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Dear Archie

**Ref: Consultation on the Proposed Submission North London Waste Plan**

Thank you for providing the North London Waste Authority (NLWA) the opportunity to respond to the consultation on the Proposed Submission Version of the North London Waste Plan (NLWP).

As you are aware, NLWA is the second largest waste disposal authority in England, handling around 3% of national municipal waste collected by the seven London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. NLWA has a statutory responsibility for providing municipal waste disposal services for its seven boroughs and powers to arrange for the reuse, recycling and composting of municipal waste.

NLWA owns the Edmonton EcoPark. A Development Consent Order (DCO) has been granted for the North London Heat and Power Project (NLHPP) for the construction of a replacement Energy Recovery Facility (ERF) for the existing Energy from Waste (EfW) facility. Construction started in January 2019 with preparatory works now underway in the temporary laydown area in the Lee Valley Regional Park. The new facility is expected to be operational from 2025.

NLWA also own the Friern Barnet Sewage Works / Pinkham Way site (proposed site A22-HR). Pinkham Way is an important asset for NLWA due to its strategic location and designation as an employment site.

NLWA would like to take this opportunity to note our support for the NLWP which we consider to be both sound and legally compliant.

It is noted that the modelling in the NLWP is based on the most up to date information at the time of production and we consider the waste forecast modelling to be sound. National and regional waste policy will be subject to change over the lifetime of the NLWP and we would expect planning applications to take account of such changes, for example future measures to increase household recycling.

Detailed comments can be found in 'Part B – Your Representations' attached.

Yours sincerely

Cllr. Clyde Loakes  
**Chair, North London Waste Authority**

Attachments:

- Part A – Your personal details
- Part B – Your representation

**INFORMATION TO BE COPIED INTO PART B FORMS (ONE FOR EACH PARAGRAPH COMMENTING ON). COPIED HERE FOR THE CONVENIENCE OF REVIEW.**

**Name or Organisation**

North London Waste Authority

**1. To which part of the North London Waste Plan does this representation relate?  
(Please use a separate response sheet for each representation)**

See below

**2. Do you consider the North London Waste Plan to be legally compliant?**

*(please select one answer)*

Yes

No

**3. Do you consider the North London Waste Plan complies with the duty to cooperate?**

*(please select one answer)*

Yes

No

**4. Do you consider the North London Waste plan is sound? (if No please also answer Question 5; otherwise please continue to Question 6).**

*(please select one answer)*

Yes

No

**5. If you consider the North London Waste Plan to be unsound, please also indicate which of the following test(s) you consider are not met:**

*(please select all that apply)*

*Positively prepared*

*Justified*

*Effective*

*Consistent with national planning policy*

**6. Please give details of why you consider the North London Waste Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the North London Waste Plan or its compliance with the duty to cooperate please also use this box to provide your comments.**

NLWA would like to support the legal compliance and soundness of the NLWP. We would like to make some additional specific comments in respect of the proposed allocation of area A22-HR Friern Barnet Sewage Works/Pinkham Way.

The NLWP aims to achieve net self-sufficiency for Local Authority Collected Waste (LACW), Commercial & Industrial waste (C&I) and Construction & Demolition waste (C&D) waste streams, including hazardous waste, and support a greener London by providing a planning

framework that contributes to an integrated approach to management of materials further up the waste hierarchy.

It is essential that the NLWP allocates sufficient land for the sustainable development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their waste management needs throughout the plan period. Area A22-HR is an essential component of this.

NLWA does not have any immediate plans for the use of Pinkham Way however it remains an important asset for the Authority and is considered essential to achieving statutory waste management functions in the medium term. Exclusion of the area would make the NLWP unsound since it would not meet the requirements of National Planning Policy for Waste to identify sufficient sites to manage the area's forecast waste.

The following characteristics of the A22-HR make it suitable for allocation as a proposed area:

- it is located centrally within the seven north London boroughs, which can provide benefits in terms of reducing cost and environmental impact of road transport by reducing the distance collection vehicles need to travel. It is also compatible with the NLWP's principle to seek a geographical spread of sites;
- the majority of the area is within NLWA's control. The primary function of NLWA is to arrange for the transport and disposal of waste collected by the seven boroughs and to promote waste minimisation and recycling. The landowner is therefore committed to using the site for waste management in the future and the site is deliverable within the plan period (2020 – 2035);
- the area is currently vacant;
- the area is already designated employment land in the adopted Haringey Site Allocations DPD (Site DEA 13);
- it has been subject to a robust site selection methodology and can be delivered in accordance with the requirements of Policy 5;
- its suitable for a range of waste uses in line with the waste hierarchy;
- allocation of A22-HR avoids the potential need to use Compulsory Purchase Powers to acquire additional sites;
- adjacent uses are compatible with a waste use and the nearest residential property is approximately 100m from the site; and
- there are no technical constraints in providing access to the adjacent A406.

The NLWP includes ambitious targets to increase LACW recycling from 29% in 2016 to 50% by 2025 and achieving net self-sufficiency for LACW and C&I by 2026, and C&D by 2035. The NLWP clearly demonstrates that new capacity will be needed to meet North London's identified need for waste management over the Plan period. Furthermore, there is a need to plan for more land than might be needed as not all sites will come forward for waste development within the plan period, and not all proposals will secure planning consent.

As acknowledged in Para 8.11 it should be expected that some existing waste sites will be lost during the Plan period and these cannot all be forecast. Similarly, some of the proposed areas might not be able to come forward for waste use during the Plan period, for example the exact alignment of Crossrail 2 might mean that some of the proposed areas come under increasing pressure to be used for higher value non-waste uses.

Table 7 identifies that 9 hectares of land is required to meet net self-sufficiency for LACW, C&I and C&D. Furthermore, sites need to be available at the right time as the capacity needed for different treatment types varies over time. Although the site area of A22-HR (5.95 hectares) appears to be one of the smaller areas, in practice the largest areas in the table comprise multiple individual plots with different landownership/rights and the whole area is unlikely to come forward for waste use. Given NLWA owns the majority of area A22-HR, it

has the potential to be one of the larger sites to come forward for future waste treatment. This means that if the site were not allocated potentially multiple sites would be needed to replace the capacity it could provide. The ability of areas to accommodate a range of types and sizes of waste treatment facility is important to the flexibility of the NLWP. A22-HR provides flexibility not only in site size and treatment type, but in timing of delivery since it is currently vacant and not subject to any land ownership constraints.

**7. Please set out what modifications you consider necessary to make the North London Waste Plan legally compliant or sound, having had regard to the Matter you have identified at Question 5 above where this relates to soundness. You will need to say why this change will make the Plan legally compliant or sound. If possible please include your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate cannot be modified at examination).**

### **Response 1**

#### **Paragraph 1.11 and Paragraph 7.9, p.4 and p.49**

Paragraph 1.11 states: *“The North London Waste Authority’s (NLWA) has produced the Joint Municipal Waste Management Strategy (JMWMS) (2009)”* this should be corrected to: *“The North London Waste Authority’s (NLWA) and the seven constituent boroughs have produced the Joint Municipal Waste Management Strategy (JMWMS) (2009)”*. The Strategy is jointly produced by NLWA and boroughs, and we are all collectively working to achieve the recycling targets it includes.

The same comment applies to Paragraph 7.9 which should be corrected to read: *“The NLWA and seven constituent boroughs are seeking to achieve a household waste recycling target of 50% by 2020 consistent with the targets set out in the North London Joint Waste Strategy.”*

Paragraph 1.11 requires an additional correction. It currently states *“The NLWA is responsible for managing the waste collected by the north London boroughs, in particular household waste but also waste deposited at Reuse and Recycling Centres and some waste that the boroughs collect from local businesses; collectively this is known as Local Authority Collected Waste (LACW).”* Waste collected at RRCs is household waste; business waste is not accepted at RRCs. Therefore, this paragraph should be corrected to read: *“NLWA is responsible for managing the household waste collected by the north London boroughs and also for the household waste deposited at Reuse and Recycling Centres and some waste that the boroughs collect from local businesses; collectively this is known as Local Authority Collected Waste (LACW).”*

### **Response 2**

#### **Figure 6: Key Diagram p.24**

The key diagram is hard to interpret and could be made more legible. The following changes are suggested:

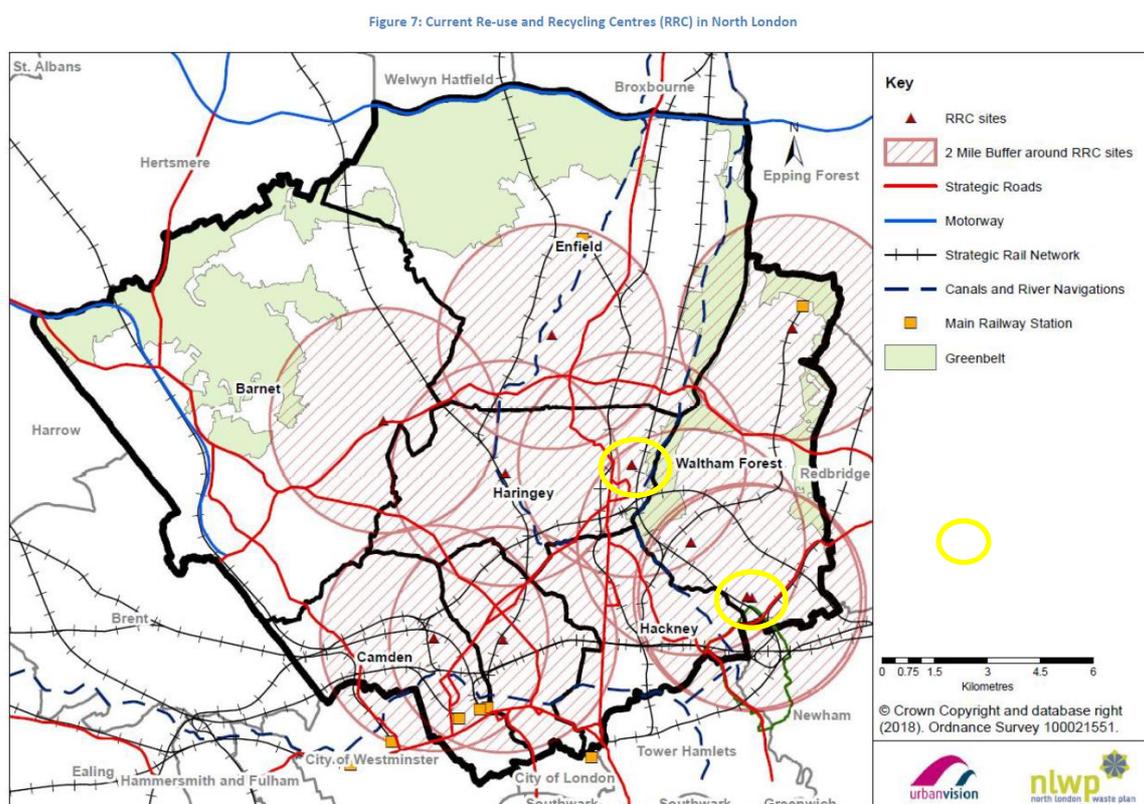
- The Key includes ‘Potential Area for Decentralised Heat’ and ‘Decentralised Energy Opportunity Area’, yet the latter does not appear on the diagram. ‘Decentralised Energy Opportunity Area’ should be deleted from the Key.
- Existing waste sites need to be added to the diagram.
- Proposed waste sites should be added to the diagram and Key.
- The ‘Potential Areas of Decentralised Energy’ are overly dominant. The existing and proposed waste sites should appear more dominant than other features such as roads and rail which are provided for context.

### Response 3

Figure 7: Current Re-use and Recycling Centres (RRC) in North London p.26, Paragraph 9.32, p.73, Figure 6: Key Diagram, p.24 and Figure 9: Existing Waste Sites, p.33

Figure 7 shows ten RRCs but there are only eight in operation, the following corrections should be made as marked up on the extracted image below:

- Two RRCs are illustrated in Haringey, the site shown to the east of the borough is the former Park View RRC which has closed.
- Two RRCs are shown at Gateway Road to the south of Waltham Forest. This site comprises an RRC and a separate depot operated by Bywaters, however the Bywaters site is not an RRC. Only one RRC should be illustrated at this location.



Related to this Paragraph 9.32 states: “There are currently nine RRCs in North London of which eight are the responsibility of the North London Waste Authority (NLWA)”. This should be corrected to “There are currently eight RRCs in North London of which seven are the responsibility of the North London Waste Authority (NLWA)”.

These corrections should also be translated onto Figure 9 which shows all existing waste sites including RRCs and Figure 6 Key Diagram.

### Response 4

Table 11: Schedule 2 Area suitable for waste management, p.67

Table 11 identifies ‘Waste Facility Type’ for each of the proposed sites. The NLWP should not specify what type of treatment is appropriate at each site; this should be a matter for the planning application stage when proposals will be tested against the criteria in Policy 5, and other relevant local, regional and national policies.

The NLWP should not favour one treatment type over another because it is likely that during the period covered by the NLWP new technologies will emerge, as will the ability to mitigate any impacts, meaning that some treatment types may become more acceptable at particular sites. The NLWP should seek to retain maximum flexibility by not indicating what type of treatment might be suitable, thereby prejudicing future planning applications. The 'Waste Facility Type' column should therefore be deleted from Table 11.

Should 'Waste Facility Type' be retained for each site, we agree that proposed site A22-HR Friern Barnet Sewage Works/Pinkham Way is suitable for recycling (Category A), Composting (Category B) and waste transfer (Category E). Additionally, the site should be recorded as suitable for Category "*D Waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)*". NLWA has no intention to use the site for thermal treatment or mechanical biological treatment during the lifetime of the NLWP. However, A22-HR might be suitable for other types of treatments included within Category D, for example anaerobic digestion is likely to have similar potential effects and material planning considerations to indoor composting in that it would be enclosed and potentially result in similar effects.

Proposed site A22-HR should also be recorded as suitable for and Category "*C integrated resource recovery facilities / resource parks*". The site is well suited for use as an integrated resource recovery facility. '*Rubbish in – Resources Out*' produced for the Mayor of London and Design for London recognises that with good design waste treatment facilities are increasingly acceptable in urban locations. The document includes a concept design for an integrated resource recovery park on the urban fringe which bears many similarities with site A22-HR. It would receive waste in refuse collection vehicles directly from several boroughs – A22-HR's central location makes it ideal for this purpose. It is also of the right size for a facility of this nature and next to buildings which would be of a similar scale.

These changes would make Table 11 consistent with Appendix 2 which identifies the site as having potential for "*Integrated resource recovery facilities/resource parks, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment Waste transfer, processing and recycling, indoor composting, in-vessel composting and outdoor composting. Thermal Treatment facilities may be viable but should only be considered if a combined heat and power facility could be incorporated into the facility and linked up to a district heating system*". Reference to "*mechanical biological treatment*" should be deleted from information on A22-HR in Appendix 2.

Proposed site A15-HC Millfield LSIS should also be recorded as suitable for Category "*D Waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)*" because the power facility here may make the site suitable for energy recovery.

## **Response 5**

### **Policy 5, p.74**

Policy 5 m) requires "*appropriate permits are held or have been applied for from the Environment Agency*". Planning policy should not duplicate other regulatory requirements. In this case permits to operate waste facilities are already required by the Environmental Permitting (England and Wales) Regulations 2019 and as such criteria m) of Policy 5 should be deleted. Furthermore, the policy as worded prevents permits being sought after planning consent is granted and before operation; in some cases, this sequencing may be most appropriate.

Policy 5i) requires development to “*make the fullest possible contribution to climate change adaptation and mitigation*”. This is an unrealistic expectation for all waste developments and should be deleted.

Policy 5 p) requires “*job creation and social value benefits, including skills, training and apprenticeship opportunities*”. This might not be appropriate for all scales of waste treatment facilities since small sites could have a very small number of employees. A caveat should be added to the criteria that this should be required unless a small number of employees are based at the site.

Supporting text for Policy 5 at Paragraph 9.44 requires development “*to protect and enhance local biodiversity*”. The reference to enhancing biodiversity should be deleted to make it consistent with the wording of Policy 5 which requires “*no significant adverse effect on local biodiversity*”.

## **Response 6**

### **Appendix 1: Table 17: Schedule 1: Existing safeguarded waste sites in North London and Figure 9: Existing Waste Sites, p.33**

The following corrections should be made to Table 17:

- The EcoPark is currently listed in Table 17 as several sites, as follows: ENF19 ‘London Waste Ltd Composting, Edmonton Eco Park, Advent’, ENF 20 “London Waste Ltd, Edmonton EcoPark, Advent Way”, ENF 20 “London Waste Bulk Waste Recycling Facility, Edmonton EcoPark, Advent Way”, ENF 22 “Edmonton Clinical Waste Treatment Centre”, ENF 27 “Edmonton EFW” and ENF 33 “Ballast Phoenix Ltd”. Note there are two sites called ‘ENF 20’. The table should include one entry - ‘ENF 20’ - covering the entirety of the EcoPark and all facilities within it. Although specific permitted activities take place within the EcoPark the entirety of the site is required to deliver effective, integrated waste treatment;
- HAR10 is listed as ‘LondonWaste Ltd. Western Road HWRC’, however the other reuse and recycling centres (RRCs) operated by LondonEnergy Ltd are not identified as such. To make the wording consistent HAR 10 should be recorded as ‘Western Road RRC’;
- The full address and postcode of all safeguarded sites should be included; and
- It is not clear why this table is referred to as both ‘Schedule 1’ and ‘Table 17’, it should have one title to avoid confusion.

It is also noted that the references in Figure 9 Existing Waste Sites do not match those in Table 17, as an example on Figure 9 ENF 19 is the Bulky Waste Recycling Facility whereas in Table 17 ENF 19 is the Composting facility. Existing waste sites and safeguarded waste sites are not the same, so the references do not have to be identical, however, to avoid confusion it would be helpful if references could be made consistent where possible.

## **Response 7**

### **Throughout**

All references to *LondonWaste Ltd* should change to *LondonEnergy Ltd*.

### **8. If your representation is seeking to make a change to the North London Waste Plan, do you consider it necessary to participate in the oral part of the examination?**

*(please select one answer)*

*Yes, I wish to participate at the oral examination. X*

*No, I do not wish to participate at the oral examination*

**9. If you answered yes to question 8 please outline why you consider this is necessary. Please note the appointed inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination**

NLWA has a role and responsibility in implementing the Plan as identified in Table 15. This states that NLWA is responsible for:

- Delivery of replacement Edmonton ERF plant;
- Delivery of other facilities enabling achievement of desired performance levels;
- Prioritising infrastructure delivery that moves waste up the Waste Hierarchy; and
- Support / promote / deliver waste reduction initiatives.

As the statutory waste disposal authority for the seven north London boroughs, and owner and operator of existing and proposed waste sites, it is essential that NLWA is provided the opportunity to participate in the examination.

**10. Do you wish to be notified of future stages in the North London Waste Plan, including Submission, Examination and Adoption?**

*(please select all that apply)*

*Submission* YES

*Examination* YES

*Adoption* YES