the development. It would therefore be important to understand what is proposed on this site in terms of lighting and fenestration. The applicant should give further thought to the boundary treatment to strengthen the buildings relationships to the landscape, in line with the principles set out in the Dagenham Dock Urban Design Framework (Sergison Bates, 2008). Some active uses along the building facade overlooking the public green route should be explored further. Public realm improvements should be secured through appropriate planning conditions.

Inclusive design

The aim of London Plan Policy 4B.5 is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum), and this and all developments should seek to better minimum access requirements. The design and access statement is required to demonstrate the design thinking behind the application and explain how the principles of inclusive design, including the specific access needs of people with disabilities, have been integrated into the proposed development and how inclusion will be maintained and managed. Policy 7.2 of the draft replacement London Plan reinforces the principles of inclusive access.

Although it is not clearly demonstrated in the design and access statement the submitted environment statement volume 2 states that the applicant is committed to the provision of access for all. The statement sets out the detailed design of the public realm must be based on the principles of ‘inclusive design’, take account of different access needs and ensure that roads and paths are safe and convenient to use by everyone. It also acknowledges that appropriate numbers of ‘Blue Badge’ car parking spaces are to be provided and their approaches will be expected to provide an accessible and welcoming environment for disabled workers.
That said the design and access statement should be revised to fully accommodate inclusive design and all entrances should be illuminated, have step free level access over the threshold and have a covered main entrance. Communal stairs should provide easy access and where offices are reached by a lift, it should be fully wheelchair accessible. All these should be conditioned.

**Climate change**

The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions. The policies set out ways in which new developments must address mitigation of, and adaptation to, the effects of climate change (Policy 4A.1).

**Climate change mitigation**

London Plan policies 4A.4-11 focus on mitigation of climate change and require a reduction in a development’s carbon dioxide emissions through the use of passive design, energy efficiency and renewable energy measures. The London Plan requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures and prioritising decentralised energy, including renewables.

Draft replacement London Plan policy 5.2 provides a comprehensive framework for minimising carbon dioxide emissions, and sets targets for carbon dioxide emissions reductions for residential and non-residential buildings over the plan period.

The applicant states that the energy facility will use advance thermal treatment gasification technology, with a capacity to process approximately 120,000 tonnes of residual waste materials per annum. A combined heat and power unit will be provided as part of the process which will enable the production and exportation of up to approximately 16 Megawatts of low carbon and renewable electricity to future occupiers of the London Sustainable Industrial Park and the regional electricity network; and provision of up to 130,000 MWth of thermal heat to surrounding businesses/industrial units, and the potential to contribute towards the local district heating initiatives being developed by London Thames Gateway Heat Network.

Given the small heat load on site, the applicant should thoroughly investigate opportunities for exporting the heat to the London Thames Gateway Heat Network. The applicant should provide evidence of discussions with the LDA decentralised energy team to support this application. The applicant should also provide details of any ongoing discussions with developers in the area where relevant. The applicant should also provide indicative timescales for linking to the Thames Gateway Heat Network.

The applicant should also provide a full energy strategy to support this application which sets out how the development will meet the Mayor’s energy hierarchy i.e. be lean (passive design energy efficiency measures), be green (CHP) and be lean (renewable technologies e.g. photovoltaic panels) where possible.

**Climate change adaptation**

London Plan policy 4A.3 seeks to ensure future developments meet the highest standards of sustainable design and construction, and policy 4A.9 identifies five principles to promote and support the most effective adaptation to climate change. These are to minimise overheating and
urban heat island effects; minimise solar gain in summer; incorporate sustainable drainage systems; minimise water use; and protect and enhance green infrastructure.

53 The applicant is also referred to specific policies relating to overheating (4A.10), living roofs and walls (4A.11) and sustainable drainage (4A.14). Additional guidance is provided in the London Plan Sustainable Design and Construction SPG.

54 The Environment statement acknowledges that green roofs provide a number of potential benefits (including reducing the amount of water run-off, providing habitat for wildlife and providing extra heat and noise insulation) and proposes the provision of green roofs wherever possible.

55 The proposed drainage strategy demonstrates that it is in line with the recommendations of PPS25, and the sustainable ethos of the industrial park. Water for the operational phase of the development will be sourced whenever possible via site harvesting. The form of development, which includes large roof areas, free from risk of contamination provides a ready source of water. During periods of little or no rainfall water will need to be provided from mains sources.

56 The sustainable use of water within the TGEF has been considered and a number of principles have been established which include grey water recycling from showers into toilets and hand basins and the use of low flush vacuum toilets, which will reduce the usage of water and also the amount of water. These should be conditioned.

**Surface Water Drainage**

57 Surface water/ grey water from the building roofs will typically be collected and stored for re-use within each plot and managed by occupants. This will take the form of attenuation ponds, below ground retention tanks, water butts etc. The collected water can also be used at building level. The re-uses at source could include toilet flushing, irrigation, washing down and potential usage for each industry using the site i.e. cooling of plant.

58 The aspiration is for each plot to re-use 100% of the grey water collected from the roof area. There will be an overflow facility built into the storage systems to allow for occasional overflows, which are likely to occur when the buildings are unoccupied for a period of time. This overflow will connect directly into the site wide surface water swale system.

59 In summary, the applicant’s overall approach to addressing climate change and mitigation is broadly supported. However, a full and detailed energy strategy to support this application should be submitted and the proposed measures stated in the environment statement should be conditioned.

**Environmental considerations (including biodiversity)**

60 The Gores Brook runs adjacent to the application site. It is a site of local nature conservation interest. The impact of the development on this and other environmental considerations have been assessed in the environmental assessment. There are no issues of strategic concern.

**Employment and training**

61 As good practice, the GLA encourages Local Councils to obtain a commitment from the applicant to submit an employment and training strategy to accompany the planning application. In particular, the applicant should promote the creation of local employment opportunities during the construction phase, as well as the supply of goods and services. On a scheme of this scale, Barking
& Dagenham Council should encourage the applicant to provide on-site training, or contribute to the cost of training in construction work. These initiatives will allow the development to conform to the London Plan policies 3B.1 and 3B.11 and ensure that Black, Asian and Minority Ethnic people and other disadvantaged groups and businesses can benefit from the scheme.

**Transport for London's comments**

62 The proposal will not generate a significant number of non-car passenger trips, and any likely impact of additional demand on the bus, transit and rail network will be minimal due to the site's distance from any public transport modes, the nature and the scale of the development.

63 It is estimated that a total of 86 heavy goods vehicle trips and up to 70 car trips would be generated in total over the course of the day. Although the site is currently partly vacant, this actually represents a reduction of the trip levels anticipated to be generated by the previous consented use for the site. As a result, TfL accepts that the development would not have a significant impact on the local highway network or Transport for London Road Network.

64 Car parking on site is in line with standards for employment uses as contained in Appendix 4 of the adopted London Plan and table 6.2 of the consultation draft replacement London Plan, and given the current nature of the highway network, this level of provision is accepted by TfL.

65 The provision of electric charging points on site is welcomed. The draft consultation London Plan Policy 6.13 proposes 20% active and 10% passive provision to encourage uptake of electrical vehicles, therefore making a total of 21 spaces, out of the 71, to have charging points. This should be secured by condition and / or s106 agreement.

66 In line with the London Plan Policy 3C.23 and draft consultation London Plan Policy 6.9, the provision of cycle parking on site will be particularly important given the significant walking distance to the nearest public transport service. No details have however been provided in relation to their exact location on site. Those should be covered, secure and well lit. Although cycle parking provision at 1 space per 3 employees seems acceptable given the London Plan standards, TfL would however expect its usage to be monitored via the site travel plan and also the London Sustainable Industries Park travel plan.

67 Although the threshold for requiring a full travel plan is over 20 staff, it is accepted that due to the operation of shift work there will only be a maximum of 13 workers, out of 35 employees, at any one time. In this instance, and given the low level of passenger trips anticipated, it is accepted that a travel plan is not compulsory for this site. TfL would however, welcome the applicant’s commitment to still provide travel demand management incentives, in line with London Plan Policy 3C.2 and draft consultation London Plan Policy 6.3, and for which TfL can provide advice as necessary. As a minimum, the applicant would be expected to sign up to the Sustainable Industries Park site wide travel plan to provide the support needed should staff wish to travel by alternative sustainable means. Either approach should however be secured by condition.

68 The London Plan Policy 3C.26 and draft consultation London Plan Policy 6.15 both support the provision of a rail freight facility in the London Riverside area, given the high accessibility to High Speed and domestic rail, and other existing rail freight facilities. If future multi-modal rail freight facilities are developed in the London Riverside area, TfL would expect the use of these facilities to be considered for future use for carrying waste.

69 The London Plan Policy 3C.25 and draft consultation London Plan Policy 6.14 seek to ensure that existing safeguarded wharves are fully utilised for waterborne freight and waste. TfL therefore welcomes the applicant’s intention to use a nearby river wharf facility in certain
circumstances, but would require further information about the preliminary investigation, as referred to in the environmental statement, to understand the assessment undertaken to date and explore opportunities for further investigation in conjunction with other interested stakeholders.

70 A delivery and servicing plan should be prepared including measures to mitigate impacts on the road network. Measures such as booking systems to reduce peak time movements and use of full loads to minimise trips should be considered. Membership of a scheme such as the freight operators recognition scheme should be encouraged for contractors. Subject to the further investigation of potential for rail and water freight and build out of the London Sustainable Industries Park, the delivery and servicing plan should suggest a target for non-road based freight which can be monitored and reviewed periodically. The preparation and implementation of a delivery and servicing plan, in accordance with TfL guidance, will need to be secured by condition. A construction logistics plan will also need to be prepared, which should be secured by condition.

71 In summary, TfL has no objections in principle to the proposed development but would expect further information of the assessment on river borne transport and details of cycle parking, travel planning measures, delivery & servicing plan, construction logistics plan and details of electric charging points, all to be secured by condition in order to comply with the London Plan Policies 3C.2, 3C.23, 3C.25 and 3C.26 and consultation draft replacement London Plan Policies 6.2, 6.3, 6.9, 6.13, 6.14 and 6.15.

Local planning authority's position

72 Barking & Dagenham Council and London Thames Gateway Development Corporation have yet to confirm their position on this planning application.

Legal considerations

73 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 Corporation 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 Corporation under Article 6 of the Order to refuse the 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

74 There are no financial considerations at this stage.

Conclusion

75 London Plan policies on principle of land use, waste, climate change mitigation & adaptation, design and access, employment and training, and transport and parking are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Land use**: The principle of land use for energy facility development in the area designated as Strategic Industrial Location complies with policy 4A.27 of the London Plan.

- **Waste management**: The application positively contributes towards the waste policy objectives in the London Plan provided that the feedstock is non-recyclable waste.
• **Climate change mitigation & adaptation:** The applicant’s overall approach is broadly supported. However, a detailed energy strategy should be submitted and the proposed measures stated in the environment statement should be conditioned. The applicant should provide evidence of discussions with the LDA decentralised energy team and indicative timescales for linking the waste heat to the Thames Gateway Heat Network.

• **Design:** The design should be revised in terms of boundary treatment.

• **Inclusive design:** The design and access statement should be revised to fully accommodate inclusive design and all proposed measures should be conditioned.

• **Employment & training:** An employment and training strategy should be submitted and conditioned.

• **Transport & parking:** Further information on the feasibility of the use of river borne transport, details of cycle parking, travel planning measures, construction logistics plan, delivery & servicing plan and details of electric charging points are required. All these should be secured by conditions.

76 Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan.

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

• **Waste management:** The use of the facility for non-recyclable waste only should be conditioned.

• **Climate change mitigation & adaptation:** Submit a detailed energy strategy and agree to conditions proposed. Provide evidence of negotiations with the LDA energy team and indicative timescales for linking the waste heat to the Thames Gateway Heat Network.

• **Design:** Revise the design and access statement and agree to appropriate conditions.

• **Inclusive design:** Revise the design and access statement and agree to appropriate conditions.

• **Employment & training:** Submit employment and training strategy and agree to appropriate conditions.

• **Transport & parking:** Provide further information as required and agree to appropriate conditions.
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