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By email eljointwasteplan@havering.gov.uk

Department: Planning

Our reference: LDF34
/LDD01/WP02/AT01
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Dear Cara,

**Planning and Compulsory Purchase Act 2004 (as amended);
Greater London Authority Acts 1999 and 2007; Town and Country Planning (Local
Development) (England) Regulations 2012**

RE: East London Joint Waste Plan – Regulation 19 Consultation

Thank you for consulting the Mayor of London on the East London Joint Waste Plan (Regulation 19). As you are aware, all Development Plan Documents in London must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004). The Mayor has afforded me delegated authority to make detailed comments which are set out below.

General

LP2021 Policy SI8(b) requires boroughs to allocate sufficient land and identify waste management facilities to meet the waste tonnages apportioned in LP2021. The East London Joint Waste Plan (ELJWP) covers the London Boroughs of Barking and Dagenham, Havering, Newham and Redbridge ('the Boroughs'). These boroughs have a pooled LP2021 apportionment of 1,497,000 tonnes per annum to 2041.

The draft Plan identifies that East London currently has a capacity of 2,619,508 tonnes per annum (tpa) of qualifying waste capacity, based on the combined capacity of the Boroughs. We commend the draft ELJWP for its positive approach to meeting apportionment targets. Whilst it is considered that the draft Plan is in general conformity with LP2021, the Mayor has concerns in regard to the approach proposed for the implementation of Policy JWP2 and the release of waste sites within the Castle Green SIL.

We have noted some inconsistencies in figures associated with the number of sites to be safeguarded and for the additional sites identified for potential future release, and request that they are corrected prior to the draft Plan being submitted.

Sites Proposed for Release

The draft ELJWP safeguards 66 waste sites within the Boroughs. Four sites are proposed to be released, which have a combined capacity of 38,125 apportioned waste and 425,316 Construction, Demolition, and Excavation (CDE) waste. These sites are identified in the below table.

Borough	Site	Permitted Use and Permit Details	Assessed Peak Waste Capacity (tpa)
Barking and Dagenham	Barking Eurohub, Box Lane	Transfer Station taking Non-Biodegradables Wastes	c313,500
Barking and Dagenham	Barking Eurohub, Box Lane, Annex to Shed A	Non Haz Waste Transfer/Treatment	c36,000
Barking and Dagenham	Old Bus Depot, Perry Road	Non Haz Waste Transfer/Treatment	c56,000 (CDEW) c22,000 (HIC)
Newham	Connolleys Yard, Unit 5c Thames Road	Metal Recycling Site	C35,000

It is noted that the released sites have reduced since the Regulation 18 consultation, which had identified seven sites for release. It is understood that the reduction between Regulation 18 and Regulation 19 is due to three sites having been granted consent for a change of use away from waste, and as such have been removed from this list.

As set out in paragraph 5.3 of the draft Plan, the four identified waste sites proposed for release have been identified for non-waste uses in Borough Plans, with no specific compensatory capacity proposed. While the GLA understands that the assessment of existing waste capacity of 2,619,508 tpa excludes the sites identified in the above table, LP2021 Policy SI9 is clear that all waste sites are safeguarded, and that an existing waste site should only be released to other land uses where waste processing capacity is re-provided elsewhere within London, based on the maximum achievable throughput achieved over the last five years. The Mayor is concerned that this approach of releasing sites without re-provision elsewhere within London could impact on achieving some of the key aims of Policy SI8 and SI9. Further commentary on each of the four sites can be found below:

- Old Perry Bus Depot – officers understand that the Environment Agency (EA) has advised that the permit for this site has been revoked, that the operator will not be granted a further permit, and that due to proximity to sensitive receptors it would be difficult for new owners to obtain a permit.
- Connolleys Yard – the site allocation for this site within the Newham Local Plan (Regulation 19) is clear that the waste capacity at this site should be re-provided or compensatory capacity identified. We remain concerned about the loss of this waste site. It is noted that the draft site allocation includes the requirement to re-provide the waste site or provide compensatory capacity, however this requirement could fall away should Policy W1 of the Regulation 19 Newham Local Plan be adopted as drafted.
- Eurohub sites in Barking and Dagenham – both sites fall within the Castle Green SIL and currently have active throughputs. We are aware of future aspirations for the Castle Green area, with references within the supporting evidence being made to the Castle Green Masterplan. The Castle Green Strategic Industrial Location (SIL) remains a designated SIL in the very recently adopted Barking and Dagenham Local Plan (September 2024), which states that plans for its future redevelopment will be considered in a future Local Plan review. As stated in paragraph 9.8.11, land in SIL will

provide the main opportunities for locating waste treatment facilities. As such, the proposal to release these two sites seems premature.

Surplus Capacity and Duty to Cooperate

Paragraph 9.8.6 of LP2021 states that boroughs with a surplus of waste sites should offer to share these sites with those boroughs facing a shortfall in capacity before considering site release. The GLA is aware that there are London Boroughs who cannot meet their borough apportionment targets and have a shortfall in waste capacity.

The GLA is aware that London Borough of Tower Hamlets (LBTH) has approached the Boroughs to discuss sharing East London's surplus capacity. This engagement has been noted within the duty to cooperate statement that has been published to support the draft Plan. These discussions with Tower Hamlets should continue, with any agreement reached being reflected within the draft Plan.

For clarity, the GLA is of the view that the four sites proposed to be released from safeguarding should not be considered to be surplus to requirements until it has been confirmed that they are not needed by other boroughs within London to meet apportionment needs.

Additional Sites for Potential Future Release

Appendix 4 of the draft Plan has identified a number of sites as 'Longer Term Development Options' with potential for future release but sitting outside the draft Plan. The draft Plan states that the assessed capacity of the sites identified within this appendix is circa 230,397tpa (154,148 apportioned waste, 71,929 CDE waste and 4,320 hazardous waste).

The draft Plan indicates that a surplus of at least 310,000tpa will be safeguarded to facilitate the future release of the sites identified within Appendix 4. As noted above, LP2021 Policy SI9 is clear that all waste sites are safeguarded, and that an existing waste site should only be released to other land uses where waste processing capacity is re-provided elsewhere within London. The proposed approach of safeguarding a proportion of surplus capacity, rather than providing compensatory capacity, to facilitate the release of these sites is not considered to be in alignment with LP2021. We would also re-iterate that no sites should be considered surplus to capacity until it has been confirmed that they are not needed by other boroughs to meet apportionment needs.

It is also noted that two of the sites identified within this Appendix also fall within the Castle Green masterplan area, in which the concerns noted for the above Eurohub sites would also be applicable. The other two sites fall within the Havering area, with it being identified that the future of these sites would be considered as part of the new Havering Local Plan.

The release of waste sites should come forward as part of an updated Waste Plan and/or Development Plan Document, with this being supported by robust evidence. Given the policy requirements and evidence required for consideration of the release of existing waste sites from safeguarding, it is suggested that Appendix 4, and references to the potential for future release of these sites, are removed from the Plan.

Safeguarding of Waste Sites

Draft Policy JWP2 seeks to safeguard existing waste sites listed in Appendix 2 of the plan from non-waste development. The principle of safeguarding of waste sites through this policy is

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welcomed. There is, however, concern with the implementation of JWP2(B), which states that developments that lead to the loss of capacity and/or constrain current operations will not be permitted unless compensatory capacity is provided, or it has been demonstrated that the loss of the facility will not compromise the ability to meet the London Plan objective of net self-sufficiency for London.

There is a strong concern that this policy could be misinterpreted, which in turn could lead to the loss of waste sites within the draft Plan area without appropriate compensatory capacity being provided. This appears to be counterintuitive to the aims of the proposed draft policy particularly when noting the supporting text. For example, it is not clear what evidence will be required by applicants to robustly demonstrate that the loss of their facility would not compromise the ability of London to meet net self-sufficiency. We cannot see how this can be achieved without a detailed assessment of all waste sites within London being undertaken for each application submitted without compensatory capacity being identified. We would welcome further discussions with the Boroughs on how this policy will operate in practice.

Officers note that the draft Policy includes a definition for a Waste Site. This definition is different to that included within LP2021 and should be aligned with the definition given in the LP2021. It is useful to note that as part of the new London Plan, the definition of a waste site will be considered. A reference to the possible update of the waste site definition within the ELJWP would be welcomed.

Next Steps

I hope these comments are helpful for the Boroughs to progress with the Waste Plan. We are happy to continue to work with you on these matters and if you have any specific questions regarding this letter, please do not hesitate to contact [REDACTED] on [REDACTED]

Yours sincerely,

[REDACTED]

Lisa Fairmaner

Head of the London Plan and Strategic Planning

Cc:

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