

LOCATION: Land at 2 Geron Way, London NW2 6GJ

REFERENCE: 17/6714/EIA **Received:** 20/10/2017
Validated: 02/11/2017

WARD: Childs Hill **Expiry:** 01/02/2018

Extension of Time 30/09/2018
(if applicable):

Final Revisions: 11/07/2018

APPLICANT: London Borough of Barnet

PROPOSAL: Demolition of the existing building and erection of a new building for use as a waste transfer station for reception, bulking and onward transportation of municipal waste, food waste, dry mixed recycling, bulky waste, street sweeping and street cleansing wastes. Provision of waste reception, storage bays, loading facilities, fencing and temporary acoustic fencing, CCTV, office and welfare facilities, weighbridges, dust and odour suppression system, exhaust stack, drainage, plant room, Parking for staff and visitors, temporary retaining wall, works to the highway to create a signalised junction at the A5 Edgware Road/ Geron Way junction, and other associated infrastructure and ancillary works'.

1. RECOMMENDATION(S)

Recommendation 1:

The application being one of strategic importance to London it must be referred to the Mayor of London. Any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

Recommendation 2:

Subject to Recommendation 1 and the LPA receiving no direction to call in or refuse the application from the Mayor of London, the Service Director – Planning and Building Control shall APPROVE planning application 17/6714/EIA under delegated powers subject to the recommended conditions listed in Appendix A of this report.

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in Appendix A to this report and any addendum provided this authority shall be exercised after consultation with the Chairman (or in her absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

2. APPLICATION SUMMARY

Brent Cross Cricklewood Regeneration

- 2.1 The comprehensive redevelopment of the Brent Cross Cricklewood ('BXC') area is a long-standing objective of the Council and has been embedded in planning policy at both the regional and local levels for over 15 years. The BXC scheme is one of the most important and significant regeneration opportunities in London. It will deliver strategic objectives and public benefits including a significant amount of new housing, new employment floorspace and jobs, a new train station, improved bus station, new town centre, additional and expanded retail facilities, enhanced parks and open spaces, new community facilities, replacement and expanded schools, highway infrastructure improvements including new bridges and pedestrian and cycle links.
- 2.2 Outline planning consent was approved in 2010 and 2014 for the BXC Development. This latter consent (the Section 73 planning permission (Ref: F/04687/13)) is referenced hereon in as 'the 2014 S73 Permission' within this report. A core requirement of the long-standing planning policies that support the regeneration of BXC is that the development must come forward in a comprehensive and co-ordinated manner in order to secure the delivery of the wide range of significant public benefits.
- 2.3 In order for comprehensive development of BXC to be achieved it needs to be supported by substantial new infrastructure. This includes the construction of a new train station on the Thameslink train line (Midland Mainline) that runs along the western boundary of the regeneration area, which will also be supported by a new transport interchange. The delivery of the new Thameslink train station will significantly enhance the accessibility and the attractiveness of the BXC scheme and wider area and enable the realisation of important regeneration benefits.
- 2.4 The Council has secured £97m of DCLG grant along with a funding agreement with the GLA to the ring-fencing of business rates to fund the delivery of the new train station sooner than originally envisaged under the 2014 S73 Permission (Phase 2 rather than Phase 5). The Council is working alongside Network Rail to deliver the new station by 2022. This will enable it to be delivered alongside the early phases of BXC, ensuring that it forms an integral part of the new development from the outset. Its early delivery will also act as a catalyst for the continued delivery of both the residential and commercial development within Brent Cross South.
- 2.5 There are a number of associated infrastructure components that need to be delivered in order to enable the new Thameslink Station to be constructed. These include the relocation of existing rail sidings and train stabling facility, the provision of a replacement waste facility for the Hendon Waste Transfer Station, delivery of a Rail Freight Facility, and construction of a new bridge over the Midland Mainline railway. The re-provided Hendon Waste Transfer Station in particular, will enable the new station platforms and tracks to be constructed and will release land on the east side of the railway for the delivery of the eastern station entrance and transport interchange. It would then facilitate the commercial and residential development around Station

Square to be delivered which will ensure that the new station is integrated with the wider BXC development.

- 2.6 Together, these components make up the Thameslink phase of the BXC development and all of these components are required to be delivered in order to achieve the comprehensive redevelopment of BXC.

Why is the Waste Transfer Station needed?

- 2.7 Along with replacement train stabling facilities and a replacement rail freight facility, a replacement waste facility is required as part of the Brent Cross Cricklewood regeneration in order to facilitate the delivery of the new Thameslink Station and wider development.
- 2.8 The new Waste Transfer Station will replace the Hendon Waste Transfer Station operated by North London Waste Authority (NLWA) on the east side of the railway and will make way for the new Thameslink Train Station and associated development as part of the BXC regeneration scheme. The Hendon Waste Transfer Station needs to be replaced to ensure that the NLWA can continue to carry out its statutory obligation to arrange for the collection and disposal of waste from the seven constituent North London boroughs.
- 2.9 Outline planning permission has already been granted for a Waste Handling Facility (WHF) on this site under the 2010 Outline and 2014 S73 planning permissions for the BXC regeneration scheme.

Who has submitted this application?

- 2.10 The planning application has been submitted by GL Hearn planning consultants on behalf of London Borough of Barnet. Barnet Council, through the Thameslink Project Team (a joint venture between Capita and London Borough of Barnet) will be responsible for procuring and delivering the facility on behalf of the London Borough of Barnet. The site and building will be wholly owned by London Borough of Barnet and leased long term to North London Waste Authority (NLWA).
- 2.11 NLWA are the statutory waste disposal authority for seven North London boroughs – Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest – and who have a strategic overview of waste management needs across these boroughs. The primary users of the WTS facility will be Barnet and Camden Councils, although from time to time other boroughs may be directed to deliver waste to this facility.
- 2.12 The design, form and capacity of the facility has been worked up by the applicant team in agreement with the NLWA to ensure that it meets their operational requirements.

What is being proposed under this application?

- 2.13 The existing Selco builders merchants building will be demolished and a new waste transfer station building will be constructed. This facility will receive and bulk up municipal waste, food waste, dry mixed recycling, bulky waste, street sweeping and street cleansing wastes before onward transportation to other sites for processing.
- 2.14 The WTS is designed for up to 195,000 tonnes per annum. The anticipated throughput of the proposed facility will be 144,000 tonnes per annum upon opening, rising to 152,000 tonnes per annum over approximately 5 years.
- 2.15 The building will have a concrete base and concrete walls to enclose the WTS operations, with a translucent polycarbonate cladding to wrap around the face and underside of the roof structure.
- 2.16 Inside the building will have waste reception, storage bays, loading facilities, weighbridges, dust and odour suppression systems, a plant room, and office and staff welfare facilities. There will be 10 parking spaces for staff and visitors and 12 cycle parking spaces.
- 2.17 A 2.2-metre-high palisade security fencing will be installed on top of a perimeter wall at the eastern boundary (adjacent to the Midland Mainline railway) and at the northeast boundary in relation to the site access and proposed substations. A 3.6-metre-high acoustic fence is proposed along the southern and part of the southwest boundary of the site.
- 2.18 The application includes works to the A5 Edgware Road/ Geron Way junction which will comprise widening of carriageways and signalisation of the junction.

Why is the Waste Transfer Station being located here and not elsewhere in Barnet?

- 2.19 This location is required as a strategic facility to receive a range of waste streams collected by the North London boroughs. The location is important to serve the boroughs in the west of the Authority's area and would reduce the environmental impacts and cost of transporting waste.
- 2.20 The site has been identified for a waste handling facility since 2005 through the Cricklewood Brent Cross, West Hendon Development Framework and as part of the planning policies for the BXC regeneration. Outline planning permission has already been granted for a Waste Handling Facility on this site under the 2010 Outline and 2014 S73 planning permissions for the BXC regeneration scheme.
- 2.21 A comprehensive study for alternative suitable sites within Barnet and further afield was undertaken by the Council.

Why has a drop- in application been submitted?

- 2.22 The site at the application site already has outline planning permission for a Waste Handling Facility as part of the Section 73 Planning Permission granted for the Brent Cross Cricklewood regeneration. However, because the proposed facility will be: provided within a smaller building on a smaller site allowing Bestway to remain; will bulk and transfer waste rather than process waste materials to produce refuse derived fuel; and will be a road-to-road facility without a rail link, the proposals are not able to be brought forward under reserved matters pursuant to the S73 Permission. As a result a stand-alone planning application known as a 'drop-in' application is required which drops the new proposal into the masterplan for Brent Cross. This is not unusual for large developments such as BXC. The application has to be considered on its own merits but also needs to ensure that it doesn't prejudice the delivery of the wider S73 Permission.

How has the proposal changed from the Waste Handling Facility approved under the outline planning permission for Brent Cross Cricklewood?

- 2.23 Since the outline planning permission was granted for the BXC regeneration in 2010, the waste management needs of NLWA (as the statutory waste disposal authority, owners of the existing Hendon Waste Transfer Station and future operators of the proposed waste facility) have changed. The NLWA launched the North London Heat and Power project in late 2014. The scheme will deliver an Energy Recovery Facility (ERF) and a Resource Recovery Facility (RRF) which would replace the existing energy from waste facility at Edmonton. The ERF would treat residual waste collected from within the seven North London boroughs which would generate electricity. The project is a nationally significant infrastructure project and Development Consent Order (DCO) was granted for the North London Heat and Power project on 24 February 2017.
- 2.24 Under this new strategy, the ERF facility would be fed by satellite waste transfer stations where waste would be bulked up before being transported to Edmonton. The WTS proposed under this application will be one of these sites. The Edmonton facility is not rail linked, therefore the proposed WTS no longer includes a rail link and instead material will be transported by road.
- 2.25 The changes to the NLWA requirements as outlined above and reflected in their strategy to consolidate operations at a new facility in Edmonton have led to a reduced requirement at BXC for a smaller residual waste transfer station. As a result the BXC waste facility no longer needs to accommodate all of the waste processing related activities previously planned. This means it can be accommodated on a smaller site. The application site therefore only encompasses the Selco builders merchants and does not include the Bestway Cash and Carry site.
- 2.26 The proposed development site comprises only the land occupied by Selco builders merchants and does not include the Bestway Cash and Carry site. This equates to a portion of Development Plot 63 in the S73 Permission and excludes Plot 62.

- 2.27 The proposed facility will only bulk waste for onward transport. In the WHF envisaged in the 2014 S73 Permission, materials would be sorted for recycling and a residual waste treatment facility was included to convert waste into Refuse Derived Fuel to supply the proposed Combined Heat and Power energy centre.
- 2.28 The capacity of the replacement WHF was anticipated to be 600,000 tonnes per annum. The WTS is designed for up to 195,000 tonnes per annum.
- 2.29 The parameters of the approved WHF envisaged a building with a maximum floorspace of 24,700 sqm, and a maximum height of 30m. The proposed WTS will have a maximum floorspace of 5,433m² (internal footprint) with a maximum height of 16.55 metres.
- 2.30 The WTS is proposed to receive municipal waste, food waste, dry mixed recycling, bulky waste, street sweeping and street cleansing wastes collected by the Local Authority's waste services, but not commercial waste as originally envisaged under the 2014 S73 Permission.
- 2.31 The proposed facility will be accessed off Geron Way and will upgrade the existing Geron Way/A5 Edgware Road junction to include signals. The S73 Permission approved the stopping up of the Geron Way junction and the creation of a new diverted Geron Way to provide access to the Waste Handling Facility via a four-arm junction on the A5 with Humber Road which would allow vehicles to turn right into Humber Road from the A5.

Why is a rail link not proposed?

- 2.32 Since the 2010 Outline and 2014 S73 permissions were granted, the London Plan now requires all of London's waste to be managed within London rather than being transported by rail to landfill or processing sites outside the Capital. As described above, the proposed WTS will enable waste to be bulked and transferred to Edmonton for processing, therefore contributing to the target for London to process all of its waste.
- 2.33 Refuse Collection Vehicle (RCV) lorries and street sweeper vehicles will deliver the waste to the site into dedicated, segregated bays where it will be bulked-up and loaded onto HGV lorries. The residual waste will be transferred to Edmonton Eco Park in Enfield which generates renewable from waste and recyclable waste will be sent to specialist recycling contractors. Food waste will also be sent to Edmonton for composting.

Is there a fire risk associated with the proposed facility?

- 2.34 Proposals have been designed to comply with the latest Environment Agency Fire Prevention guidance and is in accordance with BS 5839 and as an L2 system. The Environment Agency and also the London Fire Brigade have been consulted and confirm they have no objections to the proposed development. Beyond the planning process, operation of the proposed development would also require an Environmental

Permit from the Environment Agency which will include a Fire Prevention Plan.

What will the operating hours be?

- 2.35 The hours of waste reception will be between 0700 to 1900 Monday to Friday and 0900 to 1300 on Saturday. There will be activity within the building outside of these hours (for example cleaning the building and servicing plant and equipment) but these activities will not be visible or audible outside of the building.

What measures are proposed to mitigate odour and dust?

- 2.36 Unlike the existing Hendon WTS, the new facility will be fully enclosed and will be held at negative air pressure within the building so that when the doors open for vehicles to enter and exit, air is drawn into the facility and untreated air does not escape. The facility will also have an odour abatement system that will filter the air from within the building to reduce odour concentrations before being expelled from the building via a flue. The building will be sealed with fast-acting roller shutter doors which will be kept shut as a default unless a vehicle is entering or existing the building. Dust suppression sprays will be used during loading and unloading of material by trained staff. Wash down facilities will be provided throughout the site and the site will be cleaned on a daily basis. All loaded trucks will be sheeted (covered) leaving and entering the site. Waste will typically be transferred from the site within a 12 hour period.

How has noise from the development been considered?

- 2.37 The potential for noise emissions to arise from the proposed development would be attributed to traffic arriving at and departing from the site, the loading and unloading of waste, operation of the roller-shutter doors, the management of waste within the building, and any such emissions associated with mechanical plant equipment, particularly that situated externally.
- 2.38 The planning application is accompanied by a Noise Impact Assessment (and subsequent Revised Noise Impact Assessment, July 2018) which assesses the impact of the proposed development in terms of noise emissions considering the nearest sensitive receptors. The assessment concludes that the proposed development would result in achieving or bettering the 5dB below background levels restriction imposed by the S73 Permission, which is further improved through the implementation of the proposed 3.6-metre-high acoustic fencing along the southern and part of the southwest boundary of the Site, and 2-metre-high acoustic fencing along the eastern boundary of the Site.

How has air quality impact been considered?

- 2.39 The planning application is supported by an Air Quality and Odour Assessment Report (July 2018) which has been reviewed by the Council's Environmental Health Officer.

- 2.40 The submitted assessments take into account air quality impacts arising from any increase in HGV and other traffic associated with the wider BXC development, as well as operation of the proposed waste transfer station itself. This includes consideration of levels of NO₂ and PM₁₀ emissions, fugitive dust during both the construction (short-term impacts) and operational (long-term impacts) phases of the proposed development.
- 2.41 All HGVs using the new facility will be of the highest environmental efficiency rating complying with the Euro VI emission standard which includes stop-start engine technology. A condition is recommended restricting the number of HGV movements during the evening peak period of the day so that no more than one HGV enters or exits the site during 17:00-18:00 and no more than one HGV enters or exits the site during 18:00-19:00 on Mondays to Fridays (including the Bank Holiday days).
- 2.42 Policy 7.14 of the London Plan and the related Mayor of London's Sustainable Design and Construction SPG require development proposals to be at least air quality neutral and not lead to further deterioration of existing poor air quality. When compared to the existing conditions at the Site, which includes the use of the land by Selco Builders Merchants, the Applicant has demonstrated that the proposed development (both operating at the maximum level of 195,000tpa and theoretical capacity of 260,000tpa) would result in less NO₂ and PM10 emissions. The comparative reduction is more than 50% in both scenarios. Therefore, the proposed development is considered to be at least air quality neutral in accordance with the London Plan requirements.

How many HGV trips will be generated by the development?

- 2.43 Based on the maximum proposed throughput of 195,000 tonnes of waste per annum, the proposed development would generate up to 414 HGV movements consisting of 340 Refuse Collection Vehicle movements (170 in, 170 out) associated with the Local Authority waste collection service and 74 other HGV movements (37 in, 37) to facilitate the onward transfer of waste to other management facilities (e.g. Edmonton EcoPark). The proposed development would also result in up to 202 street sweepers and caged vehicle movements (101 in, 101 out) accessing the site; however, this is stated as a worst case scenario and such figures have been captured within the abovementioned 414 HGV movements.
- 2.44 Whilst RCVs would inevitably originate from residential areas in order to collect residents' waste, the onward transfer of waste from the site to other management facilities (principally Edmonton EcoPark) would be via the A5 (northbound) and then the A406 North Circular, which also gives access to Edmonton EcoPark. Therefore HGVs leaving the site would all turn north up the A5. To ensure that HGV movements associated with the export of waste from the facility only used the Strategic Road Network and major transport routes (and avoided smaller roads/residential areas), a condition is recommended to require the applicant to submit a Delivery and Servicing Strategy, incorporating an enforceable management strategy, to the LPA for approval.

How has the impact of traffic from the proposed development been considered?

- 2.45 The planning application is supported by a transport assessment which provides the applicants' assessment of the proposed development in regard to capacity of the site access junction, proposed HGV movements and traffic flows on the A5 Edgware Road. This has been reviewed and accepted by the Council's Transport officers and by TfL and shows that the proposed WTS, including signalisation of Geron Way, would not give rise to significant adverse impacts on the highway network.
- 2.46 The traffic model used incorporates the approvals for the BXC regeneration scheme to date (i.e. Phase 1A North, Phase 1B North and Phase 1B South) and takes into account the cumulative impact of the wider BXC development and other committed developments. The modelling compares the impact of 742 HGV movements (371 in, 371 out) plus 172 staff car movements (86 in, 86 out) as envisaged in the S73 Permission with the proposed WTS development of 414 HGV movements (207 in, 207 out) and up to 20 staff movements (10 in, 10 out) proposed within this planning application. It also takes into account fact that the Bestway business is retained, the adequacy of the existing A5/Geron Way junction and the impact of introducing signals at this junction on the local highway network.
- 2.47 The existing Selco Builders Merchants generates more vehicle traffic than the proposed WTS. As such there would be a reduction in total traffic volumes from 1,492 vehicles (surveyed between 07:00 to 19:00 on a weekday) to 414 HGV movements (incorporating RCVs, caged vehicles and street sweepers) over the same 12-hour period plus staff movements (12 staff are proposed). The proposed development would also represent a reduction in HGV and other vehicle movements when compared to the WHF already consented by the 2014 S73 Permission. Therefore the net impact of the proposed development compared to the existing land use and extant committed development scheme would reduce traffic volumes.
- 2.48 When assessed at the maximum proposed throughput of 195,000tpa, the transport assessment concludes that in 2021 there would be no capacity issues at any of the modelled junctions along the A5 (i.e. no junction would be over 90% Degree of Saturation ('DoS')) and thus there would be no adverse impacts on the highway network as a result of the proposed development. However, in 2031 after the rest of the BXC development has been completed after the proposed WTS has commenced operation and assuming operation at the maximum proposed throughput of 195,000tpa on opening), with Humber Road remaining as a priority junction, the transport modelling indicates that the proposed A5/Geron Way junction would have DoS over 90% during the AM peak only. By comparison, with the signalisation of Humber Road, the A5/Geron Way junction would operate within acceptable limits.
- 2.49 To determine the point at which works to Humber Road are required to mitigate the impact of the wider BXC regeneration scheme, the Applicant has conducted supplementary modelling. The results indicate that in 2024 when the MML Bridge would become operational, this additional route connecting the BXC development to the west and, therefore, consequent change in traffic flows would result in DoS over 90% at the proposed Geron Way junction. As such, it is reasonable to suggest that

mitigating works to Humber Road should be linked to the delivery of the MML Bridge. Given this association with a development forming part of the Phase 2 (South) (Thameslink Station) sub-phase and as works to Humber Road are already consented through the 2014 S73 Permission, it would be appropriate to ensure that this identified mitigation is secured through an amendment to the S73 Permission and by way of an appropriately worded condition imposed on any planning permission granted.

3. DESCRIPTION OF THE SITE AND SURROUNDINGS

Description of the Wider Brent Cross Cricklewood (BXC) Site

- 3.1 The Application Site ('the Site' or 'Application Site') lies entirely within the Brent Cross Cricklewood ('BXC') regeneration area. The BXC regeneration area covers a 151-hectare site within the London Borough of Barnet which is bounded to the west by the Edgware Road (A5) and Midland Mainline railway line; bounded to the east by Hendon Way (A41); and the BXC site is bisected east to west by the North Circular Road (A406). The existing BXC site includes Junction 1 of the M1 (Staples Corner), the existing Brent Cross Shopping Centre and Bus Station to the north of the North Circular. To the south of the North Circular, the site contains: the Brent South Shopping Park, existing Tesco store and Toys 'R' Us store, the Whitefield housing estate (approximately 220 residential units), Whitefield Secondary School, Mapledown Special School and Claremont Primary School; Hendon Leisure Centre, Brent Cross London Underground Station to the east; Clarefield and Claremont Parks and Clitterhouse Playing Fields (Metropolitan Open Land) to the south; and the Hendon Waste Transfer Station, Claremont Way Industrial Estate and Cricklewood Railway Station to the far south of the site.
- 3.2 The Tempelhof Bridge and the Hendon Way (A41) flyover provide the only direct north-south link across the North Circular Road. The London Borough of Brent is located to the immediate west of the defined regeneration area, on the opposite side of the A5 Edgware Road. The BXC site is dominated and constrained by the existing road network and rail infrastructure. It contains industrial land, former railway land, retail warehousing and large areas of surface car parking. Comprehensive redevelopment is required to enable the provision of a sustainable mixed-use town centre and to create an acceptable residential environment.
- 3.3 The BXC site includes key parts of the Transport for London Road Network at Hendon Way (A41) and the North Circular (A406). The site is also bounded by the A5 Edgware Road, part of the Strategic Road Network. The area also includes a section of the Midland Mainline railway between London St. Pancras and the north of England, including the existing Cricklewood Station. Brent Cross Underground Station is within the eastern boundary of the regeneration area. Brent Cross Bus Station also provides access to 18 bus routes (including Green Line).

Description of the Proposed Waste Transfer Station Site

- 3.4 The Application Site is located at the south-western extent of the BXC regeneration area within the defined 'Railway Lands Development Zone' which runs parallel to the western edge of the BXC regeneration area. The 2014 S73 Permission defines the Railway Lands Zone as: "the Zone identified and marked as the Railway Lands Zone on Parameter Plan 001 and the indicative layout of which zone is shown on Parameter Plan 025".
- 3.5 The Application Site relates to land that is currently occupied by Selco Builders Merchants off the A5 Edgware Road (south of its junction with Geron Way) and

coincides with Plot 62 and part of Plot 63 of the permitted BXC regeneration scheme. The application Site covers an area of land measuring 1.66 hectare (ha) situated between the A5 Edgware Road and the Midland Mainline railway and to the south of the Bestway Cash and Carry (which is to be retained). The extent of the proposed development is shown on 'Waste Transfer Station Planning Application Site Plan' (ref. BXT-CAP-0000-E-M2-A-0008 (Rev.P01)). Figure 1 below is an extract of the 'Site Location Plan' (ref. BXT-CAP-6000-E-DR-A-6001 (Rev.P01)) including annotations highlighting the key related features to the Site. Figure 2 provides some context in terms of how the application Site relates to the wider BXC regeneration scheme.

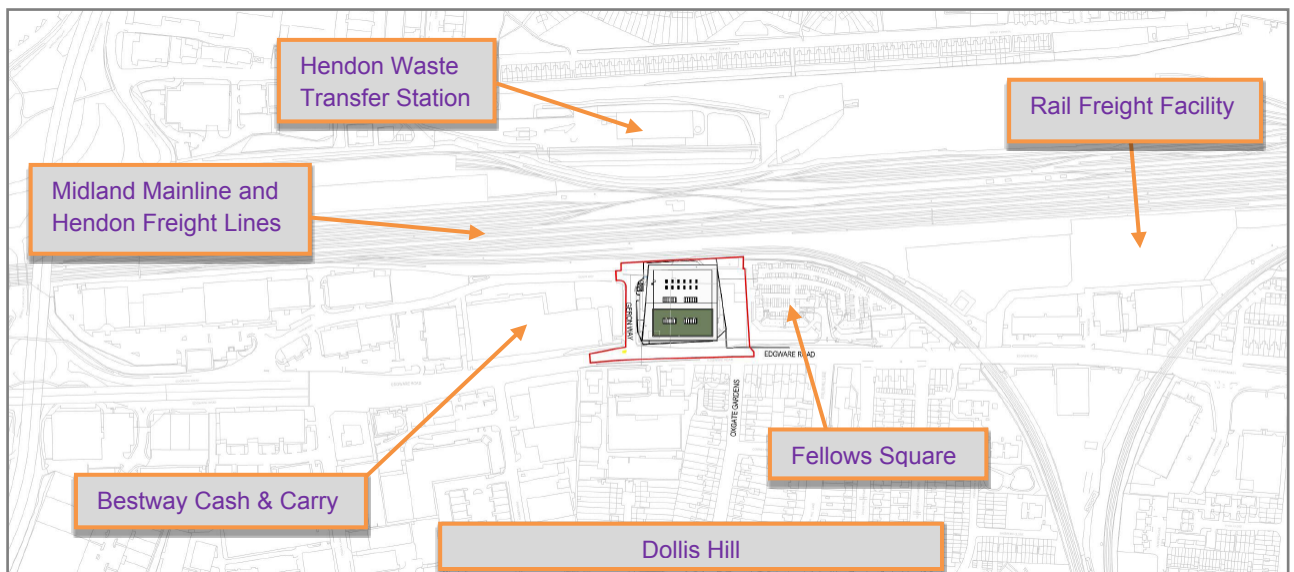


Figure 1: Location of the application Site (bound in red) in relation to the surrounding area and key features (adapted from: Capita drawing BXT-CAP-6000-E-DR-A-6001 Rev. P01).

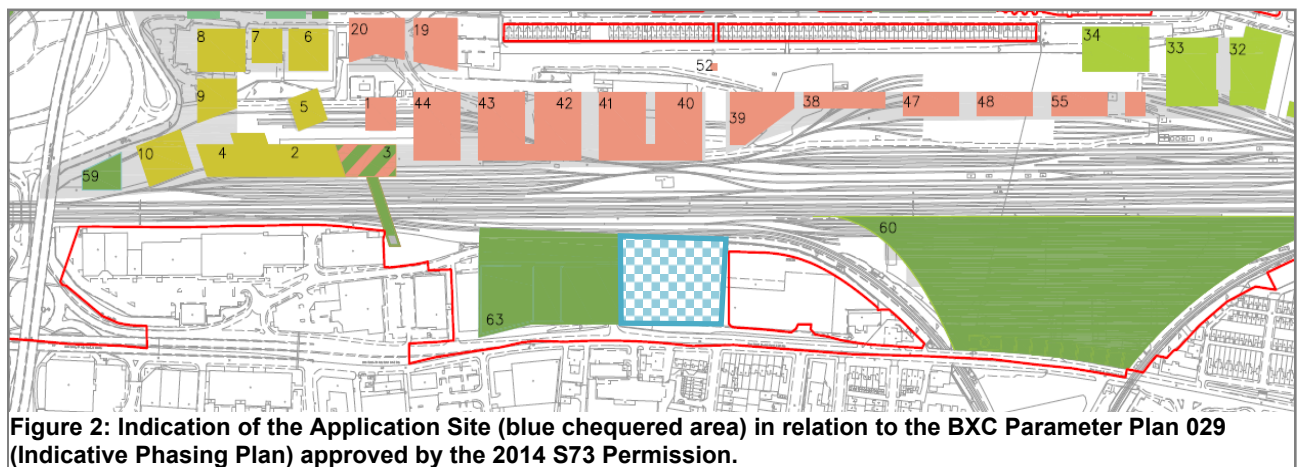


Figure 2: Indication of the Application Site (blue chequered area) in relation to the BXC Parameter Plan 029 (Indicative Phasing Plan) approved by the 2014 S73 Permission.

- 3.6 The Application Site also forms part of the land that is subject to The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 3) 2016¹. The current occupants of the Site, Selco Builders Merchants, have a short-term lease enabling the land to be made available for redevelopment as part of the BXC regeneration scheme at relatively short notice.
- 3.7 To the south of the Application Site lies the recently constructed Fellows Square residential and mixed-use development which consist of 230 residential units (use class C3) and 888 square metres of commercial accommodation (use classes B1, D1 and D2) in buildings up to seven storeys in height, along with associated car Parking, amenity space and new vehicular access from Edgware Road. In between the Site and Fellows Square is land identified to deliver a vehicular road bridge over the Midland Mainline railway, connecting the A5 with the new Spine Road on the eastern side of the railway providing access to the rest of the BXC regeneration area. The area to the west of the Site, on the opposite side of the A5 Edgware Road, is Dollis Hill which is principally a residential area characterised by 2-storey dwellings but is fronted by a number of commercial and industrial units. The A5 Edgware Road delineates the boundary between the London Borough of Barnet and the London Borough of Brent.
- 3.8 In terms of accessibility of the Application Site, the A406 North Circular and junction 1 of the M1 Motorway (Staples Corner) is situated approximately 0.1 miles north of the Site, providing access to the wider London area and the rest of the United Kingdom. As aforementioned, the A5 Edgware Road itself is also a key arterial route into and out of London and forms part of London's Strategic Road Network. Cricklewood Train Station, which provides regular direct services to London St. Pancras Station, is located approximately 0.7 miles south of the Site.
- 3.9 There are no statutory or non-statutory designations within the application Site. The nearest of such sites within the vicinity of the application Site include:
- Brent Reservoir SSSI and Brent Reservoir/Welsh Harp Local Nature Reserve – approximately 900 metres to the northwest;
 - Grade II* The Old Oxgate – approximately 600 metres to the west;
 - Grade II Church of St Michael – approximately 760 metres to the south;
 - Grade II Milestone outside 3 & 4 Gratton Terrace – approximately 830 metres to the southeast (along the A5); and
 - Grade II Dollis Hill Synagogue and forecourt railings – approximately 915 metres to the southwest.

¹ The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 3) 2016 was confirmed in full by the Ministry of Housing, Communities and Local Government on 15th May 2018 following a public inquiry which was held in September 2017.

4. BRENT CROSS CRICKLEWOOD REGENERATION SCHEME

- 4.1 The Application Site lies entirely within the BXC regeneration area and Cricklewood/ Brent Cross Opportunity Area as identified by the Council's *Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework* (2005) and the *London Plan* (2016), respectively. Outline planning permission for the comprehensive redevelopment of BXC (as described below) was originally granted in 2010 and subsequently varied through a Section 73 ('S73') planning application in 2013. This S73 planning application was approved in July 2014 ('2014 S73 Permission'). The description of the approved development is:

Comprehensive mixed use redevelopment of the Brent Cross Cricklewood Regeneration Area comprising residential uses (Use Class C2, C3 and student/special needs/sheltered housing), a full range of town centre uses including Use Classes A1 - A5, offices, industrial and other business uses within Use Classes B1 - B8, leisure uses, rail based freight facilities, waste handling facility and treatment technology, petrol filling station, hotel and conference facilities, community, health and education facilities, private hospital, open space and public realm, landscaping and recreation facilities, new rail and bus stations, vehicular and pedestrian bridges, underground and multi-storey parking, works to the River Brent and Clitterhouse Stream and associated infrastructure, demolition and alterations of existing building structures, CHP/CCHP, relocated electricity substation, free standing or building mounted wind turbines, alterations to existing railway including Cricklewood railway track and station and Brent Cross London Underground station, creation of new strategic accesses and internal road layout, at grade or underground conveyor from waste handling facility to CHP/CCHP, infrastructure and associated facilities together with any required temporary works or structures and associated utilities/services required by the Development (Outline Application).

The application is accompanied by an Environmental Statement.'

- 4.2 The permitted BXC regeneration scheme is divided into a number of Development Zones based on the varying character and land uses within the regeneration area. Given the extensive railway infrastructure in the southwest quadrant of the regeneration area, this part of the BXC is identified as the 'Railway Lands Development Zone'. As highlighted in Figure 2 above, the Application Site coincides with Plot 62 and part of Plot 63 within the Railway Lands Development Zone. By virtue of the 2014 S73 Permission, these Development Plots have the benefit of outline planning consent for the delivery of business use(s) on Plot 62 and a Waste Handling Facility ('WHF') on Plot 63. The 2014 S73 Permission also grants full planning permission for the construction of a new junction off the A5 Edgware Road to enable access to the Waste Handling Facility. This 'gateway junction' includes the diversion of the existing Geron Way and creation of a four-arm junction with the A5 and Humber Road.
- 4.3 The 2014 S73 Permission originally identified Plot 62 as being within Phase 1C and Plot 63 as falling within Phase 1B (South) of the BXC regeneration scheme. The A5/Diverted Geron Way (Waste Handling Facility) 'gateway junction' associated with Plot 63 fell within Phase 1A (South). Pursuant to the mechanism provided by Condition

4.2 of the 2014 S73 Permission, amendments were approved to the indicative phasing of Development Plots and items of Critical Infrastructure by the LPA in October 2017. As a result, the WHF (Plot 63), associated A5/Diverted Geron Way (Waste Handling Facility) 'gateway junction', and Plot 62 have been re-phased along with the New Train Station (Plot 3, from Phase 5), Rail Freight Facility (Plot 60, from Phase 4), New MML Train Stabling Facility (from Phase 4), A5 Link Bridge over Midland Mainline (Bridge Structure B2) (from Phase 5) and gateway junctions associated with these items of Critical Infrastructure into the newly created Phase 2 (South) (Thameslink Station) sub-phase².

- 4.4 These amendments to the phasing of the BXC Development were driven by an aspiration to secure the earlier delivery of the New Train Station which is considered to be a key catalyst for the delivery of the remainder of the BXC regeneration scheme. Specifically, the comprehensive regeneration of BXC is reliant upon the delivery of an Integrated Transport Strategy which will provide more efficient public transport, reduce reliance on private car use and associated parking space, improve traffic flows and enable the development of increased densities to deliver much needed housing in London. Accessibility to good transport is therefore key to the success of the regeneration scheme.
- 4.5 In order to deliver the New Train Station, it is necessary for the aforementioned Development Plots and items of Critical Infrastructure to also be delivered within the same phase as they relate to land that is either required to facilitate this part of the development or pertain to rail-related infrastructure that is essential to develop coincidental to the New Train Station. Of particular relevance to this planning application, the existing Hendon Waste Transfer Station on the eastern side of the Midland Mainline railway corridor (operated by North London Waste Authority ('NLWA')³) currently occupies the land identified for delivery of the New Train Station (Plot 3). The 2014 S73 Permission permits the replacement of this existing waste management facility with a new WHF (Plot 63) on the western side of the Midland Mainline railway corridor to ensure that ongoing waste management needs were continued to be met. The 2014 S73 Permission thus contains conditions and controls preventing the closure of Hendon Waste Transfer Station until completion of the new Waste Handling Facility. Condition 41.2 reads as follows:

'The Development shall not prevent the operation of the existing Hendon Waste Transfer Station until a new Waste Handling Facility has been completed. Development of the new Waste Handling Facility shall be carried out in accordance with the relevant Phase 2 (South) (Thameslink Station) Details submitted and approved and all other relevant Necessary Consents.'

Reason: To ensure the timely provision of the Waste Handling Facility.'

² Planning application reference 17/3661/CON – submitted in June 2016 and approved in October 2017 following the completion of a Deed of Variation to the BXC S106 Agreement (completed 24th October 2017).

³ The NLWA is the statutory waste disposal authority for seven North London boroughs including Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest.

- 4.6 In addition to Condition 41.2, the 2014 S73 Permission contains four other planning conditions that relate to the delivery of the WHF. These are outlined below but reproduced in their entirety in Appendix B for information purposes:
- Condition 41.1 regarding the detailed design and operational impact of the WHF;
 - Condition 41.3 controls the completion of the rail sidings and gantry crane and details to be submitted for approval;
 - Condition 41.4 relates to the need to replace the existing licensed or permitted operational capacity as currently licensed and permitted at Hendon Waste Transfer Station; and
 - Condition 41.5 prevents the redevelopment of existing waste management sites within the BXC regeneration area unless the same licensed or permitted operational capacity is reprovided either at the WHF or such other suitable site.
- 4.7 The replacement WHF as envisaged within the 2014 S73 Permission is described within the Revised Development Specification Framework ('RDSF'), in Appendix 15 to the RDSF, and illustrated on Parameter Plans 018 (Waste and Freight Facilities) and 025 (Indicative Zonal Layout Plan_The Railway Lands).
- 4.8 Paragraph 5.79 and Appendix 15 of the RDSF along with Parameter Plans 018 (Waste and Freight Facilities) and 025 (Indicative Zonal Layout Plan_The Railway Lands) submitted in support of the S73 Planning Application provides the detail on the approved principles and parameters for the WHF. The WHF envisaged at the time of the 2014 S73 Planning Application, and as granted by the outline planning consent, was for a combined residual waste treatment facility and materials recovery facility. The treatment facility would enable the treatment of non-recyclable municipal, commercial and industrial wastes for the purposes of converting it into a Refused Derived Fuel ('RDF') to power a Combined Heat and Power ('CHP') Plant. That CHP Plant would then provide heat and power directly to the BXC site. The materials recovery facility would result in the segregation and bulking-up of recyclable waste for onward transfer to an appropriate waste management facility by rail.
- 4.9 The S73 Permission approved principles and parameters for the WHF include the following:
- 4.9.1 The construction of a building with a maximum floor space of 24,700m².
 - 4.9.2 Building height to be a maximum of 30 metres with maximum length of 297 metres and width of 102 metres.
 - 4.9.3 The rail connection would consist of three sidings adjacent to the Midland Mainline under a rail-mounted gantry crane, which is connected to a 220m headshunt, with storage for approximately 360no. 20ft containers.
 - 4.9.4 Core operational hours would be within 07:00 to 19:00 hour on weekdays and 09:00 and 13:00 hours at weekends with no waste deliveries expected

to take place outside those hours. Certain elements of the WHF were envisaged to be a 24-hour operation.

- 4.9.5 Vehicle access would be via a new all movement signal controlled junction with the A5 at Humber Road providing access to a diverted section of Geron Way.
- 4.9.6 An at-grade or underground conveyor enclosed within a pipe or tunnel to transport the Refuse Derived Fuel ('RDF') from the WHF to the CHP plant.
- 4.9.7 A total of 742 HGV movements (371 in, 371 out) and 172 staff movements (86 in, 86 out) were assumed over the 24-hour operational period
- 4.9.8 The WHF would be operated on a shift pattern of 06:00-14:00, 14:00 – 22:00 and 22:00- 06:00.

Appendix 15 of the RDSF also outlines the following operational assumptions:

- 4.9.9 All waste would be delivered in closed vehicles or containers;
 - 4.9.10 All waste would be unloaded within the building;
 - 4.9.11 No untreated waste would be stored external to the building;
 - 4.9.12 Building would be fitted with fast-acting roller shutter doors (or similar) and fitted with ventilation and odour abatement systems;
 - 4.9.13 Where practicable, outputs would leave the site by train;
 - 4.9.14 Waste would only be accepted during the stated delivery times;
 - 4.9.15 Where practicable, all wastes would be recovered as recyclable or converted into fuel for use in the CHP system; and
 - 4.9.16 A comprehensive litter management plan would be implemented around the WHF.
- 4.10 The above described WHF has the benefit of outline planning consent by virtue of the 2014 S73 Permission, which also granted full planning permission for nine 'gateway junctions' that support the wider development. The A5/Diverted Geron Way (Waste Handling Facility) junction, including the creation of a four-arm junction with the A5 and Humber Road, is identified as one of these junctions benefitting from full planning permission and was intended to provide access to the WHF.
- 4.11 The 2014 S73 Permission also incorporates other control documents, including a Revised Design and Access Statement ('RDAS') and Revised Design Guide ('RDG'), that offer further guidance on the BXC Development. In respect of the WHF, the RDAS recognises that development within the Railway Lands Development Zone would be

industrial in nature to fulfil utilitarian functions, which fits in with the context of major road and railway infrastructure within this part of the regeneration area.

- 4.12 The S73 Planning Application was supported by a number of other technical assessments relating to, inter alia, traffic and transport, noise and vibration, air quality and design. The 2014 S73 Planning Application and the preceding 2010 Outline planning application were also accompanied by and determined on the basis of conclusions contained within Environmental Statements.

5. DESCRIPTION OF PROPOSED DEVELOPMENT

- 5.1 Planning permission is sought for the following proposed development:

'Demolition of the existing building and erection of a new building for use as a waste transfer station for reception, bulking and onward transportation of municipal waste, food waste, dry mixed recycling, bulky waste, street sweeping and street cleansing wastes. Provision of waste reception, storage bays, loading facilities, fencing and temporary acoustic fencing, CCTV, office and welfare facilities, weighbridges, dust and odour suppression system, exhaust stack, drainage, plant room, parking for staff and visitors, temporary retaining wall, works to the highway to create a signalised junction at the A5 Edgware Road/ Geron Way junction, and other associated infrastructure and ancillary works.'

- 5.2 The proposed development would therefore involve the construction, operation and use of land for the reception, temporary storage, bulking and exportation of municipal waste, food waste, dry mixed recycling, street sweeping and cleansing wastes and larger household waste items (i.e. 'bulky wastes' such as furniture, appliances, etc.). The proposed WTS would be a road-to-road facility and would therefore receive such wastes as collected by the Local Authority's waste collection services, which would then be segregated and bulked up for onward transfer/exportation by HGV to appropriately licensed waste management facilities for further treatment.

Waste Transfer Station ('WTS') Building

- 5.3 The proposal would involve the demolition of the existing Selco Builders Merchant building (with a footprint of 5,705m²), including an existing smaller detached structure and lean-to structure abutting the eastern elevation; and the construction of a purpose built WTS with an internal footprint of 5,433m². The proposed building would stand at a maximum height of 16.55 metres above ground level (equivalent to approximately five storeys) and be composed of a single storey steel framed structure with a roof formed from trusses at 10 metres and 8 metres centres that would effectively form a lid over the facility. This would enable the provision of a column-free internal operation area with a clearance of 9 metres to permit vehicle and machinery movement within the facility.

- 5.4 The roof would project beyond the building, most notably at the north-eastern façade, to create architectural interest at this key view from Geron Way/A5 Edgware Road and to assist in screening necessary plant equipment sited adjacent to this elevation; and from both the eastern and southern elevations creating an overhanging structure above the external vehicle circulation route. The roof would also contain a brown roof to support biodiversity (including the provision of hibernacula and local wildflower species), roof lights and a number of photovoltaic (solar) panels.
- 5.5 In terms of materials, the proposed building would be constructed using a concrete base to enclose the WTS operations (with reinforced concrete piled foundations), a translucent polycarbonate cladding to wrap around the face and underside of the roof structure, and floor to ceiling curtain wall glazing on part of the northern elevation to define the proposed entrance and offices. This glazing would be transparent at both the first and second floor levels allow views into and out of the facility.
- 5.6 The proposed development includes green screening and landscaping proposals along the most public facades (described below) and has incorporated the use of materials that provides the potential for illumination and for the installation of artwork. Specifically, the polycarbonate sheeting proposed for the upper facades and to be wrapped around and under the roof structure would allow natural light during the day; while at night, the applicants' aspiration is to illuminate these facades creating a visual effect thereby defining the facility's presence during the night time. This section of the external structure also has the potential for art installations which the applicant will explore during the detailed design stages post-planning.

Landscaping and Screen Planting

- 5.7 The proposed development includes the implementation of landscaped screening structures along the A5 Edgware Road and Geron Way elevations and at the southwest corner of the facility; tree planting along the A5 to the north and south of the Geron Way junction; proposed amenity grass fronting onto the A5 Edgware Road along with a wildflower and species rich grass mix extending along approximately two-thirds of the building's western (A5) elevation and around the southwest corner of the facility; and shrub planting at the building's northwest corner.
- 5.8 With particular reference to the landscaped screening structures, the proposed landscaping strategy includes a combination of green wall systems, including: pre-planted green screen panels to achieve an instant impact in respect of visual screening at the Site's northwest corner and part of the northern boundary; installation of a framework adjacent to the building's elevation to enable to climber plants to grow and mature over time at the northwest corner and partly along the A5 Edgware Road (western) elevation; and installation of a suspended framework between the ground and building (hi-tensile steel cable system) creating a green canopy along the southern section of the building's western elevation and at the southwest corner of the Site. All green screens would vary in their height and shape to add visual interest to the proposed development but all would be below the maximum height of the facility.

- 5.9 In terms of hard landscaping, the proposed development would include the installation of 2.2-metre-high palisade security fencing atop a perimeter wall at the Application Site's eastern boundary (adjacent to the Midland Mainline railway) and at the northeast boundary in relation to the site access and proposed substations. As mitigation for potential noise impacts, the proposed development also includes the construction of a 3.6-metre-high acoustic fence along the southern and part of the southwest boundary of the site; and a 2-metre-high acoustic fence along the eastern boundary of the Site.
- 5.10 Due to the topography of the Site and the adjacent A5 Edgware Road, the proposed development also includes the construction of a retaining wall structure along part of the northern boundary, along the entirety of the western boundary (where the A5 Edgware Road footway meets the boundary of the Site, including a steel safety barrier), and southwest corner of the Site. The retaining wall would vary in height in line with the ground level changes and would therefore be constructed to a height of between 1.7 – 5 metres rising from the staff car park access on the northern boundary at Geron Way to the southwest extent of the Site along the western (A5 Edgware Road) boundary.
- 5.11 The application also proposes the construction of a temporary gabion basket wall structure at the southwest corner of the Site between the existing A5 Edgware Road eastern footway and proposed acoustic fence along the southern boundary of the Site. This is proposed to retain the temporary landscaping between the A5 Edgware Road and proposed WTS as a result of the topographical changes and ensure the future development of the A5 Link Road Over the Midland Mainline (Bridge Structure B2) as part of the wider BXC regeneration scheme. The proposed gabion wall would be a maximum of 5 metres in height (from the ground level within the Application Site).

Operation of the Proposed WTS

- 5.12 The existing Hendon WTS is operated by the North London Waste Authority ('NLWA'), who are the statutory Waste Disposal Authority for seven North London boroughs, including Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. The Hendon WTS therefore receives municipal and commercial residual wastes collected by these local authorities which is then bulked up and transported either by rail or road to other waste processing facilities. These include: recyclable wastes are transferred to a Materials Recovery Facility (MRF) operated by Biffa in Enfield and to a lesser extent a MRF operated by Bywaters in Bow; residual municipal wastes are transferred to the existing Energy from Waste Facility at Edmonton EcoPark; and food waste is normally sent to an Anaerobic Digestion (AD) plant in Dagenham operated by ReFood. Some food waste has recently been transferred to Milton Parc AD Plant in Bedfordshire but otherwise, most waste is transferred for further processing or treatment to other sites within London.

- 5.13 The proposed WTS, as a replacement for Hendon WTS, would also be operated by NLWA (or appointed contractors on their behalf⁴) and would therefore continue to receive Local Authority collected wastes including municipal, segregated dry mixed recyclable wastes, bulky wastes, and street sweeping and street cleansing wastes. These wastes would be collected by local authority Roadside Collection Vehicles ('RCVs'), caged vehicles and sweeper vehicles and delivered to the proposed development. Upon arrival, RCVs/caged/sweeper vehicles would enter the Site via an amended access off Geron Way and proceed to circulate around the proposed building in a clockwise direction, utilising the weighbridge facilities, before entering the WTS building through its southern elevation. Once inside the building, waste would be deposited within the appropriate allocated bay. There would be a total of 11 bays within the facility – 1no. street sweeping waste bay, 1no. food waste bay, 2no. recycling waste bays (depending on demand), 6no. residual municipal waste bays (depending on demand), and 1no. bay for wastes which pose a risk of fire (in accordance with Environment Agency permitting and London Fire Brigade requirements). The proposed internal arrangement allows for adaptable wall configurations to respond to any variance in waste type arisings or any change in operational or functional requirements. However, each bay structure would be constructed with 6-metre-high partitions and have appropriate drainage to manage any liquid run-off from the stored wastes. The food waste bay would also have its own wash-down facility in accordance with Animal By-products Regulations.
- 5.14 Once sufficient waste has accumulated (the limit of which would be controlled by the available storage capacity and the Environment Agency⁵), it would then be bulked up and loaded onto HGVs by 360° material handlers or wheeled loading shovels within the building for onward transfer to other waste management facilities. The residual wastes would be transported to Edmonton EcoPark in Enfield to supply the existing Energy from Waste plant (and future Energy Recovery Facility, once constructed and operational) for conversion to heat and power. Recyclable wastes would be transferred to specialist local recycling contractors; and food waste would be transferred to a third party anaerobic digestion plant at Milton Parc in Bedford, which would treat and convert the waste to generate renewable energy.
- 5.15 The proposed development is envisaged to be open to staff 24 hours a day; however, waste would only be received during the hours of 07:00 – 19:00 Mondays to Fridays including Bank Holidays, and 09:00 – 13:00 Saturdays. There would be no operations on Sundays. Any operations outside of these waste reception hours would be limited to preparation and cleansing within the building and, where the need arises, the exportation and transfer of bulked up wastes to other waste management facilities. The proposed development would continue to provide full-time employment for the 12no. existing employees at the Hendon WTS.
- 5.16 The proposed WTS seeks planning permission for an operational throughput of up to 195,000 tonnes per annum. The facility has a design capacity for a potential

⁴ The Hendon WTS is currently operated by LondonEnergy Limited, which is a company wholly owned by NLWA.

⁵ Through an Environmental Permit, the Environment Agency would normally impose a three-day storage limit on the storage of waste within such a WTS. The applicant has applied to the Environment Agency for an Environmental Permit and the outcome of this application is awaited.

throughput of 260,000 tonnes per annum to enable the facility to respond to any increased, future demand. Notwithstanding this, the planning application before the LPA seeks planning permission for a maximum throughput of 195,000 tonnes per annum, and this is the basis upon which the proposed development has been fully assessed within the accompanying Supplementary Environmental Statement. The Applicant states that on opening of the proposed WTS, the facility would initially process an annual throughput of 144,000 tonnes, rising to 152,000 tonnes per annum in the short to medium term and then increasing in line with future demand up to the maximum of 195,000 tonnes per annum in the longer term⁶.

Highway Works and Site Access

- 5.17 In order to provide a safe and controlled means of access/egress to/from the proposed WTS on to the Strategic Highway Network, the proposed development would include works to the existing priority controlled A5/Geron Way junction that currently enables access to the Selco Builders Merchants off Geron Way and vehicular access to Bestway Cash and Carry. These proposed junction works would result in the following:
- Signalisation of the A5/Geron Way junction along with widening the junction mouth to achieve adequate visibility splays in both directions (2.4m X 43m);
 - Upgrade works to the A5 Edgware Road itself to allow the largest vehicles (HGVs) to safely enter/exit Geron Way from/to the A5 Edgware Road (including a dedicated right turning lane on the northbound carriageway and traffic islands);
 - Footway improvements and improved pedestrian crossing facilities, including:
 - A 3-metre-wide footway along the proposed WTS western frontage;
 - A 2.6 to 3 metre wide footway on the eastern side of the A5 and northern side of Geron Way – around the ‘Bestway’ corner;
 - A 2 metre wide footway along the southern side of Geron Way;
 - Single stage controlled pedestrian crossing across Geron Way; and
 - Single stage signal controlled pedestrian crossing with traffic islands across the A5 Edgware Road to the north of the Geron Way junction.
 - Relocated bus stop with new bus shelter and signage on the A5 southbound footway (i.e. eastern side of the A5); and
 - Highway cycle waiting areas at the proposed A5 northbound and A5 southbound signals.

The A5/Geron Way proposed junction works are set out on plan numbers BXT-CAP-0100-F-SK-C-0007 (Rev.P06), BXT-CAP-0100-F-SK-C-0008 (Rev.P06), and BXT-CAP-0100-C-DR-C-0046 (Rev.P05); and the planning application is accompanied by relevant Swept Path Analyses, Road Safety Audit (Stage 1), and Departure from

⁶ As a guide, the Applicant has provided a forecast that anticipates the proposed WTS would process 180,000 tonnes per annum by 2050.

Standards report. Such junction works will require further approval by the Local Highway Authority under Section 278 of the Highways Act 1980 (as amended).

- 5.18 The proposed WTS would be accessed off Geron Way via the existing access currently serving Selco Builders Merchants, however, this access would be subject to amendment as a result of the proposed development (including widening to facilitate an entrance and exit lane). The operational site access would therefore be located at the northeast corner of the Site and serve Geron Way in both directions, but predominantly traffic from the A5 Edgware Road as this would be the principal route to and from the site by RCVs, caged vehicles, street sweepers and HGVs. Once on-site, waste traffic would pass through a bi-folding gate and travel along the internal road layout which would comprise a one-way system circulating in a clockwise direction around the WTS building. Waste traffic would enter the proposed building on the southern elevation. Waste traffic would exit the proposed WTS building on the eastern elevation and proceed to the exit on Geron Way through another bi-folding gate.
- 5.19 Staff and visitors to the proposed development would access the site via an alternative access point located to the west of the proposed operational site access, which leads into the proposed car parking area adjacent to the northern elevation of the WTS building. Staff and visitor traffic would, however, exit the Site via the proposed operational site access. The planning application is accompanied by vehicle tracking/Swept Path Analyses to demonstrate that the largest vehicles (where appropriate) can access/egress and manoeuvre within the Site by the relevant proposed access point, including oil tankers to supply fuels and fire appliances in the event of an emergency.
- 5.20 The abovementioned car park would provide parking for 9no. cars, 1no. allocated disabled parking space, 3no. electric charging spaces/points, and 12no. bicycles (within a cycle store adjacent to the northeast corner of the proposed building with dimensions of 2.6 metres high, 5.5 metres long and 1.8 metres wide).
- 5.21 In addition to the above, the proposed development also incorporates the installation of a ground beam with a steel safety barrier at the 'Bestway Cash and Carry' corner of the junction between Geron Way and the A5 Edgware Road (i.e. the northern extent of the junction). This is to be installed for highway safety reasons.

Ancillary Development

- 5.22 The planning application also proposes a number of ancillary developments within the Application Site to facilitate the operation of the proposed WTS.

Odour Control Unit:

- 5.23 Given the nature of the proposed development and wastes that are proposed to be handled, the planning application proposes the installation of an Odour Control Unit ('OCU') principally situated within the northern part of the proposed building (above the waste storage bay structures) but also including connected plant equipment

located externally to the west of the car parking area and within the northwest corner of the Site. The OCU would consist of an odour abatement system (an example of such system would be a carbon filter based process which seeks to neutralise odorous pollutants before air is dispersed to the atmosphere) consisting of two air filtration silos, an exhaust stack with a maximum height of 17 metres (with only 1 metre protruding above the roof structure), dust filters and extractor fans. This OCU would be required to achieve the Environment Agency's maximum odour levels both at the site boundary and at sensitive receptors.

- 5.24 In addition to this OCU plant, odour emissions would be minimised by the carrying out of all waste operations within the proposed building; ensuring access into and out of the operational elements of the proposed building (as opposed to the ancillary office and pedestrian entrance) would only be via roller shutter doors with high speed opening and closing mechanisms; and maintaining a negative air pressure system to prevent odour emissions when the doors are open. As additional mitigation, with the exception of bulky wastes, all putrescible wastes would be delivered to, and exported from, the Site within enclosed vehicles or containers and would only be delivered within the hours specified above.

Fire Water Tank and Pump House:

- 5.25 Located adjacent to the abovementioned OCU in the northwest corner of the Site, the proposed development also includes the installation of water tank (and associated pump house) to store and supply water in the event of a fire. The proposed water tank would be cylindrical in shape and have a capacity to store 380m³ of water. The structure would stand at a maximum height of 7.6 metres with diameter of 8 metres and finished in aluminium cladding. The proposed associated pump house would be of a glass reinforced plastic construction (finished in dark green) and stand at a maximum height of 3.6 metres.

Substations:

- 5.26 The proposed substations (two) would be located adjacent to the northern boundary of the Site (Geron Way) between the proposed car parking area and operational site access at the northeast corner of the Site. The two substation buildings would be finished in dark green colour and measure approximately 3 metres by 3 metres and stand at a height of 2.4 metres. Each building would be separated by a 350mm concrete blast wall and contained by a perimeter 2.2-metre-high steel palisade fence. Individual access gates would be provided off Geron Way (opening inward to prevent obstruction along the footway) and these would tie into the proposed boundary treatment for the Site's northern boundary which is proposed to be a 1.5-metre-high concrete wall with a 2-metre timber fence erected on top that has a planted/green frontage onto Geron Way.

Crew Toilet Block

- 5.27 Adjacent to the substations, the proposed development also includes the erection of an external toilet block for drivers and other crew members involved in the transfer of wastes to and from the site (between the proposed substations and operational site access). This structure would have dimensions of 2.8 metres by 2.9 metres.

Weighbridges

- 5.28 The proposed development includes the installation of 4no. weighbridges to monitor waste imported to and exported from the WTS facility by road. Each set of weighbridges would be able to accommodate the proposed largest vehicles (i.e. a 44-tonne and 16.5-metre-long articulated vehicle). These weighbridges are proposed to be situated at the eastern extent of the site on both the inbound and outbound routes required to be taken by all vehicles, which would be covered by the overhanging roof design. They would be arranged to ensure that two weighbridges are sited parallel to one another so that if one becomes blocked the other remains in operation to ensure the ongoing operation of the proposed WTS. However, where necessary, sufficient space has been allowed to enable vehicles to bypass both the inbound and outbound weighbridges; and split-bodied vehicles are also able to recirculate onto the inbound weighbridge without having to exit the site.

Re-fuelling Station

- 5.29 The area at the southwest most extent of the Site would contain an underground fuel tank, with a capacity of 10,000 litres, and associated dispensing equipment above ground to refuel vehicles. This part of the site would also partially benefit from the overhanging roof structure and, due to the topographical levels, would be sited at a lower level behind the proposed retaining wall structure.

Amendments to the Proposed Development (July 2018)

- 5.30 In July 2018, the Applicant submitted further information in respect of this Planning Application which included some amendments to the proposed development. In summary, these amendments include:
- Revised hours of operation in terms of the period within which waste would be received at the Site, which is now proposed as follows:
 - Mondays to Fridays and Bank Holidays 07:00 – 19:00;
 - Saturdays 09:00 – 13:00; and
 - No operations on Sundays.
 - Reduction in the extent of brown roof over the proposed WTS facility (from 80% to 30%) to reduce ground stress from the foundations of the structure and to protect a strategic National Grid cable tunnel that runs beneath the Site. In assessing the requirement under the BXC 2014 S73 Permission, the Applicant states that this reduced brown roof would continue to be more than sufficient to meet the minimum requirement of 10% of available roof areas across the wider BXC regeneration area to have a brown/green roof.
 - Relocation and provision of a revised fire water tank and Odour Control Unit (OCU). These structures as amended are outlined above under paragraphs 5.23-5.25.

- Amendments to the proposed A5/Geron Way junction arrangements in response to the Local Highway Authority review of the scheme.
- Provision of a segregated ingress/access for the staff and visitor car park which would now be separated from the proposed operational site access (albeit staff and visitors would egress/exit via the operational site access).
- Omission of the relocation of the Network Rail vehicular access gate based on highway safety grounds. An alternative location for this access point is the subject of ongoing discussion between the Council (as applicant) and Network Rail.
- Inclusion of an additional 2.4-metre-high acoustic fencing along the eastern boundary of the Site to reduce identified noise impacts on sensitive receptors at Brent Terrace.

6. COMPATIBILITY OF THE PROPOSED DEVELOPMENT TO THE BRENT CROSS CRICKLEWOOD S.73 PERMISSION

- 6.1 As described in Section 4 of this report, the 2014 S73 Permission for the Brent Cross Cricklewood ('BXC') regeneration scheme grants outline planning consent for the construction and operation of a Waste Handling Facility ('WHF'), as a replacement for the existing Hendon Waste Transfer Station, on the same land as that included within this planning application. Therefore, the principle of the developing a waste management facility at this Site has already been established in planning terms by virtue of that outline planning permission.
- 6.2 Ordinarily, approval for the detailed design of the BXC WHF would be sought through a Reserved Matters Application that builds upon the principles and parameters of the development established at the outline planning stage. However, as set out within the Council's case for The London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 3) 2016⁷ and described within the applicants' Planning Statement and supporting evidence, the requirements for a WHF as a replacement for Hendon Waste Transfer Station has evolved since the 2014 S73 Permission was granted. The key reasons for this change relate to (1) the feasibility and viability of the Refuse Derived Fuel ('RDF') fuelled CHP Plant, and (2) NLWA's approach to strategic waste management within North London.

(1) Feasibility and Viability of the RDF Fuelled CHP Plant

- 6.3 In accordance with Conditions 1.24 and 35.3 of the BXC 2014 S73 Permission, feasibility and viability testing was carried out in relation to the Vacuum Waste Collection System and the Refuse Derived Fuel (RDF) fuelled CHP plant. These studies concluded that the RDF would neither be feasible nor viable due to more stringent Building Regulations (published in 2013), which reduced the estimated heat demand which affected the scale and efficiency of the CHP, and the cost of installing a continuous underground conveyor between the WHF and the CHP which was found to be prohibitively expensive. A further feasibility study examining the possibility of fuelling a scheme-wide CHP using alternative renewable source(s) (such as biomass, liquid biofuels, gaseous biofuels or hydrogen fuel cells) was carried out pursuant to Condition 35.4 of the s.73 Permission which, in consultation with the GLA specialist Sustainable Energy Manager, concluded that an alternative renewable CHP plant for BXC is not viable and that viability would be further vulnerable to government changing or removing its renewable incentives. These studies were submitted to the LPA pursuant to Conditions 1.24 (planning application reference 14/07961/CON), 35.3 (planning application reference 14/07893/CON) and 35.4 (planning reference 14/07959/CON) of the s.73 Permission and their conclusions were approved as a consequence of the LPA discharging the conditions in 2015.

(2) NLWA Approach to Strategic Waste Management

- 6.4 As statutory waste disposal authority, this evolution has been driven by a change to NLWA's waste management strategy for the constituent seven North London

⁷ Following a Public Inquiry in September 2017, the London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 3) 2016 was confirmed in full by the Secretary of State for Housing Communities and Local Government on 15th May 2018.

boroughs. At the time of the original 2010 BXC outline planning application, the NLWA had successfully obtained Government funding to implement the strategy set out in their '*North London Joint Municipal Waste Management Strategy*' (published in January 2009). The preferred option within this strategy recommended the use of an Energy from Waste Facility in addition to a Mechanical Biological Treatment (MBT) facility and an Anaerobic Digestion facility with a combined capacity to handle 700,000 tonnes of waste per annum. Whilst proceeding to apply for the relevant planning permissions for these facilities, coincidental examination into the North London Waste Plan in 2012 – a collaborative Development Plan for the same seven North London boroughs – resulted in concerns being raised by the Planning Inspector in regard to the required Duty to Co-operate. Consequently, in 2013, a planning application registered at the London Borough of Barnet for the suggested MBT facility was withdrawn and thereafter, the NLWA announced the end to their procurement process for long term waste management services and this particular waste management strategy.

- 6.5 In 2014 the NLWA then announced their formal change in direction to strategic waste management needs confirming that they would instead pursue the construction of a replacement Energy Recovery Facility at Edmonton EcoPark in Enfield. A Development Consent Order was thereafter duly submitted to the Planning Inspectorate for the proposed '*North London Heat and Power Project*' in November 2015 and, following examination in August 2016, the Development Consent Order (The North London Heat and Power Generating Station Order 2017) was granted by the Secretary of State for Business, Energy and Industrial Strategic coming into effect on 18th March 2017.
- 6.6 The NLWA's approach to future strategic waste management was realigned as a direct consequence of this Development Consent Order. With a consolidated residual waste management facility now to be provided at Edmonton EcoPark, incorporating the construction of an Energy Recovery Facility to replace the existing Energy from Waste plant, there is now a reduced requirement for a secondary residual waste management facility (i.e. a facility that processes residual waste) to be provided as part of the BXC regeneration scheme. The NLWA has corroborated and confirmed their future waste management strategy need by letter to the LPA (dated 16th August 2018), which is appended to this report as Appendix C.
- 6.7 In response to this revised and ratified approach to strategic waste management within North London and the factors that have contributed to this change in direction, the requirement for a new waste management facility as a replacement to the existing Hendon Waste Transfer Station within the BXC regeneration area has also changed. Therefore, the proposed WTS set out within this planning application diverges from that permitted by the 2014 S73 Permission in order to deliver a satellite bulking station to support the Edmonton EcoPark Energy Recovery Facility and other appropriate waste recycling or processing facilities within London. These divergences can be broadly summarised as follows:

- 6.7.1 Scale of the operation – as a waste bulking and transfer station, the proposed annual throughput is initially anticipated to be 144,000 tonnes per annum ('tpa'), rising to 152,000tpa in the short-medium term, and up to 195,000tpa in the longer term. The proposed facility, however, has the potential to transfer a maximum of 260,000tpa. The WHF envisaged in the 2014 S73 Permission intended to handle up to 600,000tpa of residual, green, food and dry recyclable wastes in respect of the aforementioned materials recovery operation and waste treatment process to generate RDF and fuel a CHP facility⁸.
- 6.7.2 Type of waste facility – the proposed WTS is a bulking and transfer station for residual waste, dry mixed recycling, food waste, and street sweeping and street cleansing wastes. The 2014 S73 Permission WHF sought to undertake a materials recovery operation to segregate recyclable wastes and then a waste processing function to turn residual wastes into RDF.
- 6.7.3 Size of the development – the BXC 2014 S73 Permission envisaged the development of a WHF covering the entirety of Plots 62 and 63 (3.28ha) of the BXC Development (as illustrated on Parameter Plan 018: Waste and Freight Facilities) – consistent with the land currently occupied by existing Bestway Cash and Carry and Selco Builder's Merchants – and the construction of a building with a maximum floorspace of 24,700m²; height of between 12-30 metres; length of between 189-297 metres; and width of 24-102 metres. The proposed WTS would be on a smaller scale to be developed only on land currently occupied by Selco Builders Merchants (1.66ha consistent with Plot 62 and part of Plot 63); would be constructed with a maximum floorspace of 5,433m² (internal footprint); maximum height of 16.55 metres; the concrete wall lower elements and overhanging roof structure would cover an area of 87 metres east to west and 79 metres north to south.
- 6.7.4 Waste transportation methods – the BXC 2014 S73 Permission WHF envisaged the development of a rail-linked facility including a rail mounted gantry to facilitate the transfer waste from the site to other waste processing facilities. Given the reduction in scale and type of WTS now proposed, in addition to NLWA's revised strategic waste management strategy (i.e. to transfer waste to Edmonton EcoPark); the proposed WTS as a replacement for Hendon Waste Transfer is now no longer required to be rail-linked. The proposed WTS would therefore be a road-road facility.

⁸ As set out in Table 2.1 (Waste Input Assumptions) of Appendix 15 to the RDSF, the WHF was envisaged to handle 150,000tpa of dry recyclable wastes, 50,000tpa of green and food (organic) wastes, 250,000tpa of residual wastes, and process 150,000tpa of the residual wastes to generate RDF for the CHP facility.

- 6.8 As a result of these differences, the proposed WTS does not accord with all of the principles and parameters established by the 2014 S73 Permission in respect of developing Plot 63 and Plot 62 of the BXC regeneration scheme. Therefore, detailed approval cannot be sought through an RMA. Instead, approval for the proposed WTS on this site is being sought through a 'drop-in application'.
- 6.9 The use of 'drop-in applications' in the context of outline planning consents, particularly for large regeneration projects delivered over a number of years, is not an uncommon planning approach⁹. The purpose of utilising such an approach is so that alternative development on land that benefits from outline planning permission can be achieved. However, in the case of BXC, the use of 'drop-in applications' would only be considered acceptable to the Local Planning Authority providing that (1) the proposed development is compatible with the 2014 S73 Permission; (2) it does not undermine or prejudice the overall delivery of the wider masterplan (i.e. comprehensive redevelopment of the BXC area); and (3) would not give rise to any significant environmental impacts when considered against the Environmental Impact Assessment carried out at the outline planning stage, and as updated accordingly through subsequent applications.
- 6.10 In the event that planning permission is granted for the proposed development, or any other 'drop-in application', two planning permissions would effectively coexist for development of the same land. In this instance, the Pilkington Principle would apply whereby implementation of any planning permission for the proposed development (if granted) would render the respective part of the s.73 Permission (i.e. Plot 60) unimplementable. However, provided that the alternative proposals within the 'drop-in application' and any subsequent permission granted pursuant to them does not prejudice the delivery of any other part of the approved BXC regeneration scheme, the proposed development can be delivered in the context of the s.73 Permission. The Local Planning Authority is satisfied with this planning approach subject to the aforementioned caveats ((1) to (3) in paragraph 6.9).

⁹ The planning processes connected to the delivery of the Olympic Park by the London Legacy Development Corporation can be quoted as a preceding example for the use of 'drop-in' or 'slot-in' applications.

7. MATERIAL CONSIDERATIONS

- 7.1 The following provides an overview of the matters that constitute material considerations in the determination of this planning application.

Key Relevant Planning Policy

- 7.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (published March 2016) and the development plan documents in the Barnet Local Plan (namely the Core Strategy DPD and Development Management Policies DPD both adopted September 2012).
- 7.3 Chapter 12 of Barnet's Unitary Development Plan (2006) also remains extant and the policies contained within it are also material considerations given the location of the application site within the Brent Cross Cricklewood regeneration area. Taken together, these statutory development plans are therefore the main policy basis for the consideration of this planning application.
- 7.4 More detail on the policy framework relevant to the determination of this planning application and an appraisal of the proposed development against those relevant development plan policies is set out in subsequent sections of this report dealing with specific policy and topic areas. Table 1 below summarises The London Plan and the Barnet Local Plan policies relevant to the determination of this planning application.

Table 1: Summary of the development plan policies most relevant to the determination of planning application 17/6714/EIA

The London Plan (March 2016)	
<i>London's Places</i>	
Policy 2.13	Opportunity Areas and Intensification Areas
Policy 2.18	Green Infrastructure: The Multi-functional Network of Green and Open Spaces
<i>London's Economy</i>	
Policy 4.4	Managing Industrial Land and Premises
<i>London's Response to Climate Change</i>	
Policy 5.2	Minimising Carbon Dioxide Emissions
Policy 5.3	Sustainable Design and Construction
Policy 5.10	Urban Greening
Policy 5.11	Green Roofs and Development Site Environs
Policy 5.12	Flood Risk Management
Policy 5.13	Sustainable Drainage
Policy 5.14	Water Quality and Wastewater Infrastructure
Policy 5.15	Water Use and Supplies
Policy 5.16	Waste Net Self-sufficiency
Policy 5.17	Waste Capacity
Policy 5.21	Contaminated Land

<i>London's Transport</i>	
Policy 6.1	Strategic Approach
Policy 6.3	Assessing Effects of Development on Transport Capacity
Policy 6.9	Cycling
Policy 6.11	Smoothing Traffic Flow and Tackling Congestion
Policy 6.12	Road Network Capacity
Policy 6.13	Parking
Policy 6.14	Freight
<i>London's Living Spaces and Places</i>	
Policy 7.4	Local Character
Policy 7.5	Public Realm
Policy 7.14	Improving Air Quality
Policy 7.15	Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
Policy 7.19	Biodiversity and Access to Nature
Policy 7.21	Trees and Woodlands
<i>Implementation and Monitoring Review</i>	
Policy 8.2	Planning Obligations
Barnet Local Plan – Core Strategy DPD (September 2012)	
Policy CS NPPF	National Planning Policy Framework – Presumption in favour of sustainable development
Policy CS2	Brent Cross – Cricklewood
Policy CS5	Protecting and enhancing Barnet's character to create high quality places
Policy CS7	Enhancing and protecting Barnet's open spaces
Policy CS8	Promoting a strong and prosperous Barnet
Policy CS9	Providing safe, effective and efficient travel
Policy CS13	Ensuring the efficient use of natural resources
Barnet Local Plan – Development Management Policies DPD (September 2012)	
Policy DM01	Protecting Barnet's character and amenity
Policy DM04	Environmental considerations for development
Policy DM14	New and existing employment space
Policy DM16	Biodiversity
Policy DM17	Travel impact and parking standards
Unitary Development Plan (2006) – Chapter 12: Cricklewood, Brent Cross and West Hendon Regeneration Area	
Policy GCrick	Cricklewood, Brent Cross, West Hendon Regeneration Area
Policy C1	Comprehensive Development
Policy C2	Urban Design – High Quality
Policy C3	Urban Design – Amenity
Policy C4	Sustainable Design
Policy C7	Transport Improvements
Policy C10	Employment

- 7.5 A number of other documents, including supplementary planning documents, design guidance and national planning practice guidance, are also material to the determination of the application. This includes:
- Cricklewood, Brent Cross and West Hendon Development Framework (2005);
 - National Planning Policy Framework (July 2018);
 - National Planning Practice Guidance;
 - National Planning Policy for Waste (October 2014);
 - Noise Policy Statement for England (DEFRA, 2010);
 - LB Barnet Planning Obligations SPD (2013);
 - LB Barnet Sustainable Design and Construction SPD (2016);
 - LB Barnet Green Infrastructure SPD (2017);
 - The Mayor's Sustainable Design and Construction SPG (2014);
 - The Mayor's The Control of Dust and Emissions during Construction & Demolition SPG (2014); and
 - The Mayor's Land for Industry and Transport SPG (2012).
- 7.6 The Local Planning Authority also recognise other relevant topic specific frameworks that may be material to the consideration of this planning application. This includes:
- Mayor's Transport Strategy (2018)
 - Mayor's London Environment Strategy (May 2018)
 - London Local Air Quality Management – Policy Guidance (2016);
 - LB Barnet's Air Quality Action Plan 2017-2022;
 - UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (DEFRA, July 2017);
 - Draft North London Waste Plan (July 2015)
- 7.7 In December 2017 the Mayor published a draft new London Plan for consultation. The consultation period ended 2nd March 2018. A further draft with the Mayor's minor suggested changes was published on 13th August 2018, along with consultation responses received by the Mayor on the draft new London Plan. However, this draft new London Plan remains subject to Examination in Public with the principal hearing sessions likely to be held during the first half of 2019. Any panel report considering this draft new London Plan are indicated as being published in Summer 2019¹⁰. Given status of this New London Plan limited, if any, weight should be attached to the draft policies contained within it when considering this planning application.

Other Relevant Council Decisions

- 7.8 Council decisions in relation to the regeneration of BXC date back to 2004. In relation to the delivery of the new Thameslink Station, relevant decisions have been made by the Cabinet Resources Committee and more recently by the Council's Assets, Regeneration and Growth Committee and Policy and Resources Committee. The

¹⁰ The London Plan Examination in Public 2018-2019 – Panel Note 1: Preliminary Information about the Examination in Public (August 2018)
(https://www.london.gov.uk/sites/default/files/ex01_lp_panel_note_no.1_final.pdf).

following is a summary of relevant decisions.

- 7.9 The delivery of the Thameslink Station, and associated infrastructure including land acquisitions, will be funded by public sector initially from the existing Council capital budgets as approved by the Assets, Regeneration and Growth Committee on 17 March 2016 and Policy and Resources Committees on 17 May 2016 and 28 June 2016) and also from DCLG grant funding and public sector borrowing.
- 7.10 Cabinet Resources Committee, 16 January 2014 (Decision Item 6) – approved in relation to the Thameslink Station, that the Council continue the design and development work to develop the business case and funding strategy for delivery of the Thameslink Station, subject to approval of the capital funding bid by Cabinet on 25 February 2014.
- 7.11 Assets, Regeneration and Growth Committee 17 March 2016 (Decision Item 14) 1) in relation to the Thameslink Station approved the Station Single Option Design and noted the funding and delivery strategies for the Brent Cross Cricklewood Thameslink Station project; 10) Approved the commencement of the detailed design of the station (known as GRIP 4) and associated work packages within the station phase of the Brent Cross South; and delegated to the Chief Operating officer permission to agree terms and enter into the Design Service Agreement with Network Rail to deliver the railway works elements of the GRIP 4 process; 11) Approved the revised spend in respect of Thameslink as detailed in the report and note that Policy and Resources will be recommended to approve the budget. 12.) Noted progress on the land acquisition strategy to deliver the station phase and that a separate report is being considered by this Committee to resolve to make a CPO to deliver this element of the Brent Cross Cricklewood regeneration project.
- 7.12 On the 11th July 2016 and again on the 5th September 2016 the Council's Assets, Regeneration and Growth Committee approved the making of the London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 3) 2016 (known as CPO3) to assemble the land required to develop the Thameslink Station and associated infrastructure work packages. CPO3 includes the land that is the subject of this planning application which is required to deliver the proposed Waste Transfer Station. The Order was subsequently made on 7 September 2016 and a public inquiry into CPO3 was conducted by an independent Planning Inspector appointed by the Secretary of State in September 2017. Subsequently on 15th May 2018, the Secretary of State for Housing, Communities and Local Government confirmed CPO3 in full.

Relevant Planning History

- 7.13 Planning history connected directly with the Application Site includes three applications relating to the existing Selco Builders' Merchants:

Table 2: Planning history of the Application Site

C03021DG/06	Demolition of 2/3 storey office block adjacent to former Parcel Force Depot and external alterations to make good. Addition of doors to elevation facing Geron Way. New 3m palisade fence to enclose covered area on north east elevation and installation of 6m wide access gates. Reconfiguration of parking area.	Approved
C03021DE/06	Various signs to all elevations at Selco Trade Centre, Part of Former Parcel Force Depot, Geron Way, London.	Refused
C03021DR/07	Installation of non-illuminated building signs at Selco Trade Centre, Part of Former Parcel Force Depot, Geron Way, London.	Approved

- 7.14 The land adjacent to the Application Site has extensive planning history in connection with the recently constructed Fellows Square residential led mixed use development. These include the following applications in addition to 21no. separate submissions pursuant to conditions attached to the extant planning permission (ref. F/01932/11) which required separate approval from the LPA:

Table 3: Planning history of the adjacent Former Parcel Force/Fellows Square residential development.

C03021DP/07	The demolition of existing buildings and the erection of a residential led mixed use development comprising 474 residential units within three blocks ranging from 6 residential floors above ground floor level commercial uses on the Edgware Road to 19 residential stories above a podium within the courtyard. Commercial uses at ground floor level comprise offices (1,690m ²) and restaurant cafe (200m ²) and within the podium courtyard creche/cafe (200m ²), concierge office (120m ²) and management suite (70 m ²) with associated below podium car parking (on three levels) and cycle parking facilities, vehicular and pedestrian access, amenity space and landscaping and other associated works. Former Parcelforce Worldwide (Part) Geron Way / Edgware Road London NW2 6LT	Refused
C03021DQ/07	The demolition of existing buildings and the erection of a residential led mixed use development comprising 474 residential units within three blocks ranging from 6 residential floors above ground floor level commercial uses on the Edgware Road to 19 residential stories above a podium within the courtyard. Commercial uses at ground floor level comprise offices (1,690m ²) and restaurant cafe (200m ²) and within the podium courtyard creche/cafe (200m ²), concierge office (120m ²) and management suite (70 m ²) with associated below podium car parking (on	Refused

	<p>three levels) and cycle parking facilities, vehicular and pedestrian access, amenity space and landscaping and other associated works.</p> <p>Former Parcelforce Worldwide (Part) Geron Way / Edgware Road London NW2 6LT</p>	
F/01932/11	<p>Redevelopment of site to provide for 230 residential units (use class C3) and 888 square metres of commercial accommodation (use classes B1, D1 and D2) in buildings up to seven storeys in height, along with associated car parking, amenity space and new vehicular access from Edgware Road.</p> <p>Former Parcel Force Depot, Geron Way, London, NW2</p>	Approved
F/04425/14	<p>Non-material minor amendments for planning permission F/01932/11 dated 29/4/13 for 'Redevelopment of site to provide for 230 residential units (use class C3 and 888 square metres of commercial accommodation use classes (B1, D1 and D2) in buildings up to seven storeys in height along with associated car parking amenity space and new vehicular access from Edgware road.' Amendments include reduction of ground floor car park and associated works.</p> <p>Former Parcel Force Depot, Geron Way, London, NW2</p>	Approved
16/7402/NMA	<p>Non-material amendment to planning permission F/01932/11 dated 29/04/13 for 'Redevelopment of site to provide for 230 residential units (use class C3) and 888 square metres of commercial accommodation (use classes B1, D1 and D2) in buildings up to seven storeys in height, along with associated car parking, amenity space and new vehicular access from Edgware Road'. Amendments include relocation of Office (Use Class B1) from Unit 1 to Unit 4 and Gym (Use Class D2) from Unit 4 to Unit 1, removal of timber cladding to the rear of Buildings A and B, and minor elevation changes to Buildings A and B to incorporate ventilation louvres.</p> <p>Former Parcel Force Depot, Geron Way, London, NW2</p>	Approved

Pre-Application Public Consultation

- 7.15 As set out in the Consultation Statement (GL Hearn, dated August 2017), it is evident that the Applicant has undertaken extensive pre-application consultation with residents and other stakeholders in the context of the proposed development and the wider BXC regeneration scheme, particularly in relation to the development packages contained within Phase 2 (South) (Thameslink Station) sub-phase.
- 7.16 This consultation has been undertaken in accordance with the spirit of the advice laid out in the National Planning Policy Framework (NPPF), and additionally in response to guidance published by Barnet Council itself. Section 4.1.2 of the Council's Statement of Pre-Application Consultation (2015) states '*The aim of pre-application consultation is to encourage discussion before a formal application is made, enabling communities to have an influence on a planning proposal before it is finalised. The process can help to identify improvements and overcome objections at a later stage. Such pre-application consultations can take the form of exhibitions, presentations, workshops or simply a letter or mail shot*'.
- 7.17 The Applicant's Consultation Statement sets out the programme of public and stakeholder consultation undertaken between April to August 2017. To advertise these events and notify residents and local businesses of the proposals which are the subject of this planning application, a newsletter was posted out to approximately 36,000 addresses in March 2017. In addition to this, the events were publicised on the Council's website and via social media accounts.

Stage 1:

- 7.18 The first round of public and stakeholder engagement included:

Stakeholder Planning forum (meeting 1): <i>Holiday Inn, Brent Cross</i>	25 th April 2017
Public Engagement workshop 1: <i>Maurice and Vivienne Wohl Campus</i>	19 th April 2017
Public Engagement workshop 2: <i>Crest Academy, Crest Road</i>	20 th April 2017
Public Engagement workshop 3: <i>Whitefield School, Claremont Road</i>	26 th April 2017
Stakeholder Planning forum (meeting 2): <i>Holiday Inn, Brent Cross</i>	8 th May 2017

- 7.19 Attendees at the above events were recorded as follows:

- A total of **131 members of the public** attended the three public engagement workshop events; and
- **25 registered stakeholder groups** attended the two stakeholder planning forum events.

- 7.20 In addition to attending the above events and speaking directly with the Applicant and their agents or representatives, opportunities to provide written feedback were also afforded through an online form. The Applicant also recorded their own notes from all public and stakeholder events.

Stage 2:

- 7.21 The second round of public and stakeholder exhibitions took place on the following dates. These subsequent events were advertised by: newsletter to the same addresses as Stage 1, including a brief overview of changes to the proposed WTS following the first round of consultation; newspaper advertisements in The Barnet Borough Times and The Barnet Press; the display of posters; and via the Council's website and social media accounts.

Stakeholder Planning forum (meeting 1): 28th June 2017
Holiday Inn, Brent Cross

Public Engagement workshop 1: 1st July 2017
Crest Academy, Crest Road

Stakeholder Planning forum (meeting 2): 3rd July 2017
Holiday Inn, Brent Cross

Public Engagement workshop 2: 4th July 2017
Whitefield School, Claremont Road

Public Engagement workshop 3: 5th July 2017
Maurice and Vivienne Wohl Campus

- 7.22 Attendees for the above events were recorded as follows:

- A total of **88 members of the public** attended the three public engagement workshops; and
- A total of **7 registered stakeholders** attended the stakeholder planning forum events.

Statutory and Other Technical Consultation Responses

- 7.23 In accordance with the relevant Regulations (Town and Country Planning (Development Management Procedure) Order 2010 (as amended) and Town and Country Planning (Mayor of London) Order 2008), the Local Planning Authority ('LPA') conducted a number of consultations with both statutory and non-statutory bodies relevant to the development proposed within this planning application. The consultation responses received following this initial consultation (i.e. following validation of the planning application) are summarised below with an Officer response provided where necessary for the purposes of clarification:
- 7.24 The **Greater London Authority** have provided the Mayor of London's Stage 1 Referral Report which states that the principle of a waste facility at this site within the BXC redevelopment area is acceptable as it has been established through the extant BXC permission. However, in its current form, the Mayor of London has advised that the application does not comply with the London Plan or draft London Plan but the resolution of the below issues could lead to the application becoming compliant with the London Plan and draft London Plan:
- Waste facility – there is no processing or sorting capacity proposed on the site to recover recyclable waste which is encouraged on all new sites to improve London's self-sustainability and to meet recycling targets. Furthermore, existing waste management sites to be redeveloped as part of the BXC scheme are required to be re-provided in accordance with the conditions attached the BXC permission. The applicant is proposing to re-provide some of this existing capacity on the proposed site; however, the proposed facility will only be considered to provide this capacity if, as a minimum, any existing processing capacity is re-provided. In addition, the applicant is required to clarify the following: employment benefits and social value of the proposals; the origins and destination of waste; and details of the acoustic fencing.
 - Urban design – The architectural concept and commitment to urban greening and climate change adaptation is supported. However, the applicant should provide further information on the acoustic fencing proposed on the site's southern elevation, opposite the residential development.
 - Transport – TfL accept that the facility will not be rail linked on the basis that all non-recyclable waste would be taken to Edmonton EcoPark by road; however, provision must be made to enable the facility to be rail linked in the future. The applicant must confirm that the proposed highway works will not impact buses using Geron Way to access the New Thameslink train station. Further details are required on all vehicle movements to and from the site. Concerns are raised regarding the safe operation of the Geron Way/Edgware Road junction as presently designed, and the applicant must continue to engage with TfL to address those concerns. In addition, further information is requested on measures to accord with the Healthy Streets approach and promote reliable bus services along Edgware Road.

7.25 **Brent Council** have raised objections to the proposed development on the following grounds:

- The provision of a WTS in this location, on the western side of the railway with vehicular access from Geron Way.
- The impact on the highway network from heavy goods traffic generated by the proposal is such that it would have an unacceptable impact on the flow of traffic, with consequent harm to the road network and amenity of residents in the area by reason of the environment created.
- Brent Council is concerned that the proposal has not adequately demonstrated that there will not be an impact on environmental quality. In the event of an approval, to ensure protection of the environment, the following conditions should be imposed:
 - Plans for the continual assessment of emissions and maintenance of the air treatment system/odour abatement system of the enclosed WTS;
 - A scheme to protect the occupants of neighbouring residential accommodation from high concentrations of air pollutants. Any potential source of nuisance should be identified and incorporated in this scheme with a 'schedule of mitigation measures' included as to address the nuisance;
 - A scheme to protect occupants of neighbouring premises from noise and vibration nuisance which may originate from the proposed facility. Any potential source of nuisance should be identified and incorporated within a 'schedule of mitigation measures'. The schedule of mitigation measures shall include but not be limited to the impact upon noise, vibration, dust, odour and any emissions that may affect the general amenity of neighbouring receptors.
- Prior to the commencement of demolition/construction, details of an Odour Management Plan outlining an Odour Mitigation Method Statement incorporating any possibly mitigation measures that may be implemented to either maintain or improve the air quality in the vicinity of the development shall be submitted to and approved in writing by the local planning authority.
- Prior to construction, a detailed Environmental Management Plan and Construction Management Plan incorporating an Air Quality (Dust) Management Plan (AQDMP) shall be submitted and approved in writing by the local planning authority for approval in writing. The potential cumulative effect of emissions from neighbouring development sites, if any, should be considered and managed between the sites. These Plans should also cover all phases of development namely: demolition, earthworks, construction and track-out and the AQDMP should show details of mitigation measures that are already part of any planned development and how these measures tie in with the mitigation for this site.
- A method statement for the reduction of emissions from construction vehicles shall be submitted to the local planning authority for approval in writing prior to the commencement of demolition /construction. All mobile vehicles associated

with the demolition / construction should comply with the standard of the London Low Emission Zone. (All HDVs/HGVs should aim to be Euro VI compliant for PM.)

- A vehicle wheel-wash system should be in place and used during the construction and operational phases of the development.

7.26 **Transport for London** requested further clarification from the Applicant in regard to the following matters:

- Confirmation on how the proposed highway works would enable buses to use Geron Way and assurance that it would remain feasible for buses to access the New Train Station to be provided as part of the wider BXC regeneration scheme.
- Confirmation that, with the proposed traffic signal cycle time, the signal junction could be added to the local Urban Traffic Control group without causing delays elsewhere.
- Further information on how the potential HGV-cyclist collisions would be reduced to zero as part of the proposed junction design.
- Demonstration on how the proposed development accords with the TfL Bus Stop Accessibility guidance.
- Confirmation that junction lighting would be upgraded.

7.27 **Network Rail** were notified of the planning application in accordance with Article 16 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended); however, no comments have been received in response to the LPA's consultation.

7.28 **Environment Agency** raise no objection to the proposed development however recommend that fast action roller doors are installed on the waste transfer station building which are, by default, in the closed position.

7.29 **Natural England** raise no objection to the planning application.

7.30 **National Grid** raise no objection to the proposed development, although noting that the proposal is in close proximity to a high voltage transmission underground cable.

7.31 **North London Waste Authority** did not provide any comments in response to the LPA's initial consultation – see also paragraph 8.10 below.

7.32 **Thames Water** did not provide any comments in response to the LPA's consultation.

7.33 **Affinity Water** did not provide any comments in response to the LPA's consultation.

7.34 The Council's **Environmental Health Officer** requested clarification on the following matters:

- **Odour** – further scrutiny of the odour assessment due to the proximity of neighbouring residents; clarification regarding mitigation offered by the existing Fellows Square development; and further information on the operation of the

proposed facility.

- **Air Quality** – further information/assessment of potential impacts from NO₂ emissions, principally clarification of the modelling assumptions; an assessment of the proposed scheme itself (in addition to cumulative effects) taking into account sensitive receptors within 500 metres of the site; further explanation regarding the changes in air quality; and inclusion of a sensitivity test.
- **Noise** – review of the assessment to include all potential noise sources; diagrams of all noise sources and receptors; improved background noise surveys; inclusion of predicted sound pressure levels; and rated noise levels for proposed shutter doors, noise outbreak, and ventilation systems.

For **land contamination**, the Environmental Health Officer raised no objection subject to the inclusion of a condition requiring the further investigation, a remediation strategy and verification of the remediation strategy.

7.35 The Council's **Transport Planning and Regeneration Team** requested a number points of clarification in relation to the Transport Report provided with the planning application and the proposed junction layout, including:

- Clarification on the number of daily trips associated with the existing use of the site;
- Explanation why the Geron Way slip road could not be used;
- Clarification in relation to the network Saturday peak;
- Clarification regarding overnight staff parking, number of cycle spaces and cycle storage facilities;
- Further modelling of the proposed development's impact on the A5 corridor and its relevant junctions;
- Demonstration of the sightlines for the proposed staff car park access (vehicle-vehicle and vehicle-pedestrian);
- Plan overlaying proposed with the existing Geron Way junction layout;
- Clarification regarding the direction of opening of the proposed vehicle gates;
- List of departures from standards for the proposed junction and confirmation of the geometric features of the junction;
- Clarification in regard to whether a pedestrian flow survey and level of service assessment has been carried out in regard to the proposed reduction in footways;
- Provision of swept path plans for the largest proposed vehicles (16.5 metre articulated lorries);
- Illustration of forward visibility splays on a plan;
- Reasons why the inter-visibility zone for the proposed junction cannot be met; and

- Submission of a Stage 1 Road Safety Audit.

In addition, it is advised that a Section 278 and/or Section 38 Agreement will be required to be entered into with the Highway Authority.

- 7.36 The **Lead Local Flood Authority** raise no objection to the proposed development noting that the foul and surface water drainage proposals result in a betterment to the existing arrangements at the site; and the climate change allowances suggested for the site within the context of it being located in the Thames Region is considered appropriate.
- 7.37 The Council's **Development Travel Plans Team** did not provide any comments in response to the LPA's consultation.
- 7.38 The Council's **Ecology Adviser** considers the submitted assessments to contain a fully comprehensive round of survey and reporting (covering the Application Site and beyond). However, it is noted that there appears to be a disjunction between the recommendations for ecology and the planting proposals in the landscape planting plan and no indication of a link between the two. Whilst there is no measurable net gain for biodiversity within the ecological proposals, it is nonetheless noted that compensation is included in the form of the proposed landscape planting.
- 7.39 All **Ward Councillors** for **Childs Hill** and **Golders Green** were notified of the planning application but no written comments in respect of the proposed development were provided as a result of this initial consultation exercise (see paragraph X.XX below for further related information).
- 7.40 Based on the Council's current database, a number of other residents' associations and community forums were also consulted on the planning application but have not provided any comments. This included: **Cricklewood Community Forum, Cricklewood Neighbourhood Association, Cricklewood Residents Association, Railway Terrace Community Association, Brent Terrace Residents Association**. However, no comments have been received from these particular organisations.
- 7.41 As the planning application was accompanied by an Environmental Statement, the Department for Housing, Communities and Local Government's National Planning Casework Unit were also notified on validation in accordance with Regulation 19 (3) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and again upon the receipt of further environmental information in July 2018.

Adjoining Authority Elected Members

- 7.42 **Councillor Parvez Ahmed (Brent)** objects to the planning application on the following grounds:

'The proposed application and development would have an adverse effect on the local area for a number of reasons and is not suitable nor appropriate for this site. This would be directly next to a residential area and near local schools - the existing footfall is

already very high, no doubt likely to increase even further with other existing developments in the locality. The proposed application and use a waste dump would be detrimental to local residents, local children and families and the existing footfall. The proposed dump site is opposite a petrol station (a significant fire risk), within 200 yds of an infant school, a main-road-width away from people's homes. The dust, smell and dirt will be suffered by local people in this heavily residential area. It is anticipated that the dump will generate about 60 HGVs per hour into and out of the site. The freight terminal - barely 500 yards away - will generate a similar volume of HGV traffic. All these heavy lorries will be using the A5 - already a very polluted road and heavily congested road not to mention the heavy vehicles that cut through residential roads like Dollis Hill Lane, Crest Road, Dollis Hill Avenue and Gladstone Park Gardens in contravention of existing regulations. Additional vehicles will exacerbate the problem. I strongly object to this application as a local resident and on behalf of Dollis Hill residents as local Ward Councillor for Dollis Hill.'

- 7.43 Councillor Lia Colacicco (Brent)** objects to the planning application on the following grounds:

'I write both as local resident and Councillor representing Mapesbury, which will be heavily impacted by these proposals. In planning terms this plan represents more harm than benefit to the locality, specifically in terms of traffic impact and public health. The diesel lorries will impact very negatively on an already dangerously poor air quality, disturbing local residential areas and making intolerable the congestion on this stretch of the A5. Whilst there may be a need for such a facility, why has Barnet once more chosen to put the nasty elements of the BXC development next door to Brent? Please act as consider neighbours and place both this and the even more harmful aggregates transfer site further up the line. They have no place in this urban setting. In order to make consultations meaningful you need to listen to what local people are saying. They are clearly saying NO WAY, and their reasons are material planning considerations.'

- 7.44 Councillor Liz Dixon (Brent)** objects to the planning application on the following grounds:

'As a local councillor in Dollis Hill I am writing on behalf of many residents in Dollis Hill who are very worried about the impact of the proposed waste transfer station in Barnet. The plans will impact on Dollis Hill residents as the HGV lorries will be diverted onto Edgware road and the increase in traffic will pose a risk of harm to residents' health. This oppress plans will increase the air pollution and traffic - the road is already very busy. There is mounting concern about the freight plans and the housing development in the "cottages" and this is understandable given the impact it will have on the local community with the loss of a significant green area. I have received many emails from my residents who have asked Brent council to raise their objections to Barnet - I have raised these concerns on their and our behalf as local councillors. I and the other 2 councillors in Dollis Hill are also objecting to the freight and raising concerns about the impact of the increase in HGV traffic which We think is a risk to health and potentially safety. The pollution will be significant and we are mindful of the Mayor of London promise to promote cleaner air which we support.'

Public Consultation Responses

7.45 Upon validation of the planning application, the LPA also notified a number of residential properties within the vicinity of the application site. The total number of public representations received in response to this planning application (by email, letter and the Public Access website), plus other representations received outside of the consultation area, was **439**. Of those, **433 raised objections**, **1 supported** the proposal and **5 objections** were duplications of submissions. Of those 433 objections, **16 objectors** have requested to speak at the Planning Committee. All representations are summarised within Appendix D to this report. The objections raised broadly relate to the following issues:

- Principle of the development;
- Location of the proposed development;
- Amenity impacts, including air quality, noise, smell and appropriate design parameters to address these impacts;
- Environmental impacts including impact on local ecology, Gladstone Park, and green infrastructure;
- Traffic and Network Impacts;
- Monitoring and enforcement;
- Lack of consultation; and
- Policy implications.

Resident Associations

7.46 **Dollis Hill Residents Association** object to the planning application on the following grounds:

'Dollis Hill Residents' Association objects to the planning application for a waste transfer station.

It will bring unnecessary extra lorries to the A5 to drop off waste and even larger ones to collect it. At this time when London-wide measures are being taken to cut pollution from vehicles, we do not want more vehicles brought onto the A5. The pollution they bring will be caused not only by the lorries themselves moving and idling inefficiently in traffic but by the slowing down of other traffic while these lorries drive to and from the site. Our Lady of Grace Infant School has its playground along the A5 very near to the proposed waste station; the young children there should experience less pollution in future, rather than an increase caused by the impact of the waste transfer station traffic.

We consider that the traffic modelling does not reflect accurately the impact of the traffic for the waste station. Traffic on the A5 is already slow moving throughout much of the day and this will worsen it. Large vehicles turning right out of the transfer station will often block the traffic as they will not be able to join the northbound carriageway which will often be solidly blocked. A yellow box is essential on the southbound carriageway so that neither the front nor back of a long waste vehicle can stop on it. A waste transfer unit should not be accessed from the A5, which is already congested,

but from a larger road such as the North Circular.

The North London Waste Authority does not need a waste transfer station at this far south-western end of the London Borough of Barnet as the bulked waste is taken from it to its site in Edmonton. We consider that waste should be taken directly to Edmonton, rather than being sent first to Geron Way. A waste transfer station should not be placed at the far south-western end of the London Borough of Barnet, which is not a convenient location for Barnet or Camden waste.'

Petitions

7.47 A total of 3 petitions were received in response to the initial consultation associated with this planning application containing signatures of local residents who object to the proposed development. The petitions received are as follows:

- Petition 1 – dated 29th November 2017 – 550 signatures;
- Petition 2 – dated 30th November 2017 – 202 signatures;
- Petition 3 – dated 14th December 2017 – 78 signatures

8 SUBMISSION OF ADDITIONAL AND REVISED INFORMATION

8.1 As a consequence of the LPA's consultation exercise following registration of the planning application and the consultation responses and public representations received (as summarised above), the applicant submitted additional and revised information on 11th July 2018 for the purposes of addressing the issues identified for the LPA's consideration. Amendments to the proposed development were also submitted, as outlined in paragraph 5.30 of this report.

8.2 The new, revised and additional information submitted pursuant to this planning application included the following:

- Covering letter dated 10th July 2018;
- Application Form (revised);
- Planning Statement Addendum (July 2018);
- Design and Access Statement (Document ref. BXT-CAP-6000-E-RP-A-6010, dated July 2018) (revised);
- Waste Transfer Station – Supplementary Environmental Statement (Volume 1, dated July 2018) (revised);
- Supplementary Environmental Statement, Waste Transfer Station Volume 2 – Appendices (July 2018) (revised);
- Waste Transfer Station Revised SES – Non Technical Summary (July 2018) (revised);
- Air Quality and Odour Assessment Report (Document ref. BXT CAP 2600 E RP Z 0186 Rev. 2, dated July 2018) (revised);
- Noise Impact Assessment (Document ref. BXT-CAP-2600-E-RP-Z-0188 Rev. 1, dated 5 July 2018) (revised);
- Phase 2 (South) (Thameslink Station) Waste Transfer Station – Transport Report Addendum (July 2018) (new);
- Departure from Standards - Road Restraint System (July 2018) (new);
- Departure from Standards - Geron Way Vertical Alignment (July 2018) (new);
- Departure from Standards - Highways Alignment (July 2018) (new);
- Departure from Standards - Junction Intervisibility (July 2018) (new);
- Departure from Standards - Road Widths (July 2018) (new);
- Brent Cross Thameslink – A5 Edgware Road/Geron Way Traffic Signal Controlled Junction: Road Safety Audit (Stage 1) – Designer Response (Revision P06, dated July 2018);

8.3 Plus, the following revised and new drawings:

Revised Drawings:

BXT-CAP-6000-E-M2-A-0008 Rev. P01	Proposed Site (Block) Plan
BXT-CAP-6000-E-DR-A-6001 Rev. P0	Site Location Plan
BXT-CAP-6000-E-DR-A-6003 Rev. P02	General Arrangement Floor Plan
BXT-CAP-6000-E-DR-A-6004 Rev. P03	Accommodation Block Floor Plan

BXT-CAP-6000-E-DR-A-6005 Rev. P02	Proposed Elevations
BXT-CAP-6000-E-DR-A-6006 Rev. P01	Roof Plan
BXT-CAP-6000-E-DR-A-6007 Rev. P01	Building Sections
BXT-CAP-6000-E-DR-A-6008 Rev. P02	Proposed Colour Elevations
BXT-CAP-6000-E-DR-A-6012 Rev. P02	Proposed Colour Elevations
BXT-CAP-6000-E-DR-A-6016 Rev. P02	Proposed Site Sections
BXT-CAP-6000-E-DR-A-6017 Rev. P0	Proposed Site Sections
BXT-CAP-6000-E-DR-A-6018 Rev. P01	Demolition Plan
BXT-CAP-6000-E-DR-A-6019 Rev. P01	Existing Elevations/Site Sections
BXT-CAP-3000-E-DR-L-3003 Rev. P01	Bike Shelter Detail
BXT-CAP-3000-E-DR-L-3005 Rev. P02	Landscape General Arrangement
BXT-CAP-3000-E-DR-L-3006 Rev. P02	Landscape Planting Proposals
BXT-CAP-3000-E-DR-L-3004 Rev. P02	Hibernaculum Roof Plan
BXT-CAP-1700-C-DR-S-0040 Rev. P05	A5 Edgware Road Waste Transfer Station Retaining Wall General Arrangement
BXT-CAP-1300-C-DR-E-0043 Rev. P04	A5 Edgware Road/Geron Way Traffic Signal Controlled Junction Proposed Street Lighting
BXT-CAP-3000-C-DR-L-0044 Rev. P03	Landscape Plan A5 Edgware Road/Geron Way
BXT-CAP-3000-C-DR-L-0045 Rev. P03	Tree Works & Protection Plan A5 Edgware Road/Geron Way
BXT-CAP-0100-C-DR-C-0046 Rev. P05	A5 Edgware Road/Geron Way Traffic Signal Controlled Junction General Arrangement
BXT-CAP-0100-C-DR-C-0048 Rev. P01	Geron Way Longitudinal Sections and Cross Sections
BXT-CAP-0500-C-DR-D-0047 Rev. P04	A5 Edgware Road/Geron Way Traffic Signal Controlled Junction Proposed Drainage
BXT-CAP-0500-E-DR-D-0501 Rev. P1	Drainage Strategy Site Layout
BXT-CAP-0800-E-DR-M-0801 Rev. P04	Mechanical Equipment Site Layout
BXT-CAP-0800-E-DR-M-0802 Rev. P05	Dust/Odour Control Ground Floor Plan
BXT-CAP-0800-E-DR-M-0830 Rev. P05	Pump House & Fire Water Tank Sections & Elevations

BXT-CAP-0000-E-DR-Z-0001 Rev. P05	Vehicle Tracking (Sheet 1of2)
BXT-CAP-0000-E-DR-Z-0002 Rev. P05	Vehicle Tracking (Sheet 2of2)
BXT-CAP-1300-E-DR-E-1302 Rev. P05	Lighting Exterior Site Layout
BXT-CAP-1400-E-DR-E-1406 Rev. P03	HV Sub Stations Transformer Rooms - Ground Floor Plan
BXT-CAP-1400-E-DR-E-1407 Rev. P03	HV Sub Stations Transformer Rooms - Sections & Elevations

New Drawings

BXT-CAP-0100-F-SK-C-0007 Rev. P06	A5 Edgware Road/Geron Way Traffic Signal Controlled Junction Alternative Layout
BXT-CAP-0100-F-SK-C-0008 Rev.P05	A5 Edgware Road/Geron Way Traffic Signal Controlled Junction Alternative Layout Swept Path Analysis
BXT-CAP-6000-E-DR-A-6026 Rev. P00	Proposed Crew WC Block

- 8.4 Following further liaison with the Council's Transport Planning and Regeneration Team and TfL, the applicant submitted further clarifying information in respect of transport and traffic impacts. This information was submitted on 13th August 2018 and included the following document:
- Covering letter dated 13th August 2018; and
 - Phase 2 (South) (Thameslink Station) Waste Transfer Station – Transport Report Supplementary Addendum (August 2018).

Further Consultation

- 8.5 Upon receipt of this information, the LPA conducted two further consultation exercises (one on 11th July and a second on 13th August 2018) notifying all those who had previously made representations in response to the initial public consultation exercise and re-consulting all non-statutory and statutory organisations, elected Members and residents' associations previously consulted. As a result of these subsequent consultation exercises, further responses were received from some of the abovementioned statutory and non-statutory consultees, elected Members, residents' associations and members of the public. The following paragraphs summarise the responses received (where consultees are not listed, no further comments have been received by the LPA).

Statutory and Other Technical Consultation Responses

8.6 **Brent Council** object to the proposed development on the following grounds:

- Principle: Concern as to the principle of a waste transfer station in this location. The scheme has significantly changed since the previous approvals and the removal of the rail link means that the station could be located anywhere in London. The siting has not been fully justified.
- Highways Impact: It is considered that the proposed layout of the signalised junction of Edgware Road and Geron Way would fail to facilitate safe vehicular access in all directions to and from Hanover House on the western side of Edgware Road, to the detriment of highway safety and the amenity of business and residents in those premises. In the absence of any commitment with regard to the future routeing of heavy goods vehicles to and from the site, the applicant has failed to demonstrate that the increased volumes of heavy goods vehicles travelling to and from the site would have an acceptable environmental impact on the local highway network in terms of traffic flow and exposure of the local community to noise and air pollution.
- Environmental Impact: This application would cause harm to the amenities of the premises and neighbouring environment in terms of noise and air pollution. The scheme would increase pollution in an Air Quality Management Area.

8.7 **Transport for London** has no objections to the planning application, subject to appropriate planning conditions being imposed on any planning permission, and to future co-operation on the A5 corridor.

- Waste Handling Facility: TfL accepted that the operational requirements of the North London Waste Authority have changed over time and they did not need a rail linked facility for their use. We accepted the need for this facility at this location, and transport benefits of consolidating loads from local refuse vehicles to take to Edmonton Eco Park via A406 on larger vehicles. However, we did request clarification about future rail use of the site.
- Road Safety: TfL was concerned by the impact of the proposal on safe operation of the A5 Edgware Road, which forms part of the Strategic Road Network (SRN). The application provides information that shows how the junction will operate within strategic modelling, as well as Road Safety Audit, which TfL accept has been properly addressed by the scheme designer in consultation with TfL and the local highway authorities. TfL supports the proposal to signalise the Geron Way junction with the A5, which will be needed prior to first operation of the site. TfL's view is that for Mayor to achieve Vision Zero, we need to see significant mode shift away from private car use. We need to protect vulnerable road users by reducing road speeds and providing more space for pedestrians and cyclists. This development provides some of these elements though there is much more to do within this corridor to achieve these broader aims.
- Construction: TfL would expect to be consulted on the Construction Transport Management Plan. Specifically, TfL should be consulted on any construction activity that impacts on the A5 or local bus services. TfL has promoted the use

of rail during the construction phase and expects a co-ordinated approach to construction within the regeneration area.

- Urban Traffic Control: TfL will work the applicant team and local highway authorities to refine the signal design as part of the implementation process. TfL expects this junction will form part of the Urban Traffic Control (UTC) to ensure this junction operation is co-ordinated with the operation of the remainder of the SRN. Therefore, common cycle times have been proposed by the applicant. TfL will make the final decision on signal timings, method of control and operation. The strategic modelling and network modelling will need to be input into Model Audit Process to support the implementation of new traffic signals on the SRN. The modelling assessment suggests other changes to SRN would be required to support the wider regeneration. TfL will review specific proposals as they come forward through planning and implementation stages against TfL objectives around bus priority, pedestrian and cycle crossing times.
- Buses and Healthy Streets approach: The application material includes a Healthy Streets assessment that the new signal junction provides an overall benefit against the Healthy Streets indicators. TfL expects these principals will be applied to the wider A5 corridor and in relation to future planning applications. TfL welcomes confirmation that buses should be able to safely turn into Geron Way using the new signal junction, it is important that for the future rail station that options to improve access by bus, walking and cycling are not compromised by the new signal junction and this developed further as part of wider regeneration of the area. TfL is working with Barnet Council and adjoining Boroughs to improve bus priority, road safety, air quality and how best to apply Healthy Streets approach to the A5. This won't be solved by one junction or application but can be developed over the course of time, and a corridor approach includes enhancing parallel and alternatives routes. This application is one part of the emerging overall plan for the corridor that will need to be ambitious and adaptable to development proposals.
- Delivery and Servicing Plan: TfL requests a site-specific Delivery and Servicing Plan (DSP) is secured by condition. The DSP should help achieve the Mayor's Vision Zero, and minimise impact on sensitive local receptors such as schools and existing residential areas, through specification of the vehicle fleet, driver training, promoting of good driver behaviour, routing of vehicles, retiming and booking systems. TfL would expect to be consulted upon the DSP once drafted. TfL would encourage the preparation of a Travel Plan for future employees of the Waste Handling Facility to encourage alternative to car use.

8.8 The **Environment Agency** raise no objection to the planning application as amended.

8.9 **Natural England** have no further comments and continue to raise no objections to the planning application.

8.10 **National Grid** raise no objection and have requested the inclusion of an informative in relation to the gas pipeline identified on the site.

- 8.11 The **North London Waste Authority** initially raised objection to the proposed development in relation to the provision of insufficient parking for staff. However, since further discussion with the Applicant, the NLWA have withdrawn this objection. The NLWA have also written to the LPA in regard to the planning application clarifying that the proposed development would be a replacement for the existing Hendon Waste Transfer Station and is required as a strategic facility to receive a range of waste streams collected by the North London boroughs. They have also stated that the location of the proposed facility is important to serve the boroughs in the west of the NLWA's area and would reduce the environmental impacts and cost of transporting waste. A copy of this letter (dated 16th August 2018) is appended as Appendix C to this report.
- 8.12 The Council's **Environmental Health Officer** has raised no objection to the proposed development and considers the following in relation to each environmental health related matter:
- **Air Quality** – the proposed assessment is considered to be largely satisfactory insofar as the construction site impacts assessment is thorough and the mitigation measures proposed acceptable. In regard to the operational phase impacts of the proposed development, the Officer has recommended the inclusion of additional mitigation measures in line with the Council's Air Quality Action Plan, including the need for all HGVs to be Euro VI compliant and that the number of HGV movements during the most congested period (17:00-19:00 Mondays to Fridays) should be limited.
 - **Odour** – the assessment of odour impacts and proposed mitigation measures are considered to be acceptable.
 - **Noise** – the operational noise arising from the movement of vehicles in and out of the proposed development as well as the proposed mitigation measures, are considered to be acceptable. However, no information has been provided on noise emissions from mechanical plant, which is expected to operate at all times. A condition is therefore recommended requiring the submission and approval of details of all mechanical plant and equipment.
 - **Contaminated Land** – as per previous comments, a condition should be imposed requiring the submission and approval of a contamination risk assessment, remediation strategy and verification report.
 - **Lighting** – the submitted lighting scheme is considered to be acceptable and should be the subject of an appropriate compliance condition.
- 8.13 The Council's **Transport Planning and Regeneration Team** have assessed the proposed development, including the modelling undertaken for the proposed Waste Transfer Station, against the existing consented Waste Handling Facility in the BXC S73 Permission and current conditions on the local highway network. This has included modelling of the road network (A5 Corridor) as well as the local junctions on the network for future years 2021 and 2031 in order to assess the impact of the changes to the WTS from the previous consented scheme. The traffic generation from the proposed development and the effects of these changes are found to be acceptable in highway terms. As future phases of BXC regeneration scheme come forward there will be further modelling requirements and junction refinements required as part of those

phases to enable the network to continue to operate at acceptable capacity levels. It is therefore recommended that this proposal can be approved subject to the following conditions:

- A delivery and servicing management plan which must include routing of HGVs removing waste to other waste facilities including Edmonton EcoPark;
- The level of waste throughput that the facility handles to be limited to 195,000 tonnes per annum;
- Provision of detailed plans to show how egress movements from the staff and visitors car park will be prevented;
- A full Travel Plan for the site must be submitted within 3 months of occupation including but not limited to surveys of staff modes of travel, objectives, targets and monitoring. The Travel Plan shall be updated within 6 months and then annually thereafter and must demonstrate how it accords with the BXC wide framework travel plan;
- Limitation on the number of vehicular movements generated by the site to 414 weekdays and 138 on Saturdays; and
- Securing the implementation of mitigating works to Humber Road prior to the operation of the A5 Link Bridge over the Midland Mainline.

8.14 The **Brent Cross Consultative Access Forum** submitted comments to the LPA stating that the proposed development did not raise any concerns from the perspective of accessibility.

8.15 The **London Fire Brigade** initially raised objection to the planning application but following clarification provided by the applicant in regard to compliance with the Building Regulations, the Commissioner is satisfied with the proposals.

Public Representations

8.16 In response to this second and third public consultation in July 2018 and August 2018, respectively, a total of **44 additional representations** were received. Of these additional representations, **all objected** to the proposed development on the same grounds as previously highlighted in response to the first public consultation.

Elected Members

8.17 **Cllr Anne Clarke (Childs Hill)** has objected to the planning application on the following grounds:

'The strength of community opposition is clearly evident from the 451 objections submitted prior to this one. The concerns of Cricklewood residents have been ignored by Barnet Council for decades as the council has been far more interested in delivering Brent Cross than protecting the existing community. Now that Hammerson has put the shopping centre on hold, it is time to reconsider the plans that have the greatest impact on Cricklewood. The recently approved aggregate superhub, just south of this site will add some 450 lorry movements per day to the already busy A5. The additional movements from waste lorry movements on top of this would add to the

already very busy main road. Cricklewood is already burdened with Donoghue. The cumulative effect of 3 waste sites in one community need to be carefully considered and rejected.'

Adjoining Authority Elected Members

- 8.18 **Cllr Lia Colacicco (Brent)** continues to object to the proposed development, stating the following:

'I write on behalf of Brent councillors bordering the A5. We are unable to respond in full at this time because a Transport Report Supplementary Addendum has appeared on Barnet's planning portal this afternoon, and we have had no opportunity to analyse it fully.

We wish to base our objections on material planning considerations identified by Brent officers, and now these are not available due to the last minute additions. We wish to make some general points in the meantime. Once again Brent will be enjoying all the disbenefits of a Barnet planning proposal:

- we object to the provision of a waste transfer station in this location, on the western side of the railway with vehicular access from Geron Way. The scheme has significantly changed since the previous approvals and the removal of the rail link means that the station could be located anywhere in London. The proposed siting has not been satisfactorily justified. The changes since the 2010 outline consent (amended 2014) have meant that there is more flexibility around where a transfer station can be located to enable transfer of waste to the proposed waste to energy processing plant in Edmonton. As this transfer (from wherever) would be by road because the new plant does not have a rail link, there is no spatial planning need for the transfer station to be located on this part of the site (the link to the station no longer needed);

- we object to the principle of the waste transfer station here because of the impact on residential amenity by virtue of increased traffic activity on the road network. Impact on residential amenity and highways impact Brent objects to the proposal on this ground.

- The impact on the highway network from the heavy goods traffic generated by the proposal is such that it would have an unacceptable impact on the flow of traffic, with consequent harm to the road network and amenity of residents in the area by reason of the environment created.

- 8.19 **Cllr Parvez Ahmed (Brent)** continues to object to the proposed development.

- 8.20 **Cllr Liz Dixon (Brent)** continues to object to the proposed development, stating the following:

'I write on behalf of Dollis Hill, Dudden Hill and Mapesbury Councillors. We have listened to and worked with our residents who object to the proposal. We agree with Brent council submission as follows:

"Brent objects to the proposal on this ground. It is considered that the proposed layout

of the signalised junction of Edgware Road and Geron Way would fail to facilitate safe vehicular access in all directions to and from Hanover House on the western side of Edgware Road, to the detriment of highway safety and the amenity of business and residents in those premises. In the absence of any commitment with regard to the future routeing of heavy goods vehicles to and from the site, the applicant has failed to demonstrate that the increased volumes of heavy goods vehicles travelling to and from the site would have an acceptable environmental impact on the local highway network in terms of traffic flow and exposure of the local community to noise and air pollution."

We have had verbal and written communication from hundreds of our residents expressing wholesale dismay and distress at the prospect of the proposal. We have received petitions that emphasise the strong community objections to the proposals. Cllr. Lia Colacicco has ably summarised these on our behalf in her submission on 13th August.

There is strong objection to the proposed road junctions allowing southbound A5 vehicles to turn right onto Humber Road. The road is narrow and unsuitable for rat-run traffic and articulated vehicles. The A5 is really busy at the best of times and the pollution is palpable. The recently approved aggregate superhub, just south of this site will add some 450 lorry movements per day to the already busy A5. The additional movements from waste lorry movements will add to the already busy main road and pose added health and safety risks.

There is no need for the WDU to be in this area and it should be nearer Edmonton to reduce traffic and pollution'

Residents Associations

- 8.21 **Dollis Hill Residents Association** submitted further representations in response to the additional information provided, stating:

'Dollis Hill Residents' Association objects to the planning application for a waste transfer station.

We still have the same concerns we expressed previously that this waste station is not needed in this location and will bring unnecessary traffic congestion and pollution from increased lorry traffic.

We object strongly to the proposed road junctions allowing southbound A5 vehicles to turn right onto Humber Road and Oxgate Gardens. These roads are narrow and unsuitable for rat-run traffic and articulated vehicles. A way needs to be found to create a right turn into Oxgate Lane, by cleverly lowering the southern end of the A5 overpass. The ideal road for articulated vehicles, commercial vehicles and volume of traffic is Oxgate Lane, which is wide, and contains industrial estates and no residential buildings.

There is no reason to make Oxgate Gardens a one-way street, encouraging vehicles to rat run through it when coming from Brent Cross across the new bridge or from the A5. Brent residents want to use the new bridge to access Brent Cross by driving directly across from Oxgate Gardens and not have to make a left turn from Dollis Hill Lane onto the A5 then a right turn over the bridge, causing congestion as they try to change lanes and delay. It is essential that all A5 junctions between Cricklewood Lane and Staples

Corner are reconsidered and consulted on separately, not just as last minute amendments to the waste transfer station application. In February, Barnet Council officers undertook to speak to TFL about carrying out a holistic A5 corridor study. A public meeting on the A5 corridor is needed.

We still consider that the transport modelling does not accurately reflect the current traffic. The A5 already has traffic queues travelling north and south at many times of the day. The northbound traffic already backs up from Staples Corner to beyond the proposed access to the waste station. Further lorries exiting to, or entering from, the northbound A5 will make this even worse.

The Transport Report Supplementary Addendum with a covering letter dated 13 August 2018, the closing date for the consultation, was produced too late for comments to be made. The consultation should be extended. The licence application to the Environment Agency is for 260,000 tpa so the modelling should use this value and not the reduced 195,000 tpa used in the 13 August 2018 supplementary addendum. Making comparisons with traffic exiting from the current waste site and Selco is irrelevant to the traffic on the A5, which will rise by 828 two-way movements (or 1104 when considering the volume being applied for to the Environment Agency. The A5 is much more congested than the access road to the current waste site, so the comparisons drawn in the addendum are not valid.'

8.22 NorthWestTwo Residents Association object to the proposed development on the following grounds:

'I write on behalf of NorthWestTWO Residents Association, whose members live in Cricklewood, the majority in Brent, many in Barnet.

We object strongly to this application. We won't repeat all the powerful objections our members and neighbours have already made. We would like to highlight a few. The WTS is to serve Barnet, Camden and other members of the North London Waste Authority. It is absurd to place such a facility on the extreme western edge of the area. The previous facility had the justification of being a road/rail facility; this WTS has no such justification.

The characterisation of the area as "disparate mixed-use development that is often in dilapidated condition and that influences and detracts from areas of public open space" ignores or is contemptuous of the residential element, which is not dilapidated but from which the WTS will detract.

The application claims that the WTS will not produce more traffic than the A5 will bear, yet it proposes that it will eventually necessitate the conversion of the Humber Road junction into a four-way signalised junction. This will open up Humber Road for southbound A5 traffic entering it and traffic leaving it to travel southbound on the A5. It is not appropriate for Barnet planners to require that Brent make its streets part of a strategic road network feeding Brent Cross Cricklewood and not appropriate to frustrate efforts on both sides of the A5 to support the increasing population with public transport, with cycling and with other alternatives to single-occupant private motor vehicles. The principle that any residual spare capacity be utilised until overflowing without regard for the local population is absurd. Returning to specifics, Humber Road

feeds into Coles Green Road, which is already incapable of supporting free two-way movement whenever the three local buses pass along it. Barnet's proposal to open it up would spread congestion, jeopardise health and wellbeing, and fail to improve flows on the A5.

The facility will be accessed from Barnet and Camden along the A5; the "Summer 2018" Brent Cross Thameslink Project Update only says that will be open by 2030. HGVs must therefore pass through Staples Corner or the Cricklewood Broadway/Cricklewood Lane/Chichele Road junction, and some may use the Cricklewood Lane/Claremont Road/Lichfield Road junction too. All three junctions are often saturated already and were to be improved by Hammerson as part of their responsibility for Brent Cross London. Now that Hammerson have put Brent Cross London "on hold", we must expect that the 350 HGV movements a day will pass through those unimproved junctions for years to come even if Hammerson restart Brent Cross London. If not, this would continue indefinitely. It would not be safe or responsible for the planning committee to approve this application on the assumption that Hammerson will restart the project in any timely manner or at all; it must be considered on the basis that the junctions will remain unimproved in the short term and possibly indefinitely.

The plans for the A5 and Geron Way take no account of the London Plan's aim of increasing cycling, and in the strangely low estimates of cycling to and from the Thameslink station and its environs, imply a refusal to encourage cycling there, a failure to cater for it and/or its deliberate suppression. The extremely narrow lanes on the A5, noted as deviant in the Safety Audit, preclude safe distances for passing cyclists per the existing Highway Code and anticipated legislation. The Advance Stop Lines at the Geron Way junction will be unusable tokens without feed-in lanes.

Throughout consultations, planners have emphasised that the building will be environmentally friendly with a 80% of the roof being, if not "green", "brown". This turns out to have been an empty promise based on ignoring or ignorance of the existing infrastructure and has been sacrificed in preference to reducing the size of the building or the scale of operations, but it may have served to give the planners an easier ride during consultations and contaminates the results of those consultations.

The waste will include putrescible waste and it will be unavoidable that a significant amount of this will be indiscriminately mixed with the general waste. The application does not appear to make it clear how long such waste will remain in the facility on average, let alone the maximum term or the tenth percentile.

For these reasons and for others stated by our members and neighbours, Barnet Council should not proceed with this application and if they do, Barnet Council's planning committee should reject it.'

- 8.23 **NorthWestTwo Residents Association** also provided further comments in response to the 'Phase 2 (South) (Thameslink Station) Waste Transfer Station – Transport Report Supplementary Addendum (August 2018)', as set out in paragraph 8.4 above, stating the following:

- a. *'The Supplementary Addendum released late on 13/08/2018 after our previous comments reassesses the impact of the WTS assuming it will only operate at 75% of licensed capacity and will remain 25% underutilised. We do not believe that the assumption that such inefficiency will be allowed to continue is realistic or a proper basis for approval. That capacity will be available for increases demand from NWLA members LBBarnet and LBCamden, and for sale at marginal prices to LBBrent, a possibility which has already occurred to LBBarnet officers. The application should only be considered on the assumption that the facility will be fully utilised.'*
- b. *The application includes a signalised junction with an access road to a Builder Depot at 383 Edgware Road and other premises coming out into the northbound A5 immediately before the new traffic signals at Geron Way. There have been no counts of the traffic in and out of 383-385 Edgware Road and no consideration of the impact of HGVs attempting to join the A5 at the front of traffic queuing at the lights. We're told that this will not be a problem; drivers will be courteous and co-operative and there will be no conflict, which begs the question of why we need traffic signals at all. Rather, without evaluation of the effect of the access road on the junction and realistic plans for its accommodation, the flow of traffic and particularly the northbound queues on the A5 cannot be modeled and forecast. The application cannot be safely approved in the knowledge that the traffic flow will be worse than documented in the Supplementary Addendum.*
- c. *The application cannot be approved without also considering the effect of the WTS on A5 junctions from the A406 to Cricklewood, approval of the Rail Freight Facility, the bringing forward of the station and Hammerson's putting the remodeling of A5 junctions "on ice" having rendered the Section 73/A5 Corridor phasing obsolete.'*

8.24 **Fordwych Residents' Association** have objected to the proposed development on the following grounds:

- *'While we welcome efforts to improve recycling and waste transfer facilities, it seems this proposal will lead to a vast increase in vehicle traffic. This combined with the traffic from the new aggregate site nearby will increase traffic, especially the number of HGVs using the surrounding area. Traffic from both sites should be taken into consideration in any traffic projection models.'*
- *We have concerns that the waste transfer station will stay open until 7pm - we request that the opening hours are reduced.*
- *Barnet Council revised traffic studies in August, but did not hold a public meeting to discuss the findings and request feedback from residents and concerned local groups.*
- *Such a level of vehicle movements will lead to a huge increase in air pollution - particularly from nitrogen dioxide and particles associated with the diesel engines used by the lorries/HGVs that will be entering and leaving this site.*
- *In an area which already suffers from excessive and dangerous levels of air pollution, this planning application is therefore in clear breach of planning policy, including the London Plan.*
- *The additional traffic generated by these plans will also cause congestion on already busy roads. The A5 is regularly congested throughout the day, seven days a week. This planning application will cause further congestion and pollution from idling engines.*

- *Such congestion will also spill over onto other local routes. It's already the case that many lorries/HGVs now use residential streets in the area in an attempt to avoid congestion on the A5.*
- *Furthermore, such a high number of additional traffic movements will endanger pedestrian and cyclist movement in the area - and make pedestrian crossings in the area more dangerous. The junctions of the A5 with Cricklewood Lane, Temple Road & Dollis Hill Lane are of particular concern.*
- *Overall, the application will result in a reduced quality of life for local residents, who will suffer from the increased air pollution, dust annoyance and the lack of any benefit to the local community from this development.*
- *Given that his planning application will have a considerable impact on the wider area, we require that Barnet Council requests comments on this application from both Camden Council and Brent Council - and takes any comments received into account before making a decision on this application.*
- *Having considered these points - as well as those from the hundreds of people who have already objected - we request that Barnet Council rejects this application. We also request that the applicant is urged to considered less harmful uses for this site.'*

Petitions

8.25 A further two petitions were received in response to the planning application containing signatures of local residents who object to the proposed development. The additional petitions received are as follows:

- Petition 4 – received 13th August 2018 – 28 signatures; and
- Petition 5 – received 14th August 2018 – 146 signatures.

9 PLANNING CONSIDERATIONS

The following matters are considered to be the key material planning considerations in the determination of this planning application. The proposed development has therefore been assessed against the relevant development plan policies to inform the Officer's conclusions and recommendations.

Principle of the Proposed Use

Brent Cross Cricklewood Regeneration Scheme

- 9.1 The Application Site falls entirely within the Brent Cross Cricklewood ('BXC') Regeneration Area as identified by the 'Cricklewood, Brent Cross and West Hendon Regeneration Area Framework (2005)' and defined on the Local Plan Proposals Map. This designated regeneration area forms part of the adopted development plan for the area and is the subject of saved policies contained within Chapter 12 of the Council's UDP (2006) and the Local Plan: Core Strategy DPD (2012). Outline planning permission for the comprehensive redevelopment of this regeneration area was originally granted by the Council in 2010 and subsequently varied through the mechanism provided in Section 73 (S73) of the Town and Country Planning Act 1990 (as amended). The S73 planning permission was granted on 23rd July 2014 (planning reference F/04687/13) ('2014 S73 Permission') and is the planning permission currently being implemented for the comprehensive redevelopment of the BXC regeneration area.
- 9.2 As described in Sections 4 and 6 of this report, under the 2014 S73 Permission, the Application Site plus land to the north currently occupied by Bestway Cash and Carry benefits from outline planning permission for the construction and operation of a Waste Handling Facility (WHF) to replace the existing Hendon Waste Transfer Station located to the east of the Midland Mainline railway. The proposed development therefore seeks consent to deliver a Waste Transfer Station on land designated for such purposes as part of the BXC regeneration scheme. Whilst the means of transporting waste to and from the facility and type of waste management processes differ from that envisaged at the outline planning stage, the proposed use of the site continues to be for the purposes of facilitating the bulking up and transfer of waste collected by local authorities. Therefore, albeit sited on a smaller parcel of land than that envisaged by the 2014 S73 Permission, the principle of locating a waste management use on this land has already been established in planning terms by virtue of the 2014 S73 Permission.
- 9.3 Furthermore, in recognition of the proposed development forming an integral part of the consented BXC regeneration scheme and the Cricklewood/Brent Cross Opportunity Area identified within the London Plan, the Mayor of London has agreed through his Stage 1 response that the principle of establishing a waste management facility at this location is acceptable. This is noted as being due to the existence of an extant planning permission for a WHF as part of the BXC regeneration area, its connection to appropriate transport links, and proximity to similar industrial non-residential land uses.

London Borough of Barnet's Planning Policy Framework

- 9.4 Albeit only indicating land associated with the adjacent Bestway Cash and Carry, the Local Plan Proposals Map, which forms part of the adopted development plan for the area, identifies the provision of a 'New Waste Transfer Station, Cricklewood' as a 'Site Specific Proposal' to be delivered within the BXC regeneration area. This is further referenced within Chapter 19 of the Council's Local Plan: Core Strategy DPD (2012), which recognises the following:
- '19.1.3 As part of the proposals for Brent Cross – Cricklewood a rail linked waste handling and recycling facility is proposed on a site adjoining Edgware Road (A5). This will be developed in partnership with the North London Waste Authority who will vacate the existing Hendon Waste Transfer Station, the site of which is required for comprehensive regeneration. It is intended that this facility will include sorting recyclable material and will (subject to feasibility) treat non-recyclable waste to enable it to be converted for a fuel for the Combined Heat and Power facility which also forms part of the proposals for Brent Cross – Cricklewood.'*
- 9.5 Saved policies of the UDP (2006) remain extant for the purposes of their relevancy to the BXC regeneration scheme and the determination of any planning applications within the regeneration area. Specific to the proposed development, saved Policies of C7 and C10 of Chapter 12 of the UDP (2006), refers to the requirement to provide a (rail-linked) waste transfer and materials recovery facility within the regeneration area, stating: *'Within the area defined on the Proposals Map as rail-related employment land and mixed used land, the council will require the provision of... Rail-linked waste transfer and materials recycling facilities.'*
- 9.6 Paragraph 12.3.25 of the UDP (2006) expresses further emphasis relating to the need to provide a replacement waste transfer station as part of the BXC regeneration scheme and that any such facility must enable the NLWA (as statutory waste disposal authority) to meet its statutory obligations:
- 'One of the important land uses in the area, related to rail freight, is for the existing waste transfer station. Any replacement must enable the North London Waste Authority to meet its operational needs, both in terms of statutory performance standards for household waste recycling and composting, and the requirements of the European Landfill Directive. The development could include a materials recovery facility that would provide a model for other sub-regional freight facilities elsewhere in London. Road access to the [rail freight] and waste transfer facilities will make use of the strategic road network, but also local roads, and any proposal will need to demonstrate that the environment of residential areas will not be affected adversely.'*
- 9.7 NLWA's statutory obligations and strategic waste management needs have been set out in Section 6 of this report which explains the change in direction of strategic waste management needs since the UDP was published in 2006 and since the BXC regeneration scheme was considered at the outline planning stage in both 2010 and

the subsequent S73 planning application in 2014. It is therefore evident that the proposed development seeks to now deliver NLWA's requirements that would enable them to carry out their statutory obligations in relation to waste management. The NLWA have written to the LPA to confirm that this is the case – extract provided below from NLWA's letter dated 16th August 2018:

'The Geron Way facility is required as a strategic facility to receive a range of waste streams collected by the North London boroughs. The location is important to serve the boroughs in the west of the Authority's area and would reduce the environmental impacts and cost of transporting waste.'

9.8 In regard to the abovementioned policies referring to the provision of a rail-linked waste transfer facility, it is noted that the proposed WTS would not be rail-linked and this is as a direct consequence of the NLWA's decision to instead consolidate waste management operations at Edmonton EcoPark and to provide a new Energy Recovery Facility. Edmonton EcoPark is not connected to any rail head or rail network and therefore it would not be possible to transfer any waste to this site by rail. As confirmed by NLWA by their letter dated 16th August 2018, the existing rail connection at Hendon Waste Transfer Station is utilised to transfer a proportion of residual wastes to an Energy from Waste Facility at Greatmoor in Buckinghamshire. The proposed development would instead result in all residual wastes (and other waste streams) being transferred to Edmonton EcoPark (or other waste management facilities in London) for further treatment or processing. The effect of this proposed development (and thus lack of need for a rail connection) would therefore result in all wastes arising from the NLWA constituent boroughs being managed within London, which accords with planning policy aspirations for the management of waste in terms of net self-sufficiency. This is discussed further below.

9.9 The principle of the BXC regeneration scheme is also embedded within the Council's other development plan documents, namely the Local Plan: Core Strategy DPD (2012) ('Core Strategy'). The BXC regeneration scheme is expected to deliver a substantial amount of residential, employment, education, commercial, retail and green/open space development and Policy CS2 of the Core Strategy directs the Council's expectation for this to be delivered comprehensively. This includes the provision of a WHF as a replacement for the existing Hendon Waste Transfer Station in order to facilitate delivery of the New Train Station (which is now in Phase 2 (South) (Thameslink Station) sub-phase of the BXC Development).

The London Plan (consolidated with alterations since 2011) (March 2016)

9.10 The London Plan (2016) contains a number of strategic policies which support sustainable growth and development of Outer London. The London Plan Policy 2.13 designates the "Cricklewood/Brent Cross" as a Key Opportunity Area (Map 2.4). The Opportunity and Intensification Areas are controlled by Policy 2.13 Part B which indicates that development proposals within areas should support wider regeneration by providing the necessary social and other infrastructure to sustain growth. Annex 1 of the London Plan outlines the broad principles for the Cricklewood/Brent Cross Opportunity Area, which includes reference to "A site for a major waste facility within the area will form a key role in North London Waste Strategy." As such, it is evident

that the relevant regional planning policy framework recognises the need to deliver appropriate infrastructure, and specifically a strategic facility to meet the needs of North London, within identified Opportunity Areas, which includes BXC.

- 9.11 The Mayor of London's 'Land for Industry and Transport SPG' (September 2012) is also relevant to the proposed development and supports the need to deliver waste management facilities. Specifically, paragraph 6.4 of this SPG notes how Policy 4.4 of the London Plan emphasises the need to make strategic and local provision for waste management on industrial sites. The Site is not identified as Strategic Industrial Land (SIL) by the London Plan (2016) and the existing use of the land – Selco Builders' Merchants – is of a commercial rather than industrial nature; however, the Site is located within the context of a very urbanised environment that contains significant highway and railway infrastructure, industrial warehouse type buildings and businesses, and the recently consented aggregate and construction waste transfer facility to the south of the Site. Therefore, the proposed re-provision of an existing waste management facility at this Site (which would be contained within a large warehouse-type building) would not be incongruous with the existing prevailing character along the A5 corridor.

Draft London Plan (December 2017, including minor changes published August 2018)

- 9.12 The draft new London Plan continues to promote and support the regeneration of Opportunity Areas to fully realise their growth and potential. Draft Policy SD1 (Opportunity Areas) encapsulates this support by stating that the Mayor will A(1)(c) support regeneration and that Boroughs should B(3) plan for and provide the necessary social and other infrastructure to sustain growth, working with infrastructure providers where necessary. The ongoing support for the regeneration of Opportunity Areas, including Brent Cross Cricklewood, is welcomed and as part of the consented BXC regeneration scheme, the proposed development seeks to deliver a key piece of infrastructure (necessary as part of the BXC regeneration scheme) that would support the local population in regard to managing their waste. The applicant has formulated and designed this scheme in collaboration with the relevant infrastructure provider (NLWA) to ensure it meets identified needs as encouraged by the emerging London Plan. It is therefore considered that Mayoral support for the comprehensive regeneration of Opportunity Areas (existing or future ones), including the delivery of necessary infrastructure to support such schemes, would not be fettered or diminished through the emerging London Plan.

Summary

- 9.13 In summary, notwithstanding the extant 2014 S73 Permission which permits the construction of a waste management facility at this Site, there is a strong policy thread that extends from regional to local planning policy (as contained within the relevant development plan documents) that supports the delivery of the wider BXC regeneration scheme and specifically a waste management facility that meets the needs of the NLWA as statutory waste management authority. Such a facility is identified as an integral element to ensure the comprehensive redevelopment of the BXC regeneration area. Therefore, whilst already established in planning terms, it is considered that the principle of the proposed development is acceptable.

Waste Management

National Policy

- 9.14 The National Planning Policy for Waste ('NPPW') sets out the Government's policy for the sustainable management of waste and efficient approach to resource management. A fundamental strand to this policy is the management of waste in accordance with the Waste Hierarchy (see Figure 3) which essentially ranks the preferential way in which to deal with waste (prevention first, with disposal as a last resort). However, the NPPW also recognises the need for a mix of types and scale of facility including some continued need for waste disposal provisions (paragraph 3).

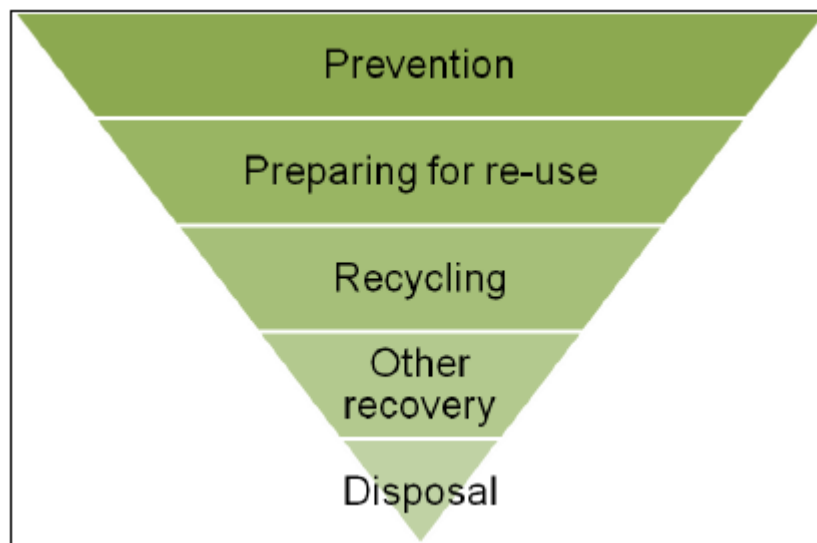


Figure 3: The Waste Hierarchy which should guide the management of waste with prevention as the most desirable solution and disposal (i.e. landfill) as the least desirable solution (NPPW, 2014).

- 9.15 The proposed development would seek to deliver a facility that would support the recycling and other recovery of wastes, as identified by the Waste Hierarchy, by virtue of the collection and bulking up of Local Authority collected residual, recyclable and food wastes for onward transfer to appropriate (existing and future) waste management facilities. The recipient facilities would process or treat these waste streams to facilitate recycling, composting or the creation of heat and power through anaerobic digestion or via an Energy Recovery Facility. The proposed development would not result in any wastes being transferred to landfill for disposal. As such, it is considered that the proposed development accords with the waste management principles established by national planning policy.
- 9.16 The NPPW also provides guidance on assessing the suitability of sites for waste management facilities. As set out above (paragraphs 9.1 – 9.12), the principle of siting a waste management facility in this location is already established in planning terms by virtue of the 2014 S73 Permission. Notwithstanding that, in determining planning applications the NPPW advises that consideration should be given to (inter alia): the likely impact on the local environment and amenity; ensure that waste facilities are well designed so that they contribute positively to the character and quality of the area in

which they are located; and implementing the planning strategy in the Local Plan and not the control of processes governed by pollution control authorities. The impact of the proposed development on the local environment and amenity of nearby sensitive receptors is considered below, as is the design of the proposed facility in the context of the wider BXC regeneration area. In respect of the third matter identified above, it is evident that the development of a waste management facility at this Site is embedded within the Local Plan for Barnet and recognised within the adopted London Plan and this is key to the consideration of this planning application.

- 9.17 Further locational criteria are provided in Appendix B to the NPPW. In response to some of those criteria, the Site is not identified as being vulnerable to flooding or in regard to protecting the quality of surface and groundwater sources; the Site is not located within any sensitive area (i.e. designated landscapes) or site of importance to nature conservation; there would be no impact on any designated heritage assets or their setting; access to the Site would be off the Strategic Highway Network; and the proposed development is not likely to conflict with any potential land use within the vicinity of the Site. In regard to other criteria listed within Appendix B, these are considered separately below (air emissions and odour, noise and vibration, and lighting).
- 9.18 Furthermore, the Waste Management Plan for England (2013), which fulfils the requirements of the Waste Framework Directive¹¹ and sits above the aforementioned NPPW as a high-level strategy, establishes the principle of 'proximity' in regard to a waste management network enabling waste to be disposed of, or recovered, in one of the nearest appropriate installation by the most appropriate methods and technologies. The proposed WTS seeks to replace the existing NLWA Hendon Waste Transfer Station in a location that continues to serve the western part of the NWLA area. The proposed facility has therefore been situated in relation to the source of waste that is required to be collected and managed; and in relation to the nearest Energy Recovery Facility which will be located at Edmonton EcoPark off the A406 North Circular. The Waste Framework Directive also requires Member States to move towards the aim of net self-sufficiency in waste recovery and disposal (which is also discussed further below). It is considered that this aim would be satisfied by virtue of the relationship between the proposed development and destination of transferred waste to other facilities that are located within London.

London Plan Policies

- 9.19 The adopted London Plan also contains strategic policies pertaining to waste management for London and includes aspirations for London to become self-sufficient in regard to its waste management requirements (Policy 5.16). The aim targeted through the London Plan is managing the equivalent of 100% of London's waste within London by 2026 and work towards zero biodegradable or recyclable waste to landfill by 2026 through positive environmental and economic impacts from waste processing (Part A). Policy 5.17 Part A is a commitment of the Mayor working with London boroughs and waste authorities to identify opportunities for introducing new waste capacity, including strategically important sites for waste management and treatment.

¹¹ Waste Framework Directive 2008/98/EC.

Policy 5.17 Part B identifies opportunities for introducing new waste capacity based on particular criteria (i.e. locational suitability and proximity to waste streams).

- 9.20 Part F of Policy 5.17 states that Boroughs must allocate sufficient land and identify waste management facilities to provide capacity to manage the tonnages of waste apportioned in the London Plan. Part G of the policy specifies that land to manage borough waste apportionments should be brought forward through identifying sites in locally significant employment areas. Finally, Part H states that *“if for any reason, an existing waste management site is lost to non-waste use, an additional compensatory site provision will be required that normally meets the maximum throughput that the site could have achieved”*.
- 9.21 Paragraph 5.83, the London Plan adds: *“allocations will need to balance the benefits of smaller, local sites against the overall demand for land for waste and for a range of other activities in a situation in which there are severe limitations of land supply, and against the benefits of co-locating a range of facilities together in a smaller number of larger sites. The Mayor will work with boroughs and waste authorities to identify opportunities for introducing new waste capacity, including strategically important sites for waste management and treatment, and resource recovery Parks/ consolidation centres, where recycling, recovery and manufacturing activities can co-locate”*.
- 9.22 The draft London Plan (2017) proposes to carry forward the abovementioned policy targets in relation to the management of waste through Draft Policy SI7 (Reducing waste and supporting the circular economy) (i.e. ensuring that zero biodegradable or recyclable wastes go to landfill) and Draft Policy SI8 (Waste capacity and net waste self-sufficiency). In addition to this, the draft London Plan suggests the introduction of the concept of a ‘circular economy’ pertaining to improving resource efficiency and ensuring that materials are kept at their highest use for as long as possible. Given the nature of the proposal and its relationship to managing Local Authority collected wastes (which are segregated by residents prior to collection), the proposed development is considered to align with this ‘circular economy’ concept insofar as all wastes passing through the proposed WTS would be subject to further recycling or recovery at other waste management facilities (rather than being disposed of). For example, all recyclable wastes would be taken to the MRF operated by Biffa in Edmonton. Therefore, it is considered that the proposed development would contribute to the achievement of the ‘circular economy’ by facilitating the bulking and more sustainable transportation of wastes that are capable of re-use, recycling and/or energy recovery.
- 9.23 The proposed development is considered to be strategically important in view of NLWA’s future waste management strategy and has been allocated for such uses within the respective Local Plan and draft NLWP (see below). Within the above policy context, the proposal would contribute to both the Mayor’s target of (1) becoming self-sufficient in respect of waste management and (2) ensuring that no biodegradable or recyclable waste is disposed of via landfill. In respect of the former (1), and as alluded to in paragraph 9.8 above, the proposed development is being delivered in response to the NLWA’s strategic waste management needs to manage Local Authority collected wastes and would result in those waste streams (residual, dry recyclable and food wastes) being transferred to, and further treated or processed by, other waste management facilities within London. As stated in paragraph 5.14 of this report,

residual wastes would be transported to Edmonton EcoPark in Enfield to supply the existing Energy from Waste plant (and future Energy Recovery Facility, once constructed and operational) for conversion to heat and power; recyclable wastes would be transferred to specialist local recycling contractors, including MRFs in Enfield and Bow; and food waste would be transferred to either a third party anaerobic digestion plant either in Dagenham or composting facility at Edmonton EcoPark, which would treat and convert the waste to generate renewable energy. In regard to (2) and the diversion of biodegradable and recyclable wastes away from landfill, it is evident that the proposed development would not result in any of those waste streams being disposed of via landfill.

Draft North London Waste Plan (July 2015)

- 9.24 The Draft North London Waste Plan ('NLWP') is a strategy that has been formulated collaboratively by seven North London boroughs (Barnet, Enfield, Haringey, Waltham Forest, Camden, Islington and Hackney), as the Waste Planning Authorities for those administrative areas, to ensure that waste generated within North London is managed adequately through the provision of sufficient land and facilities. Once adopted, the NLWP would form part of the development plan for the seven North London boroughs which should be taken into consideration when considering relevant planning applications.
- 9.25 A Regulation 18¹² draft NLWP was published for consultation in July 2015 and, although preparation of the NLWP has not progressed through the Local Plan stages since then, it is still appropriate to have some regard to its policies (albeit attaching appropriate weight to them).
- 9.26 Draft Policy 2 relates to sites to be allocated and safeguarded for waste use over the plan period to ensure that London Plan apportionments can be met. This includes 'Geron Way/Edgware Road' (Site Ref. S01-BA) in recognition of the extant 2014 S73 Permission for the BXC regeneration scheme and the consented WHF. Therefore, the land which is the subject of this planning application is proposed to be allocated for waste management purposes through the forthcoming NLWP. Draft Policy 2 also states that *'Applications for waste management development on sites identified in Schedule 2: NLWP Site Allocations will be permitted where the applicant can demonstrate (a) The proposal is in line with the relevant aims and policies of the North London Waste Plan, the London Plan, Local Plans and related guidance and; (b) The development results in highest practicable level of recycling and recovery of materials in line with the principles of the waste hierarchy.'* In respect of (a), the consistency of the proposed development against relevant development plan and other guidance documents is considered throughout this report. For (b), the above sets out how the proposed development accords with the principles of the waste hierarchy in terms of achieving the most practicable level of recycling and recovery.
- 9.27 Draft Policy 6 of the NLWP provides assessment criteria for the provision of waste management facilities and related development which should be applied when considering planning applications. This includes (inter alia): (a) the enclosure of the

¹² Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

facility; (b) protection of local residents' amenity; (c) adequate controls in respect of (inter alia) noise, dust, odour and other emissions; (d) consideration of any permitted, allocated or established land use; (e) design, scale and form; (g) sustainable transportation of waste; and (h) no significant adverse transport effects outside or inside. Some of these criteria are considered in more depth below (including amenity, design, groundwater and flood risk, climate change and sustainability, and transport impacts). Otherwise, subject to the consideration of the above matters, the proposed development would appear to broadly satisfy the intention of this draft Policy insofar as the proposed WTS would be fully enclosed; would not prejudice or adversely affect other established or permitted land uses by virtue of the extant 2014 S73 Permission for the BXC regeneration scheme; and would not affect any area designated by the Habitats Directive or impact any other locally designated wildlife site.

- 9.28 It is understood that discussion amongst the NLWP Waste Planning Authorities is ongoing and work on revising the draft NLWP for further consultation ahead of adoption has recommenced. The draft NLWP (as currently published) will therefore be updated to take account of developments and updated data that has been made available since July 2015. This includes the NLWA's revised requirements to manage Local Authority collected wastes and therefore their change in direction to strategic waste management following successful receipt of a Development Consent Order for a new Energy Recovery Facility at Edmonton EcoPark; and to take account of the development proposed within this planning application (subject to the LPA's decision). The site allocation status currently set out in the Draft NLWP (and thus land the subject of this planning application) would therefore remain allocated for waste management purposes notwithstanding the outcome of this planning application due to the extant 2014 S73 Permission for the BXC regeneration scheme.

Summary

- 9.29 Given the foregoing, it is considered that the proposed development accords with national planning policies in relation to the most sustainable means to manage waste (by facilitating the recycling and recovery of Local Authority collected wastes) and also satisfies the policy aims of the adopted London Plan, including Policies 5.16 and 5.17, as explained above. The Application Site is also recognised by the respective Waste Planning Authorities across the NWLP constituent North London boroughs as a site allocated for the delivery of a waste management facility.

Brent Cross Cricklewood (BXC) Regeneration Scheme

- 9.30 As aforementioned, the application site falls within the boundary of the BXC regeneration scheme which benefits from outline the 2014 S73 Permission. Under this planning permission, the Application Site including the land occupied to the north of the Site by Bestway is identified to deliver a WHF to replace the existing Hendon Waste Transfer Station on the eastern side of the Midland Mainline railway. The Site is also included within the London Borough of Barnet (Brent Cross Cricklewood) Compulsory Purchase Order (No. 3) 2016 to ensure that the appropriate land can be secured and acquired to facilitate delivery of this development and that associated with the wider

Phase 2 (South) (Thameslink Station) and Phase 2 (South) (Thameslink Station Approach) sub-phases of the BXC Development.

- 9.31 Saved Policies and C1 of the UDP (2006) and Policy CS2 of the Core Strategy (2012) sets out the Council's strategy for the comprehensive development of the BXC regeneration area. In particular, saved Policy C1 identifies that: *'The Council will seek the comprehensive development of Cricklewood, Brent Cross and West Hendon Regeneration Area...'* and *'Development proposals will be supported if they are consistent with the policies of the UDP and their more detailed elaboration within the development framework'*. Policy CS2 of the Core Strategy similarly states that the Council *'...will seek comprehensive redevelopment of Brent Cross – Cricklewood in accordance with the London Plan, the saved UDP policies (Chapter 12) and the adopted Development Framework.'* As aforementioned, Brent Cross Cricklewood is identified as an Opportunity Area within the adopted London Plan (2016) where Policy 2.13 sets out the Mayor's support for implementing planning frameworks to realise the area's growth potential. This is replicated in the draft London Plan (2017) and, as aforementioned, specifically draft Policy SD1 (Opportunity Areas) where Brent Cross Cricklewood is identified as an ongoing Opportunity Area.
- 9.32 The Council acknowledges that regeneration schemes of this scale and nature are typically carried out over a number of years from its initial conception, through detailed design stages, multi-stage planning consenting process, and thereafter implementation of the approved development. The permitted BXC regeneration scheme is projected to be completed by 2031 having been initially set out in the Cricklewood, Brent Cross and West Hendon Development Framework in 2005. Therefore, it is reasonable to expect market conditions, including waste management needs, to evolve throughout the duration of the planning process and, consequently, it is likely that amendments to the scheme permitted at the outline stage may be required.
- 9.33 On this basis, the proposed WTS set out within this planning application differs from the WHF envisaged within the 2014 S73 Permission and the reason for this variance is related to the change in the NLWA's strategic waste management needs (discussed above). These altered waste management needs have been explained by the applicant within their submission and has subsequently been endorsed by NLWA within their letter to the LPA dated 16th August 2018 – confirming that the proposed development would deliver a strategic facility to serve the North London boroughs and that the location is important to serve the west of the NLWA's area. Consequently, the proposed development seeks to deliver a smaller road-road waste transfer facility to bulk up Local Authority collected wastes for onward treatment and processing – principally to supply the NLWA's existing and future Energy Recovery Facility at Edmonton EcoPark. There would be no processing or treatment at this Site. Comparatively, as set out in paragraph 4.9 above, the S73 WHF was envisaged to provide a rail-linked, residual waste treatment facility to create Refuse Derived Fuels (RDF) to feed into a CHP plant, and to operate as a MRF. Therefore, the applicant is seeking planning permission through this 'drop-in planning application' as opposed to an RMA that would ordinarily follow an outline planning consent.

9.34 Whilst any drop-in application will need to be assessed on its own merits against relevant policies and standards, as is addressed later in this report, a key consideration relevant to the determination of this planning application is (1) the compatibility of the proposed WTS with the BXC 2014 S73 Permission and (2) whether it would impinge upon or prejudice delivery of the wider BXC regeneration scheme. This relates to the objectives contained within saved Policies CGrick and C1 of the UDP and Policy CS2 of the Core Strategy DPD.

1) Compatibility with the BXC 2014 S73 Permission:

9.35 Firstly, the 2014 S73 Permission for the BXC regeneration scheme establishes the use of this land for waste management purposes and therefore the principle of the development proposed within this drop-in application is considered to be acceptable. This is endorsed by the Mayor of London within his Stage 1 Report. Albeit seeking permission for less land than previously identified (i.e. the land synonymous with the Selco Builders Merchants and not land occupied by Bestway), the Application Site is located on the same land consented for delivery of a WHF (Plot 63) as part of the BXC regeneration scheme. Therefore, the proposed development is considered to accord (and be compatible) with the principle established by the 2014 S73 Permission.

9.36 The S73 Permission also establishes a number of parameters for the delivery of a WHF including building limitations; vehicular access off the A5 Edgware Road; enclosure of the building and operation under negative pressure; on-site parking for operatives; core operational hours of 07:00-19:00 weekdays and 09:00-13:00 weekends, with some operations carried out 24-hours/day; establishment of a rail gantry crane to facilitate the movement of waste by rail; and the treatment of residual wastes to create RDF and fuel a CHP plant. Taking into account the revised strategic waste management needs of the statutory waste disposal authority (NLWA), which inevitably impacts upon the type of waste management facility required as a replacement for the existing Hendon Waste Transfer Station, the proposed development is considered to remain broadly in line with the abovementioned parameters insofar as: the building would not exceed the maximum floorspace permitted (and would result in a net loss of floorspace compared to the existing Selco Builders Merchants); the proposed WTS would be fully enclosed and constructed to operate under negative air pressure (with fast-acting roller shutter doors) to mitigate against air quality and odour impacts; access to the site would be off the A5 Edgware Road (albeit via the existing Geron Way junction); the provision of parking on-site for operatives; and operation of the facility in line with the hours previously envisaged – albeit, there is no longer a requirement for the proposed WTS to operate on a 24-hour basis.

9.37 Additionally, the proposed development does not significantly deviate from the operational assumptions outlined in Appendix 15 of the RDSF in relation to the previously envisaged WHF. The proposed WTS would continue to result in all wastes being unloaded within the building, waste would only be delivered to the site during the hours stated and in enclosed vehicles (with the exception of any bulky wastes that are not likely to cause odourous emissions), and mitigation would be provided in respect of odour abatement. The Applicant has not made express reference to any litter management plan but this could reasonably be required by condition if planning permission were forthcoming.

- 9.38 In relation to the parameters not addressed by the proposed development, it is noted that the provision of a facility to treat residual wastes for the purposes of creating RDF remained subject to stakeholder agreement as the BXC development progressed (as described in paragraph 5.79 of the RDSF) and was the subject of conditions attached to the 2014 S73 Permission. Given the waste management strategy now being pursued by the NLWA, residual wastes imported to the site would instead be transferred to supply the Energy Recovery Facility at Edmonton EcoPark with a view to generating heat and power. This alternative strategy and thus omission of a waste treatment facility is driven by and has been agreed by the key stakeholders, including LPA. This was considered and addressed through the preparation and approval of a Vacuum Waste Collection Feasibility Study (dated November 2014) and RDF Feasibility Study (dated October 2014) submitted pursuant to Condition 1.24 (planning reference 14/07961/CON) and 35.3 (planning reference 14/07893/CON) of the 2014 S73 Permission. Furthermore, Condition 35.6 required the submission of a Revised Energy Strategy and the approved Strategy advises that the site-wide CHP would be fuelled by natural gas along with other measures to secure the maximum practicable reduction in carbon emissions and optimal use of renewable energy (planning reference 14/08106/CON). The LPA are therefore satisfied that the ability to deliver a residual waste treatment facility has been appropriately assessed through the correct mechanisms and accept that such a facility is not viable nor feasible in this instance.
- 9.39 In terms of the provision of a rail-mounted gantry (and therefore the transfer of waste by rail), the proposed WTS has been designed to respond to NLWA's waste management needs and therefore to facilitate the transfer of the majority of bulked wastes to existing waste management facilities at Edmonton EcoPark (Energy Recovery Facility and MRF operated by Biffa). The co-located waste management facilities at Edmonton EcoPark are not accessible by rail. Furthermore, the connections provided by the Midland Mainline would most likely result in wastes being exported outside of London for further processing or disposal which contradicts the policy approach outlined in the adopted London Plan and draft London Plan. The Applicant has advised that there is not sufficient land within the Application Site to provide for a future rail connection. However, there is space within the adjacent railway land which is within the control of Network Rail, to accommodate a rail head. It should however be noted that this area is also being considered as a potential location for platforms for a station stop on the proposed West London Orbital train line which is currently being promoted by West London Alliance and is identified in Mayor of London's Transport Strategy (2018). As part of the West London Alliance, Barnet will be considering options to provide an integrated station as part of the new Thameslink Station at Brent Cross Cricklewood to enable interchange between the two services.
- 9.40 The 2014 S73 Permission imposes a number planning conditions relating to the delivery of the WHF, as set out in Conditions 41.1 – 41.5 (see Appendix B for full condition wording). Condition 41.1 relates to the detailed design and operational impact of the WHF in respect of what information would need to be submitted for the LPA's consideration as part of an RMA. As the proposed development is seeking permission through a drop-in application, the LPA are content that, having regard to the relevancy of these particular requirements, appropriate information has been submitted as part of this planning application and/or that planning conditions can be attached to any planning permission requiring the submission and approval of such

details following the issue of any planning permission (e.g. an enforceable route management and servicing strategy).

- 9.41 Condition 41.2 prevents the closure of the existing Hendon Waste Transfer Station until the replacement WHF has been completed. To ensure continuity in NLWA's ability to carry out their statutory obligations in respect of waste management, it is considered important to retain this control in relation to this alternative proposed WTS. This can be achieved either through the imposition of a similar condition on any planning permission granted for the proposed WTS and, subsequent to any permission granted, through a consequential amendment to the 2014 S73 Permission by way of an application pursuant to Section 96A of the Town and Country Planning Act 1990 (as amended).
- 9.42 Condition 41.3 relates to the provision of rail sidings and gantry crane for the consented WHF. As the alternative scheme proposed within this drop-in application does not include the provision of a rail connection and the Applicant has advised that this is no longer necessary as a result of the NLWA's strategy to consolidate operations at Edmonton EcoPark, this control would not be relevant nor necessary to impose for the proposed WTS and is not therefore necessary to consider in relation to the proposed development.
- 9.43 Conditions 41.4 and 41.5 relate to the need to, as a minimum, provide the same licensed or permitted operational waste capacity as currently licensed and permitted at the Hendon Waste Transfer Station and other waste management sites; and to ensure that this is provided before any waste management site is redeveloped. The proposed development would not in itself result in the redevelopment of any existing waste management site as the Application Site is currently in commercial use and occupied by Selco Builders Merchants. Therefore, the control imposed by Condition 41.5 is not in fact material when applied to consideration of this planning application.
- 9.44 The proposed development does, however, seek to facilitate delivery of the BXC regeneration scheme and, specifically, the Phase 2 (South) (Thameslink Station) and Phase 2 (South) (Thameslink Station Approach) sub-phases of the BXC Development. These sub-phases would result in the redevelopment of three existing waste management sites including Hendon Waste Transfer Station, McGovern Brothers and Ground Waste Recycling (formerly Cripps Skips) located in the vicinity of Claremont Industrial Estate in order to facilitate delivery of the New Train Station, Interim Transport Interchange T1, and Station Square. The combined maximum licensed or permitted capacity of these facilities is as follows, however, it should be noted that the assessment of replacement or compensatory capacity is more appropriately considered based on the average annual throughput for the preceding four years (2013-2016, based on the most up-to-date and available data) as this approach better reflects the operational capacities of those facilities. This approach is endorsed by the Mayor of London and reflected in his Stage 1 Report.

Table 4: Waste data relating to existing waste management sites to be redeveloped as part of Phase 2 (South) (Thameslink Station) and Phase 2 (South) (Thameslink Station Approach) sub-phases of the BXC regeneration scheme (London Waste Map, 2018)

Site Name	Maximum Licensed Capacity (tonnes per annum)	Average Annual Throughput 2013-2016 (tonnes per annum)
McGovern Brothers, Brent Terrace, Hendon	150,000	37,079
Cripps Skips Brent Terrace	25,000	8,711
W R G, Hendon Rail Transfer Station	375,600	137,325
Totals	550,600	183,115

9.45 Notwithstanding the materiality of this matter (paragraph 9.41), the proposed development seeks planning permission for a WTS to process a throughput of up to 195,000 tonnes per annum, which more than replaces the average annual throughputs of the three existing waste management sites that would be redeveloped as a result of the abovementioned sub-phases of the BXC development. Consequently, the requirements set out in Conditions 41.4 and 41.5 would be satisfied on the basis of the Mayor of London's method of calculating replacement/compensatory waste management capacity. The proposed WTS would in fact be constructed with the ability to potentially process a maximum throughput of 260,000 tonnes per annum; however, this is not what planning permission is sought for and the accompanying Supplementary Environmental Statement does not fully test the impacts of the proposed WTS operating at this scale. As such, it is likely that a condition restricting the throughput of the proposed development would be imposed on any planning permission granted.

9.46 Within his Stage 1 Report, the Mayor of London has made reference to Upside Railway Yard (which is a construction, demolition and excavation waste transfer site operated by GB RailFreight Limited) as one of the existing waste management sites falling within the wider BXC regeneration area that would be lost as a result of the BXC development. However, as also noted within the Stage 1 Report, redevelopment of Upside Railway Yard has not been accounted for within the BXC outline planning consent as it did not exist at the time of the 2010 outline permission and the subsequent S73 planning application in 2013 did not propose to amend or vary any element of the scheme in relation to the replacement or compensation of any additional waste management site that were already established by the 2010 outline consent. However, it should be noted that the recently approved Rail Freight Facility on the former Cricklewood Railway Yard to the south of the application site, includes a construction waste transfer operation which is sufficient to replace the capacity of the Upside Goods Yard. Therefore, the 2014 S73 Permission grants permission for the redevelopment and replacement of four existing waste management sites at various stages of the scheme, including: McGovern Brothers, Cripps Skips (now Ground Waste Recycling), Hendon Waste (Rail) Transfer Station and PB Donoghue.

- 9.47 It is noted that an objection has been received on behalf of PB Donoghue in relation to the re-provision of waste capacity that is currently provided by their existing waste management facility off Claremont Road. However, it should be noted that the land occupied by PB Donoghue falls within Phase 4 of the BXC regeneration scheme (synonymous with Plots 31, 36 and 61) and, as such, is not therefore intended to be redeveloped until at least June 2026 according to the currently approved BXC Indicative Construction Programme¹³. At the time that this existing waste management facility is intended to be redeveloped it would be for the applicant to demonstrate how compensatory waste management capacity would be re-provided in accordance with Condition 41.5 of the 2014 S73 Permission.

2) Comprehensive Redevelopment of the BXC Regeneration Area:

- 9.48 The proposed development is considered to be integral to achieving the comprehensive redevelopment of the BXC regeneration area as it forms part of the land assembly required to deliver the New Train Station and associated items of Critical Infrastructure consented by the 2014 S73 Permission. Specifically, the existing Hendon Waste Transfer Station is located partly on land required to deliver the New Train Station and, as aforementioned, there are controls imposed on the 2014 S73 Permission that prevent the closure of the existing Hendon Waste Transfer Station until the new/replacement WHF has been completed. The Application Site also forms part of the land subject to the Council's successful CPO3 and, as explained within the Council's case, the comprehensive regeneration of BXC is reliant upon delivery of an Integrated Transport Strategy ('ITS') which is crucial to achieving a modal shift from private to public, sustainable modes of transport and improving connectivity between, and beyond, parts of the regeneration area separated by the Midland Mainline railway. The provision of the New Train Station is therefore a key element of this ITS which will also catalyse delivery of the remainder of the regeneration scheme, particularly that south of the A406 North Circular. As such, it is essential that land to deliver the New Train Station is made available which can only be achieved through delivery of a replacement for Hendon Waste Transfer Station. This objective is proposed to be achieved through this drop-in planning application in order to deliver a replacement WTS that responds to the requirements of the NLWA's waste management strategy.
- 9.49 Additionally, the Application Site and Plot 63 and 62 of the BXC regeneration scheme are located at the western extent of the regeneration area sandwiched between the Midland Mainline railway and the A5 Edgware Road within the Railway Lands Development Zone. It is therefore a discrete component of the regeneration scheme that is capable of being delivered without reliance upon the delivery of other parts of the regeneration scheme. Furthermore, the proposed development seeks to utilise less land than that envisaged in the S73 Permission and does not therefore impact on any other element of the BXC development or any other adjoining uses outside of the S73 Permission. As such, it is considered that the proposed development would not prejudice the delivery of the wider BXC regeneration scheme and therefore not undermine the comprehensive redevelopment of the regeneration area in accordance with the abovementioned development plan policies (saved Policy C1 of the UDP and Policy CS2 of the Core Strategy DPD).

¹³ The latest ICP was approved in June 2018 following a submission pursuant to Condition 4.4 of planning permission F/04687/13 (planning ref. 17/3658/CON).

Reconciliation between the Proposed Development and s.73 Permission:

- 9.50 If Members were minded to grant planning consent for the proposed development, two planning permissions would effectively co-exist for a similar development on the same land. As explained in paragraph 6.10 above, the implementation of any drop-in planning permission would have the effect of rendering the respective parts of the S73 outline permission un-implementable (the 'Pilkington Principle'). However, provided the implementation of any such drop-in permission does not prejudice the delivery of the wider BXC development, this planning approach is considered acceptable in respect of the extant outline planning permission and planning policy support for the comprehensive redevelopment of the BXC regeneration area.
- 9.51 In the event of a drop-in permission being granted, it would be necessary for the applicant to seek approval for minor amendments to the S73 Permission to reconcile the two planning permissions. Specifically, there are conditions attached to the S73 Permission relating to the delivery of the WHF that would need to be amended – particularly Conditions 41.1 – 41.5 – along with any necessary changes to terms defined within the S73 Permission Glossary. However, this can be achieved through the mechanism provided for by Section 96A of the Town and Country Planning Act 1990 (as amended) which should be submitted to the Local Planning Authority for approval.

Protecting Barnet's Character and Amenity

- 9.52 The proposed development is for the demolition of the existing building and erection of a new building for the use of a waste transfer station. The facility will receive, bulk and provide for onward transportation residual municipal waste, food waste, dry mixed recycling, bulky waste, street sweeping and street cleansing wastes. The site will include necessary provisions for the reception of waste, storage bays, loading facilities, fencing, CCTV, office and welfare facilities, weighbridges, dust and odour suppression system, drainage, plant room, parking for staff and visitors, and a temporary retailing wall. As a result of the construction of a WTS building and proposed processes carried out in association with it, there is the potential for the proposed development to impact the amenity of nearby sensitive receptors, including local residents, in terms of visual impact and the local character of the area, noise, air quality and odour, and lighting.

Local Character, Landscape and Visual Impact, and Design:

- 9.53 The existing site is situated within a developed part of North London and characterised by the current commercial use – Selco Builders Merchants – that sits within the context of adjoining commercial, retail (warehouse-type), industrial and residential uses, and significant highway and railway infrastructure. The site is therefore urbanised in its nature and contains extensive hard landscaping that influences the experience of the area. The proposed development, which is similarly of an industrial nature (albeit not classified as falling within any identified Use Class – a waste management facility would be considered 'Sui Generis') would not therefore be incongruous within this existing urban character. The Application Site is not identified or designated as any area of particular landscape character or value.

- 9.54 The Revised Design and Access Statement ('DAS') submitted in support of the BXC S73 planning application acknowledges that the Railway Lands Development Zone fulfils a largely utilitarian function that is very much the product of its context alongside major road and rail infrastructure. Notwithstanding this, the Revised DAS highlights the importance of the new buildings within this Development Zone making a significant improvement to the environment along Edgware Road and to create a context and typology of industrial development that will prompt future regeneration.
- 9.55 Policy CS5 of the Core Strategy DPD and Policy DM01 of the Development Management Policies DPD refers to the Council's aspiration for development to respect local context and distinctive local character incorporating high quality design principles including character, continuity and enclosure, quality of public realm, ease of movement, legibility, accessibility, adaptability and diversity¹⁴. On a more strategic level, Policy 7.4 of the London Plan states that development should have regard to (inter alia) form, function, scale, mass and orientation of surrounding buildings; ensure buildings create positive relationship with street level activity; and allow buildings to make a positive contribution to the character of a place to influence the future character of the area. In addition to this, Policy 7.5 of the London Plan states that development should make the public realm comprehensible at a human scale using (inter alia) focal points and include landscape treatment of the highest quality. Opportunities for the integration of public art and greening should be maximised. Saved Policy C2 of the UDP also expresses the Council's objective to seek to achieve the highest standard of urban design in the BXC regeneration area; adding that proposals will need to be consistent with the strategic principles set down in the *Cricklewood, Brent Cross and West Hendon Development Framework (SPG)*. Chapter 6 of this SPG identifies the BXC freight and waste handling facilities as falling within their own character area within the BXC regeneration area.
- 9.56 The proposed development would result in the construction of a building that would be situated parallel to, and in line with the existing orientation of, both the Midland Mainline railway and A5 Edgware Road. The form of the proposed building has been developed to perform a particular function as a result of operational requirements of a WTS. However, this form along with the scale and massing of the proposed building is not too dissimilar to the existing warehouse-type units located within the vicinity of the Site. As such, it is considered that the proposed building would complement the prevailing built characteristics of the location.
- 9.57 In recognition of the aspirations of the wider BXC regeneration scheme, it is acknowledged that the proposed WTS would be sited on the edge of the regeneration area, on a key arterial transport route and would be part of a gateway into the BXC Development – particularly with anticipated footfall to and from the New Train Station. It is noted that the Applicant has proposed to include architectural interest to the otherwise simple block formation through the inclusion an extended roof canopy over the northern, eastern and southern elevations of the building, which is particularly exaggerated at the northwest corner to conceal the fire water tank and external elements of the odour control plant. The Applicant has also sought to provide aesthetic interest through the use of materials to contrast the concrete panels. This includes a

¹⁴ Paragraph 10.5.5 of the Core Strategy DPD (2012).

polycarbonate cladding system encasing the roof structure which would ameliorate any dead frontage and allow the passage of light into and out of the facility. In addition to this, the proposed development also incorporates the installation of bespoke green screens, some of which would be pre-planted to provide immediate screening effects, located principally along the western elevation which faces onto the main adjoining public realm (i.e. the A5 Edgware Road) and also at the northwest corner and part of the northern elevation. These screens would consist of varying triangular formations placed alongside the proposed WTS building in addition to the provision of high-tensile steel cabling suspended between the roof canopy and ground levels to allow additional planting to develop. This would be complemented by other more typical landscape features including planting at ground level along the western boundary of the site and planting screens fixed to perimeter fencing on top of a boundary wall alongside boundary fronting onto Geron Way.

- 9.58 Overall it is considered that the proposed development would not be incongruous to the existing character of the area nor the character envisaged by the associated BXC regeneration scheme, which recognises that this part of the site is intended to deliver the more functional requirements of the scheme. Chapter 9 of the Supplementary Environmental Statement also recognises that the proposed development would result in a highly visible landmark building at the gateway into Brent Cross and has therefore been designed to offer a statement of renewal and contribute to the changing townscape of the area along the Edgware Road. As such, the design of the scheme and its relationship with the public realm, as required by the aforementioned development plan policies, is a key consideration. As per the description provided above, it is considered that the proposed development would result in the construction of a building that delivers architectural and aesthetic interest, particularly taking into account the position of the proposed WTS in relation to the wider BXC regeneration scheme which would result in footfall associated with the New Train Station passing by the proposed building. With the addition of the somewhat unique green screening and other proposed landscaping solutions, it is considered that the proposed development is in compliance with Policies 7.4 and 7.5 of the London Plan, Policy CS5 of the Core Strategy and saved Policy C2 of the UDP; and more broadly, befitting to the aspirations of the BXC regeneration scheme. To ensure the successful establishment and ongoing effectiveness of the proposed landscaping features, it is considered appropriate to attach a condition to any forthcoming planning permission requiring the submission, approval and implementation of a landscape management plan.

Air Quality:

- 9.59 The proposed development seeks planning permission for the construction and operation of a Waste Transfer Station ('WTS') that would receive wastes collected predominantly from properties within the London Borough of Barnet and neighbouring London Borough of Camden as part of the NLWA's waste management strategy. The received wastes would be deposited and segregated within allocated storage bays and temporarily stored within the building before being exported by HGV for onward transfer to a further waste management facility. The end destination of this waste would principally be to the Energy Recovery Facility at Edmonton Eco-Park. As a result of this operation, there is the potential for the proposed development to have an impact

on air quality, through the number and type of vehicle trips associated with it; and odour through the temporary storage and transportation of waste materials – *odour is dealt with under the subsequent heading below.*

- 9.60 The Application Site is located within an Air Quality Management Area (AQMA), as is the whole of the London Borough of Barnet. The Application Site also lies in close proximity to an AQMA within the London Borough of Brent. Policy 7.14 of the London Plan requires planning decisions to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality, particularly within AQMAs; be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality; and ensure that where provision needs to be made to reduce emissions from a development, this is usually provided on-site. Reference to minimising pollution (including air quality and odour) is also made within Policies 5.3 (Sustainable Design and Construction) and 5.17 (Waste Capacity) of the London Plan.
- 9.61 Saved Policy C3 of the UDP requires that development within the BXC regeneration area should generally protect and, wherever possible, improve the amenities of existing and new residents. As relevant to the consideration of air quality, Policies DM01 and DM04 of the Development Management Policies DPD states that all development should demonstrate high levels of environmental awareness and contribution to climate change mitigation; be based on an understanding of local characteristics; and ensure that development is not contributing to poor air quality and provide air quality assessments where appropriate. The provision of air quality assessments is also referred to in Policy CS13 of the Core Strategy.
- 9.62 The Applicant has therefore prepared and submitted an Air Quality and Odour Assessment Report in support of the planning application (original version dated October 2017 with a revised version submitted for consideration dated July 2018) to consider these impacts and what mitigation would be necessary to ensure that any such impacts are not significantly adverse. This technical assessment accompanies Chapter 13 of the Supplementary Environmental Statement (revised July 2018). The technical assessment has been carried out to consider the impacts of the proposed development on **air quality** (specifically Nitrogen Dioxide (NO₂) and inhalable particulate matter (PM₁₀)) during the operational phase, in particular the traffic associated with the proposal; **odour emissions** during the operational phase of the proposed development; and the potential for fugitive **dust and PM₁₀ emissions** during the demolition and construction phase of the proposed development. This assessment has included scenarios to ascertain the impact of the proposed development itself and also the cumulative impact in regard to other committed development schemes within the vicinity (including BXC).

Dust and PM₁₀ Emissions:

- 9.63 For the demolition and construction phase of the proposed development, the assessment considers activities that would be associated with demolition of the existing Selco Builders Merchants, the underlying ground conditions, construction of the proposed WTS, and traffic associated with this demolition and construction phase. This part of the assessment concludes that, with the application of suggested mitigation measures, the proposed development would have a medium risk of dust

soiling and low risk to human health. The Council's Environmental Health Officer considers this assessment to be thorough and the mitigation measures proposed acceptable to offset any adverse impacts. Furthermore, the demolition and construction phase would, by its very purpose, be short-term. To ensure that such mitigation measures are implemented during this demolition and construction phase, the Applicant would be required to submit, obtain approval for, and implement a Construction Environmental Management Plan (CEMP) by the inclusion of an appropriately worded planning condition on any planning permission granted.

- 9.64 The Applicant has also considered the potential for dust generation during the operational phase of the proposed development; however, by virtue of the proposed operation – including all waste being transported within enclosed vehicles or containers, loading and unloading operations restricted to within the building only, the installation of a misting system to dampen down waste stockpiles, provision of a drainage system to wash away any debris or dust, and provision of a ventilation system – it is considered unlikely that any significant dust would be generated. However, the application of these measures is considered sufficient to significantly reduce the potential for dust emissions from the proposed building. This conclusion is considered to be acceptable given the nature of the proposed development (and type of materials to be handled within the proposed WTS) and subject to the abovementioned measures being implemented throughout the duration of the demolition and construction phase of the proposed development.

Air Quality (Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) Emissions)

- 9.65 As a baseline, it is noted that relevant National Air Quality Objectives (NAQO) within the AQMAs in both the London Borough of Brent and London Borough of Barnet are currently not being achieved. The principle source of NO₂ emissions as a result of the proposed development would be from the traffic associated with the delivery and exportation of waste. When assessed individually based on the maximum throughput of 195,000tpa (2020 Do Something scenario), the air quality modelling assessment predicts that the NAQO for NO₂ concentrations, which is set at 40 micrograms/m³, would be exceeded at 8 of the identified sensitive receptors; however, this is the case in scenarios both with and without the proposed development (i.e. the Do Nothing compared to the Do Something scenario) and as such there would be no additional modelled exceedances as a result of the proposed development. This indicates that the proposed development would not contribute to any worsening of NO₂ concentrations within the vicinity of the Application Site. In the 'with proposed WTS' scenario (i.e. Do Something), the proposed development would in fact result in decreases in NO₂ concentrations (i.e. an improvement) at 31 out of 36 of the identified receptors (albeit that the NAQO continues to be exceeded at 8 receptors). The proposed development would therefore result in 6 Moderate Beneficial and 5 Slightly Beneficial impacts with the remaining 25 receptors indicating a negligible impact. The modelled receptors utilising the 2017 baseline data as a sensitivity test indicates fewer beneficial impacts but continues to demonstrate that the proposed development would not result in any adverse impacts on NO₂ concentrations.
- 9.66 When assessed cumulatively along with the wider BXC Development and specifically other committed developments to be delivered as part of the Phase 2 (South)

(Thameslink Station) sub-phase, the air quality modelling assessment predicts that a number of receptors (a total of 23) could experience adverse impacts in regard to NO₂ concentrations. These adverse impacts range from slight (12), moderate (10) and substantial (1). These impacts are exacerbated in the 2017 sensitivity test but this sensitivity test does not take into account anticipated improvements in vehicle emission technology (and therefore reduction in NO₂ concentrations) beyond 2017, which is included in the 2021 cumulative Do Something scenario. However, the assessment also explains that this modelling is very much a worst case as it does not substitute out the existing land uses (and traffic generated by them) that would be replaced/redeveloped as a result of the BXC regeneration scheme. As such, it is considered that the assessment overestimates the impact of the proposed development on air quality in the cumulative scenarios. Taking into account the potential for such impacts, the assessment continues to suggest a number of mitigation measures, incorporating measures identified within Barnet's Air Quality Action Plan, designed to manage the effect of the proposed development during both the demolition and construction phase and the operational phase of the development. This includes the use of Euro VI compliant HGVs, the provision of cycle parking and electric vehicle charging points, and measures to encourage more sustainable means of transport to the proposed facility; all of which can be subject to appropriately worded conditions should planning permission be forthcoming.

- 9.67 In regard to potential PM10 emissions, the Applicant's Air Quality and Odour Assessment report concludes that PM10 concentrations at all modelled receptors within the vicinity of the Application Site would be well below the relevant NAQO and thus the impact of the proposed development would be negligible. This is identified to be the result when the proposed development is assessed both individually and cumulatively in cognisance of the wider BXC regeneration scheme.
- 9.68 As referred to above, Policy 7.14 of the London Plan and the related Mayor of London's Sustainable Design and Construction SPG require development proposals to be at least air quality neutral and not lead to further deterioration of existing poor air quality. When compared to the existing conditions at the Site, which includes the use of the land by Selco Builders Merchants, the Applicant has demonstrated that the proposed development (both operating at the maximum level of 195,000tpa and theoretical capacity of 260,000tpa) would result in less NO₂ and PM10 emissions. The comparative reduction is more than 50% in both scenarios. Therefore, the proposed development is considered to be at least air quality neutral.
- 9.69 The Council's Environmental Health Officer is content that the air quality impacts of the proposed WTS alone are largely negligible and is satisfied that the proposed development would be air quality neutral. However, although identified as a worst-case scenario, it is recommended that further mitigation in line with the Council's Air Quality Action Plan is secured to reduce the potential for any adverse impacts as a result of the cumulative impact of the proposed development with the wider BXC development. This includes a condition requiring all HGVs to be Euro VI compliant and the installation of a camera system to check vehicles entering the site. In regard to other Air Quality Action Plan objectives, it is noted that the 2014 S73 Permission for the wider BXC regeneration scheme incorporates improvements to the footway along the A5 to include a shared pedestrian and cycle path. Along with the implementation of the

approved Area Wide Walking and Cycling Strategy and measures contained within this A5 Corridor Study, it is anticipated that more sustainable, non-car modes of transport would be encouraged and thus future traffic-born emissions further reduced.

- 9.70 The Council's Environmental Health Officer has also identified that the proposed development would result in the movement of HGVs during the most congested period of the day (17:00-19:00 Mondays to Fridays), which is likely to cause the greatest potential for traffic-borne emissions. As such, it is recommended that a condition be imposed on any planning permission granted restricting the number of HGV movements during this time period so that no more than one HGV enters or exits the site during 17:00-18:00 and no more than one HGV enters or exits the site during 18:00-19:00 on Mondays to Fridays (including the Bank Holiday days).
- 9.71 Given the foregoing and subject to the imposition of appropriate planning conditions should permission be forthcoming, it is considered that the proposed development complies with the requirements of Policy 7.14 of the London Plan, saved Policy C3 of the UDP and Policies DM01 and DM04 of the Development Management Policies DPD in respect of air quality impacts insofar as the proposed WTS would not itself cause any deterioration in existing air quality within the vicinity of the Application Site and would be air quality neutral when compared to the existing land use.

Odour Impacts:

- 9.72 The proposed development has the potential to generate odour emissions as a result of the nature of the waste streams that would be imported to, temporarily stored at, and exported from the Site. The Applicant has followed industry standard guidance for the assessment of odour, including guidance published by the Environment Agency and DEFRA, and based that assessment on the proposed facility generating a mix of odorous gases (rather than determinants for individual odour gases) which is considered to be the more appropriate assessment in this instance. The exposure criteria accepted within the UK at present is given in terms of 'European Odour Units' as a 98th percentile of hourly averages (denoted as C98). Odour emissions are therefore measured in respect of odour concentrations over this timeframe – i.e. C98, 1 hour, X ou/Em³. For moderately offensive odours (which includes those associated with the proposed facility and waste streams), the threshold at which odour pollution would become unacceptable is 3 ou/ Em³ (this is based on the Environment Agency's H4 Odour Management guidance, March 2011). The Applicant has also conducted Odour Dispersion Modelling for predicted odour emissions. Taking into account the provision of an Odour Control Unit with associated flue (located at the northwest extent of the Application Site), the assessment concludes that all modelled concentrations at relevant exposure locations (i.e. sensitive receptors) are below the C98, 1 hour, 3 ou/Em³ threshold, with the highest modelled concentration identified as C98, 1 hour, 1.7 ou/Em³. A further sensitivity test was also carried out factoring in different built and meteorological factors and the results indicate that the greatest predicted odour concentrations would be 2.1 ou/Em³, which is consistent with no buildings and rural meteorological conditions. This is not representative of the Application Site; however, these sensitivity results remain below the abovementioned threshold. As such, the impact of the proposed development on nearby sensitive receptors is not considered to be significant.

- 9.73 In addition, the proposed development has been designed to account for potential odour impacts through the design of the building and inclusion of odour abatement systems. This includes the provision of fast-acting roller shutter doors (which should, by default, be in the closed position), operation of the building under negative pressure, inclusion of ventilation and odour abatement systems, delivery of all wastes within enclosed vehicles or containers, and the storage of all wastes within the proposed building. Taking into account any uncertainties within the technical odour assessment and to ensure that as much as possible is implemented to mitigate odour impacts, the Applicant has also suggested a number of other mitigation measures including (but not limited to) increasing humidity within the building to reduce evaporation, reduce air flow over the surface of odourous materials, and introducing temporary surface treatments to reduce the surface temperature. Given the nature of the proposed development and to ensure that appropriate mitigation measures are implemented to minimise odour emissions as much as possible, it is considered that any planning permission should be subject to a condition requiring the Applicant to submit an Odour Management Plan which includes the suggested mitigation measures to maintain or improve air quality within the vicinity of the Site.
- 9.74 The Council's Environmental Health Officer has reviewed the Applicant's technical assessment along with Chapter 13 of the Supplementary Environmental Statement, particularly the revised versions submitted in July 2018, and considers the conclusions to be acceptable provided the proposed mitigation measures are implemented. It is noted, however, that the final design of the odour abatement system is yet to be specified. Therefore, in addition to the above recommended condition, a further condition should be imposed on any planning permission granted requiring the submission and approval of full details of the Odour Control Unit to be installed at the proposed WTS. It is noted that the proposed development would also be subject to controls relating to odour emissions (and other emissions) through an Environmental Permit which would be issued and monitored by the Environment Agency.
- 9.75 Therefore, subject to the imposition of appropriate conditions should planning permission be forthcoming, it is considered that the proposed development complies with the requirements of Policy 5.17 of the London Plan, saved Policy C3 of the UDP and Policy DM04 of the Development Management Policies DPD in respect of odour impacts

Noise:

- 9.76 Policy 7.15 of the London Plan states that development proposals should seek to manage noise by (inter alia) (a) avoiding significant adverse noise impacts as a result of new development; (b) mitigate and minimise existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without imposing unreasonable restrictions; and (e) the application of good acoustic design principles. Policy 5.17 of the London Plan also makes reference to the assessment of waste management proposals in regard to noise impacts. Saved Policy C3 of the UDP and Policy DM04 of the Development Management Policies DPD states that development within the (BXC) regeneration area should protect and, wherever possible, improve the amenities of existing and new residents, and that mitigation of

noise impacts should be delivered through design, layout, and insulation where appropriate. Policy CS13 of the Core Strategy also makes reference to the need to provide a Noise Impact Assessment to improve air quality – the Applicant has satisfied this requirement through the provision of the Noise Impact Assessment report (revised 5 July 2018) in tandem with Chapter 8 of the Supplementary Environmental Statement.

- 9.77 As described in Section 5 of this report, the proposed development would be carried out predominantly within the WTS building, which would be constructed with a 5.5-metre-high concrete wall containing the operation, and include the provision of acoustic fencing along the eastern, southern and part of the southwest boundaries of the site. The potential for noise emissions to arise from the proposed development would be attributed to traffic arriving at and departing from the site, the loading and unloading of waste, operation of the roller-shutter doors, the management of waste within the building, and any such emissions associated with mechanical plant equipment, particularly that situated externally. In view of the current noise limit imposed by Condition 41.1 (f) of the 2014 S73 Permission for the BXC regeneration scheme and specifically for the consented WHF (5dB below existing background LA90 levels) and guidance contained within BS 4142 (2014), the Applicant has carried out a noise assessment assuming the worst case scenarios (both with and without mitigation) and considering sensitive receptors within the vicinity of the Site including those at Fellows Square, Brent Terrace, Hanover House off Edgware Road, Topps Walk/Oxgate Gardens, and Our Lady of Grace Nursery and Infant School. This has been completed for the proposed opening year of the WTS (2020) and the BXC end state year (2031) which includes the A5 Link Bridge over the Midland Mainline that would be situated adjacent to the southern extent of the Site.
- 9.78 The assessment concludes that the proposed development would result in achieving or bettering the 5dB below background levels restriction referred to above at all modelled receptors, which is further improved through the implementation of the proposed 3.6-metre-high acoustic fencing along the southern and part of the southwest boundary of the Site, and 2-metre-high acoustic fencing along the eastern boundary of the Site. In line with national Planning Practice Guidance and Noise Policy Statement England (2010), the assessment therefore concludes that the proposed development would achieve either a No Adverse Effect Level (NAOEL) or be below a Low Adverse Effect Level (LAOEL), the latter of which is considered to be the level above which adverse effects on health and quality can be detected. As such, the proposed development could give rise to noticeable noise but this is not likely to be intrusive.
- 9.79 The Council's Environmental Health Officer concurs with the Applicant's assessment in regard to the acceptability of operational noise impacts and mitigation measures proposed. However, it is noted that the Applicant has stated that the precise details of the proposed fixed mechanical plant is not known at this stage and such plant is assumed to operate at all times. Therefore, similarly to that suggested in paragraph 9.72, a condition should be imposed on any planning permission granted requiring the submission and approval of details of all fixed mechanical plant, including ventilation systems, odour control systems (as above) and air treatment unit. Otherwise, as suggested by the Environmental Health Officer, a condition limiting noise emissions from the Site should also be attached to any planning permission granted.

- 9.80 Given the foregoing and subject to securing the abovementioned conditions, it is considered that the proposed development would not give rise to any significantly adverse or unacceptable noise impacts and, as such, complies with Policies 7.15 and 5.17 of the London Plan, saved Policy C3 of the UDP and Policy DM04 of the Development Management Policies DPD.

Lighting:

- 9.81 The proposed development would involve the erection of external lighting mounted on the northern, eastern and southern elevations of the proposed WTS building (at 6 metres); and provision of four lighting columns proposed to be erected adjacent to the eastern elevation of the proposed WTS building and at the proposed operational access off Geron Way. The lighting units would be 11 kLm LED luminaires mounted with zero tilt and appropriate lighting levels to minimise light spill and glare. The proposed development would also involve the erection of surface lighting within the car park with proposed illumination of 20 Lux. Such lighting proposals are considered within the context of the proposed building design, and particularly the overhanging roof structure and topographical changes between the Site and surrounding land, that would go some way to preventing light spill. The proposed development would also involve the erection of street lighting in association with the proposed works to the A5/Geron Way junction. However, it is noted that such works would be subject to the Local Highway Authority's final agreement under S278 of the Highways Act 1980.
- 9.82 As previously referred to saved Policy C3 of the UDP seeks to protect the amenity of new and existing residents. More appropriately, Policy DM01 (f) of the Development Management Policies DPD states that, for development proposals incorporating lighting schemes, lighting should not have a demonstrably harmful impact on residential amenity (or biodiversity). The Council's Environmental Health Officer has reviewed the lighting proposed as part of this planning application and is content that there would be no adverse impact on the nearest sensitive receptors, particularly those at Fellows Square. As such, it is considered that the proposed development is in compliance with saved Policy C3 of the UDP and Policy DM01 of the Development Management Policies DPD.

Highways and Transport Impacts

Strategic Approach:

- 9.83 Chapter 6 of the London Plan provides strategic policies on transport. Policy 6.1 sets out the Strategic Approach to integrating transport and development by (f) facilitating the efficient distribution of freight whilst minimising its impact on the transport network. The relevance of this to the proposed development is that it would result the collection and bulking up of Local Authority collected wastes and consequently consolidation of trips associated with the onward transfer of waste to other waste processing facilities, thereby minimising the overall number of movements on the network. Policy 6.14 of the London Plan also requires development proposals that generate high numbers of freight movements to be located close to major transport routes. The proposed development satisfies this policy aim insofar as the Site would be directly accessed off

the A5 Edgware Road (via Geron Way) which is a key arterial route into and out of London which in turn gives direct access to the A406 North Circular and the M1 motorway. Whilst RCVs would inevitably originate from residential areas in order to collect residents' waste, the onward transfer of waste to other management facilities (principally Edmonton EcoPark) would be via the A5 (northbound) and then the A406 North Circular, which also gives access to Edmonton EcoPark. To ensure that HGV movements associated with the export of waste from the proposed WTS only used the Strategic Road Network and major transport routes (and avoided smaller roads/residential areas), it would be appropriate to require the applicant to submit a Delivery and Servicing Strategy, incorporating an enforceable management strategy, to the LPA for approval. This was identified as a requirement by Condition 41.1 (i) of the 2014 S73 Permission in relation to the previously approved WHF.

- 9.84 It is also noted that, whilst the Mayor of London's recently published Transport Strategy (2018) focuses on the delivery and increased uptake of non-car modes of transport in London through the promotion of a 'healthy streets' approach; this Strategy also recognises the continued need for essential road-based freight movements. It is considered that such essential freight movements would include those required by the statutory waste disposal authority (NLWA) to facilitate the management of London's waste, particularly in view of the policy aim to become self-sufficient in respect of managing London's waste within London.

Highway Capacity:

- 9.85 The Site is accessible directly off the Strategic Road Network and is proximal to the motorway network (M1) and Transport for London's Road Network (A406 North Circular), which would enable traffic generated by the site (the movements associated with the exportation of waste in particular) to travel to and from the Site using these strategic roads. Due to the nature of the proposed development (i.e. to facilitate the collection and management of Local Authority wastes), a number of RCVs would inevitably travel along more minor, residential roads. However, such trips on the network would not be new nor additional as a result of the proposed development and would therefore reflect the existing waste collection service provided within the NLWA area. Based on the maximum proposed throughput of 195,000 tonnes of waste per annum, the proposed development would generate up to 414 HGV movements consisting of 340 RCV movements (170 in, 170 out) associated with the Local Authority waste collection service and 74 other HGV movements (37 in, 37) to facilitate the onward transfer of waste to other management facilities. The proposed development would also result in up to 202 street sweepers and caged vehicle movements (101 in, 101 out) accessing the site; however, this is stated as a worst case scenario and such figures have been captured within the abovementioned 414 HGV movements.
- 9.86 Policy 6.3 of the London Plan (2016) requires development proposals to be fully assessed at both corridor and local level to ensure development does not adversely affect safety on the transport network. This is similarly a requirement set out in the draft New London Plan (2017) – draft Policy T4. Policy CS9 of the Core Strategy DPD identifies the need for major proposals to incorporate transport assessments, travel plans and delivery and servicing plans. Policy DM17 of the Development Management Policies DPD contains matters to be considered when determining planning

applications including (but not limited to) road safety, road hierarchy, location and accessibility, travel planning and parking management.

- 9.87 Paragraphs 108 and 109 of the NPPF (2018) are also relevant to the consideration of this planning application. In assessing applications for development, paragraph 108 advises that it should be ensured that (inter alia) *‘(c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.’* Paragraph 109 also states that *‘Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’*
- 9.88 The planning application is supported by a transport assessment – document titled ‘Phase 2 (South) (Thameslink Station) Drop-in Transport Report: Waste Transfer Station’ (dated September 2017) – which was supplemented by an addendum report to respond to matters raised within both the Council’s Transport Planning and Regeneration Team and TfL’s consultation comments – ‘Phase 2 (South) (Thameslink Station): Waste Transfer Station Transport Report Addendum’ (dated July 2018). A further supplementary addendum was submitted in August 2018 offering additional clarification on the transport modelling previously carried out (titled: ‘Phase 2 (South) (Thameslink Station): Waste Transfer Station Transport Report Supplementary Addendum’). These reports provide the applicants’ assessment of the proposed development in regard to capacity of the site access junction, proposed HGV movements and traffic flows on the A5 Edgware Road. As the proposed development delivers part of the BXC regeneration scheme, the applicant has based this transport assessment on the ‘Thameslink Model’ which is a derivative of the BXC Design Development Model (‘BXC DDM’) used to assess the highway impact of the entire regeneration scheme focusing on the capacity of nine ‘Gateway Junctions’ which are to be improved to mitigate any such highway impacts from the wider regeneration scheme. The ‘Thameslink Model’ incorporates detailed approvals for the BXC regeneration scheme to date (i.e. Phase 1A North and Phase 1B North reserved matters approvals) and continues to include the assumptions in relation to the wider BXC development as set out within the s.73 Application, including the land uses contained within the Phase 2 (South) (Thameslink Station) sub-phase.
- 9.89 The assumptions contained within the Thameslink Model require verification due to the evolution of the proposed WTS and development of the detailed design; and as a result of the fact that a different facility is now being proposed compared to that set out in the s.73 Permission (i.e. the WHF). Such a comparison in highway terms relates to (A) considering the impact of 742 HGV movements (371 in, 371 out) plus 172 staff car movements (86 in, 86 out) as envisaged in the S73 Permission compared to 414 HGV movements (207 in, 207 out) and up to 20 staff movements (10 in, 10 out) as proposed within this planning application; and (B), taking into account the land now required to deliver the proposed WTS, the retention of the Bestway operations, the adequacy of the existing A5/Geron Way junction and the impact of introducing signals at this junction on the local highway network. The design and safety of the proposed junction is considered further below. Therefore, in the context of the wider BXC regeneration scheme, the applicant is required to consider the impact of the proposed development in regard to the following two development scenarios (2021 and 2031) to ensure that

the impacts on the local highway network do not undermine the capacity of the nine Gateway Junctions and road safety on the A5 Edgware Road.

- 9.90 Analysis of the transport impacts within the Thameslink Model is based on two design years: (1) 2021 which coincides with completion of the Phase 2 (South) (Thameslink Station) sub-phase; and (2) 2031 relating to completion of the full BXC development. For the highway impacts associated with the proposed development, the applicant has utilised an additional assessment to ensure that the proposed traffic levels coincide with, and is reflective of, these likely scenarios within the Thameslink Model. From this, the applicant has ascertained whether the proposed development is likely to create any additional impacts on the highway network beyond those envisaged in the 'Thameslink Model.' The use of this model, and method of assessment, has been corroborated and verified by TfL and the Council's Transport Planning and Regeneration team, who find it to be acceptable.
- 9.91 The Applicant's transport assessment analyses the above design years based on a worst case scenario of the proposed WTS processing 260,000tpa (for which it is physically capable of handling), and the maximum throughput for which planning permission is sought – 195,000tpa – to thoroughly and robustly consider the impact of the proposal. An assessment was also carried out based on a throughput of 152,000tpa which would reflect the short-term operating capacity of the proposed WTS. This assessment considered the impact of the proposed WTS on the proposed signalisation of Geron Way and the wider impact on the A5 corridor and key junctions connected to it. Based on a theoretical throughput of 260,000tpa, the assessment concludes that in 2021 the network operates with spare capacity; however, by 2031, with the completed BXC regeneration scheme plus further background growth, there are evident pressures at Geron Way and Oxgate Gardens, both of which have been identified to operate better if the A5/Humber Road junction were signalised.
- 9.92 It is worth noting at this juncture, that the 2014 S73 Permission grants full planning permission for nine Gateway Junctions, which includes a new four-arm junction on the A5 with Humber Road and the diverted Geron Way to provide access to the consented WHF. As such, the principle of carrying out works, including traffic management measures, to the Humber Road junction has already been established in planning terms and it is not therefore for this application to consider the acceptability of completing such works. Condition 1.29 of the S73 Permission identifies the approved Gateway Junction plans, including the 'A5/Diverted Geron Way (Waste Handling Facility) Junction'; and Condition 21.26 refers to the relevant trigger for such works to Humber Road requiring the four-arm Gateway Junction to be completed prior to occupation of the WHF.
- 9.93 When assessed at the maximum proposed throughput of 195,000tpa, the transport assessment similarly concludes that in 2021 there would be no capacity issues at any of the modelled junctions along the A5 (i.e. no junction would be over 90% Degree of Saturation ('DoS')¹⁵) and thus there would be no adverse impacts on the highway network as a result of the proposed WTS. However, in 2031 (after the proposed WTS has commenced operation and assuming operation at the maximum proposed

¹⁵ A threshold of 90% DoS is considered to be the point at which a junction becomes over capacity.

throughput of 195,000tpa on opening), with Humber Road remaining as a priority junction, the transport modelling indicates that all lanes at the proposed A5/Geron Way junction would have DoS over 90% during the AM peak only. By comparison, with the signalisation of Humber Road, the A5/Geron Way junction would operate within acceptable limits but Dollis Hill Lane and A5 northbound lane at the Dollis Hill Lane would have DoS over 90% (97.3% for Dollis Hill Lane and 90.1% and 90.3% for the A5). In regard to this consequential modelled issue at Dollis Hill Lane, the transport assessment states that the signalisation of Humber Road, which would enable it to go from a left in/left out only junction to an all-movement junction, would result in less 'rat-running' through Dollis Hill Lane which should alleviate forecast capacity at the A5/Dollis Hill Lane junction.

- 9.94 It is evident from the analysis provided, which has been reviewed and accepted by the Council's Transport Planning and Regeneration Team and TfL, that the proposed WTS, including signalisation of Geron Way, would not give rise to significant adverse impacts on the highway network. However, it is apparent that by 2031, there would be some adverse impacts on the local highway network as a consequence of the signalisation of Geron Way. Given the time lag between opening of the proposed WTS and when such impacts would evidently arise, it is reasonable to conclude that any such highway issues highlighted within the transport assessment (i.e. by 2031) are attributed to delivery of the wider BXC regeneration scheme (plus other background growth) including that to be delivered as part of the remainder of the Phase 2 (South) (Thameslink Station) sub-phase of the BXC regeneration scheme, rather than as a consequence of the proposed development.
- 9.95 Further to this technical analysis, it is also noted that the proposed development would result in replacing the existing use of the site (Selco Builders Merchants) which generates more traffic than that proposed. As such there would be a reduction in total traffic volumes from 1,579 vehicles (surveyed between 07:00 to 19:00 on a weekday) to 414 HGV movements (incorporating RCVs, caged vehicles and street sweepers) over the same 12-hour period plus staff movements (12 staff are proposed). Plus, the proposed development would also represent a reduction in HGV and other vehicle movements when compared to the WHF already consented by the 2014 S73 Permission (as noted in paragraph 9.89 above). Therefore, arguably, the net impact of the proposed development compared to the existing land use and extant committed development scheme would reduce traffic volumes.
- 9.96 To determine the point at which works to Humber Road are required to mitigate the impact of the wider BXC regeneration scheme, the Applicant has conducted supplementary modelling. This seeks to determine the year in which the proposed signalised Geron Way would fail (i.e. operate with a DoS over 90%) without the signalisation of Humber Road and therefore when such mitigation measures should be carried out to ensure the continued operation of the Geron Way junction within satisfactory limits. The results indicate that in 2023, prior to completion of the bridge over the Midland Mainline ('MML Bridge'), the proposed Geron Way can operate without the need for the signalisation of Humber Road. However, in 2024 when the MML Bridge would become operational, the analysis indicates that this additional route connecting the BXC development to the west and, therefore, consequent change in traffic flows would result in DoS over 90% at the proposed Geron Way junction. As

such, it is reasonable to suggest that mitigating works to Humber Road should be linked to the delivery of the MML Bridge. Given this association with a development forming part of the Phase 2 (South) (Thameslink Station) sub-phase and as works to Humber Road are already consented through the 2014 S73 Permission, it would be appropriate to ensure that this identified mitigation is secured through the S73 Permission and by way of an appropriately worded condition imposed on any planning permission granted.

- 9.97 Taking the above into account and the evidence supplied by the Applicant, which has been reviewed and accepted by the Local Highway Authority and TfL, it is considered that the proposed development would not give rise to any significantly adverse impacts (as apparent in 2021 upon commencement of the WTS operation). When considered cumulatively with the wider BXC development and other committed developments, the proposed development is also considered to not cause significant adverse impacts on the local highway network provided that appropriate mitigation (i.e. works to Humber Road) is secured at the appropriate time. Therefore, subject to the imposition of a condition ensuring that such works are secured, and taking into account the abovementioned development plan and national planning policies, it is considered that the proposed development would not cause any severe impacts on the highway network and it has been demonstrated that appropriate mitigation can be delivered to offset any adverse impacts to ensure that the proposed development (and wider BXC regeneration scheme) operates within acceptable limits on the highway network.

Junction Design and Highway Safety:

- 9.98 As described in Section 5 (paragraph 5.17) of this report, the proposed development involves works to the existing (southern) A5/Geron Way junction to provide signals and enable safe access and egress into and out of the Site based on the type and volume of traffic associated with the proposed development. To support this, the transport assessment submitted with the planning application included a capacity analysis of the existing southern priority controlled Geron Way junction with the A5 Edgware Road, which concluded that this junction would be over capacity as a result of the proposed development. The resultant delays and safety concerns due to the increase in larger vehicle movements at this existing junction are considered to be significant and, therefore, the existing junction layout deemed to be inadequate to accommodate the proposed development. This is a conclusion that has been agreed by the Local Highway Authority. This also accords with the Mayor's Vision 0, to reduce fatal and serious road accidents on London's roads by providing controlled crossing facilities and reducing vehicle speeds.
- 9.99 Both Policy 6.3 of the London Plan and Policy DM17(a) of the Development Management Policies DPD refer to the safe operation of the highway network and ensuring the safety of all road users. This includes pedestrians and cyclists as well as vehicular traffic. The proposed junction design, as illustrated on drawing no. BXT-CAP-0100-F-SK-C-0007 (Rev. P06), has been subject to a Stage 1 Road Safety Audit ('RSA') which is submitted in support of this planning application. It is noted that a number of design changes have occurred as a result of this RSA and that the final design proposed includes some departures from normal standards which have been addressed separately within five Departure from Standards Reports. The proposed

junction, including the departures from standards, has been reviewed by the Local Highway Authority and, although it would be subject to further approval under S278 of the Highway Act 1980 whereby further safety audits will be carried out, is considered to be acceptable in principle. The Council's Transport Planning and Regeneration Team are also content that it has been demonstrated that the proposed development can operate without unacceptably increasing conflicting movements on the road network. It is, therefore, considered that the applicant has provided sufficient evidence to demonstrate that the proposed junction design can operate safely in accordance with the requirements of Policy 6.3 of the London Plan and Policy DM17 of the Development Management Policies DPD.

Parking Provisions

- 9.100 Saved Policy C8 of the UDP relates to the provision of parking within the Cricklewood, Brent Cross and West Hendon regeneration area specifying standards for particular uses. The proposed development (Sui Generis) does not accord with any of the listed uses and therefore the parking standards should follow the London Plan. Policy 6.13 of the London Plan and associated Table 6.2 in the Parking Addendum sets out the maximum parking standards which are to be the basis for considering planning applications. Policy DM17 (g) of the Development Management Policies DPD requires that development should provide parking in accordance with the London Plan standards except in the case of residential development, which is not applicable to this planning application. Parking provision should be considered in view of the strategic approach to transport in Outer London (Policy 2.8 of the London Plan), of which the most salient of these approaches to the proposed development is improving public transport access and encouraging greater use of cycling and walking in respect of how staff travel to and from the site. Policy 6.13 of the London Plan also requires that 1 in 5 spaces provide electrical charging points, parking for disabled people in line with Table 6.2, and meet minimum cycle parking standards.
- 9.101 The proposed development would result in the provision of 10no. car parking spaces, principally for staff and visitors, including 1no. disabled parking space and 3no. electric charging points. The parking area would be situated to the front of the proposed WTS (northern elevation) and access to the car parking area would be via access point off Geron Way which is separate to the main operational access at the far northeast corner of the Application Site. The Parking Addendum (paragraph 6A.7) does not provide standards for the specific use proposed within this planning application but it does recognise that a degree of flexibility may be required to reflect different trip generating characteristics for B2 and B8 uses – which is the most alike use class to the proposed WTS which involves the storage (temporary) and distribution of waste to other waste management facilities. As such, the Parking Addendum states that parking for commercial development should be provided at a maximum of one space per 500m² of gross B2 or B8 floorspace. The proposed development would result in the construction of 5,433m² of floorspace and, therefore based on the B2/B8 standard, the provides the suggested maximum number of spaces (10no.). The proposed development is therefore considered to satisfy the London Plan's vehicle parking requirements

- 9.102 The proposed development would also include the provision of parking facilities for 12no. bicycles, which would be sheltered and allow for the locking of bicycles to the frame and stand provided. According to the General Arrangement Floor Plan (drawing number BXT-CAP-6000-E-DR-A-6003 Rev. P02), the proposed cycle parking would be situated adjacent to the northeast elevation of the proposed building and as such would not be overlooked by the office accommodation looking out from the northern elevation (for surveillance purposes). Therefore, in order to ensure such cycle parking facilities are adequate, it is noted that the Council's Transport Planning and Regeneration Team have recommended the inclusion of a condition requiring the submission and approval of details should planning permission be forthcoming. In order to encourage staff to cycle to the proposed development, lockers and showering facilities would also be provided. For cycle parking provisions, Table 6.3 of the Parking Addendum to Chapter 6 of the London Plan states that sui generis development should reflect the most relevant other standards in regard to parking provisions. As above, the most comparative minimum standards would be those attributed to B2-B8 uses given the nature of the proposed development. The minimum standard is therefore 1 cycling space per 500m² of floorspace for long-stay parking. The proposed development would result in the creation of 5,433m² which translates into a requirement for 10 parking spaces. As the proposed development seeks to provide 12no. cycle parking spaces (2no. above the minimum guidance), the proposed development is considered to be in compliance with saved Policy C8 of the UDP, Policy DM17 of the Development Management Policies DPD and Policy 6.13 of the London Plan.

Biodiversity and Green Infrastructure

- 9.103 In terms of biodiversity, the Application Site is of little ecological value as it is currently occupied by Selco Builders Merchants and its ancillary uses including car parking and hardstanding. The Site is also heavily influenced and dominated by railway and road infrastructure at its eastern and western boundaries, respectively. The nearest (nationally) designated nature conservation site is located approximately 900 metres to the northwest of the Site (Welsh Harp SSSI and Brent Reservoir LNR) with significant highway infrastructure situated in between. The Dudding Hill Loop between Cricklewood and Harlesden SINC (Site of Importance to Nature Conservation) is located approximately 200 metres to the south of the site. However, there are existing scattered trees and shrub planting located along the western boundary of the Site, adjacent to the A5 Edgware Road, and eastern boundary of the Site, adjacent to the railway corridor.
- 9.104 Policy CS7 of the Core Strategy DPD and Policy DM16 of the Development Management Policies DPD states that the Council will ensure that development protects existing site ecology and makes the fullest contribution to local biodiversity improvements; and also affords protection to existing SINC's. Equally, Policy 7.19 of the London Plan states that development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity; and states that proposals should give sites of borough and local importance for nature conservation the level of protection commensurate with their importance. The proposed development would result in the removal of some of the abovementioned existing vegetation; however, new landscaping is proposed as part

of the scheme including the replanting of trees along the A5 Edgware Road, ground planting along the entirety of the western boundary of the site and part of the northwest corner (including amenity grass, shrub planting and wildflower mix), and the installation of a brown roof covering approximately 30% of the roof space providing local wildflower species and hibernaculum. As described in paragraphs 5.7 – 5.8 and 9.57, the proposed development would also include the erection of a number of green screens/walls and hi-tensile wire structures (some pre-planted) providing the opportunity for the establishment of an array of planting.

- 9.105 Chapter 10 of the Supplementary Environmental Statement (July 2018) and its associated appendices contains an assessment of the ecological and nature conservation impacts of the proposed development. It is identified that the majority of impacts would arise during the construction phase of the proposed development and that the greatest impact (Slight Adverse) would be as a result of vegetation clearance and disturbance to breeding birds. In regard to the abovementioned national and local designated sites, no significant impacts were identified. Consequently, a number of mitigation measures are recommended, including the avoidance of vegetation clearance during the bird breeding season and reptile active season; and implementation of a CEMP. These can be secured by appropriately worded condition should planning permission be forthcoming. It is also noted that there are a number of controls in place for the wider BXC regeneration scheme that would capture the proposed WTS falling within the Phase 2 (South) (Thameslink Station) sub-phase, including the implementation of a Construction Code of Practice and site-wide mitigation strategy for bats.
- 9.106 In regard to the proposed brown roof, there is a site-wide requirement in relation to the BXC regeneration permitted by the 2014 S73 Permission. Within the Revised Development Specification Framework, it is stated that green and brown roofs will be used for on a minimum of 10% of available roof areas, where this is possible, distributed across the site, where these will extend the range of habitats available. Ordinarily, this would need to be demonstrated through the Reconciliation Process established by the S73 Permission for Reserved Matter Applications; however, as this is a drop-in application the proposal is not necessarily bound by this requirement. The Applicant has nevertheless demonstrated that, within the context of the proposed development forming part of the Phase 2 (South) (Thameslink Station) sub-phase, the requirement for 10% of available roof space providing green or brown roofs would be achieved as a result of this proposal. The Applicant's ecological assessment also indicates that the provision of a brown roof would reduce potential impacts on foraging and commuting bats.
- 9.107 Policy 7.21 of the London Plan, Policy CS7 of the Core Strategy DPD and Policy DM01 of the Development Management Policies DPD all seek to safeguard and protect existing trees of value and secure the planting of additional trees to compensate for any losses. The proposed development would result in the removal of all existing trees located adjacent to the eastern extent of the site (adjacent to the railway corridor) and alongside the A5 Edgware Road adjacent to the western extent of the proposed WTS. However, the Applicant has submitted an 'Arboricultural Appraisal and Impact Assessment' (dated August 2017) which confirms that none of those trees are of any particular significance or value. The assessment also indicates that the trees proposed

to be removed have been subject to a poor growth rate (particularly those along the A5) and the proposed development represents an opportunity to replace these trees and provide a better growing environment. As such, it is considered that the proposed development is in compliance with the abovementioned development plan policies.

- 9.108 Overall, taking into account the limited opportunities offered by this heavily urbanised environment, it is therefore considered that the proposed development has sought to provide relatively extensive and innovative landscaping solutions which would have the effect of increasing the biodiversity and ecological value of an otherwise utilitarian site. Therefore, subject to appropriate conditions mentioned in paragraph 9.105, the proposed development is considered to be in compliance with Policy CS7 of the Core Strategy, Policy DM16 of the Development Management Policies DPD and Policy 7.19 of the London Plan.

Sustainable Construction and Climate Change

- 9.109 London Plan Policy 5.2 states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy be lean, be clean and be green. Policy 5.3B states that development proposals should demonstrate sustainable design standards in regard to its construction and operation; and meet minimum standards outlined the Mayor's '*Sustainable Design and Construction SPG*' (April 2014) including incorporation of renewable energy technologies and low or zero carbon technologies, and achieve regulated carbon dioxide standards. Whereas, Policies 5.10C and 5.11A relate to the provision of green infrastructure and sustainable design considerations, stating that major development proposals should contribute to urban greening and deliver as many objectives as possible including (but not limited to) sustainable urban drainage and enhancement of biodiversity. Additionally, Policy CS13 of the Core Strategy promotes the highest environmental standards and efficient use of natural resources; and saved Policy C4 of the UDP states that the Council will seek to ensure that the redevelopment of the BXC regeneration area pursues the highest standards of environmental design.
- 9.110 The proposed development seeks to deliver a new, purpose-built WTS which has been designed to achieve BREEAM 'Very Good' rating and delivers low and zero carbon technologies, including solar photovoltaic panels, heat recovery systems, and low energy and automated lighting. The Applicant has submitted an 'Energy Statement and Low Carbon Technology Feasibility Study' and a 'Thermal Comfort Report' (both dated September 2017). The Energy Statement sets out the Applicant's approach to the design of the proposed development which follows the energy hierarchy by first reducing demand for energy through the choice of materials – this includes the use of materials with a thermal efficiency better than the requirements of the Building Regulations (a 35% improvement), construction to achieve a very low air permeability standard, and installation of a brown roof which is highly insulating, reduces the Urban Heat Island effect, and reduces stormwater run-off in addition to delivering the obvious biodiversity benefits. Secondly, the proposed development incorporates energy efficient plant and equipment; and finally, implements low carbon technologies. Overall the assessment concludes that Part L of the Building Regulations, BREEAM and the Council's requirements can be achieved. The Thermal Comfort Report also explains

and justifies the inclusion of mechanical ventilation within the proposed building design, which complements measures to also ensure that the proposal does not give rise to any adverse odour impacts (i.e. through the provision of natural ventilation).

- 9.111 It is apparent that the design of the proposed WTS incorporates an appropriate range of measures to ensure energy efficiency and reduce the impact of the proposed development in regard to sustainability and climate change mitigation. The proposal also incorporates urban greening, as described previously in regard to the brown roof and landscaping proposals. As such, it is considered that the proposed development is in compliance with Policies 5.2, 5.3, 5.10 and 5.11 of the London Plan, Policy CS13 of the Core Strategy DPD and saved Policy C3 of the UDP.

Flood Risk and Drainage

- 9.112 The application site is located in Flood Zone 1 (i.e. at the lowest probability of flooding) and is not located within any Groundwater Source Protection Zone. However, as the application site is just over 1 hectare (1.66 hectare) a Flood Risk Assessment ('FRA') was nonetheless required to consider any other sources of flooding and to address design issues related to the control of surface water run-off and climate change. Within the Supplementary Environmental Statement (July 2018), the applicant has provided an assessment of the likely effects of the proposed development on the water environment, including water quality, flood risk, geomorphology and drainage (Chapter 11). The applicant has also submitted a 'Addendum to ES Flood Risk Assessment' (dated October 2017) – which considers the FRA carried out in respect of the BXC regeneration scheme – and a 'Drainage Strategy' (August 2017).
- 9.113 In respect of flood risk, Policy 5.12B of the London Plan states that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and associated technical guidance (now contained within the online Planning Practice Guidance) over the lifetime of the development. The Planning Practice Guidance provides an indication of flood risk vulnerability classifications for different development types (Table 2) and identifies whether that development would be appropriate within the relevant flood zone (Table 3). The proposed development would be considered to fall within the 'less vulnerable' category; nevertheless, the site is within Flood Zone 1 where development is generally considered appropriate across all flood zones, with a less than 0.1% annual exceedance probability of flooding. This does not, however, take into account climate change. The Applicant's FRA conducts a review of the FRA carried out in support of the S73 planning application for the BXC regeneration scheme in relation to the proposed WTS. As previously concluded, the Site is considered to be at a low risk of flooding from fluvial, tidal, groundwater and artificial sources and thus the majority of the site is at a very low risk of surface water flooding. As per the accepted conclusions within the 2013 BXC Revised Environmental Statement, it is not possible to reduce run-off rates to achieve pre-developed greenfield rates due to various constraints. The proposed development, in the context of the wider BXC regeneration scheme, does achieve a 25% reduction to existing run-off rates up to the 1 in 100 year taking account of the 30% climate change allowance. Given the lack of risk and provided an appropriate drainage system is provided to ensure surface and foul water run-off is managed effectively, it is considered that the proposed

development would not cause any unacceptable flood risks and therefore is in compliance with Policy 5.12 of the London Plan. It is also noted that the Environment Agency and Lead Local Flood Authority have not raised any objections to the proposed development.

- 9.114 In consideration of surface and foul water drainage proposals, Policy 5.13A of the London Plan requires development proposals to utilise Sustainable Urban Drainage Systems (SUDS) and ensure that surface water run-off is managed close to its source as possible in line with the following drainage hierarchy: (1) store rainwater for use, (2) use infiltration techniques, (3) attenuate rainwater in ponds or open water features, (4) attenuate rainwater by storing in tanks, (5) discharge rainwater direct to a watercourse, (6) discharge rainwater to a surface water sewer/drain and (7) discharge rainwater to a combined sewer. This hierarchy is referred to in Policy DM04 (g) of the Development Management Policies DPD stating that development should demonstrate compliance with it. In connection with this, Policy 5.15 of the London Plan states that development should minimise the use of mains water. Also, in regard to wastewater, Policy 5.14 of the London Plan requires development proposals to ensure that adequate wastewater infrastructure capacity is available in tandem with development.
- 9.115 The proposed development would incorporate the provision of both a surface and foul water drainage systems connecting into the mains network. For surface water, this would include drainage channels, the installation of two sub-surface attenuation tanks, oil interceptor, the provision of a rainwater harvesting system and construction of a raised table at the proposed operational vehicle access to management and retain fire water in the event of a fire. The most probable source of foul water would be within the building where waste is stored. Therefore, the proposal includes a series of foul drains in front of all waste storage bays, a full retention separator for trade effluent, underground storage tank for leachate and dust suppression run-off, separate tanks for run-off from the food waste storage and street sweeping bays and pumping station located at the northwest corner of the site (external). The Council have consulted the Lead Local Flood Authority in respect of these proposals and they have advised that the proposed arrangements generally represent a betterment on the existing drainage arrangements (surface and foul) at the site; and that the climate change allowances referred to above (i.e. achieving a 25% improvement as opposed to greenfield run-off rates) is appropriate for the site and Thames region.
- 9.116 In regard to the abovementioned development plan policies, it is therefore considered that the proposed development incorporates an appropriate drainage systems to achieve acceptable run-off rates; manage surface water adequately particularly in view of the proposed storage of fire water; and contain and channel foul water from the areas of stockpiled waste to appropriate storage tanks, the contents of which would be emptied when required and taken off site for disposal. Taking into account the need to access and store mains water for the purposes of fire safety, the proposed development also seeks to minimise the use of mains water where feasible through the implementation of a rainwater harvesting system. Therefore, the proposed development is considered to be broadly in compliance with Policies 5.12, 5.13, 5.14 and 5.15 of the London Plan and Policy DM04 of the Development Management Policies DPD.

Land Contamination

- 9.117 Policy DM04 (e) of the Development Management Policies DPD, states that proposals on land likely to be contaminated should be accompanied by an investigation to establish the level of contamination in the soil and/or groundwater and identify suitable mitigation; and London Plan Policy 5.21 states appropriate measures should be taken to ensure previously developed land does not activate or spread contamination. Development which could adversely affect the quality of groundwater will not be permitted. As contained within Chapter 14 of the Supplementary Environmental Statement (July 2018), the Applicant has carried out an assessment of potential for land contamination arising from the proposed development. This included a site-specific ground investigation conducted in February 2017 which identified that the existing Site (and land adjacent to it) were susceptible to the presence of contaminants by virtue of the current and previous land uses (including railway sidings, railway engine repair shed, spillages and leaks from builders' merchants or vehicles, and potential fuel storage above ground).
- 9.118 Given the potential for contaminants to be present at the Site and need to ensure that such contaminants are not spread or activated, it is considered appropriate to condition any planning permission granted to require further investigation, completion of a remediation strategy and verification of such remediation to be submitted for the LPA's approval prior to the commencement of the development. Taking into account the context of the proposed development within the wider BXC regeneration scheme, any such remediation strategy should consider the Remediation Zones previously approved for the Phase 2 (South) (Thameslink Station) sub-phase pursuant to Condition 31.1 of the 2014 S73 Permission (planning permission ref. 17/6697/CON); and any Site Specific Remediation Strategy being prepared for the same sub-phase as per the requirements of Condition 31.2 of the 2014 S73 Permission. The Council's Environmental Health Officer has reviewed the Applicants' assessment in respect of the appropriateness of the methodology, robustness of the assessment and therefore acceptability of its conclusions and agreed that the remediation of contamination should be secured by condition if planning permission were forthcoming. Therefore, subject to inclusion and compliance with the recommended condition, the proposed development is considered to be in compliance with Policy 5.21 of the London Plan and Policy DM04 of the Development Management Policies DPD.

Planning Obligations

- 9.119 Paragraph 203 of the NPPF states that Planning Obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The Council's '*Planning Obligations SPD*' (April 2013). As set out within this report and schedule of 'Draft Conditions' contained in Appendix A, a number of conditions are recommended to ensure the impacts of the proposed development are appropriately mitigated. Should any of those conditions be breached or a complaint received regarding the authorised development, it is the Council's duty to investigate any such complaint and, where it is considered expedient, enforce against a breach of the planning permission to regularise the development.

- 9.120 Paragraph 204 of the NPPF states that Planning Obligations should only be sought where they meet all of the following tests: (1) necessary to make the development acceptable in planning terms; (2) directly related to the development; and (3) fairly and reasonably related in scale and kind to the development. On the basis and as outlined above, it is considered that the use of appropriate planning conditions are adequate in this instance to control the development, Officers do not recommend that any Planning Obligations should be sought.
- 9.121 Notwithstanding that, the Council are both Applicant and Local Planning Authority in this case which renders the use of S106 of the Town and Country Planning Act 1990 (as amended) unimplementable.

10 ENVIRONMENTAL IMPACT ASSESSMENT

- 10.1 The planning application is accompanied by a Supplementary Environmental Statement which assesses the impact of the proposed development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This was subsequently revised in July 2018 when the applicant provided revised and additional information in connection with this planning application.
- 10.2 The SES covered the following topics to determine whether the proposed WTS would be likely to give rise to any significant environmental effects and whether any mitigation measures were necessary to ameliorate any such impacts:
- Land use planning;
 - Traffic and Transport;
 - Socio-economics;
 - Noise and vibration;
 - Landscape and visual;
 - Ecology and nature conservation;
 - Water resources and flood risk;
 - Archaeology and cultural heritage;
 - Air quality and dust;
 - Ground contamination;
 - TV, radio and mobile phone;
 - Major accidents and disasters; and
 - Cumulative effects.
- 10.3 Given the relationship with the BXC regeneration scheme and the fact that the proposed WTS would be delivered as part of the BXC development, the SES also had regard to the EIA carried out in support of the BXC outline planning application approved in 2010 and subsequent s.73 Application in 2014. Relevant comparisons between the conclusions of the BXC EIA and SES submitted with this planning application have been acknowledged above through the Planning Assessment section of this report having regard to the relevant material considerations.
- 10.4 The relevant assessments and conclusions from those assessments as contained within the revised Supplementary Environmental Statement (July 2018) have been considered by the LPA in consultation with the appropriate statutory and other technical advisers, as set out above, and it is concluded that the proposed development would not give rise to any significant environmental effects that cannot be mitigated through the implementation of appropriate mitigation measures. Such mitigation measures can be secured through appropriately worded planning conditions as suggested in Appendix A of this report.

11 EQUALITY AND DIVERSITY ISSUES

11.1 Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- *Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- *Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- *Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

11.2 For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

11.3 In considering this planning application and preparing this report, Officers have had regard to the requirements of this section and have concluded that should a decision to grant planning permission for this proposed development be taken, it would comply with the Council’s statutory duty under this important legislation.

11.4 Notwithstanding the proposed development seeks to deliver a commercial WTS facility, which would not ordinarily be accessible to members of the public, the site would be accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site. Also, the applicant has proposed the provision of one dedicated disabled parking bay and provisions for secure and sheltered cycle parking. As such, the proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

11.5 Additionally, the proposed development would facilitate the delivery of the New Thameslink Train Station as part of the wider BXC regeneration scheme which would deliver substantial benefits in respect of accessibility, housing, employment opportunities and community facilities.

12 CONCLUSION

- 12.1 The proposed development seeks planning permission for the demolition of the existing Selco Builders Merchants and construction and operation of a purpose-built Waste Transfer Station to receive, bulk and transfer municipal waste, food waste, dry mixed recycling, bulky waste, street sweeping and street cleansing wastes.
- 12.2 Although set out within this drop-in application, the proposed facility forms an integral element of the wider Brent Cross Cricklewood (BXC) regeneration scheme. The delivery of a new WTS to replace the existing Hendon Waste Transfer Station operated by NLWA, is necessary to facilitate the construction of the New Thameslink Train Station. The New Train Station is an important component of the BXC regeneration scheme as it would result in the achievement of significant modal shift from private cars to more sustainable modes of transport and unlock the delivery of the wider regeneration scheme, particularly the new town centre to the south of the A406 North Circular and the resultant new homes and employment opportunities that would follow this.
- 12.3 The BXC regeneration scheme benefits from outline planning permission that was established originally in 2010 and subsequently amended in 2014. The 2014 S73 Permission establishes the use of the Application Site for waste management purposes and approved parameters for a building and facility that would receive and process waste including the generation of refuse derived fuel. Although the type of waste management facility proposed is now different to that envisaged at the outline planning stages, the LPA is satisfied that the proposal would continue to satisfy the requirements for the wider comprehensive redevelopment of BXC regeneration area and delivers the needs of the NLWA as statutory waste disposal authority to manage London's waste. The principle of the proposed development is therefore considered to be acceptable.
- 12.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the LPA as set out in this report. The assessment set out in the body of this report above considers the key material considerations relating to the principle of the proposed development, local character and amenity (including air quality, odour and noise), highways and transport impacts, biodiversity and green infrastructure (including trees), flooding and drainage, contaminated land, and sustainable design and climate change. In summary, the proposed development is considered to be generally acceptable in regard to all of these considerations subject to the imposition of various conditions on any planning permission granted in order to secure the implementation of appropriate mitigation.
- 12.5 It is concluded that the proposed development accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to referral to the Mayor of London, **APPROVAL** is recommended subject to conditions as set out in Appendix A of this report.

SITE LOCATION PLAN – LAND AT 2 GERON WAY, LONDON NW2 6GJ

PLANNING APPLICATION 17/6714/EIA

