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23 January 2026

Dear Sir or Madam,

**DRAFT NEWHAM LOCAL PLAN, REGULATION 22 SUBMISSION PLAN
REPRESENTATION MADE FOR ARDMORE GROUP ON BEHALF OF BYRNE PROPERTIES LIMITED**

This representation is submitted for our client, Ardmore Group on behalf of Byrne Properties Limited in response to the Regulation 22 Submission Version of the draft Newham Local Plan. Representations have also been made for the Regulation 19 Submission Version of the draft East London Joint Wast Plan.

These representations are intended to help guide the formulation of the Local Plan and relate specifically to the Safeguarded Waste Sites designation and related policy. The purpose of this consultation response is to set out why in our opinion, the Submission Draft Local Plan is unsound and makes recommendations as to how the draft Plan could be amended to render the Plan sound.

CANNING TOWN DEPOT (SOUTH CRESANT, CODY BUSINESS PARK)

Canning Town Depot, Cody Business Park is a 1.63-acre Site which comprises of two main buildings - a steel framed structure used for waste processing and a self-contained office block. A copy of the Site location Plan can be seen in Figure 1 below and a copy of the title plan has been appended to these representations.

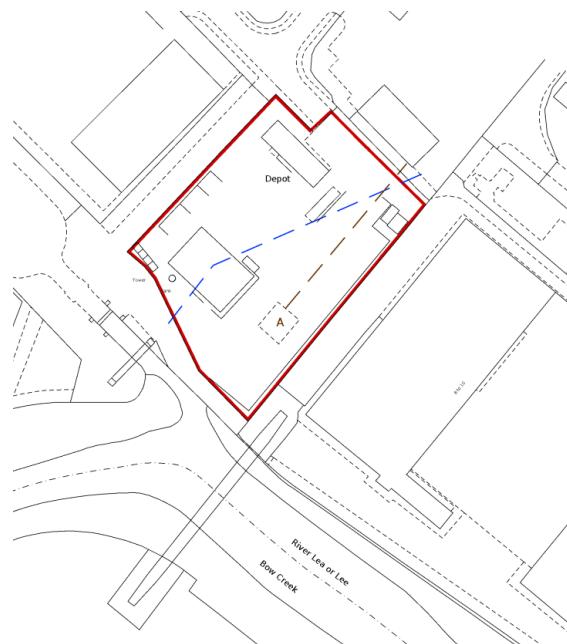


Figure 1 - Site Location Plan

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The Site is currently occupied by Pulse Environmental Limited who specialise in soft waste – specifically paper and particularly sensitive documents. Their operations relate only to paper soft waste and do not include mixed waste streams.

Pulse Environmental Limited are sub-tenants of GBN, who were the previous occupiers of the Site. GBN were acquired by Sortera, who consolidated into a larger site in Edmonton and thus have leased the Site to Pulse who are a significantly smaller outfit. Consolidation within the waste industry is now typical for this sector, and following engagement with several agents, the Site has been considered too small for the increasing number of larger occupiers.

GBN took over the lease from Orion in c.2017 who expanded the property to manage mixed commercial waste from office fit out works and similar recycling streams. Orion went into administration as they were unable to sustain this business model for the aforementioned reasons.

Following a review of the available planning history records, the following planning applications are relevant to the Site:

- 13/01731/CLP| Proposed use as vehicle parking and depot facility, office and management suite, and for the separation and bulking of recyclable materials collected by the business - Class B2 and Class B1(c). | Approved 12 December 2013
- 14/03084/FUL| Extension to existing industrial building to allow all sorting and bulking operations to be internalised, retention of the weighbridge, two single storey portacabins and changes to operating hours. | Approved 22 April 2015; and
- 21/0295/FUL| Erection of 2no. single storey buildings for general industrial & storage purposes (Use Class B2 & B8), and installation of 2no. double-stacked (two storey) portacabins to facilitate ancillary staff welfare facilities, following removal of 3no. existing ancillary buildings. | Approved 22 April 2022.

STATUTORY DEVELOPMENT PLAN

The Site is located within the London Borough of Newham. The Statutory Development Plan for the Site currently comprises the following:

- London Plan (2012);
- Newham Local Plan (2018); and
- Joint Waste Plan (2012).

Draft Statutory Development Plans

All of the Statutory Development Plan documents are currently undergoing a review, with the draft London Plan at a very early stage, whereas the review of the Newham Local Plan and Joint Waste Plan are at a more advanced stage.

The draft Newham Local Plan was submitted to the Secretary of State on 18 July 2025, and the examination is currently underway. The hearing regarding Waste Management is due to take place on 04 February 2026.

The Regulation 19 version of the draft East London Joint Waste Plan was consulted on between 19 May 2025 to 30 June 2025. A date for submission of the Joint Waste Plan to the Secretary of State is unknown.

ADOPTED DESIGNATIONS

Under the adopted Newham Local Plan, the Site is subject to the following designations:

- Strategic Industrial Land – British Gas Site / Cody Road;
- Employment Hub; and

- Archaeological Priority Area – Canning Town / Newham Way.

These designations were confirmed within the Officers Report for application ref. 21/0295/FUL (approved 22 April 2022).

Consequently, under the adopted Newham Local Plan, the Site is not a safeguarded waste site. The 2018 Local Plan Policies Map identifies the locations of the Joint Waste Plan Safeguarded Site (Schedule 1). As demonstrated within Figure 2 below, whilst there are safeguarded sites adjacent to the Site, the Site is not safeguarded. The Site is located at the position of 'GS355' which relates to a protected green area to the south to the Site referred to as 'Pocket Park'.



Figure 2 - Newham Local Plan Policies Map (2018) (Site is located at GS355)

The 2012 Joint Waste Plan at Schedule 1 outlines the full list of safeguarded waste sites, of which the Site has not been identified and thus the Site has no allocation as a safeguarded waste site within either Statutory Development Plan.

EMERGING ALLOCATIONS

Within the emerging East London Joint Waste Plan, the Site has a draft allocation as a safeguarded waste site - referred to as 'N 01 Canning Town Depot', shown in figure 3 below. The Site has an emerging allocation as a CDE Waste Physical Treatment Facility and the grounds for safeguarding are noted as 'planning consent.'

The draft Newham Local Plan has subsequently allocated all the sites identified within the draft East London Joint Waste Plan as waste sites and as such, the Site is also allocated within the draft Newham Local Plan.

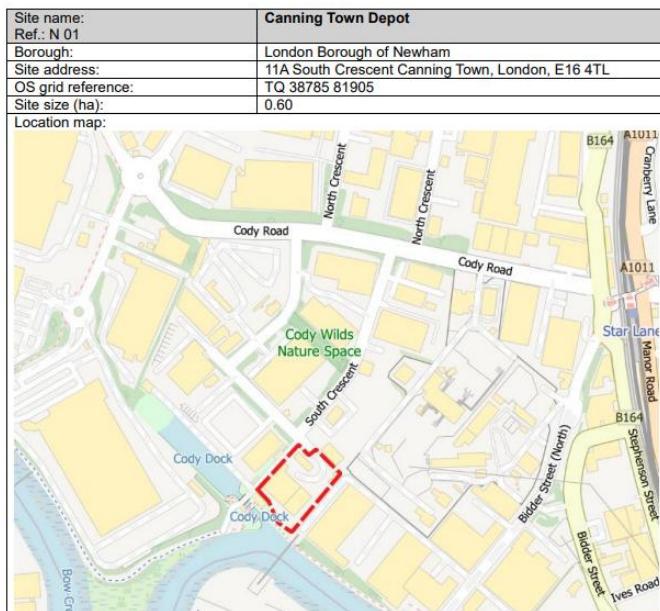


Figure 3 – Safeguarded Waste Site Allocation – N0 1

Under the draft Newham Local Plan, the Site is also subject to the following draft allocations:

- Tall Building Zone;
- Neighbourhood Area – N6 Manor Road; and
- Strategic Industrial Location – British Gas Site / Cody Road.

The British Gas Site / Cody Road SIL allocation covers a significant area, and the area immediately to the south of the Site also allocated as a Community Growing Space and Amenity Greenspace.

DISCUSSION

These representations specifically seek to challenge the soundness of the allocation of the Site as a safeguarded waste Site within both draft Local Plans as well as Policy W1 of the draft Newham Local Plan. The draft Newham Local Plan has allocated the Site simply due to it being identified within the draft East London Joint Waste Plan; yet the introduction of this allocation for the Site is questioned. Whilst the Site has historically had some waste uses operating on Site and has an existing use as a soft waste (currently specialising in paper), it is questioned why there is now a need to safeguard the Site for waste use when it was not previously identified within the adopted Newham Local Plan or adopted Joint Waste Plan as necessary to safeguard. This is perhaps even more questionable given the draft East London Waste Plan concludes there is a surplus of capacity necessary for the management of current and future forecast future waste arisings.

In this context, neither the draft Newham Local Plan nor East London Joint Waste Plan provides a clear evidence base to underpin the now proposed safeguarding of the Site for waste uses. The draft East London Joint Waste Plan only explanation for the allocation is 'planning consent', yet a planning consent for recycling material existed when the current adopted Newham Local Plan was adopted and the site was not considered for safeguarding at that time. The basis of allocating the Site as a safeguarded waste site is not appropriately evidenced nor justified (given the conclusions of the draft East London Waste Plan is that there is sufficient capacity to meet need) and thus question the soundness of allocating the Site within the draft Newham Local Plan.

Section 5 of the draft East London Waste Plan outlines that there is sufficient waste management capacity in East London to meet requirements for Construction & Demolition and Electronic Waste (CDE) and Household, Industrial and Commercial (HIC) waste over the plan period. In light of this, the Plan:

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

Particular attention is raised regarding the second point. The intention of the draft East London Joint Waste Plan is to not safeguard any existing waste management sites where such safeguarding protection would hinder the wider development aims of the Boroughs.

As noted above, the Site is allocated as Strategic Industrial Land within both the adopted and emerging Newham Local Plan. It is outlined that the priority use for British Gas / Cody Road SIL are: *"Large scale industrial with a focus on:*

- *Warehousing and logistics (third party logistics, last mile, quick commerce and recycling); and*
- *Clean, green and low carbon industries; and*
- *Digital and high technology.*

Moreover, the Site is located within the N6 Manor Road Neighbourhood Area for which the vision is to create a successful employment focussed neighbourhood, and growth in the neighbourhood will be delivered through the optimisation and intensification of industrial land for modern industrial uses, supported by digital connectivity improvements. The draft Local Plan outlines that the vision for Manor Road will be achieved by supporting appropriate development at the British Gas / Cody Road Strategic Industrial Location to support the delivery of heavier industrial uses and enable a smooth and neighbourly transition to the Bidder Street Local Mixed Use Area to the south as well as requiring digital connectivity, digital innovation and technology and clean industries as part of modern industrial development.

As expressed earlier in this representation, the recycling industry is consolidating operations onto much larger sites. By comparison to the majority of other sites safeguarded within the draft Joint East London Waste Plan, the site has a significantly smaller maximum historic capacity and licenced capacity at 53,000 tpa and 150,000 tpa. At the expiration of the lease to Pulse Environmental, it is highly likely the market will not find the site appropriate for waste management uses given its small scale and constrained location. We thus consider that the draft allocation of the Site as a safeguarded waste site would hinder the wider development aims of the Borough to deliver large scale, modern industrial development within the British Gas Site / Cody Road SIL location. The aims to optimise and intensify the area will be impacted by the safeguarding of this site for waste uses - a use that is not outlined within the vision approach for Manor Road.

Furthermore, the Site is located adjacent to Cody Dock and safeguarded amenity greenspace. Cody Dock is managed by Gasworks Dock Partnership, which is a registered charity and social enterprise formed to act as a vehicle for the community led regeneration of Cody Dock and local waterways. The safeguarding of the site for waste uses may negatively impact on the future success of the Cody Dock and amenity areas, an area which is also identified within the vision for the N6 Manor Road Neighbourhood Area. The future success and sustainability of the Cody Dock is essential to maintain the vision for Manor Road and to ensure that it remains as a space for creative industries and the local community to utilise.

In the event that the current waste operator falls away, but the safeguarding allocation remains, this would restrict potential for the Site to contribute to the wider economic, employment and aspirational aims of the draft Local Plan through the delivery of SIL compliant uses that positively contribute to the surrounding area. The safeguarding allocation will impede further consolidation of industrial development from taking place within the area by restricting alternative forms of development coming forward. As a consequence of the draft allocation, potential investment into the Site has already been impeded due to its restrictiveness.

As set out earlier in these representations, the waste market is evolving and there is a need for occupiers to consolidate and move to larger, more suitable sites. This Site is too small and constrained to attract larger occupiers and is not of such strategic importance that requires safeguarding either through the Local Plan or East London Waste Plan process. At this time, given our concerns regarding the soundness of the evidence base supporting the draft Joint East London Waste Plan, and as the site is not currently safeguarded, any reference to safeguarding should be removed from the draft Local Plan proposals map. Any future safeguarding would then rightly be confirmed through the adoption of the Joint East London Waste Plan.

The draft Newham Local Plan includes Policy W1 which relates to Waste Management Capacity. As currently drafted, the policy outlines that Newham will meet its identified apportionment target set out within the London Plan 2021 through the delivery of an updated East London Waste Plan in collaboration with the East London Waste Authority boroughs. The policy then goes onto note that existing waste sites within Newham will be safeguarded and should be retained in waste management use.

As currently drafted, Policy W1 (3) assumes that all the Sites allocated within the draft East London Waste Plan will be adopted and thus requires them to be safeguarded within the draft Newham Local Plan. London Plan Policy SI 9 (c) is clear that waste sites can be lost but only after waste plans have been adopted. Policy W1 (3) therefore needs to be amended to allow for the review of safeguarded waste sites identified by the Joint East London Waste Plan to conclude.

To ensure Policy W1 is positively prepared, justified and effect we recommend that it is amended as follows (amendments shown in italics):

W1: Waste management capacity

1. The management of waste and the development of waste sites in Newham should follow the principles of the circular economy and waste hierarchy, prioritising reduction, reuse, recycling, and energy recovery before final disposal.
2. Newham will meet its identified apportionment target set out within the London Plan 2021 through the delivery of an updated East London Waste Plan in collaboration with the East London Waste Authority boroughs.
3. Existing waste sites within Newham will be safeguarded and should be retained in waste management use *unless they are not safeguarded in the updated Joint East London Waste Plan or where Part 4 of the policy is satisfied.*
4. Developments that would reduce or undermine the continued or enhanced use of an existing waste site will only be supported where appropriate compensatory capacity is made within London at or above the



same level of the waste hierarchy and the compensatory capacity at least meets, and should exceed, the maximum achievable throughput of the site proposed to be lost.

CONCLUSION

As set out in detail, in order to make the Regulation 22 version of the Newham Local Plan sound we recommend that:

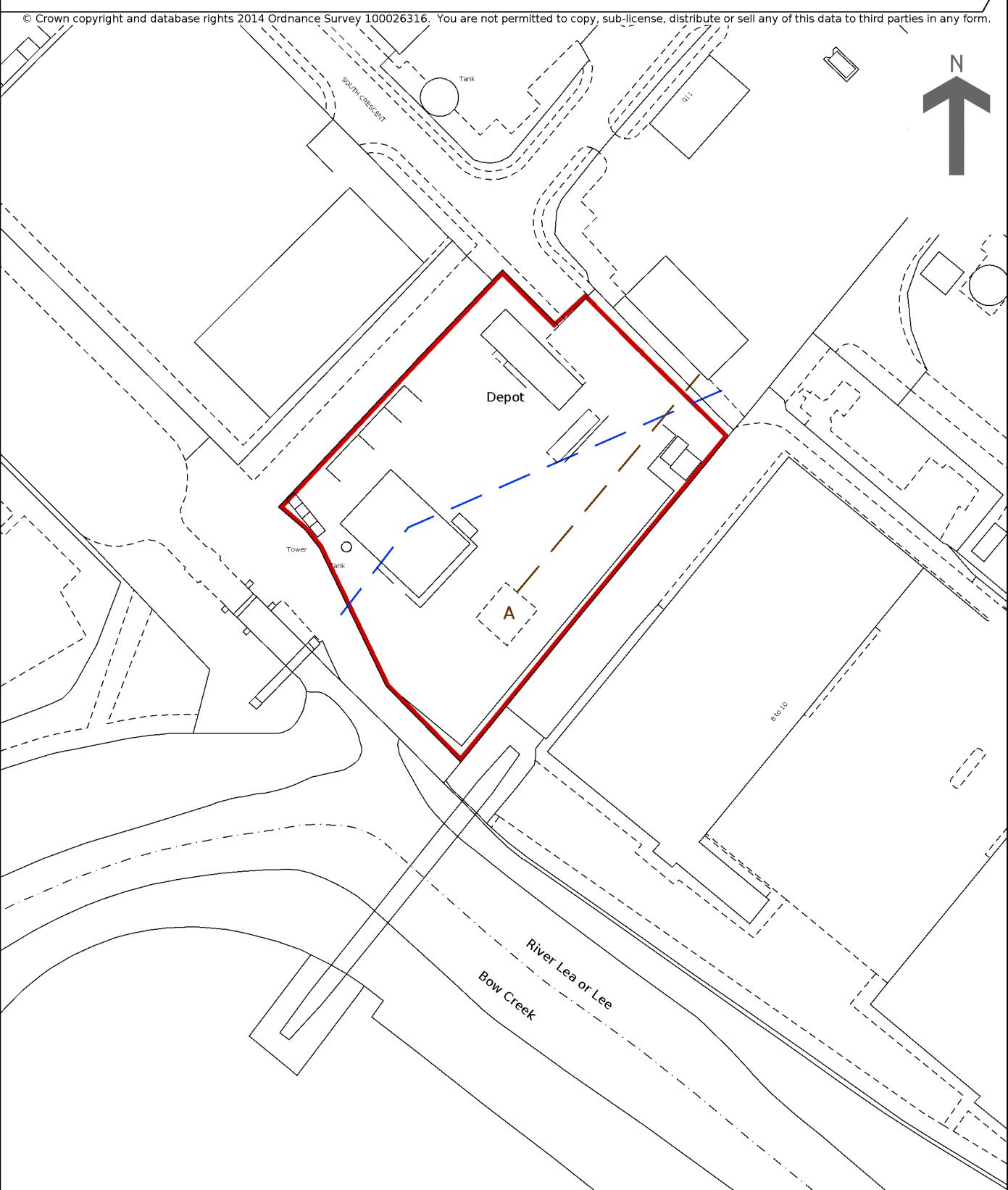
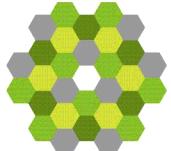
- a) The draft allocations recommended by the draft East London Waste Plan are deleted from the Newham Local Plan proposals map; and
- b) Draft Policy W1 is amended as set out above

In the interim, if you require any further information, please contact Simon Marks (simon.marks@montagu-evans.co.uk / 07818 012 442) or Bethan O'Sullivan (bethan.osullivan@montagu-evans.co.uk / 07341805227) of this office in the first instance.

Yours sincerely,

Montagu Evans

MONTAGU EVANS LLP



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