

Ms Carmel Edwards
c/o Strategic Planning Department
London Borough of Sutton
24 Denmark Road,
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recycling and recovery UK

Our Ref: SUEZ.KF.SLWP.EIP.2021.2

15 July 2021

Dear Ms Edwards,

South London Waste Plan Examination in Public

Written Statement – Matter 3: Does the Plan make adequate provision for the waste management apportionments required by the London Plan and any other arisings, and is it positively prepared in this regard?

Thank you for the opportunity to comment on the South London Waste Plan Inspectors' Matters, Issues and Questions. Please accept this document as the formal response of SUEZ Recycling and Recovery UK Ltd (SUEZ) relating to Matter 3.

***Issue (v), Question 8:** What is the likelihood of site S12 (Beddington Resource Recovery Facility, 79-85 Beddington Lane, Sutton CR0 4TH) coming forward for waste use should the Benedict Wharf site not be released for non-waste uses? If the S12 site were not to come forward as planned, what implications would that have for South London's capacity over the plan period?*

The planning application for the residential redevelopment of Benedict Wharf was determined by the Deputy Mayor of London following a public hearing on 8 December 2020. The Deputy Mayor resolved to grant conditional planning permission subject to the prior completion of a Section 106 agreement.

A Holding Direction was issued by the Secretary of State on 7 December 2020. This Holding Direction prevented planning permission being issued until the Secretary of State considered the application and reached a conclusion on whether the application should be called in for his own determination. This Holding Direction was lifted on 18 May 2021 and the Secretary of State has confirmed that he is content for the application to be determined by the Local Planning Authority (the Mayor of London)¹.

The Section 106 agreement is at an advanced stage and is set to be completed in the near future. The planning permission can then be issued, which would enable the sale of Benedict Wharf for residential development, and the construction of site S12 (Beddington Resource Recovery Facility, 79-85 Beddington Lane, Sutton CR0 4TH) could then commence. The Section 106 Agreement for Benedict Wharf is subject to a restriction preventing the redevelopment of Benedict Wharf from commencing, until the compensatory capacity at Beddington Resource Recovery Facility is operational, so there is no risk to South London Waste Plan capacity.

SUEZ remain committed to the strategy that has been pursued to date, seeking the release of Benedict Wharf from safeguarded waste use and ensuring its redevelopment to housing in order to facilitate the development of Beddington Resource Recovery Facility. The strategy aligns with the emerging Merton Local Plan, which is set to be submitted for examination in Summer 2021 and allocates Benedict Wharf for residential development (SITE Mi1: Benedict Wharf, Hallowfield Way, Mitcham, CR4 3BT).

Issue (v), Question 9: *Should provision be made within the text for Site 12 for a review of the future need to safeguard the site dependant on the outcome of the Secretary of State's deliberations on the application for the Benedict Wharf site?*

SUEZ is committed to the strategy to develop Site S12 Beddington Resource Recovery Facility. As the Secretary of State has now withdrawn the holding direction for the Benedict Wharf planning application, the planning permission can be issued in the near future, as soon as the Section 106 Agreement has been completed.

¹Documents available at: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/land-benedict-wharf-public-hearing>

Issue (vi), Question 1: 1. Is the Plan's restrictive approach to new development for waste uses (set out particularly in Policies WP1 (d) and WP2 (d)), justified and consistent with the London Plan?

And

Question 2: Would the restriction on new waste development set out in Policy WP1(d) be consistent firstly with the NPPW insofar as it expects waste planning authorities to drive waste management up the waste hierarchy, recognising the need for a mix of types and scale of facilities; secondly, with the Framework insofar as it expects plans to be sufficiently flexible to adapt to rapid change; and thirdly, with the PPG insofar as it states that waste planning authorities should not rigidly cap development proposals at the level that may be put forward through the Local Plan?

SUEZ consider that Policies WP1 (d) and WP2 (d) are not justified or consistent with the London Plan. We agree with the vision of the plan to only identify/allocate/safeguard specific sites to be net self sufficient with regard to apportionment targets for household and commercial and industrial waste streams and arisings for all others. However, we object to restricting the development of new waste sites, which removes all flexibility.

The industry is in a period of significant transition towards a more circular economy. There have been a raft of national policies, strategies and consultations focussed on keeping resources in use for longer and reducing the carbon intensity of the sector as we drive towards net zero emissions. At this stage, it is difficult to envisage exactly what the industry will look like in a decade, with potential provisions for extended producer responsibility (EPR) greater repair and re-use, deposit return schemes (DRS) and consistent household collections.

As an example, SUEZ believe that if DRS progress, London will require 10-15 counting and consolidation points, plus numerous other consolidation 'nodes'. Re-use and recycling will require new facilities - The National Infrastructure Assessment: Waste Infrastructure Analysis for England (Anthesis Consulting Group, 2018) highlights that modelling has shown that the following may be required in England in order to realise high recycling and high greenhouse gas avoidance as targeted by government:

- Food waste segregation at kerbside requires additional anaerobic digestion (AD) capacity of 1.1 to 2.7 Million tonnes per annum (Mtpa).
- Segregating all biodegradable waste at kerbside will require an additional food waste AD capacity of 1.1 to 2.7 Mtpa and up to 0.5 Mtpa MRF capacity due to the segregation of other recyclates.

- Increased plastic waste segregation at kerbside is forecast to require additional transfer station (0.5-1.2 Mtpa) and MRF (up to 0.6 Mtpa) infrastructure.
- When including plastics separation for landfill, between 16.5 and 28.2 Mtpa of new residual waste separation facilities are required.
- High recycling requires an increase in MRF (1.5 to 3.3 Mtpa) and AD capacity (1.8 to 3.7 Mtpa)

The London Infrastructure Plan 2050 (2014) estimates that *“enabling this so-called circular-economy approach will require investment in around 40 new facilities, in addition to London’s existing capacity, for the reuse, repair and remanufacture of materials.”* It is clear, that there *may* be a need for investment in new facilities in South London over the lifetime of the plan.

Article 3 of the Waste Framework Directive states that *“Waste’ means any substance or object which the holder discards or intends or is required to discard.”* NPPG for Waste paragraph 002 (Reference ID: 28-002-20141016), sets out the matters that come within the scope of ‘waste development’ and this includes recycling facilities. Taking account of the definition of waste, there will/may be circumstances where repair and re-use facilities will come within the legal definition of waste development.

NPPG for Waste, Paragraph 046 (Reference ID: 28-046-20141016), highlights that *“there may be significant changes in, for example, technological impact and land ownership that occur over a short period of time and provide opportunities that were not anticipated.”* Paragraph 11 of the National Planning Policy Framework (NPPF) highlights that *“plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;”*. Policies WP1 (d) and WP2 (d) clearly do not align with the need for such flexibility, particularly in a period of significant change.

Modern recycling and recovery facilities are often impossible to differentiate from industrial and manufacturing operations, particularly where those new developments must meet the design requirements of London Plan and policy WP6 within the submission South London Waste Plan. For example, the committee report for the Beddington Lane Resource Recovery Facility (London Borough of Sutton planning application reference DM2018/01865) highlights, *“The proposal would exceed policy requirements in terms of sustainable construction and design and would provide a net gain in biodiversity.”* One of our developments has been praised as an ‘exemplar’ by The Commission for Architecture and the Built Environment, another was awarded Sustainable Project of the Year.

The London Plan 2021 is clear that the target is to ensure that the “equivalent of 100 per cent of London’s waste should be managed within London (i.e. net self-sufficiency) by 2026” (Policy SI8, A(1)). The availability of suitable land or buildings is a significant constraint for all industrial sectors in London.

Within the lifetime of the plan, it is reasonable to believe that the current wording of policies WP1 (d) and WP2 (d) will further reduce opportunities for the sector and could restrict an opportunity to drive waste up the hierarchy and help London to meet its strategic aims for waste management, carbon and climate. This scenario would clearly not be consistent with the London Plan nor the statement in paragraph 038 of the NPPG for Waste, (Reference ID: 28-038-20141016), noting that waste planning authorities should not rigidly cap development proposals.

Figure 1 - Beddington Lane Resource Recovery Facility Illustrative Visualisation





SUEZ consider that the plan should be amended to allow some flexibility for the development of waste management facilities in accordance with the definition set out at paragraph 9.8.4 of the London Plan 2021, where it can be demonstrated that the proposals result in waste being managed in a more sustainable way, or waste is driven up the hierarchy. This would still afford South London significant control over new development and meet the overall vision and objectives of the plan. At present, SUEZ is not convinced that policies WP1 (d) and WP2 (d) meet the test of soundness set out at paragraph 35 of the NPPF.

I would be happy to attend the examination to expand on any of the points raised in this submission or previous representations.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Kris Furness".

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