

PD13969/SM/DM/BOS

Development Planning Team  
Havering Town Hall  
Main Road  
Romford  
RM1 3BB

30 June 2025

Dear Sir or Madam,

**EAST LONDON JOINT WASTE PLAN, REGULTION 19 SUBMISSION PLAN  
REPRESENTATION MADE ON BEHALF OF NETWORK RAIL**

This representation is submitted on behalf of our client, Network Rail, in response to the Regulation 19 consultation on the draft East London Joint Waste Plan. The purpose of the consultation is to establish whether the draft Local Plan is legally compliant, meets the test of soundness and meets the Duty to Cooperate.

These representations are intended to help guide the formation of the Local Plan and relate specifically to the Safeguarded waste sites designation, rather than a commentary on the policies contained within the draft Local Plan.

**BOW GOODS YARD**

Bow Goods Yard comprises 12.3ha of brownfield industrial land, primarily used for rail freight, the storage and processing of aggregates and concrete batching. The Site is split into two areas; Bow East which covers an area of 8.9ha and Bow West which covers 3.4ha.

An Outline Planning Application was submitted to the London Legacy Development Corporation on 18 April 2024, following extensive pre-application discussions with the LLDC, key stakeholders and the local community for up to 190,000sqm (GEA) of industrial, employment and leisure uses at the site. The application was presented to the LLDC planning committee on 22 October 2024 where resolution to grant planning permission was secured.

From 01 December 2024, the Town Planning Powers were transferred from the LLDC back to the relevant boroughs. The relevant Local Planning Authorities for the Site are now the London Borough of Newham (LBN) and the London Borough of Tower Hamlets (LBTH). Bow East (the portion of the Site located to the east of the River Lea) falls within the LBN and Bow West falls within LBTH.

The planning application was then presented to Newham's planning committee on 20 May 2025, where resolution to grant planning permission, subject to receiving approval from LBTH, was also secured. The planning application is pending determination from LBTH.

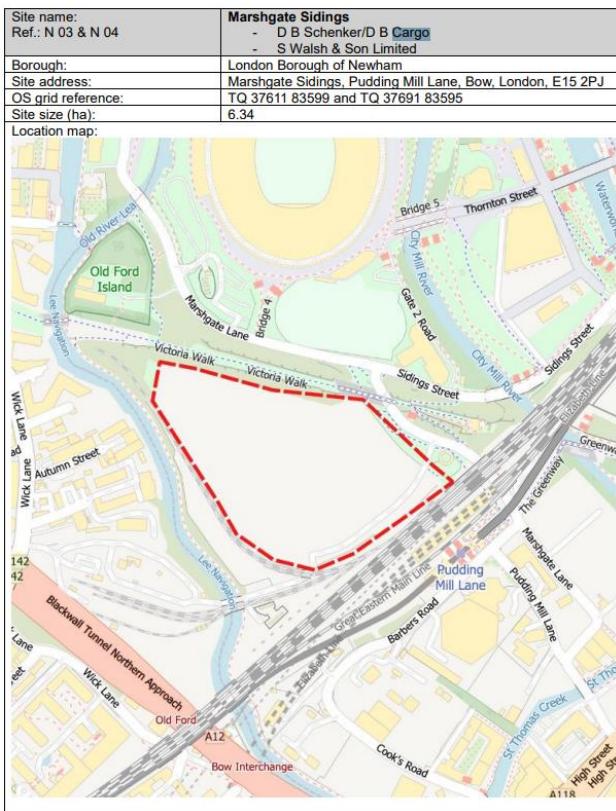
Under the London Plan and adopted / emerging East London Joint Waste Plan, Bow East is subject to two waste licences as shown in Figure 1 below:

- DB Cargo (UK) Limited; and
- S Walsh & Son Limited.

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*Figure 1 - Safeguarded Waste Site*

## SITES FOR WASTE MANAGEMENT

Section 5 of the draft Local Plan outlines that there is sufficient waste management capacity in East London to meet requirements for C, D & E Waste and HIC over the plan period. In light of this the Plan:

1. Does not allocate specific areas of land for the development of additional waste management facilities;
2. Does not expressly safeguard several existing waste management sites where such safeguarding protection would hinder the wider development aims of the Boroughs. For example, where existing waste facilities are situated on land that has been earmarked by the Boroughs for other forms of development in their adopted and emerging Local Plans; and,
3. Safeguards all other existing waste sites with in accordance with Policy JWP2.

As outlined within Table 9, four sites have been released from Safeguarding. Paragraph 5.4 also notes that additional existing waste management sites which may make good candidates for redevelopment for non-waste uses in future have been identified within Appendix 4. The paragraph notes that the capacity assessment shows sufficient surplus to allow release of these sites, without the objectives of the Plan or that of the London Plan being compromised. The assessed capacity of these sites is approximately 310,000 tpa in total and so the paragraph notes that a surplus of at least this quantity will be safeguarded as compensatory capacity to facilitate their future release.

Appendix 4 provides a table outlining longer term development opportunities and sets out the reasons for the potential release, which include the sites being subject to a site allocation or there is a potential for re-location for London term regeneration aims of the area.

In line with the LLDC Local Plan (which remains the Statutory Development Plan in place for the whole site until LBN adopts their draft Local Plan for Bow East), the Site benefits from the following site designation (Site Allocation 4.5 – Bow Goods Yard East and West):

*Consolidation and intensification of rail, industrial and other appropriate employment uses would present the opportunity in the long-term for an element of release of land at Bow East for alternative uses. Provide an equivalent amount of SIL function capacity as the current land area, create a buffer of employment uses between the rail and industrial uses and any residential use and provision of a significant biodiversity open space buffer along the waterway edge;*

Given the Local Plan Site Allocation and the status of the Bow Goods Yard planning application, we would consider that the whole Site being designated as a Safeguarded Waste Site has the potential to hinder the wider development aims of the Borough, and the pending planning application for Bow Goods Yard. Therefore, we would recommend that the area safeguarded for waste uses is amended to better reflect where waste uses could operate in line with the parameter plans for the Bow Goods Yard application. A copy of the land use parameter plan is attached to the representation, within the London Borough of Newham, waste uses could operate from development plots B1, C1, C.2, C.3, D.4 and E.1.

## WASTE LICENCES

As set out above, there are two licences safeguarded on Bow East:

- DB Cargo (UK) Limited; and
- S Walsh & Son Limited.

The DB Cargo Licence currently operates on site and the proposed Bow Goods Yard outline planning application has built in sufficient capacity to enable the volume of waste accounted for through this licence to be re-provided.

However, S Walsh & Son have vacated the Site as their use was based around the import of recycled material from Cornwall which provided too expensive. Moreover, the capacity allowed for under the licence was never remotely realised as the operation was not viable. As such, they have re-located to a wharf at Tilbury so the recycled material can come in via the river which is more cost effective for this product. Whilst S Walsh & Son are now operating at a location outside of London, the waste capacity has not been lost.

With the above in mind, and in the context of the pending planning application at Bow Goods Yard, it is recommended that the S Walsh & Son licence is removed and that the safeguarding relevant to this operation is also removed as it will likely hinder wider planning objectives, and the waste capacity is being delivered elsewhere.

The four sites that were released from Safeguarding are considered in a separate report titled 'Sites Identified for Release in Reg 19 ELJWP' dated 08 May 2025. This note provides a commentary of the status of the identified sites for release. We have reviewed the status of the licences on Bow Goods Yard using this approach.

Site Name	Permanent Planning	Permitted	Active?
DB Cargo (UK) Limited	No	Yes	Yes
S Walsh & Son Limited	No	Yes	No



S Walsh & Son Limited do not currently have permanent planning permission, nor was the operation viable in this location and they are no longer active on site and their lease has expired. The business has relocated to Tilbury and therefore capacity has not been lost. We therefore are of the view that the licence for S Walsh & Son should be removed and the safeguarding (defined as N04) in respect of this operation is removed.

#### **CLOSING**

We request that we are added to the Local Plan consultation database and are kept up to date with the emerging Local Plan. Additionally, we reserve our position to appear at the EiP Hearing Sessions. If the Council require any further information from Network Rail in order to present the draft Local Plan to the Inspector, or to arrange a Site Visit, please do not hesitate to contact us.

In the interim, if you require any further information, please contact Simon Marks () or Bethan O'Sullivan () of this office in the first instance.

Yours sincerely,

*Montagu Evans*

MONTAGU EVANS LLP