

South London Waste Plan Boroughs Response to Matter 3

CROYDON



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?

Issue (i):

Are the Vision and Objectives of the Plan appropriate and justified and do they provide a sound basis for the management of waste in the South London area?

M3 (i) 1

How have the vision and objectives of the plan been informed by the SA – with particular regard to the mitigation of, and adaptation to climate change; sustainable transport considerations; and air quality matters?

1.1 A range of key sustainability criteria, objectives and indicators was identified through the process of 'scoping' undertaken at the outset of the plan making and sustainability appraisal (SA) process for the purpose of appraising the likely impacts of the plan and strategic alternatives (including the 'do-nothing' option) on the wider aims of sustainable development.

1.2 The 12 'headline' appraisal objectives (Table 9.1 of the Sa Scoping Report) formed the basis for the proposed SA Framework set out in Section 8 of the SA Scoping Report on the South London Waste Plan (Ref: P6) which was published for public consultation in September 2019 prior to the publication of the proposed South London Waste Plan Vision and Objectives at the subsequent issues and options stage.

1.3 While there is insufficient space as part of this response to describe in detail how each of the above appraisal objectives informed the subsequent preparation of the Plan, the 'compatibility matrix' included in Section 11 of the SA Report demonstrates how these wider objectives of sustainable development have been incorporated within the South London Waste Plan ("the Plan") Vision and Objectives overall. Those plan objectives which are considered to be compatible with a particular sustainability objective within the SA Framework are denoted with a single tick (✓) while those plan objectives with greater and more direct benefits in terms of actively promoting certain sustainability objectives are denoted with a double tick (✓✓).

1.4 Proposed Modifications to the vision and objectives have been informed by the SA Addendum (Ref: SWLP06)

M3 (i) 2

Is the net self-sufficiency aspiration expressed in the Vision achievable; and is it sufficiently clear whether the caveat that net self-sufficiency should be achieved unless it “is neither practicable nor necessary” applies to all apportionments and arisings?

Is net self-sufficiency achievable?

1.5 Yes, the net self-sufficiency aspiration that is expressed in the Vision is achievable over the lifetime of the Plan and plans for this accordingly, in line with requirements of the London Plan (Ref: R4). The Plan achieves this by demonstrating that there is sufficient existing capacity on existing sites to exceed the apportionments, whilst recognising that some continued movements of waste will be required in the future to achieve net self-sufficiency. Whilst it is easier to influence where local authority collected waste is managed, commercial and industrial (C&I), construction and demolition (CD&E) and hazardous waste streams are subject to commercial contracts and decisions which may take waste beyond the administrative boundary to be managed.

1.6 In addition to existing capacity, the Plan, in the individual site appraisal pages, (Ref: S1) and its evidence base the Technical Paper (Ref: E10) and the Deliverability Report (Ref: E8) also sets out where sites have potential to intensify. This demonstrates where additional capacity could be delivered over the next 15 years and offers flexibility to respond to any future changes in circumstances of individual sites.

Does the caveat apply to all apportionments and arisings?

1.7 The Vision makes a distinction between net self-sufficiency of waste apportionments and waste arisings stating “By 2036, the South London Waste Plan boroughs will have sufficient waste management facilities to be net self-sufficient with regard to their *apportionment targets for Household and Commercial and Industrial waste streams, and the arisings target for all other waste streams unless it is neither practicable nor necessary for that arisings target to be met*” (our emphasis). Furthermore, this distinction is also made clear in Objective 1 and Objective 2. As such, the Boroughs consider that the caveat that net self-sufficiency should be achieved unless it “is neither practicable nor necessary” is sufficiently clear that it only applies to the arisings target for other waste streams.

M3 (i) 3

Should the Objectives reflect the aspiration for net self-sufficiency and is it clear how this could be achieved?

1.8 The Boroughs consider it clear that the Objectives are actions needed to be taken to achieve the Vision, which includes net self-sufficiency at its heart, and the Boroughs don’t wish to duplicate our aims within the vision. However, on reflection this could be strengthened by including direct references to net self-sufficiency within the Objectives. As such, a proposed modification is set out under M3 (i) 9 (including other proposed modifications arising from other questions).

1.9 In addition, to make it clearer how the Plan proposes to meet both the Vision and Objectives, further changes are suggested under M3 (i) 9 to include the references to the relevant policies that act as the delivery vehicles for these Objectives, and in turn the Vision.

M3 (i) 4

Does the Plan identify the main challenges to providing sufficient, sustainable waste management facilities and are these properly reflected in the Vision and Objectives?

1.10 Yes, the Boroughs consider that the Plan does identify the main challenges to providing sufficient, sustainable waste management facilities. Section 3 of the Plan sets out in detail what the 'Key Issues', or challenges, that are facing waste planning in the South London Waste Plan area. This is set out in paragraphs 3.1 to 3.30 on pages 9 to 17 and covers:

- Key Issue 1: Cross Boundary Issues
- Key Issue 2: How much waste must the South London Waste Plan plan for?
- Key Issue 3: Scarcity of Land
- Key Issue 4: Waste Transfer Facilities
- Key Issue 5: Climate Change, the End of Landfill and the Circular Economy

1.11 Given that the principal issues and challenges are set out in the proceeding section, the Boroughs did not consider it necessary to repeat these again in the Vision and Objectives. The Vision is the outcome that the Plan aims to deliver, and the challenges are not considered as outcomes in themselves. This allows the Vision and Objectives to focus on the vision of waste management in 2031 and how the Objectives will contribute towards this goal. The Boroughs have suggested some changes to the Objectives, as set out in response to M3 (i) 9, and this now clearly signposts the Policies that will delivery these Objectives, and in turn the Vision.

1.12 In addition to these Proposed Modifications, Appendix 1 of the Plan 'Monitoring and Contingencies Table' also links the Plan Objectives and the SA Objectives to the relevant Policy.

M3 (i) 5

Do the Vison and Objectives (and the Plan more generally) demonstrate that adequate consideration has been given to any cross-boundary issues, and any strategic growth priorities?

1.13 Yes, the Boroughs consider that the Plan demonstrates that adequate consideration has been given to relevant cross-boundary issues and strategic growth priorities.

1.14 Section 3 of the Plan (Ref: S1) sets out the key issues and challenges that need to be addressed. The identification of these key issues has been informed by the preparation of Sustainability Appraisal (SA), as discussed in paragraph 3.2, and the supporting evidence base, as discussed in paragraph 3.3 of the Plan. Through the preparation of SA, local evidence, national and London's policy on waste, five key issues were identified for the Plan to address, the first of which is 'Key Issue 1: Cross Boundary Issues'.

1.15 This section on cross-boundary issues, informed by the Duty to Co-operate activity (that is detailed in Examination Library documents E5 and E6 and addressed Matter 1) and the Technical Paper (Ref: E10 and E11), sets out the imports and exports of waste to and from the Plan area. Paragraph 3.11 makes it clear that the Plan recognises that some continued movements of waste will be required in the future to achieve net self-sufficiency, as is the case with almost all other areas. Where necessary, Statements of Common Ground have been signed and are set out in the Statement of Cooperation (Ref: E6). This is followed up by Key Issue 2, which address the issue of how much waste the Plan needs to plan for over its lifetime.

1.16 As discussed in response to M3 (i) 4 above, the Plan sets out the key issues and challenges that it needs to address and then sets out what the Vision of the Plan is and the Objectives that will support this. A change has been proposed to clearly link the Objectives to the relevant policies will help deliver each. Policies WP1 to WP4 are the principal policies that address how waste management capacity will be delivered. As the Vision is the outcome of successful Plan implementation, and as the Boroughs do not consider the challenges as

outcomes in themselves, these do not feature within the Vision and Objectives, but are adequately addressed in the proceeding section.

1.17 However, to make the Plan clearer on the importance of cross boundary movements in achieving net self-sufficiency, a minor change is proposed below.

1.18 In terms of strategic growth ambitions, the Plan aims to ensure that industrial land growth needs can be met, whilst ensuring that net self-sufficiency is achieved. Given the nature of waste uses they are predominately located in South London’s industrial estates, so compete for the same type of land. This challenge is described in Key Issue 3 ‘Scarcity of Land’ and paragraph 3.22 of the Plan states that challenge for the Plan was to ensure that the provision of sufficient waste management capacity but ensuring this does not stifle other land uses that are in high demand. This is in turn addressed in Objective 4, which aims to ensure there is sufficient land for other industrial uses within the South London Waste Plan area’s industrial estates. The Plan proposes to manage this competition through Policies WP1 to WP4. As such, the growth ambitions are adequately addressed in the Vision, Objectives and Policies of the Plan.

Proposed Modifications

Paragraph 3.11

The task for the South London Waste Plan boroughs was to ensure that net self-sufficiency can be achieved and those facilities **outside the South London Waste Plan area** which receive South London waste are able to do so in the future. **No planning issues have been identified which will prevent the continued cross-boundary movements of waste and** the achievement of this task can be seen in the Statements of Cooperation which accompany this plan. **The Boroughs will continue to monitor cross-boundary movements of waste and engage with relevant authorities through the Duty to Co-operate, so any substantial changes can be considered in accordance with Appendix 1 ‘Monitoring’.**

M3 (i) 6

Does the Vision accord with the NPPW insofar as it states that waste planning authorities “should prepare Local Plans which identify sufficient opportunities to meet identified needs for their area for the management of waste streams”?

1.19 Yes, the Boroughs consider that the Vision does accord with the NPPW with regards to preparing a Plan that meets identified needs for waste streams. The Vision is clear that the Plan will have sufficient facilities to be net self-sufficient for all waste streams, with the apportionment figure the target for Household, Commercial and Industrial (HCI) waste, and the arisings figure the target for all other waste streams. Therefore, achieving net self-sufficiency will meet the identified needs of the Plan area for the management of all waste streams and is consistent with the fundamental approach advocated in the London Plan. Furthermore, the Vision also makes it clear that the Plan will deliver its waste management on established sites, allowing for industrial uses to locate on other sites across the boroughs’ industrial areas.

1.20 As the Vision makes a commitment to net self-sufficiency for all waste streams, which would meet the needs of the area, and indicates that this will be delivered on existing sites and through the continued cross-boundary movements of some waste, the Boroughs are confident that this complies with the requirements of the NPPW (paragraph 3).

M3 (i) 7

Do the Vision and Objectives (and the Plan more generally) adequately promote the proximity principle, circular economy principles, and the waste hierarchy?

1.21 The Boroughs consider that the Plan supports the principles of proximity, circular economy and waste hierarchy.

1.22 Paragraph 2.6 of the Plan introduces the waste hierarchy and makes it clear that the Plan seeks to manage waste at the highest levels possible and, in paragraph 2.8, acknowledges the Waste Management Plan for England (Ref: N4), which encourages local authorities to drive waste up the waste hierarchy. Policy WP3 also addresses the waste hierarchy, in paragraph 5.26, stating that the waste hierarchy involves ensuring waste that can be recycled is not used as fuel, ensuring waste that can be re-used is not recycled and, reducing the amount of waste produced in the first place.

1.23 Policy WP3 Part (e) "Safeguarding Waste Hierarchy" requires waste to be managed to the same level in the waste hierarchy as prior to development, recognising that the type of facility means it is not always possible for it to rise in all circumstances.

1.24 Policy WP7 'The Benefits of Waste' also encourages waste development which involves the reuse, refurbishment, remanufacture of products or the production of by-products, which directly supports the principles of both the waste hierarchy and the circular economy.

1.25 The Plan introduces the 'proximity principles', in paragraph 2.9, promoting the opportunities that joint waste planning offers an opportunity for a more strategic and sustainable approach. Achieving net self-sufficiency, as set out in the Vision and Objectives of Plan, will be key in supporting 'proximity' by ensuring as much waste is managed within the waste plan area, whilst recognising that cross-boundary movements are still necessary in some instances. This is supported by Policies WP1, WP2, WP3 and WP4, which safeguards existing sites and makes provision for intensification and compensatory provision.

1.26 In Section 3 of the Plan, Key Issue 5 promotes the circular economy, making it clear that the Boroughs support both the Mayor's 2019 Environmental Strategy (Ref: R2) and the London Plan proposals to move towards a circular economy. The Plan also makes it clear that the arisings calculations in the London Plan take into account circular economy gains. Policy WP5 'Protecting and Enhancing Amenity' sets out a schedule of requirements for submission with a planning application, which includes (Part 26) the submission of a Circular Economy Statement. In addition, Policy WP7 directly supports the circular economy as discussed above.

1.27 However, on reflection the Boroughs consider that the Plan could be strengthened further in these regards with more explicit references to the waste hierarchy, proximity principles and the circular economy in the Plan Objectives. As such the Borough have proposed two additional Objectives, which are set out in response to M3 (i) 9.

M3 (i) 8

How does the Plan ensure that Objective 4 (insofar as it seeks to ensure that there is sufficient land for other industrial uses within the area's industrial estates) would be met?

1.28 One of the principal aims of the Plan is to achieve the right balance between ensuring that there is sufficient waste management capacity, to achieve net self-sufficiency whilst ensure that waste uses do not sterilise industrial land that is required to meet the high demand for employment space in South London (as discussed in response to M2 (i) 3). Given that the Plan has identified sufficient capacity, the Plan does not propose to safeguard any

further land for waste uses, which would be competing for the same type of land i.e. industrial locations.

1.29 However, the Boroughs recognise that the Plan alone cannot guarantee that there is sufficient land for other industrial uses, as it is the role of each boroughs' local plan to ensure that objectively assessed need for other land uses (outside of waste) are met. As such, the Boroughs proposes a small modification to the wording of Objective 4, as set out in M3 (i) 9.

M3 (i) 9

Are the Plan's objectives consistent with the NPPW insofar as it states that waste planning authorities should look for opportunities to co-locate waste management facilities together and with complementary activities?

1.30 As set out in response to M3 (i) 7 the Boroughs consider that Plan is supportive of opportunities to co-locate facilities through its support of proximity principles and its support of the circular economy. Intensification of existing sites, and any sites that come forward for compensatory provision, provides opportunities for co-location. This is specifically referred to in Policy WP4 Part (c).

1.31 However, the Objectives could be strengthened by including specific references to the benefits of co-location. As such, the following modifications are proposed below, including other modifications referred to throughout M3 (i).

Conclusions

1.32 The boroughs propose the following changes to the Vision and Objectives, as discussed in the responses to the questions above. This should be read alongside the response Matter 2 (i) 2, which proposes the introduction of Objective 9.

Proposed Modifications

Paragraph 4.2

To achieve the vision, the South London Waste Plan has the following objectives, **which will be delivered through the policies in the Plan:**

- Objective 1: **To plan for net self-sufficiency by** ~~Meet the 2019 ItP London Plan~~ **meeting the 2021 London Plan** target for Household and Commercial and industrial waste.
To be delivered through Policies WP1, WP3 and WP4.
- Objective 2: **To plan for net self-sufficiency by meeting** ~~Meet the identified needs~~ for Construction and Demolition Waste, Excavation Waste, Low Level Radioactive Waste, Agricultural, where practical or necessary.
To be delivered through Policies WP2, WP3 and WP4.
- Objective 3: Safeguard the existing waste sites to meet these targets and needs on existing sites, as set out on Pages 44-91 of this plan.
To be delivered through Policies WP3 and WP4.
- Objective 4: ~~Ensure there is~~ **Support the need for** sufficient land for other industrial uses within the South London Waste Plan area's industrial estates **by not safeguarding more land for waste management than is required.**
To be delivered through Policies WP1, WP2, WP3 and WP4.

- Objective 5: Ensure waste facilities use sustainable design and construction methods and also protect and, where possible, enhance amenity.
To be delivered through Policies WP4, WP5, WP6, WP7, WP8 and WP9.
- Objective 6: Ensure the effects of new development are mitigated and, where possible, enhance amenity.
To be delivered through Policies WP4, WP5, WP6, WP8 and WP9.
- **New Objective 7: To support the movement of waste as far up the waste hierarchy as practicable.**
To be delivered through Policies WP3 and WP7
- **New Objective 8: To deliver waste management capacity in line with the proximity principle and to support the co-location of facilities to minimise waste movements and support opportunities for the circular economy.**
To be delivered through Policies WP1, WP2, WP3, WP4, WP5 and WP7
- **New Objective 9: To ensure the delivery of sustainable waste development within the in South London through the integration of social, environmental and economic considerations.**
To be delivered through Policies WP1 to WP9

Issue (ii):
Issue (ii) Whether the methodology used to identify waste arisings (other than those identified in the London Plan) over the plan period is justified on the basis of a robust analysis of the best available data and information?

M3 (ii) 1	Is the methodology used to identify construction, demolition and excavation (CDE) waste arisings justified and consistent with PPG; and does it provide a robust basis for the Plan’s policies in this regard?
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1.33 The methodology used is justified and consistent with the approach taken with the London Plan 2021 (Ref R1) and with the Planning Practice Guidance (PPG) on Waste.

1.34 As described in part 4.1 of the Technical Report (Ref. E10) for the Plan by consultants Anthesis, the data is based on the Environment Agency’s Waste Data Interrogator (WDI) data, which is one of the sources referred to in the PPG (Paragraph: 035 Reference ID: 28-035-20141016).

1.35 The GLA’s ‘London Plan topic paper: Waste’ (Ref: SLWP11) clarifies that they appointed the consultants SLR to produce waste forecasts for various types of waste, including CDE, and that it ‘...has been carried out to help the boroughs plan for waste’. The SLR report (Ref:) explains in detail in part 2 why and how the CDE arisings forecast for London, that is based on a combination of WDI and GLA Economics employment projections for the construction sector, is arrived at, following the consideration of the these potential alternative methods:

- The use of WDI data but analysis show some significant internal discrepancies for a variety of reasons, including the fact that the tonnages managed via sites and operations which are exempt from permitting requirements were not captured in their WDI data.
- The Natural Resources Wales 2012 Survey methodology, which collected data on CDE waste generation from individual businesses and then calculates employment related arisings figure. The report also considers variations that may be more suitable for London.
- The DCLG’s 2005 survey of CDE managed at exempt sites and then using these figures to improve the accuracy of the WDI data.
- The arisings estimated from planned major infrastructure projects in London

1.36 Both the London Plan topic paper (Ref: SLWP11) and the SLR report (Ref: SLWP12) were considered as part of the examination in public for the London Plan 2021. Anthesis used the same method to calculate the forecasted arisings and describe the methodology in part 4.1.2 of the Technical Report (Ref. E10) as follows:

How should waste planning authorities forecast future construction and demolition waste arisings?

The overall waste arisings have been based on a baseline year of 2017 and forecast using GLA’s employment figures in the construction sector until 2036. The methodology behind the GLA’s employment projections is complex and available in detail on their website.

In summary, these projections are presented disaggregated by sector and by borough. The sector projections are trend projections and estimate jobs in future years based on the historic productivity relationship between output and jobs, and assumed future output growth. Borough level projections combine trend projections and an assessment of employment site capacity of the individual boroughs.

The sector and borough projections have been combined to form a specific employment rate in the construction sector. A direct correlation between development and employment and waste arisings from construction has been assumed.

1.37 As detailed in the response at M3(iv)1, the latest WDI data (Ref: N13) shows that C&D waste management capacity has increased and that the Plan has a significant surplus of +165,286 tpa and therefore meets the aim of the London Plan in identifying sufficient capacity to meet its C&D targets within the Plan area.

1.38 The Plan's CDE arisings methodology GLA's employment projections method is considered to be the most appropriate method and its use is justified and in accordance with the PPG. Furthermore, the projected surplus capacity supports the Plan approach to only supporting safeguarded sites or new site for compensatory provision and to this end, the following modification is proposed to improve the clarity of Policy WP2:

Proposed Modifications

Policy WP2 Strategic Approach to Other Forms of Waste:

(d) New sites for Construction and Demolition waste (either for transfer or management) will not be permitted, unless they are for compensatory provision (see Policy WP4);

M3 (ii) 2

Are the methodologies used to identify other arisings justified and consistent with PPG; and do they provide a robust basis for the Plan's policies in these regards?

1.39 The Boroughs consider that the methodology used for other arisings is justified, robust and consistent with the PPG.

1.40 The methodology used for calculating arisings for other waste streams (namely hazardous, agriculture, radioactive and wastewater) are set out in the Technical Report (Ref: E10 and E11). The overarching approach was to take the WDI data (N13) for these waste streams as the starting point.

- For hazardous waste, the WDI was used as the baseline and arisings were calculated using the using growth rates in the London Plan C&I waste arisings (Technical Report, para 4.4.1.1 to 4.4.1.3)
- For agricultural waste, the WDI was used to estimate arisings. This only identified 383 tonnes per annum so was not considered to warrant specific waste management consideration (Technical Report, para 4.3.1.1 to 4.3.1.3). Given the tiny amounts of waste from this source, and the general lack of agricultural activity in the Plan area, the Boroughs consider this a justified approach.
- For radioactive waste (Technical Report, para 4.2.1.1 to 4.2.1.6) the report concluded there were only small permitted discharges to sewer from some of the permitted facilities within the SLWP area but no solid waste transfers. As such this waste places no requirement on SLWP to provide solid waste management infrastructure. Therefore, no forecasts are required or have been carried out on this type of waste.
- For wastewater, data was provided by Thames Water existing quantities of wastewater treated and volume of sludge produced, and projections for 2035 (Technical Report, para 4.5.1.1 to 4.5.1.4). Thames Water have confirmed that there is adequate capacity

to treat projected wastewater volumes up to 2035. As the data has been obtained from Thames Water, this approach is considered robust and justified.

1.41 The Boroughs consider the approach is consistent with the PPG, specific the guidance set out in Paragraph: 035 Reference ID: 28-035-20141016.

M3 (ii) 3

Should the potential impact of the Coronavirus pandemic – particularly in terms of the implications of people working from home - be reflected in the Plan’s assumptions for management of waste over the plan period?

1.42 No, the potential impact of the Coronavirus pandemic should not be specifically reflected in the Plan’s assumptions for management of waste over the Plan period. At the time of writing (July 2021) we are currently still within the Coronavirus pandemic and the medium to longer trends, such as increasing in working from home, changes in retail patterns, etc. are not fully established yet

1.43 The Plan demonstrates capacity to meet apportionment which is greater than the arising and therefore indicates some built-in flexibility. Due to the 2-year delay in the publication of annual waste data via the Environment Agency’s WDI, the actual (quantitative) impacts of the Coronavirus pandemic on the reported waste streams are still not available. The Chartered Institute of Waste Management’s (CIWM) ‘UK Waste Sector Covid19 Response and Resilience Report’ (December 2020) (Ref: SLWP13) shows that during the lockdowns household kerbside waste rose, as non-essential shops and businesses closed, people worked from home / were on furlough and Household Waste Recycling Centres closed. Business closures during lockdown also resulted in a drop in commercial and industrial (C&I) and hospitality sector waste. The report states that biowaste treatment facilities, waste wood and Waste Electrical & Electronic Equipment (WEEE) reproprocessors, and C&I waste collectors, all experienced significantly reduced volumes of material - with the latter reporting 60 to 80% reduction on the previous year’s activities in some areas.

1.44 Although quantitative waste trends out of lockdown and into recovery are not yet known, the Plan provides flexibility by meeting apportionment. The Plan will be monitored and an authority monitoring report published annually. Any significant changes in waste trends in the medium to long term should emerge in the annual monitoring. Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date, to ensure that policies remain relevant and effectively address the needs of the local community. Therefore, should annual monitoring reports or other sources identify that the impact of the Coronavirus pandemic is leading to medium to long term changes in waste transfer and management requirements in the South London Waste Plan Area, then this will be addressed via a review of the Plan to start within the next five years.

**Issue (iii):
Whether the assessment of site capacities is justified and based on a robust analysis of the best available data and information?**

M3 (iii) 1

Is the approach to identifying the qualifying throughput of sites justified – or should the maximum throughput of sites be used as the basis for establishing their capacities?

1.45 The types of waste that count towards the apportionment target and the qualifying criteria for waste deemed to be managed, are set out in London Plan Policy SI 8 (Ref: R4). In accordance with the Plan's Vision, the boroughs are seeking to be net self-sufficient with regards to their apportionment targets for HCI waste streams and the arisings targets for all other waste streams.

1.46 The Plan clarifies on page 43 that 'maximum throughput' (in tonnes per annum) is: *"The maximum throughput achieved by the site in any one year between 2013 and 2017. The 20 London Plan recommends that boroughs should use this measure to assess capacity."* The Plan also clarifies on page 43 that 'qualifying throughput' (in tonnes per annum) is: *"This is the element of the maximum throughput which counts as waste management. For it to count as waste management, it must be applicable to one of the London Plan criteria for waste management: (i) used in London for energy recovery; (ii) materials sorted or bulked in London facilities for reuse, reprocessing or recycling; (iii) materials reused, recycled or reprocessed in London; (iv) produced as a solid-recovered fuel or a high-quality refuse-derived fuel page."*

1.47 The approach to the assessment of site capacities is set out the Technical Report (Ref:E10 and E11), which shows how 'qualifying throughput' has been used, in combination with considerations regarding the management capacity of transfer stations (Ref:E10 paragraph 5.2.2) and environment permit and exempt sites (Ref:E10 paragraph 5.2.3). The report also sets out the methodology used to calculate waste management land take factors, which was used to inform the potential for intensification on individual sites and landowners and operators were contacted to with regards to intensification plans. The Boroughs consider that sufficient deliverable waste management capacity has been identified to meet the Plan's waste targets and does not need to rely on intensification of existing sites to meet these figures.

1.48 The use of maximum throughput figures without consideration of the London Plan 'deemed to be managed' criteria and robust deliverability evidence, could result in an overestimate of deliverable capacity and the Plan not meeting its objectives.

1.49 The Plan's use of the latest WDI data and other capacity considerations as evidence for the qualifying throughput of sites, in accordance with the London Plan and the Plan's Vision, is therefore considered to be the most appropriate method and its use it justified.

Proposed Modifications

Page 43, Maximum Throughput (in tonnes per annum)

Maximum throughput (in tonnes per annum): The maximum throughput achieved by the site in any one year between ~~2013~~**2015** and ~~2017~~**2019**. The ~~2019 ItP~~ London Plan **2021** recommends that boroughs should use this measure to assess capacity appropriate, on the safeguarded sites to allow a greater throughput on the site.

M3 (iii) 2**Is it clear how sites identified as having zero capacity could count towards the apportionment?**

1.50 The table in Appendix 2 'Sites Counting Towards the Apportionment and C&D Target' of the Plan (Ref: S1) shows all the proposed safeguarded sites, including those that currently do not contribute towards the apportionment or C&D targets.

1.51 Policy WP3 'Existing Waste Site' (Ref: S1) states in part (a) that: '*The sites set out on Pages 44-91 of this South London Waste Plan will be safeguarded for waste uses or waste/mineral uses only.*' and makes no reference to Appendix 2.

1.52 Sites with zero capacity (as modified by the updated Appendix 2, SWLP06) are essentially transfer sites with negligible WDI output amounts and have therefore no assumed capacity contributions in accordance with the assumptions explained in paragraph 5.2.2.1 of the Technical Report (Ref: E10) but these sites are proposed to be safeguarded in accordance with London Plan policy SI 9A.

1.53 During the lifetime of the Plan, these sites may have opportunities to increase the amount of waste that is managed on site, through intensification or compensatory provision and therefore have potential to contribute towards the apportionment in future years. Opportunities for increasing the amount of waste managed on site, and therefore contributing a qualifying throughput, are discussed in M3 (iv) 5 and M3 (vi) 3.

1.54 A modification is proposed below to clarify why sites that currently do not contribute towards the apportionment or C&D targets are included in the table in Appendix 2.

Proposed Modification**Page 43, Qualifying Throughput**

Sites identified as having zero capacity do not currently contribute towards the apportionment or C&D arisings. However, these sites have potential to contribute to waste targets in future years if the amount of waste managed onsite increases e.g. through intensification.

Appendix 2

Appendix 2 'Sites Counting Towards the Apportionment and C&D Target'*

*** All safeguarded sites are listed in the table, including those that at the time of publication did not contribute towards the Apportionment and C&D Target.**

Issue (iv):

Would the Plan's approach to meeting the London Plan's apportionments and other identified arisings be effective; and is it positively prepared in these respects?

M3 (iv) 1

The London Plan says that Boroughs should aim to meet their waste apportionment as a minimum and are encouraged to identify suitable additional capacity for waste (our emphasis). To what extent does the Plan address these aims?

1.55 The Boroughs consider that the Plan adequately addresses the requirement of the London Plan (Ref: R4) in respect of aiming to meet, and exceed, the apportioned waste and has adequately planned for other waste streams too.

Household, Commercial and Industrial (HCI) Waste

1.56 Initial analysis of existing capacity in the Plan area, was carried out through the South London Waste Plan Technical Paper (Ref: E10 and E11). This identified sufficient existing capacity, alongside planned schemes (e.g. Site S12) to exceed the London Plan apportionments for HCI waste. A summary of these figures was provided in Appendix 2 of the Plan (as amended by updates provided in response to the Inspectors Preliminary Matters [Examination Document Ref: SLWP01]). The Plan confirms that it is planning to meet the London Plan apportionments and this is confirmed in paragraph 5.7 and Figure 13 of the Plan. Furthermore, Policy WP1, Part (b) makes it clear that the Plan will seek to meet the London Plan apportionment targets within the plan period.

1.57 Additional analysis of newly release data through the Waste Data Interrogator (WDI)(Ref: N13) for 2018 and 2019 (and applying the same methodology as the Technical Paper to ensure the approach is consistent), also shows that the Plan can exceed apportionments (See SLWP07 submitted alongside this statement). This is discussed in Matter 2 and in this Statement. A summary of these figures is provided in Table 1 below.

Table 1: Updated HCI Capacity based on latest WDI Data

Borough	HCI Capacity from Draft Plan (as amended by Preliminary Matters)	Updated HCI Capacity using new WDI Data
Croydon	32,642 tpa	51,959 tpa
Kingston	35,642 tpa	53,161 tpa
Merton	213,179 tpa	200,254 tpa
Sutton	664,641 tpa	642,647 tpa
Total	946,104 tpa	948,022 tpa
South London Target	929,750 tpa	929,750 tpa
Capacity Against target	+16,354 tpa	+18,272 tpa

1.58 Table 1, incorporating the latest WDI, shows that the four boroughs have capacity from existing and planned sites to deliver 948,022 tpa against a London Plan apportionment figure of 929,750 tpa. This gives the Plan a surplus against the apportionment of +18,272 tpa, clearly demonstrating that the Plan can not only meet the London Plan requirement to at least meet the waste apportionments (which is 13% higher than arising, so already contains waste from outside the Plan area), but go beyond this. As such the Boroughs are confident that the Plan addresses the aim of at least meeting waste apportionment for HCI waste.

Construction and Demolition (C&D) Waste

1.59 The Plan is in a similar position with regards to Construction and Demolition (C&D) waste. Chapter 4 of the Technical Paper (Ref: E10) sets out the approach taken to calculating the waste arisings for C&D waste, using GLA employment figures in the construction sector up to 2036. This approach discussed in more detail in response to M3 (ii) 1.

1.60 Table 2 below shows the C&D capacity that was identified in Appendix 2 of the Plan (as amended by the Boroughs response to Preliminary Matters) compared to the capacity that takes account of the latest WDI data (Ref: N13). This shows that C&D waste management capacity has increased, showing a significant surplus of +165,286 tpa. As such the Plan meets the aim of the London Plan in identifying sufficient capacity to meet its C&D targets within the Plan area.

Table 2: Updated C&D Capacity based on latest WDI Data

Borough	C&D Capacity from Draft Plan (as amended by Preliminary Matters)	Updated C&D Capacity using new WDI Data
Croydon	227,067 tpa	244,329 tpa
Kingston	0 tpa	2,823 tpa
Merton	150,183 tpa	278,382 tpa
Sutton	43,025 tpa	53,648 tpa
Total	420,275 tpa	579,648 tpa
South London Target	414,380 tpa	414,380 tpa
Capacity Against target	+5,895 tpa	+165,286 tpa

Other Waste Streams

1.61 There are a number of other waste streams that the Plan considers: excavation waste, low level radioactive waste, agricultural waste, hazardous waste and wastewater. These are discussed under 'Key Issue 2' in the Plan and is supported by Policy WP2 'Strategic Approach to Other Forms of Waste'.

1.62 As set out in paragraph 5.16 the Plan does not make specific provision for excavation waste. There are several reasons for this approach. Firstly, the London Plan (Ref: R4) does not expect boroughs to be net self-sufficient in this waste stream, recognising the difficulty in managing this waste within London (para 9.8.2 of the London Plan 2021). Secondly, the South East Planning Advisory Group's 2019 Joint Position Statement on the Deposit of Inert Waste on Land in the South East of England (Ref: N11), also recognises the challenge of managing excavation waste in London, concluding that "*There are severe constraints on the ability of producers of inert excavation waste in London to manage this waste within London and export of such waste for management within the South East will continue for the foreseeable future. However, inert waste arising in London can be used to restore mineral workings in the South East of England and so is not necessarily discouraged*" (para 7.1.1.6).

1.63 Whilst the Plan considers that there is provision for this waste stream to be continued to be managed and put to beneficial use, such as mineral workings restoration outside of London, the Plan does make provision for future depots under Policy WP2 (c), which expressly supports temporary sites for the deposit of excavation waste where it would be for beneficial use. As such, the Boroughs consider the Plan adequately considered how this waste stream will be managed, which takes into account cross-boundary movements of waste discussed through the duty to co-operate.

For low level radioactive waste the Technical Paper (Section 4.2 of E10) identified ten organisations holding 13 permits to keep and use radioactive materials in the Plan area. These are mainly hospitals, universities and private companies. Any discharges from these permitted facilities to air, water (including discharges to sewer) and land are regulated and monitored under the Pollution Prevention and Control (PPC) regime. As these are small permitted discharges to sewer, and no solid waste transfer, the Technical Paper concluded that this waste placed no requirement on the Plan to prepare for solid waste management infrastructure. The Technical Paper considered that forecasts were not required and *"it is not considered necessary to provide additional facilities for this waste stream"* (paragraph 8.2.6.1). Therefore, the Boroughs considers that the Plan adequately assesses requirements for this waste stream. The Plan sets out this approach in paragraph 5.17 and is supported by Policy WP2.

1.64 Similarly for agricultural waste, the Technical Paper (Section 4.3 of E10 only identified 383 tonnes of waste from this stream via the WDI (Ref: N13). This Boroughs consider this to be very small. Furthermore this waste can be mixed with Commercial and industrial waste and C&D waste, which the Plan has identified sufficient capacity to manage. As such the Technical Paper states *"it is not considered necessary to provide additional facilities for this waste stream"* (paragraph 8.2.6.10". The Plan sets out this approach in paragraph 5.18 and is supported by Policy WP2.

1.65 The Plan's approach to hazardous waste is set out in paragraph 5.19 of the Plan, and Figure 16 of the Plan sets out the Hazardous Waste Arisings, as calculated by the Technical Paper. However it should be noted, as set out in paragraph 4.4.1.2 of the Technical Paper, that the small hazardous waste arisings for the plan period are also included in the HCI and C&D waste streams. Therefore they should not be added to the total to avoid double counting. Given the evidence presented in the Technical Paper, the Plan does not make provision for specialist waste facilities within the Plan area because:

- The arisings calculated in Figure are small
- The projected increase in arisings is very small (less than 400 tpa over the plan period)
- This tonnage is already accounted for in other waste streams
- The waste is already being managed by identified specialist facilities

1.66 Finally, the Plan considers the requirements for wastewater treatment, and sets out the approach in paragraph 5.20 and Figure 5.17 summarises the wastewater and sludge generation over the plan period. Thames Water have confirmed that it has capacity to manage waste from this stream and has had major capacity increases recently too. The approach to wastewater, including support for improvements to the two facilities within the Plan area, is supported by Policy WP2 (e).

1.67 In conclusion, the Plan can exceed its minimum apportionments, has assessed the requirements of other waste streams and has set out a justified approach of how this will be managed over the plan period.

M3 (iv) 2

Does a reliance on safeguarded rather than new sites inhibit movement up the waste hierarchy of waste management operations in the Boroughs?

In this respect would the Plan be consistent with the NPPW in terms of looking for opportunities to co-locate waste management, and in terms of care being taken to avoid stifling innovation?

1.68 The Boroughs approach to only safeguarding existing sites, planned sites or sites in an active waste use will not inhibit the movement of waste up the waste hierarchy.

1.69 As discussed extensively in this statement, the Plan has identified sufficient capacity on existing waste sites to exceed apportionment. In addition, sufficient C&D capacity has been identified to exceed the targets for this waste stream too. The approach to other waste streams is discussed in response to M3 (iii) 1 and, in summary the Boroughs consider that there is appropriate provision for the management of waste from those sources. Furthermore, London Plan (Ref: R4) Policy SI 8 A (3) that "*waste management capacity of existing sites should be optimised*" and in part (4) that "*new waste management sites should be provided where required*". As such, new waste management sites are not "required", and therefore it was not necessary to identify any additional ones.

1.70 The Boroughs strongly believe that this approach is consistent with the principle of driving waste up the waste hierarchy, as safeguarding or promoting new sites is not the only way that waste can be moved higher up. The Plan's Vision and Objectives (including proposed modifications) supports the management of waste as high up the waste hierarchy and this is in turn supported by relevant policies within the Plan. The implementation of these policies will ensure that the movement of waste up the hierarchy will not be fettered by only safeguarding existing sites. For example:

- Policy WP1 (a) and WP2 (a) makes it clear the boroughs will work with the waste management industry to continue to develop efficient and more effective management.
- Policy WP1 (c) states that boroughs will deliver waste management capacity by safeguarding existing waste sites and encouraging the intensification of these sites as appropriate. The Boroughs consider that intensification one way in which sites move up the waste hierarchy without relocation.
- Policy WP2 encourages the intensification of sites as appropriate for C&D waste
- Policy WP3 (e) directly address the waste hierarchy and makes it clear that any development, including the intensification referred to in Policy WP1 (c), will require waste to be managed to at least the same level in the waste hierarchy as prior to the development.
- Policy WP4 sets out the requirements for sites for compensatory provision. New sites such as these offer the opportunity to move waste up the hierarchy through the delivery of new facilities. Proposed modifications in response to Matter 2 (i) 4, which make it clear that sites for compensatory provision must **result in waste result in waste being managed at least to the same level in the waste hierarchy as the site being lost**, strengthens the Plan's support for moving waste up.
- Policy WP7 would support waste development for the intensification of sites which involves the reuse, refurbishment, remanufacture of products, or production of by-products, which directly supports the management of waste higher up the hierarchy.

1.71 The NPPW (Ref: N2) paragraph 4 requires boroughs to consider opportunities to co-locate waste management facilities together. The Boroughs consider that the Plan is consistent with the NPPW in this regard and that the approach to safeguarding only existing sites does not prevent co-location taking place nor does it stifle innovation.

1.72 Firstly, as stated above, Policy WP1 to WP4 all support the intensification of existing waste sites, which offers the opportunity to co-locate waste facilities. Secondly, the Boroughs support new sites coming forward where it is providing compensatory provision, under Policy WP4, which expressly encourages waste developers to consider the advantages of co-location under clause (c).

1.73 In summary, the Plan supports co-location through its support for intensification and through new sites for compensatory provision. This support also allows for innovative solutions to waste management to be proposed, ensuring that the Plan is consistent with the requirements of the NPPW in this regard. There is a lack of necessity for new sites, based on the identified capacity of existing or planned sites, so it would make no sense to allocate new ones. Therefore the approach achieves the right balance between meeting waste targets, ensuring land isn't sterilised by unnecessary designations and still allows for co-location and

innovation through the development and intensification of existing sites or the delivery of new sites for compensatory provision.

M3 (iv) 3

Capacities in the Plan relate to both operational sites and sites that are not currently operational (e.g those with extant permissions where operations have yet to commence) – does the Plan contain sufficient flexibility should some/all of the non-operational sites not provide the anticipated throughputs?

1.74 The Boroughs consider that the Plan offers sufficient flexibility to respond to a change in circumstances should some or all of the non-operational sites not provide the anticipated throughput.

1.75 There is one notable site where planned capacity contributes significantly to the overall capacity of the Plan, S12 79-85 Beddington Lane, Resource Recovery Facility (305,000 tpa) and namely S11 TGM Environmental, 112 Beddington Lane (15,000 tpa).

1.76 In response to the Preliminary Matters Question 13 (Examination Doc Ref: SLWP01) the Boroughs updated the position with regards to the planned capacity for Site S12. At this time, there was a hold on the issuing of the Planning Permission by the Secretary of State for the redevelopment of the Benedict Wharf waste site (in Merton) for non-waste uses. These held up the implementation of the Planning Permission for the redevelopment of Site S12 for 305,000 tpa of waste management capacity, which was to provide compensatory provision for the redevelopment of the Benedict wharf site. However, on 18th May 2021 the Secretary of State withdrew their Article 31 Holding Direction on the Benedict Wharf site. The GLA confirmed the same day that they would now be issuing the permission (having previously granted permission subject to the completion of a Section 106 legal agreement prior to the Secretary of State's invention). As such, the planned capacity of 305,000 tpa on Beddington Lane will now be implemented, which eliminates the risks to the Plan of lack of capacity.

1.77 In addition, the Plan identifies Site S11 'TGM Environmental' as having 15,000 tpa of planned waste management capacity. However, the land owners has indicated that the extant permission will not be implemented. The response to the Preliminary Matters indicated that, if this capacity were deleted, it would still result in an overall small surplus of +1,354 tpa for the Plan as a whole. However, as discussed in response to M3 (iv) 1, the Boroughs have analysed the latest WDI data (Ref: N13) and applied the same methodology as used in the Technical Paper (Ref: E10). This shows the Plan has capacity to deliver +18,272 tpa above the apportionment figure for HCI waste. This surplus does not include any capacity for Site S11. As such the Plan has the flexibility to exceed the apportionments without any capacity from S11.

1.78 Whilst S12 will be delivered, and the Boroughs are confident there is sufficient capacity without the need for the planned capacity at Site S11, the identification of sites where intensification can take place also gives the Plan flexibility to response to a change in circumstance or reduced throughput from other sites. The response to the Preliminary Matters included an updated Appendix 2, which identified 13 sites where it was considered intensification could take place. This was originally informed by the Technical Paper (Ref: E10 and E11) and update in the Deliverability Report (Ref: E8) following consultation. Some of these sites potentially have significant additional capacity that could be delivered through intensification. For example, site M3 'Deadman Confidential' was identified in the Plan (Ref S1) as having a qualifying throughput of 5,000 tpa of HCI waste. However, as set out in the Site description on page 63 of the Plan there is potential to deliver up to 78,000 tpa, based on a 2011 planning permission.

1.79 In addition, Site S5 'Hinton Skips' is identified in the Plan as having a qualifying throughput of 5,381 of HCI waste and 1,819 of C&D waste but with potential for intensification, with the throughput based on the first quarterly return as the site had only just begun operating. However, the planning permission states that up to 50,000 tpa could be managed on the site and the latest WDI data (Ref: E13) shows that the total throughput in 2019 was 35,639 tpa (for HCI and C&D waste). There is potential for this to increase further, based on the planning permission, which demonstrates that there is flexibility in the plan for intensification to deliver additional capacity and offset any losses on other sites.

1.80 In addition, the Plan's support for compensatory provision gives flexibility for additional capacity to be delivered and potentially offset the loss of any capacity on other sites. For example, the planned closure of the Benedict Wharf sites in Merton, and the transfer of that capacity to Site S12 in Beddington Lane, results in a net increase of 200,000 tpa.

1.81 Finally, Policy WP10 sets out the Plan's approach to monitoring and contingencies. This commits to monitoring the effectiveness of the Plan on meeting its strategic Objectives, policies and targets by applying the Monitoring Table in Appendix 1 of the Plan (included as proposed modifications in response to Matter 5). This includes indicators 1 to 5, which set out how the Boroughs will respond to and address the closures of sites and loss of capacity. In certain circumstances, this could involve revising the South London Waste Plan to address this.

M3 (iv) 4	<p>Is it clear how the potential for safeguarded sites to be intensified has been assessed and the additional capacity that could be realised as a result?</p> <p>Have the criteria in NPPW, paragraph 5 been taken into account in this assessment?</p> <p>Is the Plan based on a robust analysis of the best available data and information in these regards?</p>
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A. Assessing Potential for Intensification

1.82 The Technical Paper (Ref: E10) initially considered the scope of sites to intensify. This is set out in Section 6 of the Technical Paper and looks at sites where there was potential for intensifying the throughput of existing operations and identifying vacant sites which could be redeveloped for waste uses.

1.83 Appendix 3 of the Technical Paper Appendices (Ref: E11) sets out the methodology used to calculate waste management land take factors, which was used to inform the potential for intensification on individual sites (paragraphs 3.1.1.1 to 3.3.1.2), which is assessed on a site-by-site basis. As set out in Appendix 3 of the Technical Paper, the methodology uses an average throughput per hectare to assess site capacity. However, as noted in Appendix 3 of the Technical Paper, producing a robust figure for the amount of waste which can be processed on a given area of development land is not straightforward. A number of factors can have a significant impact on this figure, such as the type of waste management facility employed and the type of waste being processed. Similarly the range of technologies used for particular waste management process types can impact on the amount of land required to establish that technology. This concludes that the best approach is to use 60,000 tonnes per ha to estimate land requirements going forward for new waste sites (paragraph 3.3.1.2). This is consistent with other land take estimates used in other adopted waste plans and the views of stakeholders such as the GLA and EA.

1.84 Appendix 4 of the Technical Paper (Ref: E11) assesses each site individually, and this includes an assessment for any potential intensification. This looks at the throughput of the

site for the type of facility that is operating and compared this to its size (in ha). Those sites that had a low throughput for the type of facility, compared to the size of the site, and were considered to have potential for intensification. As part of this exercise landowners/operators were contacted to discuss whether there were any plans to intensify the site. For those sites that were identified, section of the main Technical Paper (Ref: E10) makes an estimate of the amount of additional capacity that could be delivered and quantifies this in Table 41 (page 101).

1.85 Following on from the Technical Paper, waste site operators were also contacted as part of the consultation and publication stages of the Plan preparation, as well as in between those stages. The Site Deliverability Report (Ref: E8) sets out where landowners have indicated that intensification is either possible or planned, up to the publication stage. For example, Site S5 'Hinton Skips' was identified as having potential for intensification following discussions with the landowner who indicated their support for intensification. The latest WDI data (Ref: E13) already shows that 35,639 tpa was managed in 2019, compared to the draft Plan estimate of approx. 7,000 tpa.

1.86 In summary, the approach to intensification involved:

- Establishing a figure to assess waste managed per hectare (60Kt/ha).
- Discussions with operators, where possible, to ascertain site level details and plans for intensification during the preparation of the Technical Paper.
- Estimate of possible tpa increases in the Technical Paper, taking into account any recent planning permissions.
- Updates to 'potential to intensify' through the consultation and publication stages when operators indicated that intensification was planned or could be achieved.

1.87 Notwithstanding this, the Boroughs consider that sufficient waste management capacity has been identified to meet waste targets, and does not rely on intensification of existing sites to meet these figures.

B. Criteria in the NPPW

1.88 In terms of paragraph 5 of the NPPW (Ref: N2) the Boroughs consider that these requirements have been considered. Firstly, the Technical Paper assesses each site against a set of criteria and clearly identifies individual site constraints. This is set out in site assessment sheets in Appendix 4 of E10.

1.89 Secondly, the Boroughs produced a Site Appraisals document (Ref: E7) which also assesses sites individually against a range of criteria that is considered consistent with the requirements of the NPPW. The document analyses the sites to determine whether they are appropriate for inclusion in the Plan. The document's methodology for site appraisal is based on policy and guidance set out in the National Planning Policy Framework (NPPF), the National Planning Policy for Waste (NPPW) and the London Plan and follows standard practices for site appraisals. The specific criteria, which takes into account the criteria in Appendix B of the NPPW (and as discussed in paragraph 2.3 of document E7) is set out in Table 1 of document E7, with site scores set out in Table 2.

1.90 Finally, site assessment has also been considered as part of the Sustainability Appraisal process. Section 9 of the Issues and Options SA (Ref: P2) sets out the comprehensive approach to assessing sites through the SA. This is revisited in Section 9 of the SA on the Submission version of the Plan (Ref: S2). The Boroughs consider this is consistent with the criteria that is set out in paragraph 5 and Appendix B of the NPPW.

1.91 In summary, the sites identified with potential for intensification would be suitable in principle, subject to the detailed consideration at the planning application stage against relevant policies of the development plan.

C. Latest Data

1.92 As discussed above the Boroughs have sought the input of individual site operators on an ongoing basis throughout the preparation of Plan, from the initial preparation of the Technical Paper, through preparation and consultation on the Issues and Preferred Options documents and the preparation and publication of the Submission Draft. Where discussion has taken place and responses received with regards to intensification, this has been incorporated into the Plan, where possible. As such, the Boroughs consider that the understanding of intensification potential is based on the best available information.

1.93 In terms of best available data, the Boroughs have analysed the latest WDI data (Ref: N13) for 2018 and 2019. Using the same methodology as the Technical Paper (Ref: E10) an update on waste management capacity for proposed safeguarded sites has been prepared and is submitted alongside these statements as Examination Doc SLWP07. In additional, potential intensification is discussed below in response to M3 (v) 5. This shows that some sites where intensification was considered possible, have increased waste management capacity on site (e.g. Site S5 Hinton Skips).

M3 (iv) 5 **Have capacities for throughput increases at sites as a result of intensification been adequately explored and quantified – and if so would this justify release of some of the safeguarded sites where this might lead to sustainable development for other uses of those sites?**

1.94 The potential increases in capacity for those sites where intensification is considered possible, taking into account the assessment for intensification in the Technical Paper (Ref: E10 and E11), recent planning permissions, ongoing discussions with operators throughout the Plan preparation and the latest WDI data (Ref: N13), Table 3 below provides indicative figures for potential intensification. This is based around a throughput of 60,000t/ha or where other information, such as a planning permission, indicates otherwise.

1.95 However, these figures are only indicative and, as discussed above producing a robust figure for the amount of waste which can be processed on a given area of development land is not straightforward. A number of factors can have a significant impact on this figure, such as the type of waste management facility employed and the type of waste being processed. Similarly the range of technologies used for particular waste management process types can impact on the amount of land required to establish that technology.

Table 3 – Potential Intensification

Site	Site Area	Max Throughput*	Draft Plan Capacity (tpa)**	Appendix 2 Capacity (tpa)***	Potential Intensification (tpa)	Commentary
C5A Factory Lane Waste Transfer Station	1.2	19,736	0	0	Based on 60,000t/ha the site could theoretically increase capacity to 96,000 tpa (+76,264 tpa). However, there are a number of site constraints which make it difficult to estimate.	This is a large waste transfer station which currently has 0 tpa waste management capacity. C5A and B have a licensed capacity of 200,000 tpa and has achieved a peak throughput of 19,736 in last 5 years. Clear potential for intensification, subject to identified site constraints, and possible for co-location. South London Waste Partnership have expressed the possibility of intensification of the site in response to consultation.
C5B Factory Lane Reuse and Recycling Centre Site	0.4		14,829	15,493		

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Site	Site Area	Max Throughput*	Draft Plan Capacity (tpa)**	Appendix 2 Capacity (tpa)***	Potential Intensification (tpa)	Commentary
C11 SafetyKleen	0.3	963	0	39	Based on 60,000t/ha the site could theoretically increase capacity to 18,000 tpa (+17,037 tpa).	Site is currently vacant transfer station so there is the potential to add additional capacity when the site is brought back into use. Has a licensed capacity of 12,782 tpa. In 2015, 100% of HCI throughput (85 tpa) was managed on site, so there is a potential notional of increase of +46 tpa to the identified 39 tpa. Based on 60kt/ha the site could deliver up to 18,000 tpa
C12 Stubbs Mead Depot	2.7	13,505	0	13,471	Based on 60,000kt/ha the site could theoretically increase capacity up to 162,000 (+148,495 tpa).	Originally identified in the draft Plan has having potential based on zero throughput. However, since the latest WDI data has been release, the site has started manging waste again. As such intensification has already been achieved (+13,471 tpa).
K4 Kingston Waste Transfer Station	1.3	68,297	19,620	40,254	Based on 60,000kt/ha the site could theoretically increase capacity up to 78,000 (+9,703 tpa)	The latest WDI data shows that managed waste on the site has increased to 40,253 tpa (from 19,620 tpa identified previously). This is still below the max throughput achieved of 68,297 tpa.
M3 Deadman Confidential	0.4	0	5,000	5,000	Based on 60,000kt/ha the site could theoretically increase capacity up to 24,000 tpa. However, a previous planning permission indicates that up to 78,000 tpa could be delivered.	Whilst the waste managed per hectare indicates that up to 24,000 tpa could be managed on a site of this size, a 2010 permission for the site suggested that up to 78,000 tpa could be achieved, subject to site constraints.
M9 Maguire Skips	0.2	67,719	0	0	Throughput for the site is high for a facility of this size. However, at present this waste isn't 'managed' on site. Potentially to contribute towards the apportionment.	Potential to contribute towards the waste apportionment / targets as currently the site is contributing zero to waste management capacity.
M17 UK and European (Ranns) Construction	0.5	804	0	0	Based on 60,000kt/ha the site could theoretically increase capacity up to 30,000 (+29,196 tpa).	Site is operating under capacity at present and is contributing zero qualifying capacity.
S3 Cannon Hygiene	0.2	9,601	0	635	Based on 60,000kt/ha the site could theoretically increase capacity up to 12,000 tpa (+2,399 tpa).	Site is operating slightly below its potential so could increase throughput.

Site	Site Area	Max Throughput*	Draft Plan Capacity (tpa)**	Appendix 2 Capacity (tpa)***	Potential Intensification (tpa)	Commentary
S4 Croydon Transfer Station	0.7	32,448	21,113	31,637	Based on 60,000kt/ha the site could theoretically increase capacity up to 42,000 tpa (+9,552 tpa).	The site is operating slightly below the potential for a site of this size and the operators have confirmed that intensification could be possible on this site.
S5 Hinton Skips	0.6	35,639	7,200	35,639	Based on 60,000kt/ha the site could theoretically increase capacity up to 36,000 tpa (+361 tpa). However, the site has a recent planning permission for up to 50,000 tpa (+14,361).	The site is operating very close to the notional throughput for a site of this size. However, a planning permission for the site allows up to 50,000 tpa for the site. In 2019, the first year of operations 35,639 of waste was managed on site.
S8 King Concrete	0.6	1,200	0	400	Based on 60,000kt/ha the site could theoretically increase capacity up to 36,000 (+34,800 tpa). However, planning application allows 20,000 of CD&E to be recycled on site.	Site is operating well below the average throughput for a site of this size, even though the whole site isn't used for waste recycling. Planning application allows 20,000 tpa of CD&E waste to be managed on site.
Total					+337,007 tpa to +419,807 tpa	

1.96 Whilst there is potential for significant increases in throughput on some sites, as illustrated in Table 3 above, the Boroughs would not favour releasing any further safeguarded sites (with Site S11 'TGM' the exception, as discussed in M3 (v) 8). The latest WDI data (Ref: N13) shows a surplus of approximate 18,000 tpa against the apportionment and the Boroughs wish to retain this 'buffer'. This gives the Plan flexibility if intensification does not come forward at significant rates. This is also consistent with London Plan Policy, which requires Boroughs to meet apportionment as a minimum. If further sites were released it would risk the Plan not being able to meet apportionment figures.

M3 (iv) 6	Is the methodology to assess the qualifying throughput of exempt sites robust and does it justify the assumptions of the Plan in this regard?
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1.97 Exempt sites within the South London Waste Plan Area were first considered in the Technical Paper, Section 5 (Ref: E10 and E11). The Technical Paper sets out the difficulty in assessing the overall capacity of individual sites, for a number of reasons (paragraphs 5.2.3.1 to 5.2.3.3):

- Permitted capacities are based on capacity bands into which permits are divided rather than the operating annual capacity of the site, and, therefore, the capacity detailed in the licence tends to be at the top end of the charging bands.
- Planning permissions do not always accurately reflect what throughput a facility can actually achieve on a practical level.
- Planning permissions do not always accurately reflect what throughput a facility can actually achieve on a practical level.

1.98 The approach to assessing capacity of exempt sites in the Plan area is set out in paragraph 5.2.3.7 of the Technical Paper (Ref: E10) and is summarised below:

1. A list of exemptions across the Plan area that were registered with the EA were collated.
2. Defra's "New Methodology to Estimate Waste Generation by the Commercial and Industrial Sector in England (2014)" was used to calculate an assumed capacity for each exemption type which was used to estimate the operational capacity of each of the sites operating under an exemption. As set out in the Technical Paper, this is not a standard percentage assumption but instead is based on data gathered by the Defra study with regards to the likely size of these exempt operations.
3. Table 16 of the Technical Paper sets out the capacities that will be assumed for each type of waste exemption facility.
4. The Technical Paper analysed each of the exempt facilities by borough and calculated the total assumed capacities for waste exemptions, based on the assumed capacity by facility type in Table 16. A summary of each site is provided in Table 5 of the Technical Paper Appendices (Ref: E11).
5. These figures were used to inform the totals for exempt sites that are set out in Appendix 2 of the Plan (Ref: S1).

1.99 The Boroughs consider that the approach to calculate assumed capacity on exempt site, based on the methodology set out in Defra guidance, is robust and justifies the assumptions in the Plan.

M3 (iv) 7

Where waste planning authorities outside of the South London area have identified facilities that will no longer be receiving waste arising from the South London Boroughs – is it clear how those arisings will be managed over the plan period?

1.100 The Plan aims to achieve net self-sufficiency but acknowledge that it will involve cross-boundary movements of waste in some instances. This is reflected in the proposed modifications to the Plan's objectives and changes to Para 3.11 for the Plan to refer to cross-boundary movements (in response to Question M3 (i) 5).

1.101 However, it should be noted that Appendix 2 (as updated by SWLP07) identifies sufficient capacity within the Plan area to exceed the apportionment (which already is 13% higher than arisings of the four boroughs) and to exceed the arising for C&D waste significantly. The largest export of HCI waste goes to the Lakeside Energy Recovery Facility, under the Slough Waste Planning Authority. Whilst the DtC discussions with Slough have indicated that the Slough facility will be operationally for the Plan period, para 3.8, the Plan specifically confirms that this is due to be managed at Beddington in the future in any event. Similarly, the Statement of Common Ground signed with Surrey County Council (Ref: E6) confirms that waste being sent to the Redhill Landfill site will be managed at the Beddington ERF facility when it closes in 2027 (A modification to para 3.8 of the Plan is proposed below). In addition, the Plan supports intensification (Policy WP3 and WP4), which also has the potential to delivery additional capacity within the Plan area. Therefore, if facilities outside the Plan area are to stop receiving waste, there is sufficient capacity within the Plan area to manage. Modifications proposed to para 3.11 always make it clear that the boroughs will continue to monitor this through the duty to cooperate and will report any changes through the AMR in accordance with the Monitoring and Contingences Table in the Plan.

1.102 For hazardous waste, there was no indication from those who responded that any facility was to cease operating within the Plan period but this will be monitored through the

Plan Monitoring and Contingency Table (Appendix 1 of the Plan, including proposed modifications).

1.103 Agricultural waste arisings were very small, and in any event can be mixed with commercial, industrial and C&D waste facilities, which there is sufficient capacity within the Plan area to manage. This is set out in paragraph 5.18 of the Plan.

1.104 No issues were identified for the future management of radioactive or waste water.

Proposed Modifications

Paragraph 3.8, add:

The majority of this was household waste sent to Slough Waste Planning Authority (specifically to Lakeside Energy Recovery Facility) but, in the future, this is due to be managed at Beddington. **Similarly, HCI waste sent to the Redhill Landfill site is due to be managed in Beddington, following the planned closure of the landfill in 2027.** Table 45 sets out the exports of construction, demolition and excavation waste. The largest proportion (97,000 tonnes) was sent to nine different waste treatment facilities located within Surrey Waste Planning Authority, with no one facility receiving more than 31,000 tonnes. **However, the Plan identifies sufficient capacity within the plan area to exceed arisings for construction and demolition waste. The Boroughs will continue to monitor cross-boundary movements of waste through the duty to cooperate.**

M3 (iv) 8

Is the strategic approach to meeting waste stream arisings not included in the London Plan apportionments justified, and is it clear from the Plan how these arisings will be managed?

1.105 The strategic approach to waste stream arisings outside the apportionments are discussed in detail in response to M3 (iv) 1. To reiterate, in summary:

- For C&D waste, the Plan has sufficient capacity from safeguarded sites to exceed arisings from this waste stream.
- For excavation waste, the Plan does not make specific provision, as waste is managed and will continue to be managed, outside the Plan area. The Plan does support temporary sites for excavation waste.
- For low level radioactive waste, there are no solid transfers of this type of waste in any of the facilities, so the Plan considers there is no requirement to provide waste management infrastructure to manage this waste stream.
- For agricultural waste, the identified generation from this waste stream is extremely small, and it can be mixed with Commercial and Industrial and C&D waste, the Boroughs consider the Plan is justified in not providing specific facilities for this stream.
- For Hazardous waste, the Plan considers that there is no requirement to provide facilities as the waste generation in South London is small, its projected increase is small, its tonnage is already accounted for and that the small quantity of waste is already being managed by identified specialist facilities.
- For wastewater, Thames Water have confirmed that there is sufficient capacity to manage sewage and the Plan supports improvements to the two facilities within the Plan area in Policy WP2 (e).

1.106 The Boroughs believe this approach is set out clearly in the preamble to Policy WP2 and justified, in light of the evidence set out in the Technical Paper (Ref: E10 and E11) and, in respect of wastewater, dialogue with Thames Water.

M3 (iv) 9

How would the Plan’s policies assist in meeting the London Plan’s targets for 95% of excavation material to go to beneficial use; and 95% of construction and demolition waste for reuse/recycling/recovery?

1.107 The Plan recognises the requirement of the London Plan that 95% of excavation waste should go to beneficial use and 95% of C&D waste should be reused, recycled and/or recovered. This is referred to in paragraphs 2.11, 3.16 and 5.14 of the Plan and beneficial use is explained in the glossary (Ref: S1). However, it is now considered that the reference should be made more explicit to make the Plan clearer, so modifications are proposed below.

1.108 Policy WP6 is in the principal policy that supports beneficial use of excavation waste and the recycling, reuse or recovery of C&D waste. Part (b) (v) states that waste facilities will be required to “*minimise waste and promote sustainable management of construction waste on site*”. However, the Boroughs have proposed some modification to this policy below to provide clearer reference and support to the requirements of the London Plan in this regard.

Proposed Modifications

Paragraph 2.11, Third Bullet

- ~~95% of construction, demolition and excavation waste to be recycled by 2020~~ **of excavation material to go to beneficial use and 95% of construction and demolition waste for reuse, recycling or recovery. Beneficial use could include using excavated material within the development, or in habitat creation, flood defences, climate change adaption/mitigation or landfill restoration.**

Proposed Modifications

Paragraph 3.16

The London Plan sets a target that in London 95% of excavation waste will go to beneficial use and ~~recycle and reuse~~ **and reuse, recycle or recover** 95% of Construction and Demolition Waste by 2020.

Proposed Modifications

Paragraph 5.40

In the construction phase of any development, consideration should be given to Construction, Demolition and Excavation Waste on-site as this is the most sustainable approach to dealing with this form of waste. **It is also an opportunity to promote and contribute towards the London Plan target of 95% of excavation material going**

to beneficial use and 95% of construction and demolition waste being reused, recycled or recovered.

Proposed Modifications

Policy WP6

(b) Waste facilities will be required to:

(v) minimise waste and promote ~~sustainable management of construction waste on site~~ **the beneficial use of excavation waste on site and the reuse, recycling or recover of construction and demolition waste on site**; and

Proposed Modifications

Glossary

Beneficial Use

The placement of excavation waste in a way that:

- (1) provides environmental benefits, particularly in the restoration of priority habitats, flood alleviation or climate change adaptation/mitigation; ~~or~~
- (2) contributes towards the restoration of landfill sites or mineral workings; **or**
- (3) uses excavated material within the development**

Issue (v):

Is the safeguarding of individual sites justified; are the throughput assumptions they contain soundly based; and would the stock of safeguarded sites provide sufficient opportunities to meet waste needs?

M3 (v) 1

Do the identified boundaries of the safeguarded sites (in particular S2, K4) provide an effective basis for the management of any intensification, site maintenance activities or changes to waste management operations over the plan period?

1.109 Yes, the Boroughs consider that generally the identified boundaries of safeguarded sites are justified and effective.

Site S2 'Beddington Energy Recover Facility'

1.110 With regards to Site S2 'Beddington Farmlands ERF' the Boroughs redrew the boundary following the Issues and Options consultation to reflect Beddington Farmlands Restoration Plan (Ref: SLWP10) associated with the implemented planning permission for the site. Specifically this was to remove the current recycling centre/transfer station that is agreed to be restored in accordance with the approved Restoration Management Plan (RMP).

1.111 Viridor are aware of the requirements of the RMP and the Boroughs strongly support its implementation. Firstly, there are several important designations that cover this piece of land, namely Metropolitan Open Land (MOL), Metropolitan Green Chain (MGC), Site of Interest for Nature Conservation (SINC) and the Wandle Valley Regional Park (WVRP), as set out in the adopted Sutton Local Plan (Ref: B8). If the land is not restored as agreed, the Boroughs are concerned about the long term impact on these designations. There is particularly concern about further losses of MOL in this location. Parcels of MOL that surround this safeguarded waste site were promoted as potential industrial allocations during the preparation of the Sutton Local Plan and discussed and debated extensively during the Sutton Local Plan EiP in 2017. Whilst the Council resisted this, it ultimately resulted in the piece of land (4.4ha) immediately to the east of the ERF being released to meet industrial need when there were long term vacant safeguarded waste sites in the same SIL. The rest of the land, including the land subject to this representation, remains in MOL. The Council does not support further losses.

1.112 Furthermore, the land is safeguarded for the Wandle Valley Regional Park, which stretches from Wandsworth, through Merton, Sutton and Croydon, a key strategic priority of the Boroughs. The largest parcel is located at Beddington Farmlands. Its delivery has been promised since mineral extraction and landfilling was first permitted in 1995 and since this time over 7ha has been lost to the ERF facility, as well as 4.4 ha of the wider MOL that adjoins the ERF site, as mentioned above. The Sutton Local Plan (Policy 5) states "*the council will ensure that Beddington Farmlands is restored according to the Conservation Management Scheme, Section 106 Agreements and Restoration Management Plan to become the significant new element of the Wandle Valley Regional Park*". The loss of this land would undermine delivery of this strategic policy and, as such, the Council does not support further areas of the Wandle Valley Regional Park being lost when its restoration has already been agreed.

1.113 Viridor are aware of the requirements of the RMP and its obligations in regards to this piece of land and should be planning accordingly. Whilst there are benefits to co-location, as supported by the Plan in appropriate circumstances, the Boroughs do not consider that it

outweighs the harm it would cause in this instance to other strategic priorities of the development plan. In addition, the Plan would allow for Viridor to relocate the facility to an alternative site, under Policy WP3 and WP4 as compensatory provision, subject to other policies in the development plan being satisfied. As such, the Boroughs are confident that the proposed safeguarded area is justified.

Site K4 'Kingston Waste Transfer Station'

1.114 Site K4 (and K3) lie adjacent to the Hogsmill Sewage Treatment Works. The Boroughs note the potential interest of the South London Waste Partnership in locating a waste facility on the site of the sewage works.

1.115 However, it should be noted that this site is located within Kingston's MOL. In Kingston latest 'Green Belt and Metropolitan Land Assessment' (2018)¹ it was concluded that the land (MOL15) was contributing to MOL criteria for physical structure, strategic recreation, significant features and green infrastructure. It is also noted that this piece of land provides a connection between the MOL parcels to the north and south of the Hogsmill River. If this site were safeguarded for waste, this connection would be lost. As such, Kingston does not support the release of this MOL, so a waste facility on the land, outside of development to the operation and enhancement of the sewage works for treating wastewater (as set out in Policy WP2), is not considered deliverable.

1.116 Therefore, the Boroughs consider that the boundary of site K4 is justified.

M3 (v) 2

The Deliverability Report states that there are eight exempt waste sites in the South London area – however, the Plan does not seek to safeguard these – is this approach consistent with Policy SI 9 of the London Plan?

1.117 The Boroughs do not consider it necessary for exempt sites to be safeguarded within the Plan due to their size. Some of these sites are very small concerns, such as skip hire and spare car parts dealers, and contribute a negligible amount of waste management capacity. In fact, these sites contribute less than 10,000 tpa, meaning the Plan could meet the waste targets without the need for exempt sites.

1.118 Therefore a balanced approach was progressed that safeguards larger waste management facilities but not the smaller exempt sites. In addition, as set out in the Technical Paper (Ref: E10, paragraph 5.2.3.8), these sites are unlikely to become available for other waste uses, should the existing waste activity cease, as often the main activity on these sites is not waste management which is often ancillary to the main activity (For example, Kingston Hospital).

1.119 The Boroughs do not consider this inconsistent with Policy SI 9 of the London Plan, which is silent on the issue of exempt waste sites, and it is noted that the Mayor has not objected to this approach. The Boroughs consider that the approach reflects the general thrust of London Plan because:

- There is ambiguity over which sites should be safeguarded within the spatial development strategy since there is no definition of a waste site in the London Plan.
- Section 24(1) of the 2004 Act requires Development Plan Documents to be in general conformity, not absolute conformity, with the spatial development strategy and general conformity has been taken to mean the policy would not cause significant harm to the London Plan.

¹ <https://www.kingston.gov.uk/downloads/download/198/green-belt-and-metropolitan-open-land-assessment>

- The capacity of the non-safeguarded sites totals approximately 9,000 tonnes, the boroughs consider this does not cause significant harm to the implementation of the London Plan.
- The GLA Act 1999 states that “the spatial development strategy must deal only with matters which are of strategic importance to greater London.” It is not considered that small exempt sites are of strategic importance.

1.120 In summary, the Boroughs consider this approach to be justified and generally consistent with the London Plan.

M3 (v) 3	<p>Given the identified land constraints set out in the Plan would the safeguarding approach ensure that an adequate amount of land for other industrial uses would be available within the Boroughs over the plan period?</p> <p>In these regards is the Plan sufficiently flexible to adapt to rapid change, flexible enough to accommodate needs not anticipated in the plan, to allow for new working practices, and to enable a rapid response to changes in economic circumstances?</p>
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1.121 The Boroughs recognise that the Plan alone cannot guarantee that there is sufficient land for other industrial uses, as it is the role of each boroughs’ local plan to ensure that objectively assessed need for other land uses (outside of waste) are met. This is discussed in length in response to M2 (i) 3, so is not repeated here. One of the priorities of the Plan is to ensure sufficient capacity can be identified to meet the waste apportionments and achieve net self-sufficiency. Given the Plan demonstrates that net self-sufficiency is achievable, the Boroughs think the ‘safeguarding existing/planned sites only’, to avoid sterilising land unnecessarily, and giving flexibility for change through compensatory provision, will allow more opportunities to meet industrial need. As discussed above, M3 (v) 1, Sutton is keen to avoid losing further MOL to industry adjacent to the Beddington SIL, particularly when there were long term vacant safeguarded waste sites at the time, that could have been used to meet this need (for example, European Metal Recycling in the Beddington SIL, has been vacant for nearly 10 years after transferring its capacity to site M2).

1.122 Overall, the Boroughs consider that this approach and the mechanisms in the Plan, namely support for compensatory provision, intensification and co-location, does not prohibit the movement of operators from one site to another, nor does it prevent sites being released to other uses, such as industry, provided that the capacity is compensated. The Plan gives choice about how this could be achieved, either through new sites or through intensification/co-location on existing sites. For these same reasons, this approach does not prohibit a rapid response to changes in economic circumstances. The Boroughs do not consider that the Plan would prevent new working practices being introduced, as existing operators could make changes to their own sites to allow for this. This could also be achieved through the other mechanisms discussed above.

1.123 In summary, the Plan provides the right balance between ensuring that there is sufficient waste management capacity to meet the apportionment figures and achieve net self-sufficiency whilst ensuring that waste uses do not sterilise industrial land that is required to meet the high demand for employment space in South London, and offering support for flexibility and change.

M3 (v) 4

Is the Plan’s approach to Chessington Railhead justified and would it provide effective policies for the processing of CDE waste in this regard?

1.124 DB Cargo made a representation to RBK at the point of its Local Plan Regulation 18 early engagement in 2019, promoting this site specifically for safeguarded strategic rail use. No representation was made on the South London Waste Plan at early engagement stage, however at Regulation 19 stage of the Plan a representation was made promoting safeguarding of the site for waste management purposes to include aggregate recycling.

1.125 The Plan, and updated evidence on capacities in SLWP07, demonstrates there is sufficient capacity to exceed C&D arisings over the plan period. In addition, under paragraph 5.13, the Plan considers there is scope for intensification of existing C&D sites within the plan area. As such, the Boroughs consider that there is no need to identify additional sites for waste management. However, the site could be brought forward in the future for compensatory provision under Policy WP4.

M3 (v) 5

Would the approach to the Chessington Railhead accord with the Framework insofar as it requires planning policies to “safeguard existing, planned and potential sites for... the handling, processing and distribution of substitute, recycled and secondary aggregate material”; and the London Plan insofar as it expects development plans to “support the production of recycled/secondary aggregates and, where practicable, expand capacity at/or adjacent to aggregates wharves and rail depots and quarries during their operational life, within or adjacent to major construction projects” and to “identify and safeguard sites and facilities, including wharves and railheads, with existing, planned or potential capacity for transportation, distribution, processing and/or production of primary and/or secondary/recycled aggregates”?

1.126 Whilst there is a policy requirement to safeguard planned and potential sites for the above mentioned purposes, this must be taken within the context of the demand for these purposes relative to the overall plan capacity. The Plan demonstrates that arisings for C&D waste can be exceeded, supports intensification on existing sites as appropriate, allows for sites to come forward for compensatory provision and allows temporary sites for excavation waste. As such, there would not be the requirement in policy to safeguard additional sites such as Chessington Railhead.

M3 (v) 6

Site C11 the site description records this as a non-operational hazardous waste site – given the competition for other industrial land uses in the area is safeguarding justified?

1.127 This site was included as monitoring had shown that the site was actively used by the large waste company SafetyKleen and was occupied by them as far as records go back in 2010 until November 2018. However at some point up to January 2020 the site has become occupied by Metropharm who are not a waste provider and are operating from the site.

1.128 Although the site has planning permission for a waste processing use (06/00814/LP Use for storage of clean kerosene and general waste products) the current occupiers are not making use of this permission. Although the permission which runs with the site could justify

that it is safeguarded through policy WP3 this would not promote economic growth given that there is a shortage of industrial land in the London Borough of Croydon, as shown in the recent Economic Needs Assessment (Ref: B18). The site could come forward in the future through Policy WP4. Therefore it is recommended that this site is removed as a safeguarded site but regarded as a potential future site.

Proposed Modifications

Policy C11 SafetyKleen, Unit 6b, Redlands, Coulsdon, Croydon

Delete this site and all references to it in the Plan

M3 (v) 7

Site S11 (TGM Environmental, Beddington Lane, Sutton CR0 4TD) is subject to a planning permission for waste uses that (as of this date) has not been implemented – and the site is occupied by a non-waste use. Should a waste use not come forward on this site what implications would this have for South London’s capacity?

Moreover, given the owner’s representations which indicate that they do not intend to implement the waste permission is it justified for the Plan to retain S11 as a safeguarded site, or are modifications needed to reflect the up-to-date position?

1.129 Site S11 TGM Environmental is currently not safeguarded for waste and is not in a waste use. The site has planning permission for waste use on this site which (at the time of writing) has not been implemented. Whilst the permission does not expire until 2022 the landowners have indicated that this will not now be implemented. As such, the Boroughs now accept that the safeguarding of this site for waste purposes cannot be justified and propose to delete it from the Plan.

1.130 Appendix 2 of the Plan (Ref: S1) originally identified the site as delivering 15,000 tpa of HC&I capacity. However, analysis of the latest WDI data (Ref: N13) and further proposed modifications to Appendix 2 (see Examination doc SLWP07) to reflect this data, show a surplus of +18,272 against the HC&I apportionments without any capacity from Site S11. As such, the Plan does not rely on capacity from this site to meet the apportionments, so its proposed deletion does not have any implications for the meeting HC&I targets.

1.131 However, should the landowners position change and the permission is implemented, this will be added to the list of safeguarded sites through the AMR.

Proposed Modifications

Site S11 ‘TGM Environmental’, page 90

Delete Site S11 TGM Environment from the schedule of safeguarded sites, Appendix 2 and any other references to the site in the Plan.

M3 (v) 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?

1.132 As described at M3 (iv) 3, on 18 May 2021 the Secretary of State withdrew the Article 31 Holding Direction on the Benedict Wharf site application and that the Mayor of London, who has taken control of the application, is currently agreeing the details of the planning obligations with SUEZ, who are the applicants, owners of both sites and the waste management operator at the Benedict Wharf site. The first of the heads of terms for the draft S106 legal agreement the GLA officers report is: '*An obligation restricting commencement of development until the replacement waste management capacity has been completed at the Beddington Lane Resource and Recovery Facility (79-85 Beddington Lane) in Sutton, as approved under planning permission reference DM2018/01865*'. On 4 June 2021, the Deputy Mayor agreed to extend the timescale for completing the S106 agreement to 31 August 2021.

1.133 The Section 106 agreement is at an advanced stage and is set to be completed in the near future. 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 have confirmed that it is committed to the strategy to develop Site S12 Beddington Resource Recovery Facility, so it is there reasonable to assume a very good likelihood of the development on Site S12 being delivered and a very slim likelihood of the Benedict Wharf site not being release for non-waste uses.

1.134 Since the planning obligation is likely to seek completion of replacement waste management capacity on the Site 12 it is unlikely that the development will not come forward as planned. However, in more general terms, the Plan is sufficiently flexible to manage situations where operational sites cease, through the support for compensatory provision, through the delivery of indenisation and co-location of facilities. This will be monitored on an annual basis through the waste AMR in accordance with Policy WP10 and Appendix 1 of the Plan.

M3 (v) 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?

1.135 As set out in the statement at M3 (iv) 3 and at M3 (v) 8 above, the Secretary of State's deliberations have now been completed and with an appropriately worded planning obligation attached to the Benedict Wharf planning permission, it is very unlikely that Site 12 will not be delivered. SUEZ is committed to the strategy to develop Site S12 Beddington Resource Recovery Facility.

1.136 There is therefore currently no need for additional wording within the text for Site 12 with regards to a review of the future need to safeguard the site. The continued safeguarding of all the sites will be reviewed as part of the required 5-year review following the adoption of the Plan.

M3 (v) 10

Does the Plan adequately take into account the implications of the declarations of climate change emergencies and consequent reductions in CO2 emissions targets and the impacts this might have on sites with contracts for the management of household, industrial and commercial waste with those bodies? Would this have any particular implications on the operation of the S2 site over the plan period?

1.137 Part (b) of Policy WP6 states that: "*Waste facilities will be required to:*

- (i) minimise on-site carbon dioxide emissions in line with 2020 London Plan Policy SI2;*
- (ii) be fully adapted and resilient to the future impacts of climate change in accordance with 2020 London Plan Policy GG6 , particularly with regard to increased flood risk, urban heat island/heatwaves, air pollution, drought conditions and impacts on biodiversity;*
- (iii) incorporate green roofs, sustainable drainage systems (SuDS) including rainwater harvesting and other blue and green infrastructure measures as appropriate in accordance with 2020 London Plan Policy G5;*
- (iv) make a more efficient use of resources and reduce the lifecycle impacts of construction materials....;"*

1.138 While in line with good planning practice, the draft Plan does not seek to duplicate existing London Plan policies which already form part of the local development plan for each of the four boroughs, it should be noted that the effect of Policy WP6(b) is that all major waste proposals will have to be:

- net zero-carbon in line with the following energy hierarchy: 1) be lean: use less energy and manage demand during operation 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site 4) be seen: monitor, verify and report on energy performance;
- accompanied by a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy;
- achieve a minimum on-site reduction of at least 35% beyond Building with 15% being achieved through energy efficiency measures alone;
- meet any shortfall in emissions reductions either through a cash in lieu contribution to the borough's carbon offset fund, or 2) off-site provided that an alternative proposal is identified and delivery is certain.

1.139 In confirming the minimum requirement for major waste proposals to meet zero carbon standards and seeking to reducing lifecycle impacts of construction materials, it is therefore considered that the draft Plan is fully aligned with the ambitions of each of the four boroughs – following their respective climate emergency declarations – to work towards a zero carbon economy.

1.140 It is not considered that Policy WP6(b) will have significant impacts on the continued operation of current waste sites with existing planning permissions and contracts for the management of household, industrial and commercial waste. Firstly because the zero carbon standard only applies for new planning applications for compensatory or intensified waste facilities, and secondly because London Plan Policy SI2 is already in place and forms part of the local development plan for each of the four boroughs.

1.141 While Policy WP7(b) confirms that "*waste development for additional Energy from Waste facilities will not be supported*" it is not anticipated that the requirements of Policy WP6(b) will affect the continued operation of Site S2 (Beddington Farmlands Energy Recovery Facility) over the plan period unless a new planning application came forward for intensification or compensatory provision which involved energy from waste.

Issue (vi):

Is the Plan's restrictive approach to the development of new waste sites justified; is the approach consistent with national and regional policy?

M3 (vi) 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?

1.142 Policies WP1 And WP2 propose to restrict new waste sites to compensatory provision only, and restricts new sites for radioactive, agricultural and hazardous waste. The approach to sites for compensatory provision is discussed at length in response to M2 (i) 3 and the Plan's approach to other waste streams is discussed in detail in response to M3 (iv) 1 and M3 (iv) 8.

1.143 Whilst the Boroughs recognise that the Plan in this regard is not entirely consistent with the London Plan, it is considered that the proposed approach is justified for the following reasons:

- The evidence demonstrates that there is sufficient capacity to exceed the apportionment for HCI waste and the arisings for C&D waste (Ref: E10 and E11 and the update to the WDI data Ref: N13), making new sites unnecessary. This is consistent with London Plan Policy SI 8 A (4) which states that "*new waste management sites should be provided where required*" (Our emphasis). Support for intensification and co-location on appropriate sites gives the Plan flexibility to respond to changing circumstances. This will be monitored through the Waste AMR and action taken if necessary. This is discussed in detail in response to M2 (i) 3.
- The London Plan's encouragement for boroughs to take compensatory waste from other Boroughs where it cannot be accommodated within that authority does not form part of the actual Policy and in event is only expressed as "*encourage*" and not require. This is discussed in detail in response to M2 (i) 3.
- The Boroughs have to plan for a huge demand for industrial / employment floorspace (As set out in the Boroughs employment studies, documents B18 to B21b) and a lack of supply. By safeguarding existing sites, and only new sites for compensatory provision, the Borough consider a balance can be struck between planning for these competing land uses, justifying the approach. This is discussed in detail in response to M2 (i) 3.
- The Boroughs consider the restrictive approach to other forms of waste is justified as the evidence (Ref: E10, E11 and N13) shows:
 - There is no solid transfer of radioactive waste, so no requirement to provide for this.
 - There are very small arisings of agricultural waste that can be mixed with commercial and industrial and C&D waste, so there no requirement for specialist facilities.
 - Hazardous waste arisings in the Plan area are small, its predicted increase is small, its tonnage is already accounted for (as part of HC&I and C&D waste streams) that this small quantity of waste is already being managed in identified specialist facilities, so there is no requirement to plan for hazardous waste facilities within the Plan area.
 - This is discussed in detail in response to M3 (iv) 1 and M3 (iv) 8.

1.144 The Boroughs consider that, overall, and including proposed modifications, the Plan is broadly in conformity with the London Plan. As discussed in (M3 (v) 2) the Boroughs consider this meets the requirements of 'general' conformity and is not a requirement for 'absolute' conformity. The Boroughs have continued to discuss proposed modifications with the GLA, who have indicated that the modifications address the outstanding issues on conformity that

were set out in the updated Opinion on Conformity (Ref: OTH01). The Boroughs hope to conclude a Statement of Common Ground to formalise this very soon.

1.145 However, notwithstanding the Boroughs view in this Matters Statement, that the Plan’s restrictive approach to new development for waste facilities is justified, if the Inspectors were to conclude otherwise, the Boroughs consider that further main modifications to address any inconsistencies with national or regional policy could still result in the Plan being sound.

M3 (vi) 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?

1.146 The Boroughs are of the view that the Plan is consistent with the requirement of the NPPW (Ref: N2), the NPPF (Ref: N1) and the PPG (Ref: N3) and discusses each of these matters in turn below, including references to other responses where there is overlap.

Driving Waste up the Waste Hierarchy

1.147 The Plan supports waste being moved up the waste hierarchy, through its aims, objectives and policies (including proposed modifications), and it is not considered that a proposed restriction on new waste facilities would inhibit this. This is discussed extensively in response to M3 (iv) 2 above but in summary, the Boroughs consider that waste will still be driven up the hierarchy because:

- The Plan makes it clear the boroughs will work with the waste management industry to continue to develop efficient and more effective management (Policy WP1 and WP2).
- The policies in the Plan support intensification and co-location of sites, which present an opportunity for moving waste up the waste hierarchy through on-site development.
- The Plan (with proposed modifications) makes it clear that development of waste sites will be required to manage waste to at least the same level in the waste hierarchy as prior to the development.
- New sites for compensatory provision offer an opportunity for a new facility to manage waste higher up the waste hierarchy.
- The Plan’s support for the circular economy, specifically Policy WP7 would support waste development for the intensification of sites which involves the reuse, refurbishment, remanufacture of products, or production of by-products, which directly supports the management of waste higher up the hierarchy.
- Policy WP5 requires the submission of a circular economy statement to be submitted with planning applications for waste developments.
- The Plan safeguards a range of sites, as set out in the safeguarded sites section, which cover an extensive mix and scale of sites across the Plan area. These range from sites with very small qualifying throughputs of a few thousand tpa to much larger facilities, such as S2, which has a qualifying throughput of 275,000 tpa.

In short, the Boroughs consider that the Plan is consistent with the NPPW in this regard and its implementation will result in waste moving up the waste hierarchy.

Is the Plan sufficiently flexible?

1.148 Whilst the Plan proposes an approach that would restrict new sites, unless for compensatory provision of safeguarded sites within the Plan area, the Boroughs do not consider that this means the Plan is inflexible or cannot respond to rapid change. As discussed in the response to M3 (iv) 3 and M3 (iv) 5, the Plan’s support for intensification where appropriate, for co-location and for compensatory provision of sites in the Plan area, give the Plan flexibility to respond to a change in circumstances. The identified capacity, which exceeds apportionment and arisings for C&D, puts the Plan in a strong position to meet waste management requirements. By supporting intensification on sites, including the potential to co-locate facilities and realise the benefits of this, this allows any potential loss of capacity on other sites to be offset elsewhere within the Plan area. Similarly, compensatory provision also presents flexibility for the any loss of capacity or for operators to move to a larger sites, such as the Boroughs experience with SUEZ and the planning permission for compensatory provision at Site S12, also demonstrates flexibility to adapt.

1.149 In addition, Policy WP10 sets out the Plan’s monitoring policy, which is supported by the monitoring table in Appendix 1 of the Plan. The Monitoring table, including proposed modifications (See Matter 5), and the publication of a waste AMR, will ensure that the implementation of the Plan will be monitored, and inventions taken if necessary. This could include modifications to the Plan if the circumstances indicated that this was necessary. This also includes the monitoring of facilities outside the Plan area that receive waste, which will continue to take place through the DtC. However, as set out in response to Matter 1, the Boroughs are confident that those significant quantities of waste will continue to be received.

1.150 As such the Boroughs consider that the Plan is sufficiently flexibility to respond to changes that may arise during the lifetime of the Plan and is therefore consistent with the requirement of the NPPF in this regard.

Does the Plan rigidly cap development?

1.151 The Boroughs recognise the requirements in the PPG (Ref: N3) to ensure that a development plan does not rigidly cap development proposals at the level put through the local plan. Whilst the Plan does not support certain developments coming forward, as discussed in these Matters Statements, the Plan does explicitly support new development coming forward through intensification, co-location and compensatory provision, and this is not limited. For example, the response to M3 (iv) 5 sets out the significant potential for additional capacity to be delivered through intensification, and the compensatory provision provided through the development of Site S12 (+200,000 tpa,) both demonstrates that the Plan would not place a blanket limit on development and that there is scope for new sites and additional capacity to come forward. As such, the Boroughs do not consider the Plan to be a rigid cap on development, but has sought a balanced approach to support competing development needs, in this instance the need to provide sufficient waste management capacity and to improve opportunities to meet future industrial need.

1.152 Whilst the Plan does not support specific facilities for the other waste streams, this is because the evidence set out in the Technical Paper (Ref: E10 and E11) demonstrates that this is not a requirement. This is addressed in detail in M3 (iv) 1.

M3 (vi) 3

How would the Plan encourage more “reuse and recycling on waste transfer stations”?

1.153 There are several mechanisms within the Plan to support reuse and recycling on waste transfer stations.

1.154 Firstly, WP3 (b) supports intensification of use of a safeguarded waste site, which includes waste transfer stations. This presents an opportunity for waste transfer stations to

increase the proportion of a site that is contributing towards waste management capacity. The support for driving waste up the waste hierarchy and the requirement in WP3 (e) for waste to be managed to at least the level will contribute towards more recycling and reuse on site. The Boroughs consider that increasing reuse and recycling will be an attractive option for operators and the wider waste industry as the costs of materials and travel rise (particularly in London via initiatives such as the Ultra-Low Emissions Zone expansion) this will further support the circular economy approach and result in a greater financial imperative to reduce waste and reuse waste materials.

1.155 Secondly, Policy WP4 supports sites for compensatory provision, which offers another opportunity for waste transfer station to increase the proportion of a site that is managing waste, including increased reuse and recycling functions. This policy also supports the principle of co-location, which could be advantageous in terms of moving waste up the waste hierarchy and improving the reuse and recycling rates on waste transfer stations.

1.156 Finally, both above policy are supported by Policies WP7. Policy WP7 (a) states that waste development for the intensification of sites, which involve the reuse, refurbishment, remanufacture of products or the production of by-products, will be encouraged. As such, there is a clear direction in the Plan for intensifying sites, including waste transfer stations, to increase reuse on site.

M3 (vi) 4

Would the Plan’s restrictive approach to the development of new waste facilities hamper the growth of exempt sites and restrict their movement to larger premises?

1.157 No, the Boroughs do not consider that the Plan approach would hamper the growth of exempt sites or restrict their movement to larger premises. As set out in response to M3 (v) 2 the Boroughs consider it appropriate to not safeguarded exempt sites due to their small size. Some of these sites are very small concerns, such as skip hire and spare car parts dealers, and contribute a negligible amount of waste management capacity. Therefore a balanced approach was progressed that safeguards larger waste management facilities but not the smaller exempt sites. In addition, as set out in the Technical Paper (Ref: E10, paragraph 5.2.3.8) these sites are unlikely to become available for other waste uses, should the existing waste activity cease, as often the main activity on these sites is not waste management which is often ancillary to the main activity (for example, Kingston Hospital).

1.158 Given that the main activity is often not waste management, it is unlikely that larger sites would be sought for that use. However, if there were circumstances were an operator was seeking a larger premises, the Plan still presents opportunities to do so. Over the lifetime of the Plan, some operators may cease operations on safeguarded sites, may consolidate operations on another site or leave the Plan area. These would provide an opportunity for exempt sites to move to larger premises or redevelop new facilities on sites safeguarded within the Plan, under Policy WP3 and WP4.

M3 (vi) 5

Is the Plan’s restrictive approach to the development of energy from waste facilities justified and consistent with Policies SI 3, SI 8 (D), and paragraph 9.8.14ff of the London Plan?

Is the Policy internally consistent with the Plan’s supporting text’s encouragement of biogas, refuse derived fuel and provision of cooling, heat and power?

1.159 The Plan supports energy from waste facilities insofar as it safeguards site S2 'Energy Recover Facility' which is operational and provides waste heat to the mixed-use scheme. This is consistent with Policies SI 3 SI 8 and paragraph 9.8.14 of the London Plan (Ref: R1) and is also supported by Boroughs individual Local Plan for district heating networks and renewable energy generation.

1.160 As set out in paragraph 5.44 of the Plan (Ref: S1) the reason for the restricting additional Energy from Waste facilities reflects the London Environmental Strategy, Objective 7.4 (Ref: R2). The document states that *London now has the highest incineration rate across the UK, at 54 per cent. Modelling suggests that if London achieves the reduction and recycling targets set out in this strategy, it will have sufficient EFW capacity to manage London's non-recyclable municipal waste, once the new Edmonton and Beddington Lane facilities are operational (see Objective 7.4).* Objective 7.4 states that *"Achieving the Mayor's reduction and recycling targets will mean that no new energy from waste facilities in London will be needed, with an expected 153,000 tonnes surplus EFW capacity by 2030."* Proposal 4.2.3.e of the Environmental Strategy states *"The Mayor does not want any new Energy from Waste plants in London"* and proposal 7.3.2.b states *"The Mayor does not believe it necessary to have any additional EFW facilities built in London to manage municipal waste"*. Therefore, the Mayor's position appears very clear.

1.161 With the Beddington ERF operational (Site S2), the Edmonton facility under construction (and due to be completed by 2025²) and the Plans support for meeting waste targets including support for reuse and recycling, London is on track to fulfil the ambitions of the London environmental Strategy. This means no more energy from waste facilities will be required. As such the Boroughs consider the approach, and the Plan's expectation that *"boroughs will not expect a proposal for such a facility to be submitted"* is justified and consistent with the Mayor's own strategy.

1.162 However, the Environmental Strategy defines Energy from Waste facilities as incineration, gasification and pyrolysis whereas the South London Waste Plan specifies the by-products that it supports as biogas from composting, refused derived fuel and the provision of heating and cooling. Therefore, the Boroughs consider that the Plan is internally consistent, as the restriction on energy from waste facilities reflects the position and definitions in the London Environmental Strategy, and offers support to other by products and the potential to provide heating and cooling, which is consistent with the London Plan policies referred to above. The Boroughs propose a modification to make this clearer.

Proposed Modification

Paragraph 5.44

Therefore, the South London Waste Plan boroughs will not expect a proposal for such a facility **an Energy from Waste facility, including incineration, gasification or pyrolysis**, to be submitted.

² <http://www.northlondonheatandpower.london/faqs/about-the-project/when-will-the-replacement-facility-become-operational/>

M3 (vi) 6

The Duty to Co-operate Statement Part 2 highlights NHS England's responses from earlier stages of plan preparation indicating that additional clinical waste capacity may be needed in the area – albeit supporting evidence regarding the need appears to be limited.

However, would the Plan's policies restrict the development of any evidenced need for this type of facility, and are they effective and positively prepared in this regard?

1.163 At the Issues and Options (Ref: P1) stage of the Plan preparation, NHS indicated in its response (Ref: P4) that additional capacity for clinical waste may be needed. The representation did not provide information on what sort of waste capacity was required, how much capacity was required or what sort of location would be ideal. Despite repeated attempts by the Boroughs no further contact or response has been made by NHS England. As such, there is no evidence that has been provided that sets out if additional capacity is required, how much might be required, what the increase over the plan period may be, when it is required by, and where it could be accommodated. In the absence of any information from NHS England it is not possible for the Plan to respond to this suggestion. As such the Boroughs consider that the approach in the Plan is justified and positively prepared, as no evidence of the need for clinical waste has been provided.

1.164 As set out in the Technical Paper (Ref: E10) clinical waste can be included within HCI waste (paragraph 3.3.1.1), provided it has not been identified as hazardous, and for the South London Waste Plan boroughs, hazardous waste is dealt with in specialist facilities outside the Plan area. At present, healthcare waste is transported to disposal facilities outside the Plan area, although this is dependent on the authorised contractor utilised. Some waste arisings may be transported temporarily to transfer facilities (such as Site S3) prior to the final disposal facility. This is done simply for operational reasons and to manage capacities appropriately. As such, it is considered that the capacity for the safe disposal of clinical waste is sufficient. However, the Plan (Ref: S1) will continue to monitor the need for clinical waste through Policy WP10 and the Monitoring Table in Appendix 1, and take action if a need is evidenced.

M3 (vi) 7

Is the restrictive approach to new the provision of new hazardous, radioactive or agricultural waste facilities set out in Policy WP2(d) consistent with the net self-sufficiency aspiration set out in the Vision, Objective 2 of the Plan and the London Plan ?

1.165 Yes, the Boroughs consider this approach is consistent with the Plan's Vision and Objectives and the aspirations of the London Plan for net self-sufficiency. This is also discussed in response to M2 (i) 3.

1.166 The Plan (Ref: S1) supports for net self-sufficiency and makes it clear that "net self-sufficiency" means providing enough waste management capacity to manage the equivalent of the waste generated in the South London Plan area, while recognising that some imports and exports will continue (as stated in paragraph 3.6 of the Plan). Therefore net self-sufficiency does not mean that the south London boroughs will deal solely with their own waste. The Boroughs consider this is also true of any other waste planning authorities aiming for net self-sufficiency and this position is widely accepted across London and the wider south east region.

1.167 While it is desirable for waste to be treated as close as possible to its source in line with the proximity principle, the complexity of the waste management business poses challenges.

Different types of waste require different types of management and facilities need to serve areas large enough to be economically viable. While it is easier to influence where local authority collected waste is managed, other waste streams, such as hazardous, radioactive and agricultural are subject to commercial contracts and decisions which may take waste beyond the administrative boundary to be managed. Furthermore, as discussed in response to in M3 (iv) 1 and M3 (iv) 8, the evidence concludes that for these waste streams there are no or very small arisings, and specialist facilities already dealing with these waste streams outside the Plan area.

1.168 The Plan is committed to achieving net self-sufficiency in the South London Waste Plan area, and sets this out in its Vision and Objectives, incorporating changes that are proposed in Matter 2 (i) 2 and Matter 3 (i) 1-9. This commitment to net self-sufficiency is supported by Policies WP1, WP2, WP3 and WP4. By achieving net self-sufficiency in South London, the Plan will be directly contributing towards the London Plan aspiration of achieving net self-sufficiency for London as a whole.

M3 (vi) 8

Could Policies WP3 and WP4 reflect the London Plan insofar as compensatory provision for waste sites lost to other uses in the South London area could be provided elsewhere in the Greater London area?

1.169 As discussed in response to M2 (i) 3 the Boroughs note that the London Plan states in paragraph 9.8.10 that where compensatory capacity cannot be accommodated within a borough that other boroughs are encouraged to take on the waste capacity and include this apportionment in their development plan. However, the boroughs do not consider this to be an absolute requirement as the wording of paragraph 9.8.14 only “encourages” and does not ‘require’. Furthermore, the Boroughs also note that this does not actually form part of Policy SI 8, it is merely part of the supporting text. As such the Boroughs would be reluctant to make changes to Policy WP3 and WP4 to reflect the London Plan in this regard.

1.170 Notwithstanding this the Boroughs have reassessed the wording of Policy WP3, and particularly WP4, and consider that, whilst the position on accepting compensatory provision from other waste plan areas in London is restricted, it would not prejudice sites outside of the South London area being used for compensatory provision of South London’s waste. The Boroughs are also reluctant to repeat the provision of London Plan, so do not propose a modification to the wording in this instance.

M3 (vi) 9

Should compensatory capacity be required if it could be demonstrated that sufficient capacity exists either on existing sites in the South London area itself, or within the wider Greater London area?

1.171 Yes, whilst the Plan has identified sufficient capacity on existing sites to meet targets it is still important that compensatory provision is supported in the Plan for several reasons.

1.172 Firstly, as discussed throughout these statements, compensatory provision gives the Plan flexibility to respond to changes circumstances over the plan period. For example, if a site were to reduce its throughput or close all together, compensatory provision could potentially increase throughout on other sites which could offset this loss (The planned waste facility at Site S12 would deliver a net +200,000 tpa of capacity). Secondly, compensatory provision could also potentially result in waste being managed higher up the waste hierarchy through the development of new facilities. Finally, compensatory provision also could potentially result in co-location of waste facilities too.

1.173 Whilst the plan to restrict entirely new waste sites, or compensatory provision from outside the Plan area, the Boroughs do not consider it appropriate to prevent compensatory provision altogether due to the important flexibility it gives the Plan over its lifetime

M3 (vi) 10

Is the Plan sufficiently flexible to respond firstly, to instances where safeguarded sites that are currently not operational do not come on stream as anticipated (e.g. S11, S12); or secondly, to situations where sites cease to operate without involving a change of land use?

1.174 Yes, the flexibility in the Plan is discussed through this Matter Statement, and the Boroughs consider that the right balance has been struck between identifying sufficient capacity, considering the needs of other competing land uses (i.e. industrial uses) and ensuring there are mechanisms that mean the Plan can respond to changes during its lifetime.

1.175 With regards to Site S11, and as discussed in response to M3 (v) 7, the Boroughs now accept that the safeguarding of S11 for waste purposes cannot be justified and propose to delete this site from the Plan. However, this does not impact on the overall capacity of the Plan as analysis of the latest WDI data (Ref: N13) and further proposed modifications to Appendix 2 (See SLWP07) to reflect this data, show a surplus of +18,272 against the HC&I apportionment without any capacity from Site S11.

1.176 With regards to Site S12, and as discussed in response to M3 (iv) 3, the Secretary of State withdrew their Article 31 Holding Direction on the Benedict Wharf site. The GLA confirmed the same day that they would now be issuing the permission (having previously granted permission prior to the Secretary of State's invention). This means the planning permission for Site S12 can be implemented. Therefore the Boroughs are confident that this facility will come on stream.

1.177 Therefore the Boroughs do not consider there to be a risk that planned sites (i.e. S12) do not become operational. However, in more general terms the Plan is sufficiently flexible to manage situations where operational sites cease, through the support for compensatory provision, through the delivery of intensification and co-location of facilities. M2 (iv) 5 identifies broad estimates for the amount of capacity that could be delivered through intensification which could contribute towards meeting any future shortfall, should it arise. This will be monitored on an annual basis through the waste AMR in accordance with Policy WP10 and Appendix 1 of the Plan.

M3 (vi) 11

Is it clear from the Plan that compensatory provision could be provided through the intensification of existing sites?

1.178 The Plan supports compensatory provision being provided through the intensification and redevelopment of existing sites. In fact, this approach is providing the Plan with a significant amount of capacity through site S12, which is compensating 105,000 tpa being lost at the Benedict wharf site in Merton through a new facility delivering 305,000 tpa. However, the Boroughs consider that the Policy WP4 and WP4 is not clear in this respect and, as such, modifications have been proposed. These modifications are set out in response to M2 (i) 4, but are repeated below for ease of reference, along with a modification to paragraph 5.24 of the Plan. These proposed modifications aims to make it clear that compensatory capacity can be provided by intensifying or redevelopment of an existing safeguarded site.

Proposed Modifications

Paragraph 5.24

In order to use land efficiently and to ensure the viability of existing businesses, the South London Waste Plan boroughs will allow the intensification of uses, as appropriate, on the safeguarded sites to allow a greater throughput on the site. **This includes intensification or redevelopment to provide compensatory provision.**

Proposed Modifications

Policy WP3 Existing Wastes

(e) Any development on an existing safeguarded waste site, **including for compensatory provision**, will be required to result in waste being managed at least to the same level in the waste hierarchy as prior to the development.

Proposed Modifications

Policy WP4 Sites for Compensatory Provision

Proposals for new waste sites **or development of existing safeguarded sites** to provide compensatory provision should:

(b) Be Located on sites:

- (i) **Safeguarded for waste, including waste transfer stations,** or within Strategic Industrial Locations or Locally Significant Industrial Locations;

M3 (vi) 12

Is the Plan flexible enough to accommodate temporary waste management operations and activities outside of safeguarded sites?

1.179 The Plan’s position for temporary sites reflects the approach to permanent sites i.e. these would only be supported on existing safeguarded sites unless it is for compensatory provision. As discussed throughout this Statement, the Boroughs consider this overall approach to still offer flexibility whilst balancing competing land use needs. This does not prejudice sites with temporary permission being brought forward.

1.180 However, the Plan does expressly support temporary sites for the deposit of excavation waste where it is for beneficial use, as set out under Policy WP2. This specific position for excavation waste reflects the difficulty in planning for this waste stream, particularly as sites come and go as they develop a need for excavation waste and then are filled, as set out in paragraph 5.15 of the Plan (Ref: S1).