

MATTER 2 Is the Plan in general conformity with the London Plan?

Issue (i) Is the Plan in general conformity with the London Plan?

Questions:

- 3. Is the restrictive approach set out in Policy WP3(d) consistent with the London Plan's aspiration to achieve net self-sufficiency in waste management terms by 2026? Should the Plan be modified to offer more support for the development of compensatory provision where sites outside of the South London boroughs are released for non-waste development in the specific circumstances outlined in the London Plan (i.e where "a waste site may be lost, compensatory capacity should first be explored within the borough. In cases where this can't be provided, and suitable capacity is found in another borough, the receiving borough or joint waste planning group is encouraged to take on the apportionment and include it as part of their Development Plan")?**

The wording of the policy is ambiguous or could be interpreted as meaning that compensatory provision outside of the SLWP area will not be acceptable for loss of capacity within the Plan area. We assume that in fact the aim of the policy is to restrict provision of compensatory capacity within SLWP area for that lost outside the Plan area, due to the high demand for industrial and employment land in the Plan area.

The approach in Policy WP3 (d) applies safeguarding in a more restrictive way than the London Plan as Policy SI9 (c) of the London Plan provides for appropriate compensatory provision to be 'made within London'. Para 9.8.10 of the London Plan encourages compensatory capacity to 'first be explored within the borough' but also states that "*Plans or agreements safeguarding waste sites should take a flexible approach.*" The Plan should be modified to support compensatory provision being made across London as a whole in line with London Plan para 9.9.3 by deletion of clause (d).

The draft Plan recognises (para 3.21 and 5.25) there is high demand for business and industrial land in the Plan area, particularly Sutton, and sterilisation of land by applying waste designations too widely is to be avoided if a diverse and robust business base is to be established and maintained in the face of unprecedented change. The London Plan advises that release of safeguarded sites should be considered as part of the Plan-led process (para 9.9.2) hence the examination of the SLWP is the key opportunity.

The safeguarding of all the sites as currently proposed in the Plan, applies a severe and unnecessary constraint to use of land within the Plan area for non-waste commercial and industrial purposes, impeding the free operation of the land market and its ability to respond to evolving and ever changing needs. Recent measures taken to extend permitted development rights for change of use (encompassed in the new Class E) signals the direction in which Government thinking is moving to remove obstacles to facilitate flexibility and thereby enable economic development and for landowners and businesses to respond to ever changing conditions.

In that context, the throughput at Site S1 has been declining dramatically over recent years, due to competition and surplus capacity at other sites, and so is no longer economically viable with operating costs exceeding income. This is a matter of economics, and the operator intends to cease operating the site as a waste management facility. Release of this site from waste safeguarding, with provision of compensatory capacity to replace the nominal throughput of the Site through intensification of other sites, would enable change of use to employment (B2/B8) use and so assist in delivery of broader planning objectives for the area as set out in the Sutton Local Plan (2018) particularly regarding economic development and employment land (Policy 14) and improvement of the industrial environment and use (Policy 15).

Finally, neither the adopted SLWP, the London Plan nor the draft SLWP specify the mechanism, or what evidence may be sufficient, to demonstrate that compensatory provision has been provided to enable release of a safeguarded site. Compensatory capacity should include that provided through 'intensification' of existing sites, with evidence of capacity to include:

- the existing throughput (the 5 year peak, as referred to in the London Plan);
- the potential throughput based on the site's area (with reference to benchmarks that represent good practice as used in the North London Waste Plan and referred to in our representations on Matter 3 and not 'averages'); and
- written commitments provided by the operators of those sites.