

NORTH LONDON WASTE AUTHORITY

REPORT TITLE:

WASTE PLANNING MATTERS

REPORT OF:

HEAD OF WASTE STRATEGY AND CONTRACTS

FOR SUBMISSION TO:

AUTHORITY MEETING

DATE:

30th June 2010

SUMMARY OF REPORT:

This report updates Members on a number of planning matters including the Examination in Public (EiP) of the London Plan, the spatial strategy for the capital; progress on the North London Waste Plan (NLWP) the joint waste development plan document for North London, which will allocate land for waste facilities across North London, and latest consultation opportunities on the more local Enfield and Haringey Core Strategies to which Authority officers have responded subject to Member approval.

RECOMMENDATION

The Authority is recommended to delegate authority to the Head of Waste Strategy and Contracts, in consultation with the Chair and Vice Chairs, to submit a formal statement on behalf of the Authority to the Planning Inspector for the London Plan Examination in Public.

**Signed by Head of Waste Strategy
and Contracts**

Date: 21st June 2010

1.0 INTRODUCTION

- 1.1 This report addresses the London Plan, the North London Waste Plan and recent borough planning consultations. In each case it sets out the background to the current position, then the implications for the Authority

2.0 REGIONAL PLANNING – THE LONDON PLAN

Background

- 2.1 The London Plan is the *spatial* strategy for the capital. It has particular implications for waste management as it requires sufficient land to be allocated by each borough, acting in their capacities as planning authorities, to enable London to meet the ‘self sufficiency’ targets included in the London Plan. In other words it requires London to become increasingly more self sufficient in terms of managing its own waste within the capital and this will require additional land to be allocated for waste use within the city.
- 2.2 In line with the London Plan, each London borough must allocate sufficient land for waste facilities to enable it to manage (e.g. recycle, treat or dispose) its ‘apportionment’, i.e. its share, of London’s waste. In North London the seven constituent borough councils have pooled their apportionment and are producing a joint waste development plan document as a result, which is called The North London Waste Plan.
- 2.3 The Authority recently submitted a response to proposals for a draft replacement London Plan, together with a supplementary clarification letter in relation to solid recovered fuel (SRF) as reported at the February Authority meeting. A separate ‘Minor Alteration’ to the London Plan on ‘Waste Arisings and Apportionment’ was also issued in December 2009 and an Authority response subsequently submitted to the same under authority delegated at the December Authority meeting.
- 2.4 The Authority has now been invited to give oral evidence to the Examination in Public on the revised draft London Plan on 7th September 2010 in relation to:
- Waste tonnage projections and growth
 - Proposals for hazardous waste
- 2.5 The seven constituent boroughs, acting in their capacities as planning authorities, through the North London Waste Plan, have also been invited to give evidence at the Examination in Public, alongside the Authority. One place has been allocated between the NLWA and NLWP.

Implications for the Authority

- 2.6 The Examination in Public will include discussion about Solid Recovered Fuel and how this is treated within the Plan. This is helpful in the light of the Authority's previous written comments on the matter.
- 2.7 The deadline for further written statements to be received by the Panel Secretariat is noon on Monday 16th August 2010. It is proposed that the Authority submits a written statement providing comment on recent waste tonnage information and trends, as evidenced in North London; includes further explanation and comment regarding solid recovered fuel; and expands upon concerns already raised regarding the provision of sites for hazardous waste management. All the above issues are relevant to the Authority as they affect the amount of land that will be allocated for waste facilities going forward.
- 2.8 Members are recommended to delegate authority to the Head of Waste Strategy and Contracts, in consultation with the Chair and Vice Chairs, to submit a formal statement on behalf of the Authority to the Planning Inspector for the London Plan Examination in Public.

3.0 SUB-REGIONAL PLANNING – THE NORTH LONDON WASTE PLAN

Background

- 3.1 The North London Waste Plan (NLWP) is the Joint Waste Development Plan Document for the Authority's area. It is being prepared by the seven constituent borough councils in their separate capacity as local planning authorities and sets out north London's collective approach to meeting the apportionment targets contained within the London Plan discussed above. Once completed, the NLWP should meet the needs of the Authority and create the shared land-use planning framework for sites for all wastes (municipal; commercial and industrial; construction, demolition and excavation; and hazardous) in North London up to 2021.

Implications for the Authority

- 3.2 The Authority responded to the 'Preferred Options' public consultation on the NLWP on 24th November 2009 and expressed concerns about the adequacy of identified sites to provide comprehensive household waste recycling centre services in particular. Dialogue continues between Authority officers and borough planning officers on this matter.
- 3.3 Representations on the submission version will need to be made towards the end of 2010.

4.0 LOCAL PLANNING - BOROUGH WASTE PLANS

4.1 Two of the constituent boroughs have 'core strategy' planning documents at a stage requiring a response from the Authority as follows. (The Core Strategies form part of the Local Development Framework for each borough, which is the folder of documents to guide planning and development in the boroughs over the next few years).

4.2 Enfield Core Strategy Examination in Public

Background

4.2.1 The London Borough of Enfield's Core Strategy is at the penultimate stage whereby it has been submitted for public examination, prior to its adoption. (The Authority has previously responded at earlier stages in the consultation process). Dates for the Examination in Public (EiP) of the Core Strategy have now been set. The examination of Chapter 7 of the Core Strategy *Delivering Physical Infrastructure*, Issues 24 to 28 (which includes waste infrastructure) is to be held on 7th July 2010, the examination of Chapter 8, *Environmental Protection and Green Infrastructure* on 8th July and the examination of Chapter 9 of the Core Strategy *Core Policies for Places*, Issues 34 to 36 (which includes discussion of the continued use of the Edmonton EcoPark site for waste management purposes) is to be held on 13th July.

4.2.2 The Authority formally expressed its interest in attending the EiP to give evidence in relation to all three of the above hearings.

Implications for the Authority

4.2.3 The Authority had made some further requests for alterations to the Core Strategy, particularly in relation to the Ecopark site at Edmonton. Given that some points raised by the Authority have not been incorporated into the pre-submission version of the Core Strategy discussions continue between officers.

4.3 Haringey Core Strategy

Background

4.3.1 The London Borough of Haringey has recently issued the following documents for public consultation:

- Haringey Core Strategy Development Plan Document (DPD) and supporting evidence base.
- Haringey Development Management Policies DPD
- Haringey Sites Allocations DPD

4.3.2 The Core Strategy is at the pre-submission stage and has been issued for a period of public consultation that closed on 21st June. The Council will then prepare the version of the Core Strategy that will be submitted for public examination prior to its adoption.

4.3.3 Officers have submitted an 'officer' response by the consultation deadline and subject to no issues being put forward by Members at the Authority meeting this will be confirmed as the Authority's formal response after 30th June. A copy of the initial officer response is available for Members on request or alternatively can be downloaded from the Authority's website at http://www.nlwa.gov.uk/resources/authority_meetings_and_reports). The following paragraphs (to paragraph 4.3.8) summarise the relevant aspects of the consultation document and the implications of the same for the Authority.

4.3.4 Policy SP4 of the Core Strategy sets out Haringey's detailed requirements on sustainable construction and Policy SP5 addresses water management and flooding. Relevant to Pinkham Way (a site which is included in the Authority's Outline Business Case) Policy SP4 would affect design, construction and possibly operational costs of any new waste facility and Policy SP5 promotes minimised water use; flood risk assessment; and utilisation of Sustainable Urban Drainage Systems or SUDS. The supporting text identifies that new developments should seek to decrease the demand for water. Any proposals for Pinkham Way will need to demonstrate how the site will positively address the policy requirements.

4.3.5 Policy SP6 Waste and Recycling is consistent with national and regional guidance and recognises the work of the North London Waste Plan. Accordingly it is not considered necessary to comment on this policy specifically. However, the policy states that:

'The Council supports the objectives of sustainable waste management set out by the Government in PPS10 Planning for Sustainable Waste Management and the Mayor's London Plan. To achieve these, the Council shall:

- *Safeguard existing waste sites unless compensatory provision is made;*
- *Maximise self-sufficiency in waste management capacity (in line with 2008 London Plan target of 85% self sufficiency by 2020);*
- *Seek to minimise waste creation, increase household recycling rates, address waste as a resource and look to disposal as the last option, in line with the waste hierarchy;*
- *Require integrated, well designed recycling facilities to be incorporated into all new developments;*
- *Monitor changes in the stock of waste management facilities, waste arisings, and the amount of waste recycled, recovered and going for disposal; and*
- *Continue to work with its partners in the North London Waste Authority to prepare a Joint Waste Plan, which will identify locations suitable for waste management facilities to meet the London Plan apportionment of 2,384,334 tonnes (equivalent to 28.4ha).*

Haringey will require site waste management plans for all major applications to identify volume and types of demolition and construction waste and to demonstrate how waste will be minimised and managed during construction and occupation.

New waste management facilities will be required to take into account and minimise pollution and nuisance issues. This will be addressed in more detail within the Development Management DPD.'

4.3.6 Figure 5.1 of the Haringey Core Strategy confirms that the majority of the Pinkham Way site is a Local Employment Area (LEA), along with the Bounds Green Industrial Estate to the east. This designation will replace the Defined Employment Area designation in the current Unitary Development Plan. The change is proposed to protect the borough's supply of industrial land not identified by the London Plan as Preferred Industrial Locations.

4.3.7 In relation to LEAs, Policy SP8 states:

'The Council has identified other employment generating sites in the borough which would benefit from either a concentration of employment generating uses or mixed use including residential, employment and community facilities. The redevelopment of these areas will ensure that there is no overall loss of employment generating floorspace'.

The Authority response urges specific reference to the Pinkham Way site as a potential site for waste facilities and also requests that it notes the protection that would be afforded within the London Plan once facilities were built.

Implications for the Authority

4.3.8 Authority officers are broadly supportive of the Haringey Core Strategy, but believe that additional references to the development of the Pinkham Way site, the use of waste and waste derived fuels in future decentralised energy facilities and the status of waste facilities as 'community infrastructure' need to be updated and clarified in order to protect the position of waste management sites within the overall plan and the Pinkham Way site in particular.

4.4 Haringey Development Management Policies DPD

Background

4.4.1 The Development Management Policies Development Plan Document (DPD) has been published for a period of public consultation that also closed on 21 June 2010. This DPD is considered to be of particular importance for the Pinkham Way site which is included in the Authority's Outline Business Case, as it will establish the primary policies against which any planning application will be determined.

Accordingly officers have submitted an initial response by the consultation deadline and subject to no issues being put forward by Members at the Authority meeting this will be confirmed as the Authority's formal response after 30th June. A copy of the initial response is available for Members on request or alternatively can be downloaded from the Authority's website at http://www.nlwa.gov.uk/resources/authority_meetings_and_reports). The document and the key implications for the Authority are summarised below.

- 4.4.2 Section 3 of the DPD confirms the Council's aspiration to reduce CO₂ emissions from the Borough by 40% by 2020 and states that new development should be as close to zero-carbon as possible to help achieve this.
- 4.4.3 Development should be located where it can be best served by walking, cycling and public transport. High trip generation development should be located where public transport accessibility is high.
- 4.4.4 Policy DMP10 – Access Roads states '*The Council will only promote access roads to commercial and industrial premises if the premises: a. are located advantageously in relation to main roads and railways to accommodate the generation of heavy freight; b. are provide [sic] facilities for the handling of freight to secure efficient distribution; c. are located to reduce the movement of vehicles on roads not suitable for them; d. are located to encourage the use of rail and water to carry freight traffic; e. are located and designed to minimise any adverse impact on the strategic road network*'. The policy seeks to minimise environmental damage associated with HGV movements.
- 4.4.5 Parking standards are set out in Appendix 1 to the consultation document and will be applied in line with Policy DMP12 which confirms that proposals that do not meet the standards will not normally be permitted. However, for larger developments the parking requirements will be assessed as part of the transport assessment. It is anticipated that any Pinkham Way site development would be assessed against the transport assessment provided as a part of the planning application.
- 4.4.6 Policy DMP13 sets out the requirements for sustainable development and design, including:
- Promotion of resource efficiency for use of energy, materials, waste and water;
 - Demonstration of how the development achieves the highest possible ratings relevant to the type of scheme (e.g. Building Research Establishment Environmental Assessment Method - BREEAM) in line with the Core Strategy;
 - Provision of a formal energy assessment in line with the London Plan and demonstrating how Core Strategy targets will be achieved;

- Where site restrictions, technical feasibility and/or economic viability mean energy standards cannot be met the scheme can compensate residual carbon emissions elsewhere in the Borough through improvements to existing homes or a one-off financial contribution to the Council;
- Ensuring climate change resilience through the incorporation of appropriate climate change adaptation measures for cooling, shading, greening, biodiversity, run-off management and SUDS;
- Adoption of appropriate measures to protect and enhance biodiversity.

4.4.7 All these requirements will be relevant to any development of Pinkham Way.

4.4.8 Policy DMP15 addresses environmental protection. Of particular relevance are the following:

- c. requirement to provide an Air Quality Impact Assessment;
- d. S106 obligations to improve air quality where on site mitigation is not possible;
- e. schemes to incorporate measures to avoid, reduce and then mitigate potentially polluting activities;
- f. separating potentially polluting activities from sensitive areas (including MOL or ecologically valuable sites) or uses (including homes);
- g. requiring developments that may cause pollution to locate in areas such as the defined employment areas;
- i. requiring potentially noisy developments to locate only in areas where ambient noise levels are already high and where mitigation measures are proposed.

4.4.9 Policy DMP15 goes on to refer to the development of contaminated land which will require a risk management based protocol; investigation, removal and mitigation of risks to local receptors; a desk top study of previous and existing uses and potential risks; site investigation and qualitative risk assessment; remediation strategy and its implementation, possibly including monitoring.

4.4.10 Policy DMP19 confirms that the Council will not permit the redevelopment or changes of use of land or buildings in employment use, unless the land is no longer suitable for business or industry; evidence of unsuccessful marketing is provided; and redevelopment would result in the retention of some jobs and wider regeneration benefits to the community. Supporting text acknowledges the increasing demand for alternative uses particularly of surplus employment land; however, retention and creation of employment land is a high priority for the Council.

- 4.4.11 The policies set out in section 6 of the DPD will be applied to all developments and paragraph 6.7 confirms *'All new development proposals need to be sensitively designed, so as to provide an environment for all which is: attractive; green; healthy; accessible; clean and maintainable; safe; and sustainable in construction and impact'*. Inclusive design should also be incorporated in all development proposals. Policy DMP20 sets out general principles and states *'The Council will require development proposals to demonstrate that: a. there is no significant adverse impact on residential amenity or other surrounding uses (including open space) in terms of loss of daylight or sunlight, privacy, overlooking, aspect and the avoidance of air, water, light and noise, pollution (including from the contamination of groundwater/water courses or from construction noise) and of fume and smell nuisance; b. the proposal complements the local area and is of a nature and scale that is sensitive to the surrounding area; c. the proposal would not significantly affect the public and private transport networks, including highways or traffic conditions; ... e. opportunities for soft landscaping, including appropriate tree retention and tree planting have been taken into account'*.
- 4.4.12 High quality design is a requirement for new development and Policy DMP21 sets out a number of elements that should be positively addressed in design development, including: urban grain and enclosure; building lines; form, rhythm and massing; layout; height and scale; landform, hard and soft landscape, trees and biodiversity; architectural style; living frontages and public realm; any identified local views. Further detail will be set out in the Sustainable Design and Construction SPD.
- 4.4.13 Policy DMP22 sets out the requirements for waste storage in new developments.
- 4.4.14 The first part of Policy DMP28 is broadly consistent with UDP Policy OS6 – Ecologically Valuable Sites and their Corridors, and confirms that development will not be permitted on Sites of Importance for Nature Conservation *'a. unless there will be no adverse effect on the nature conservation value of the site; and b. unless the importance of the development outweighs the nature conservation value of the site. Both criteria a and b above must be met before any development will be considered'*. It will be necessary to demonstrate how these criteria are met in the emerging proposals for Pinkham Way to inform discussion with London Borough of Haringey officers. The policy goes on to refer to the protection and enhancement of green corridors and their ecological value; respecting and enhancing biodiversity; and protecting existing trees and improving the contribution of trees to local landscape character. The proposals for Pinkham Way will have to demonstrate how these requirements have been met.

Implications for the Authority

4.4.15 Authority officers are broadly supportive of the Haringey Development Management Policies DPD, but to protect the Authority's position have questioned the requirement for developments to reach the "highest possible ratings" of an appropriate sustainability scheme such as BREEAM (Building Research Establishment Environmental Assessment Method) for assessing building sustainability. Additionally officers have questioned the nature and terms of compensatory environmental contributions if any development cannot provide sufficient improvement. Clarification is additionally requested regarding the status of potential waste-derived energy production in relation to local air quality and in particular the stated position that biomass will be the Council's least preferred renewable energy source. The status of community infrastructure needs in relation to metropolitan open land is also queried and the point is made in the initial consultation response that waste as the 'fourth utility' should be exempt from certain requirements in line with the other utilities.

4.5 Haringey Site Allocations DPD

Background

4.5.1 The Site Allocations DPD sets out details of the Council's preferred use for land and buildings which are likely to be subject to development proposals during the lifetime of the Local Development Framework for Haringey (2011-2026) to assist in delivering the objectives of the Core Strategy. The document also outlines those sites where a change of use would be supported. This document therefore consists of a list of sites, with accompanying descriptions and site plans for the same.

4.5.2 The Development Management Policies Development Plan Document (DPD) has been published for a period of public consultation that additionally closed on 21 June 2010. This DPD lists three relevant waste sites – Ashley Road Depot, Marsh Lane and Friern Barnet former sewage works, Pinkham Way. Accordingly officers have submitted an initial response by the consultation deadline and subject to no issues being put forward by Members at the Authority meeting this will be confirmed as the Authority's formal response after 30th June. A copy of the initial response is available for Members on request or alternatively can be downloaded from the Authority's website at http://www.nlwa.gov.uk/resources/authority_meetings_and_reports.

Implications for the Authority

4.5.3 Comments are made in the Site Allocations DPD which have particular relevance for the Authority as follows:

- *Tottenham Hale – Ashley Road Depot and Technopark, N15* – the site includes the current household waste recycling centre at Park View Road and the NLWA offices at the Technopark (N17)

- *Marsh Lane, N15* – This is a proposed replacement site for Haringey’s Park View Road Household Waste Recycling Centre in Ashley Road.
- *Friern Barnet former Sewage Works, Pinkham Way, N10*

4.5.4 Authority officers are broadly supportive of the Haringey Site Allocations Development Plan Document but wish to protect the Authority’s position in relation to potential redevelopment of parts of Tottenham Hale and Pinkham Way, linking these to the emerging North London Waste Plan and revised London Plan. Accordingly the initial response makes comment on each of the sites listed above.

5.0 RECOMMENDATION

5.1 The Authority is recommended to delegate authority to the Head of Waste Strategy and Contracts, in consultation with the Chair and Vice Chairs, to submit a formal statement on behalf of the Authority to the Planning Inspector for the London Plan Examination in Public.

6.0 COMMENTS OF THE FINANCIAL ADVISER

6.1 The Financial Adviser has been consulted in the preparation of this report and has no further comments to add.

7.0 COMMENTS OF THE LEGAL ADVISER

7.1 The Legal Adviser has been consulted in the preparation of this report and has no additional comments to add.

Local Government Act 1972 – Access to information

Documents used:

Draft Replacement London Plan

Minor alteration to the consultation draft replacement London Plan Borough level waste arisings and apportionment and corrections and clarifications, Mayor of London, December 2009

GOL Circular 1/2008, Strategic Planning in London, Greater London Authority Act 1999, Greater London authority Act 2007, The Secretary of Stated for Communities and Local Government’s guidance on the arrangements for strategic planning in London, 4th April 2008

North London Waste Plan, Preferred Options
(Available at www.nlwp.net)

Enfield Council, The Enfield Plan, Proposed
Submission Stage for the Core Strategy,
December 2009

Haringey Core Strategy, Proposed Submission,
Haringey Council, May 2010

Haringey's Local Development Framework,
Development Management Policies, Haringey
Council, May 2010

Haringey's Local Development Framework,
Haringey Sites Allocations DPD, Haringey
Council, May 2010

London Borough of Haringey, Community
Infrastructure Study, Haringey Council, March
2010

Contact Officers:

Andrew Lappage, Head of Waste Strategy &
Contracts
&
Barbara Herridge, Policy and Development
Manager

Lee Valley Technopark
Unit 169, Ashley Road
Tottenham
N17 9LN

Tel: 020 8489 5730
Fax: 020 8365 0254
E-mail: post@nlwa.gov.uk

Report Ends