

Local Plan Independent Examination

OPDC Response to Matter and Issue 2h

Matter 2h: Whether the Plan has been positively prepared in relation to waste facilities (derived from the thirtieth Key Issue of table 5 of Key document 5 identified at Regulation 19(1) stage and the eighth Key Issue of table 7 of Key document 5 identified at Regulation 19(2) stage and representations 2/P2/4, 2/EU6/3 & 7 from local residents amongst others)

Although I am content with the officers' response to this Matter set out in Appendices E and J to Key document 5, a Hearing session will be required if representors exercise their right to be heard.

OPDC response:

- 1.1. OPDC considers that the Plan has been positively prepared in relation to waste facilities and has engaged with the relevant stakeholders in fulfilling the Duty to Cooperate alongside carrying out extensive public consultation.

OPDC's role in managing waste apportionment

- 1.2. The current London Plan (document OSD27) sets out projections of how much Household (HH) and Commercial & Industrial (C&I) waste is likely to be generated in the capital over the next 20 years which is the objectively assessed need. This waste is then apportioned (referred to as waste apportionment target) to individual boroughs who are required to plan for the management of this waste. Associated with this, London Plan policy 5.17 requires land to be brought forward to manage waste by protecting and facilitating the maximum use of existing waste sites or identifying industrial sites.
- 1.3. OPDC does not have a waste apportionment target but its role with regards to this is set out in paragraph 5.80 of the current London Plan as follows:

“where a Mayoral Development Corporation (MDC) exists or is established in a borough the MDC will cooperate with the Borough to ensure that the Borough's apportionment requirements are met”

- 1.4. As such, OPDC is required to work with LB Brent (LBB), LB Ealing (LBE) and LB Hammersmith and Fulham (LBHF) to ensure that their waste apportionment targets are met. The current London apportionment targets are set out in the table below:

	Apportionment Target	Brent (tonnes)	Ealing (tonnes)	Hammersmith and Fulham (tonnes)
London Plan (2016)	2016	195,000	252,000	172,000
	2021	225,000	291,000	199,000
	2026	270,000	349,000	238,000
	2031	275,000	355,000	242,000
	2036	280,000	362,000	247,000

Safeguarding Old Oak Sidings / Powerday waste site

- 1.5. The Old Oak Sidings, also known as the Powerday site, is one of five sites located in the London Borough of Hammersmith and Fulham (LBHF) part of the OPDC area (see Figure 6.9 in the Draft Local Plan). The Powerday site has planning permission for a waste use and is currently operational.
- 1.6. The Old Oak and Park Royal Opportunity Area Framework (OAPF) (document OSD30) set the strategic context for change. This explained that, for development to proceed within the Old Oak Common Opportunity Area, it will be necessary to relocate one or more of the waste sites and that in particular, the early relocation of the European Metal Recycling (EMR) waste site is considered necessary to facilitate the early regeneration of the north part of the Opportunity Area (paragraphs 5.41, 9.8 and 10.29). The OAPF also notes that the Powerday site could act as the on-site construction waste management centre for the redevelopment of the Opportunity Area and could be refurbished over the lifetime of the development so that its focus could switch to municipal waste management and district-scale energy generation (paragraph 9.7) within the plan period.
- 1.7. Local Plan Policy P2 and EU6 safeguard the Old Oak Sidings site for continued use as a waste site because:
- The facility was built in 2006 and there are buildings to enclose operations;
 - It is the second largest waste site in LBHF and currently processes the highest throughput compared to the other sites; and
 - There is the opportunity to increase the throughput of the site in order to generate the throughput required to help LBHF meet their waste apportionment target.
- 1.8. The other waste sites in LBHF/OPDC area are too small and/or need to be redeveloped to in order to deliver homes and jobs in line with the guidance provided in the OAPF. Therefore, they are not considered to be reasonable alternatives to the continued operation of the Powerday site.
- 1.9. An optimised Powerday site could achieve around 411,171 tonnes per annum which would ensure that LBHF can meet its apportionment target and provide other waste management capacity. As such, the Local Plan safeguards this site for waste use and in so doing the Local Plan is ensuring that waste processing infrastructure is sufficient to meet future forecast demands (as required by paragraph 3 of the National Planning for Waste (2014)). If it was ever proposed to be redeveloped in the future, then part (b) of EU6 would apply i.e. that any existing waste management site(s) lost to a non-waste use will be required to

provide equivalent or enhanced compensatory site provision which meets the maximum throughput that the lost site achieved.

- 1.10. The waste apportionment for the London Boroughs of Brent (LBB) and Ealing (LBE) parts of the OPDC area are governed by the West London Waste Plan and therefore planning for waste has already taken into account this area. OPDC adopted the West London Waste Plan in 2015.

Delivering an appropriate standard of amenity

- 1.11. A range of policies within the Local Plan and London Plan will be implemented to ensure that new development would not cause unacceptable harm to the amenity of existing uses. The Local Plan policies include SP9, D6, EU4, EU5, EU6, P2 and P8. In particular, Local Plan policy D6 and paragraph 5.48 recognise the need to deliver an appropriate standard of amenity and that it is important that the amenity of existing residential uses is appropriately safeguarded. Policy EU4 requires that development appropriately minimises air pollution and makes a positive contribution to overall improvement in air quality.
- 1.12. These policies were presented at a public consultation event on 27 June 2018 in relation to the safeguarding of the Old Oak Sidings waste management site.

Pooling apportionment

- 1.13. OPDC does not have a waste apportionment target. The role of Mayoral Development Corporations is set out in paragraph 5.80 of the London Plan and this requires OPDC to work with LBB, LBE and LBHF to ensure that their waste apportionment targets are met.
- 1.14. OPDC has been working closely with LBHF to ensure that their waste needs can also be met, and in 2016, OPDC agreed to work with LBHF, London Borough of Lambeth (LBL), Royal Borough of Kensington and Chelsea (RBKC) and London Borough of Wandsworth (LBW) to prepare a joint waste evidence base (document SD29) to understand capacity within each planning authority area and across the Western Riverside Waste Area (WRWA) area.
- 1.15. The Waste Technical Paper was completed in January 2017 and showed a surplus of capacity in the OPDC/LBHF area based on optimising the Powerday site, but also identified a gap or shortfall in waste capacity for LBL, RBKC and LBW. Aggregating this across the WRWA as a whole, resulted surplus capacity across the area.
- 1.16. A draft Memorandum of Understanding was drawn up in June 2017 to try to formalise arrangements for joint working. However, this was not resolved as there were outstanding comments received from the GLA on the Waste Technical Paper, which required further verification of the assumptions used for the Powerday site. This verification was not completed until October 2017. In addition to this, the draft new London Plan (document OSD14) was published for consultation in December 2017. Table 9.2 includes lower apportionment targets for LBHF but significantly higher targets for LBB and LBE. The implication of this is that OPDC needs to work with LBB and LBE to understand whether they are able to meet their new higher targets after the adoption of the draft new London Plan (document OSD14).

- 1.17. As OPDC does not have an apportionment target, it is unable to agree to pool apportionment targets on behalf of LBHF. However, the decision on the use of any surplus waste capacity is a joint decision between both LBHF and OPDC. With regards to the surplus waste capacity, OPDC is not in a position to confirm whether there are opportunities to meet unmet needs in LBL, RBKC and LBW, because it is not yet clear whether LBB and LBE can meet their higher apportionment targets themselves or whether the LBHF part of the OPDC area will be required to contribute towards meeting any unmet waste apportionment targets for one or both of LBB and LBE. Once the new London Plan is adopted and the new targets are confirmed, OPDC will be in a position to work with LBB and LBE to determine whether or not they will require assistance in meeting their new waste apportionment targets.
- 1.18. Given these circumstances, paragraph 6.73 in OPDC's Draft Local Plan Policy refers to a potential review of Policy EU6 if this is necessary to assist the OPDC host boroughs in meeting their waste apportionment targets as set out in the draft new London Plan. This would allow a future opportunity for OPDC to re-initiate discussions with LBL, RBKC and LBW and to explore whether it is possible to help meet any identified unmet needs of theirs as part of this process.