

planning report PDU/LDF35/LDD01/01

9 December 2009

North London Waste Authority Boroughs (Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest)

Joint Waste Development Plan Document

Preferred Options Consultation

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Planning and Compulsory Purchase Act 2004 (as amended); Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).

Recommendation

That the Mayor agrees that the comments set out in this report and attached appendices should be submitted to the North London Waste Authority Boroughs as the GLA response to the North London Waste Development Plan Document Preferred Options consultation.

Purpose

1 To assist the Mayor in making his representations to the North London Waste Authority (NLWA) Borough's consultation on the Preferred Options for the Joint Waste Development Plan Document (DPD), which form part of each Council's Local Development Framework.

2 The Mayor of London's comments on this document will be made available on the GLA website www.london.gov.uk.

Background

3 The Planning and Compulsory Purchase Act 2004 ("the Act") introduced a new system of preparing development plans. This requires Boroughs to progressively replace existing Unitary Development Plans with a portfolio of Local Development Documents (LDDs) that will collectively form the Local Development Framework (LDF) for each of the Boroughs. The LDF together with the London Plan provides the essential framework for planning at the Borough level. The "development plan" in London for the purposes of section 38(6) of the Act is:

- The London Plan (Regional Spatial Strategy), and
- DPDs produced by the Boroughs (and saved UDP policies in transitional period).

4 There are two types of Local Development Documents: firstly, Development Plan Documents, those spatial planning documents that are subject to a statutory adoption process and Examinations and have development plan status. Examples of DPDs include Core Strategies, Site Allocations, Proposals Map and Development Control Policies, and Area Action Plans.

5 Secondly, there are Supplementary Planning Documents. These provide supplementary guidance on policies and proposals in DPDs. They do not form part of the development plan and are not subject to Examinations.

The Mayor's role

6 All LDDs must be in general conformity with the London Plan, in accordance with Section 24(1)(b) of the Act. This requirement is also a key test of the soundness of the plan. The Mayor welcomes early engagement with boroughs as LDDs progress through production stages and will formally issue his opinion on general conformity at the submission stage in line with Regulation 30(1) of the Town and Country Planning (Local Development) (England) Regulations 2004 ("the Regulations") and Section 24(4)(a) of the Act.

7 Regulation 25 of the Regulations requires consultation at the Preferred Options stage of LDD production. The Mayoral representations made to the ELWA boroughs at this stage will not go forward to the Examination. It is envisaged that the Borough Council and GLA officers will meet to take forward the issues raised by the Mayor before the next formal consultation stage, (Submission to the Secretary of State) so that general conformity with the London Plan can be achieved and the DPD is sound before the Examination commences.

Previous consultation

8 Officers acting under delegated authority made representations to the Issues and Options consultation stage on 4 March 2008. The representations advised that changes were needed to bring the document into conformity with the London Plan. In particular, concern was raised over the choice of photographs used within the document and also the municipal waste figures were inconsistent with the London Plan. The need for joint core policies and development control policies and also that greater consideration was needed to be given to London Plan policies on climate change and the co-location of new waste facilities and decentralised energy systems such as combined heat and power (CHP) and combined cooling, heat and power (CCHP) were also raised.

Strategic issues

Summary of North London Waste Development Plan Document (NLWDPD)

9 The purpose of the NLWDPD is to set out a planning strategy for a ten year period from 2011 to 2021 for sustainable waste management which enables the adequate provision of waste management facilities (including disposal) in appropriate locations for municipal and commercial and industrial waste having regard to the London Plan Borough level apportionment and construction, excavation and demolition and hazardous wastes. The NLWDPD will form part of the LDF for each borough and help deliver the relevant elements of the Community Strategy for each borough.

Policy background

10 The 2008 London Plan sets out strategic waste management policies and targets to meet the national policy of communities taking responsibility for their own waste and provide for adequate waste management facilities (Policy 4A.21 (*'Waste strategic policy and targets'*)). Policies 4A.23 (*'Criteria for the selection of sites for waste management and disposal'*) and 4A.27 (*'Broad locations suitable for recycling and waste treatment facilities'*) sets out criteria for selecting new waste sites primarily within Preferred Industrial Locations or existing waste management locations, emphasising the importance of co-location with CHP / CCHP. Policy

4A.25 (*'Borough level apportionment of municipal and commercial/industrial waste to be managed'*) sets the apportionment of municipal and commercial / industrial waste to be managed by boroughs and Policy 4.A26 (*'Numbers and types of recycling and waste treatment facilities'*) requires boroughs to identify a range of waste management facilities to meet expected waste arisings. Policies 4A.28 (*'Construction and demolition waste'*) and 4A.29 (*'Hazardous waste'*) encourages boroughs to encourage recycling of construction, demolition and excavation (CDE) waste and the safeguarding and provision of new CDE and hazardous waste management facilities to manage expected waste arisings.

11 Similarly the draft replacement London Plan (October 2009) also includes strategic waste management policies and targets to meet the national policy of communities taking responsibility for their own waste and provide for adequate waste management facilities (Policy 5.16 (*'Waste self-sufficiency'*)). Policy 5.17 (*'Waste capacity'*) sets out criteria for selecting new waste sites primarily within Preferred Industrial Locations or existing waste management locations. Policies 5.18 (*'Construction, excavation and demolition waste'*) encourages boroughs to encourage recycling of construction, excavation and demolition (CE&D) waste and the safeguarding and provision of new CE&D and hazardous waste management facilities to manage expected waste arisings.

12 There are a number of London Plan Opportunity Areas located within the NLWDPD area. A draft Opportunity Area Planning Framework is currently being prepared for the Upper Lee Valley, and a revised Strategic Planning Guidance document is being prepared for the Olympic Sites by the GLA in partnership with the boroughs. These draft documents will include waste and energy strategies and the LDA is currently close to completing a short energy strategy for the ULV, which investigates the potential opportunities to develop area wide heat and power systems and derive energy from waste and how this could be integrated with development proposals. Drafts of this proposal should be available early 2010.

Site-specific comments

13 Comments relating to all new proposed waste sites are provided in attached Appendix 2. On the whole the sites selected are largely supported with the large majority being located within strategic industrial and employment locations. However, the following comments are made relating to Site 6 and the multiple sites within the LondonWaste Eco Park.

Site 6 - Rigg Approach

14 The entire site is proposed to be designated for waste use. However, the planning document Lea Bridge Planning Framework, October 2009 currently being commissioned by Waltham Forest Council identifies the southern third of the site fronting onto Lea Bridge Road as Mixed-use development with the remaining two thirds of the site being industrial. The mixed use is to accompany the potential future re opening of the Lea Bridge station. Therefore the two documents need to be consistent with, and reflect each other.

Site 10011 – Metal & Waste Recycling Group Ltd

15 The site is an existing waste management site and it is proposed to be safeguarded. The Central Leaside Joint Area Action Plan Issues and Options Report (February 2008) commissioned by Haringey and Enfield Councils includes two potential development scenarios for the wider area including and surrounding the subject site. Scenario A retains and improves the employment land including the subject site while Scenario B sees a major transformation of the surrounding area including the subject site from employment land to residential-led mixed use development. The subject site is considered to be within a key location for the successful

redevelopment of the surrounding area. Before finalising the safeguarding of the subject site further consideration should be given to the potential future use of this site. In accordance with London Plan policies if it is decided the site will not be safeguarded then it must be demonstrated that sufficient capacity has been identified elsewhere to accommodate any loss of capacity.

Sites: 10021 Polkacrest Ltd, 10079 LondonWaste Composting Facility, 10043 LondonWaste Incinerator and 10025 collectively within then 'LondonWaste Eco Park'

16 Policy 4A.22 ('Spatial policies for waste management') states *'The Mayor will encourage the development of resource recovery parks / consolidation centres, where manufacturing industries and recycling and recovery industries can co-locate'*. Furthermore London Plan policy 4A.24 ('Existing provision – capacity, intensification, re-use and protection') states *'Boroughs should protect existing waste sites and facilitate the maximum use of existing waste sites, particularly waste transfer facilities and existing landfill sites'*. In addition the draft replacement London Plan (October 2009) also includes policies to support the provision of resource recovery parks / consolidation centres (Policy 5.17 ('Waste capacity')). *'The Mayor supports the need to increase waste processing capacity in London. He will work with London boroughs and waste authorities 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'*.

17 Given the range of waste facilities within close proximity within the LondonWaste Eco Park, Advent Way site the GLA would expect the entire site to be either safeguarded as existing waste facilities or proposed as a new waste site. In addition to the existing infrastructure in place, a Materials Recovery Facility (MRF) has recently been approved (PDU/2367/01) located on the southern portion of the site, further adding to the level of waste facilities within the wider site and it is also understood that LondonWaste Ltd have intentions for further redevelopment on this site. The GLA also understands that the land ownership arrangements have recently changed into a single ownership. Therefore, the GLA considers the entire site should be collectively identified and safeguarded for waste use and not just the building footprints. In addition the GLA would expect to see a commitment to see SRF produced on the site, used at the site rather than export it elsewhere.

General comments

18 Notwithstanding the comments made in relation to the specific sites above, the North London Waste Plan (NLWP) is generally consistent with the London Plan policies on waste management, and the GLA support the general thrust of the document, especially the promotion of the waste hierarchy and waste reduction. The NLWP provides for the identification and safeguarding of existing waste sites and provision of compensatory sites if any existing sites are lost. The accompanying NLWP technical report provides much detail on the methodology used to identify and screen potential waste sites, as well as an inventory of individual sites.

19 GLA officers could not identify the waste management capacity of individual existing sites, as these seem to be a mixture of licensed capacity and annual throughput. These figures will therefore need to be recalculated, wherever possible using annual throughput, or if this is not known 75% of licensed capacity. Nevertheless, using the GLA calculations based on 75% of the tonnage data provided in Appendix 4 for existing sites and 80,000 tonnes per hectare for the area of potential sites, the NLWP meets the London Plan apportionment.

20 The GLA support the preference given for the use of existing sites of various sizes for waste management, especially the re-orientation of transfer stations. The production of an annual monitoring report containing key performance indicators is also supported. It would be helpful if the main document cross referenced the technical report with appendix tables, or listed both the capacity and area of waste sites in the tables.

21 The use of sustainable and good practice design is supported. The GLA has published a design opportunities for advanced waste facilities report. This is available on: <http://www.london.gov.uk/mayor/environment/waste/infrastructure-design.jsp>.

22 The North London Waste Plan may also wish to take into account the potential locations identified by the London Wind and Biomass Study¹ for potential locations that could be used for developing a biomass plant. (See section 3.6.2 in particular). The NLWP should take into account the potential for heat usage and in particular should take account of the emerging work on the OAPF and in particular the ULV OAPF's energy strategy.

Transport *for* London (TfL)

23 TfL supports the NLWP's objective to minimise transport impacts through appropriate supporting policies and assessment criteria that recognise the importance of both minimising road vehicle impacts and the positive use of alternative modes of transport such as rail and water in the selection of sites. TfL also supports the weighting of criteria in relation to proximity to railheads and navigable waterways and canals and also the preferred option that prioritises sites that have access to alternative transport.

24 In relation to policy 1 (*'Location of waste development'*), it would be appropriate for waste management facilities within North London to take waste from neighbouring Waste Authority areas where this could minimise journey length or take advantage of alternative transport options including rail and water. Reciprocal arrangements between Waste Authorities should be developed where this would minimise transport impacts.

25 Regarding policy 3 (*'Ensuring High Quality Development'*), TfL welcomes the requirement for all waste development proposals to demonstrate that active consideration has been given to the transportation of waste by modes other than road, principally by water and rail. TfL also supports the requirement for a Transport Impact Assessment. The Transport Assessment should be prepared in accordance with TfL guidance and be accompanied by both a Travel Plan and Delivery and Servicing Plan. TfL should also be involved in scoping of Transport Assessments for specific sites at an early stage. It would be helpful to add these requirements in paragraph 5.22. As set out in 5.22 the objective of the TA process and the accompanying Plans should be to minimise the impacts on the transport network and in particular to ensure nil detriment to the safe operation of the Transport for London Road Network (TLRN) and Strategic Road Network (SRN). Where practicable lorry movements during highway peak periods should be minimised and mitigation for any adverse impacts would be required which may include physical works or management measures.

26 Within policy 5 (*'The Management of Construction, Demolition and Excavation wastes'*), the requirement for a Site Waste Management Plan could be combined with a Construction Logistics Plan that sets out how construction transport impacts can be minimised through maximising on-site provision and re-use and reducing the need for transport of construction materials or waste.

¹ Available at: www.lep.org.uk/uploads/Summary%20of%20Wind%20%20Biomass%20FINAL%20200307.pdf
further information available at: www.lep.org.uk/projects/energy-demand-and-supply.htm

27 TfL requests that reference is made to the *London Freight Plan*, which provides further guidance for the transportation and handling of waste. In particular, the joint management of commercial, industrial and municipal solid wastes could help to reduce road transport impacts, and the potential to treat bio-degradable waste and turn it into a renewable fuel could be investigated.

Conclusion

28 Many of the comments that the GLA made at Issues and Options stage have been incorporated into the Preferred Options document, which is welcomed and a number of policy areas are supported. However, as set out above a number of changes are required to ensure that the Submission document is in general conformity with the London Plan, in particular the comments in relation to the LondonWaste Eco Park, Rigg Approach, and Metal and Recycling Group Ltd sites and also the emerging Opportunity Area Planning Framework documents.

For further information, contact the Planning Decisions Unit

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Appendix 1

Specific Comments

Waste

London Plan Policy	North London Waste Plan Policy	Comment
4A.1 & 4A.21: Climate change mitigation	Policies NLWP1, NLWP4	<p><u>Support</u>: Preference on reducing the impact of waste management by promoting waste hierarchy, managing waste close to source and sustainable transport of waste.</p> <p><u>Support</u>: Preference for the production of renewable energy.</p> <p><u>Omission</u>: No specific mention of carbon, waste or recycling targets.</p>
4A.21: Waste policy & targets	Objective 2.6	<p><u>Support</u>: Overarching vision is meeting London Plan apportionment targets.</p> <p><u>Support</u>: Specific detail on monitoring progress and key performance indicators.</p>
4A.22: Spatial policies	Policy NLWP2	<p><u>Support</u>: NLWP will safeguard waste sites and provide compensatory site if an existing site is lost. Where re-development occurs NLWP requires equal waste throughput.</p> <p><u>Omission</u>: Should account for the need to safeguard appropriate land for the transportation of waste.</p>
b. Reconfigure waste transfer sites; & c. Identify new sites in suitable locations	Policy NLWP1, Appendix 1-3	<p><u>Support</u>: Inventory of existing (Appendix 1,2) and new sites (Appendix 3) has been provided.</p> <p><u>Omission</u>: A mixture of through put and licensed capacity appears in the tables. It is therefore not possible to accurately calculate the capacity of existing waste sites.</p>
d. Provision of suitable waste & recycling facilities in new developments		<p><u>Omission</u>: NLWP does not require new developments to provide space for collection and storage of recyclables.</p>
e. Deal with waste locally or good access to rail / water	NLWP3	<p><u>Support</u>: NLWP will give priority to sites that have direct access to strategic road network, rail and other 'sustainable transport'.</p> <p><u>Note</u>: Discussions with TfL and highway authorities will be required to agree preferred locations with regard to transport.</p>
f. Safeguard sites with waste management potential	Policy NLWP2	<p><u>Support</u>: NLWP proposes to safeguard existing and proposed waste management sites, and provide compensation where a site is lost.</p>

4A.23: Criteria for selection of sites	Policies NLWP3, NLWP4, Preferred Options Technical Report	<p><u>Support</u>: Criteria for considering unallocated sites are set out in Technical Report</p> <p><u>Support</u>: Criteria to control environmental impact on surrounding areas</p> <p><u>Support</u>: NLWP will give preference to developments where there are opportunities for combined heat and power and decentralised energy.</p> <p><u>Support</u>: Assessment criteria provides for potential for co-location of facilities.</p>
4A.24: Compensatory site provision	Policy NLWP2	<u>Support</u> : Requirement for compensatory site if lost to non-waste use.
4A.25: Identify land to meet borough apportionment	Section 4, Appendix 3, Preferred Options Technical Report	<u>Support</u> : Section 4 and Appendix 3 summarises the additional land required to meet apportionment, with the technical report providing the detail. Additional capacity over the apportionment has been identified to allow for flexibility of development
4A.26: Identification of waste management facilities	Section 4, Appendix 1, 4	<p><u>Support</u>: Detail on calculation methodology</p> <p><u>Omission</u>: The tables seem to have a mix of either annual throughout or licensed capacity. Actual throughput should be provided, or where this is not known 75% of licensed capacity.</p> <p><u>Omission</u>: Recycling centres and civic amenity sites can count towards apportionment, but only the recycling rate of current throughput can count. The table seem to have a mixture of licensed capacity and throughput, but it is unclear which has been applied.</p>
4A.27: Broad locations suitable for recycling and waste treatment	Section 4, Preferred Options Technical Report	<u>Support</u> : As above
4A.28: CDE waste	Policy NLWP5	<p><u>Support</u>: NLWP will require development over 500m² or 5+ units to submit a site waste management plan</p> <p><u>Support</u>: NLWP requires 'specified development' to set aside land for re-use and recycling activities during demolition and construction</p>
4A.29: Hazardous waste	Section 4.35	<p><u>Support</u>: NLWP will safeguard existing hazardous waste facilities</p> <p><u>Omission</u>: Need to identify current capacity (sites and throughput) to manage hazardous waste</p> <p><u>Omission</u>: No specific policy on hazardous waste</p>

Appendix 2

Comments on identified sites

Potential New Waste Management Sites

Site #	Site Area (ha)	Borough	Description	GLA comment
23	3.69	Barnet	Site on Edgware Road and Geron Way.	Cricklewood Regeneration Area, Opportunity Area. Site Specific Proposal Site. Cricklewood, Brent Cross and West Hendon OAPF identifies the site as a waste handling facility. Supported.
37	0.53	Barnet	Victory Park.	Cricklewood Regeneration Area, Rail Related Employment Land, Opportunity Area. Supported.
174	0.9	Barnet	Network Rail land at Aerodrome Road.	No designations. Narrow strip of land along railway. Supported.
68	3.53	Enfield	Martinbridge Industrial Estate.	Strategic Employment Site. Great Cambridge Road Primary Industrial Area. Supported.
70	1.95	Enfield	Nobel Road.	Strategic Employment Site. Primary Industrial Area. Opportunity Area. Supported.
94	0.82	Enfield	Building premises, Kynoch Road.	Strategic Employment Site. Primary Industrial Area. Opportunity Area. Supported.
96	0.63	Enfield	Makanji House, Kynoch Road.	Strategic Employment Site. Primary Industrial Area. Opportunity Area. Supported.
111	2.4	Haringey	Marsh Lane.	Defined Employment Area. Supported.
121	5.93	Haringey	Friern Barnet former Sewage Treatment Works (Pinkham Way).	Defined Employment Area. Borough Grade 1 Ecological Value Site. Site Specific Proposal for employment generating uses subject no adverse effect on the Nature Conservation value. On this basis the site is supported.
6	4.98	Waltham Forest	Rigg Approach.	Strategic employment site. Supported, however see detailed comments within the report.

