

SOUTH LONDON WASTE PLAN
EXAMINATION STAGE – CONSULTATION ON PROPOSED CHANGES

RESPONSE FORM

Comment 1 The SLWP has not been inclusive of local communities

Ref: NPPF Introduction para 12

Name David Pettener

*"In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny....This should be a collective enterprise. Yet, **in recent years, planning has tended to exclude, rather than to include, people and communities...**In part, **people have been put off from getting involved because planning policy itself has become so elaborate and forbidding – the preserve of specialists, rather than people in communities.**"*

The consultation process for the SLWP has NOT been inclusive or clear, it has been long and complicated and absolutely the reserve of specialists. I feel it has ignored the concerns of local residents rather than try to address them. There has been no attempt to present the plan in plain English and it is unfair to expect an ordinary member of the public to decide whether or not the SLWP is good or bad when you are not being told what will be built or where. It feels as if more consideration is being paid to the needs of the potential bidders than the local residents who the SLWP is supposed to be helping.

Comment 2 The SLWP has not been transparent or clear about its intentions

Ref: NPPF Para. 3

Name David Pettener

"...planning must be transparent, effective and efficient and it must ensure the public interest is protected."

On the one hand the SLWP refuses to say what waste treatment facility will be built and insists it is technology neutral and on the other, in SLWP [Para. 3.76](#) it states that it *"supports the provision of waste facilities (notably anaerobic digestion, pyrolysis and gasification facilities)..."*

By being unclear and contradictory about the type of waste treatment facility, the number of facilities and their location(s) the SLWP has made it impossible for residents to make an informed decision and as such it has failed to be transparent and inclusive.

Comment 3 Reliance on windfall sites and identifying future needs means the SLWP lacks clarity

Ref: SC107 Additional Paragraph 4.60A

Name David Pettener

*"Policy WP2 states that planning permission for additional facilities for other waste streams, including Construction, Demolition and Excavation Waste, **Hazardous Waste**, Agricultural Waste, Clinical Waste, **Radioactive Waste** and Waste Water, will be permitted provided there is an identified need and the proposal meets the other policies of South London Waste Plan. The suitability of proposed sites for the management of other wastes will be judged against the same policy criteria as MSW and C&I windfall sites."*

The reliance on using windfall sites if and when the need arises as described in [SC107 Additional Paragraph 4.60A](#) is akin to stealth planning consent and goes against one of the core principles of the NPPF which is to be inclusive and transparent. It is not reasonable to expect the public to remain vigilant to such a land use change. The SLWP has a duty to ensure the public are kept informed of land use change and given the opportunity to object if they wish, particularly when it comes to such contentious issues as dealing with hazardous and radioactive waste.

It is sufficient to judge applications for development relating to the management of radioactive waste by the same principles that are applied to other waste streams. There is no clear reasoning behind the decision that the same principles should apply. Each waste stream requires its own separate policy.

Also there is no explanation given as to what an "identified need" is and how it is to be assessed. This is another example of how unclear the plan is rendering it impossible for local residents to make an informed decision about the suitability of the plan.

Comment 4 The SLWP is not based on a robust and credible evidence base.

Ref: SWLP Para. 2.23

Name David Pettener

SWLP Para. 2.23: To be considered sound the Waste Plan must be *“justified, effective and consistent with national policy.”*

“Justified means the plan must be founded on a robust and credible evidence base and is the most appropriate strategy when considered against the reasonable alternatives.”

The SLWP is not ‘justified’ because it is NOT *“founded on a robust and credible evidence base.”* The plan is based on predicted waste arisings and these predictions are founded on data that is inconsistent, inaccurate or unavailable. The inconsistency in waste stream data was recognised by A House of Lords Select committee on Science and Technology in 2008. They looked in to the waste hierarchy and the complexities of waste reduction and found that there are huge gaps in the data available for waste production and concluded: *“We are not satisfied that the Government are giving a high enough priority to the collection of data on waste.*

Targets and policies to reduce waste are meaningless if they are not based upon a thorough understanding of the waste streams involved.”

The following are just a few of many examples that show how the plan is based on both missing data and data that fluctuates greatly.

SWLP Para. 3.14: *“Regarding commercial and industrial waste (C&I) waste, there is no borough level data available on the movements of this waste stream.”*

SWLP Para. 3.19: *“...Plus unknown quantities of Construction, Demolition and Excavation Wastes which are likely to be significant.”*

SC18 Para. 3.20: *“The total amount of waste produced annually throughout the plan period is expected to rise by around **22,000** to almost 1.02 million tonnes over the Waste Plan period.”*

Before the change, para. 3.20 read: *“The total amount of waste produced annually throughout the plan period is expected to rise by around **180,000 tonnes** to almost 1.4 million tonnes over the Waste Plan period.”*

Replacement table SC33 shows further large variations in the figures where predicted land requirements for waste treatment have doubled in just two years. This shows how variable the predictions are depending on what data they are based on.

Replacement table SC33		2011	2016	2021
Table 3.1: Landtake Needed to Meet the 2008 London Plan Apportionment	New Landtake Required (hectares) -	0.8	3.2	6.1
Revised Table 3.1: Calculating the Landtake Needed to Meet the 2010 Consolidated Draft Replacement London Plan Apportionment Target Years	Total landtake (in ha) required to meet the apportionment	0.40	1.26	3.03

SWLP MC4, page 10/11 paragraph 2.10 is another example of both how changeable the data is and how little is known about the waste streams. The annual tonnage of waste produced by local business and industry has been revised from **640,000 tonnes to 378,000** and the amount thought to be landfilled has gone from **60% to 17%** while **DEFRA statistics also list 18% of the treatment as “unknown”**

The data on which the SLWP is based has been brought in to question by a House of Lords select committee and the plan itself admits it is missing certain data. A plan that is based on incomplete and inconsistent data must be considered flawed and unworkable. As such, the plan can not be seen fit for purpose and must be withdrawn.

Comment 5 The SLWP does not encourage the waste hierarchy.

Ref SWLP Para. 3.49

Name David Pettener

SWLP Para. 3.49: *“It is feasible that the redevelopment of any of the partner boroughs’ transfer facilities could*

result in the displacement of other existing facilities onsite, notably the boroughs' HWRCs..."

In para. 3.49 of the SWLP it states that HWRCs could be displaced but does not provide alternatives for local residents. Making people travel further to access HWRC's encourages road traffic and discourages recycling both of which are bad for the environment. The SLWP is not encouraging recycling and re-use which contradicts its own key targets and runs contrary to the NPPF which wants new developments to lessen their environmental impact.

Comment 6 The SLWP does not take due consideration that the landfill site at Beddington Farmlands will close by 2023

Ref_SWLP Additional Paragraph 4.44a

Name David Pettener

Additional paragraph 4.44a in the revisions of the SWLP recognises that the landfill site at Beddington Farmlands will close by 2023 but will *"assess future need through their monitoring processes."*

It is irresponsible and negligent of the plan not to include provision for the additional 380,000 tonnes of waste that currently goes there. So much of the plan is based on predictions using inconsistent or missing data. The closure of the landfill site in 2023 is a known fact that is being pushed aside for now. It makes environmental and economical sense for the SWLP plan to incorporate this future need.

Comment 7 The SLWP does not protect the local environment

Ref_NPPF Para. 19, 163, & 165

Name David Pettener

NPPF Para. 19:

"in considering the future use of land, planning policies and decisions should take account of its environmental quality or potential quality regardless of its previous or existing use."

NPPF Para. 163:

"The Government's objective is that planning should help to deliver a healthy natural environment for the benefit of everyone and safe places which promote wellbeing."

NPPF Para. 165

"In preparing plans to meet development requirements, the aim should be to minimise adverse effects on the local and natural environment. Plans should allocate land with the least environmental...value...where practical..."

Beddington farmland is to become a nature reserve after 2023 and in accordance with protecting the local environment and quality of life, that site and all those surrounding it should no longer be considered as potential waste treatment sites in the SLWP and should be removed from the plan.

Comment 8 Comments on the Sustainability Appraisal

Ref: SA para 1.9 & 2.3, SLWP SC1 & SC142

Name Jonathan Essex

SEA is strategic. The approach taken in this SA appears systematic and it is not clear if the overall strategic (systemic) impact of the South London Waste Plan has been assessed.

Also, the SE appears to not consider the full timescale over which the SLWP will have impact. This should consider the strategic environmental impact over the life of what is planned (e.g. MRFs and residual waste facilities) over their full lifetime, not just at the time of construction.

Comment on Para 1.9

The SEA directive requirement for the "integration of environmental considerations into the preparation of plans" as stated here, must ensure that impact on other strategic environmental policies have been complied with. The absence of any reference to the Climate Change Act and its requirement to reduce CO2 emissions by 80% by 2050 (which is anticipated as the lifetime of the proposed facilities constructed over the next ten years) means this document fails to comply with the SEA Directive 2001/42/EC, and may contribute to South London failing to meet its CO2 reduction obligation under the Climate Change Act as well as failing to comply with the requirement to mitigate CO2 impacts in planning decisions (see Addendum to PPS1).

Comment on Para 2.3

The framework provided is inadequate as the objectives listed do not enable the SLWP to be assessed to be assessed to see if it complies against key national and EU environment policies. The following points are indicative but not exhaustive:-

- Objectives 1 and 3– if waste management is sustainable it should be part of wider efforts to reduce resource use so that South Londoners are empowered to live within environmental limits.
- Objectives 4.1-4.3 do not focus on CO2 reduction but energy efficiency, which does not necessarily lead to CO2 reduction, so may not contribute to reducing impact on climate change.
- Objective 9 – Cultural impact should include shift away from consumer culture to more resource efficient ways of living that reduce waste in the first place.

SC1.

Note that no reference is made to waste reduction and reuse activities. While these are not 'waste' facilities per se (as reuse is now outside of the new waste hierarchy) they will remove the need to treat as much waste, which stimulating the local economy through new enterprises and employment.

SC142 spelling mistake on item 6.3

Comments on conclusions

The changes to the enacting of the EU Waste Framework Directive into UK law will have a material impact on the South London Waste Plan and as a result the SA, as it actively discourages the construction of incinerators classified as disposal, re-classifies composting as recovery and reuse collection and sales as waste prevention activities.

In light of the impacts of this new EU Waste Framework Directive discouraging the worst form of incineration which have the greatest impact on climate change this further highlights the weakness in the South London Waste Plan in neither setting out objectives or SMART monitoring indicators to track its impact on climate change. The SA is inadequate as it fails to consider or analyse the climate change impact (direct and indirect) of the South London Waste Plan, so fails to consider its impact in relation to other environmental policies in a strategic way.

Comment 9 Lack of Clarity of a Vision that supports the Waste Hierarchy as a Legal Priority Order over the full lifetime of impact of plants that would be approved through the plan period.

Ref: SLWP – Examination Stage Consultation on Proposed Changes

Name Jonathan Essex

We urge the SLWP to present a clear vision which reflects the government's position (and legal priority order to follow the new waste hierarchy) and best practice councils which have shifted focus from providing infrastructure capacity to support near-future levels of residual waste, to driving this right down towards zero levels. In light of this new commitment and recent best practice we propose that the SLWP partners do not lose this opportunity to raise the following points in setting out the aims and commitments of the SLWP:

The partner boroughs of the SLWP recognise the vital role that community leadership can play in reducing residual waste levels at the household as demonstrated by the achievement of South Oxfordshire, which has just increased its recycling and composting rate to 70% - a 50% improvement in just 18 months. The boroughs of South London seek to be the area that leads the capital by inspiring it to emulate instead the achievements of Villafranco d'Asti in Italy, which has raised levels from 70% to 85% recycling using a 'pay-as-you-throw' incentive and the rate of improvement achieved by Ursurbil in Northern Spain which has tripled reuse and recycling in seven months to an overall rate of 86%, cutting residual waste levels to just 14%.

The South London Waste Partners supports this approach which represents the new government's strategic vision as set out in its Waste Review (June 2011) which has an overarching aim to 'make it easier for people to do the right thing' and are actively seeking funding from Defra, as one of the group of leading authorities who are proposing to provide tangible rewards and support for rapid shifts in household participation rates and separation rates across the full four boroughs.

The South London Waste Partnership recognises the risks in committing to co-mingling of household recycling collections at this stage, with the ongoing judicial review just announced (September 2011) which challenges that this lower-value approach to waste collection should not be classified as recycling under the EU Waste Framework Directive, which is now UK legislation, enacted in England and Wales through the legal priority order set out in the Waste Regulations (March 2011).

The South London Waste Plan Partnership is encouraged by the leadership pledged by Coventry Council in wishing to establish the first Residual Waste Research Centre in the UK, and intends to shift its focus from landfill (such as in Sutton) to identify what residual waste is left over in our black bag collections. By committing to London's first Residual Waste Research Centre the SLWP aims to share community responsibility to separate out what is reusable and recyclable with industry and commerce to play its part to eliminate the remaining items from the waste stream. By making what we throw-away visible we will help identify the residual challenges to be fed back to retailers and industrial designers to remove what cannot be recycled from the waste stream in the first place.

The South London Waste Plan Partnership, while recognising it has a statutory duty to focus on household waste recognises the government's stated position which is to ensure that commercial, industrial and construction waste is also reduced, reused and recycled. Therefore the SLWP is looking to take advantage of Defra's Secretary of State's desire for 'small business recycling to count towards Local Authority recycling targets with incentives to support small and medium sized enterprises recycling more'¹.

The authority will conduct an economic analysis to ensure that the financial support and indirect economic benefits pertaining to any residual waste treatment facilities are exceeded in investment/tonne in reuse and recycling, as required by the Waste Regulations. The overall benefit of continuing to improve waste reduction (overall waste volume reduction) as well as reuse and recycling rates should be analysed and prioritised economically against investment decisions that do not allow the authority to follow the waste hierarchy in the medium to longer term.

- 1 Keynote Speech at 'Making 2020 Zero Waste Work: Achieving a low carbon resource efficient future', 9th September 2011, St. May's Guildhall, Coventry.

Comment 10 Particular comments on the changes made (and that would have been expected to have been made) during the revision period.

Ref: SLWP figure 2.1, table 2.1, para. 3.6, 3.73, table 4.1, paras 4.74, 4.77, 4.78, 4.79, 4.80	Name Jonathan Essex
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Figure 2.1 text

This is incorrect and should read, "the most effective environmental solution is *generally* to reduce ..."

The supporting text should make clear that "energy from waste facilities that fail the EU's R1 test are now classed as disposal so are at the same level of the waste hierarchy as landfill."

It should also make clear that the government is required now to follow the waste hierarchy as a legal priority order, and thus there is an obligation on the South London Waste Authority to deliver waste reduction and reuse before recycling, recycling before energy recovery, and energy recovery before disposal. It is not inappropriate to fund projects that fail to move waste up the waste hierarchy."

This text, or elsewhere in this plan it should clarify that crushing of material to produce a lower value product and composting shall now be classified as recovery as opposed to sitting at the same level of the hierarchy as reuse.

Table 2.1

The targets in the Consolidated Draft Replacement London Plan (2010) need to be revised as they are no longer consistent with the new waste hierarchy. There should be a clear target for each level of the waste hierarchy. So, the municipal recycling/composting target should now be a recycling target and the commercial and industrial waste should be clearly identified as a recycling target.

Para 3.6

This reference is out of date. The Surrey Waste Plan was updated with a new Joint Municipal Waste Management Strategy published in 2010. This plan should be updated to reflected the changes made in this plan.

Para 3.73

It is noted that generating energy from waste wood that would otherwise be reused or recycled increases climate change emissions, whereas displacing wood from landfill is beneficial. This target currently generates

renewable energy in a way that increases overall UK CO2 emissions.

Table 4.1

It would clearer to say 'Promote waste minimisation including reuse' if the intention of the South London Waste Strategy is to be read and clear to members of the public.

Para 4.74, 4.75, 4.78, 4.80, Policy WP8 and others as places as appropriate

The new waste hierarchy means that facilities referred to as energy recovery facilities are those pass the R1 test, as set out in relation to the EU Waste Framework Regulations as facilities that do not pass the test are now referred to as waste disposal facilities.

Para 4.77

This is out of date and incorrect. It should instead refer to the UK Waste Regulations (29 March 2011 which is the legislation that enacts the EU Waste Framework Regulations into UK law. This clearly sets out that recycling is prioritised over composting and that comparisons between residual waste technologies shall be made using the R1 formula. This new legislation is also referred to in the new Waste Review, published on 14 June 2011, which sets out the direction of policy movement under the new coalition government.

Para 4.79

The last sentence should delete the reference to composting as this is now considered as a form of energy recovery.

Comment 11 Comments on Waste Policies in the Plan

Ref: SLWP WP1, WP6, WP8, WP9

Name Jonathan Essex

WP1 Strategic Approach to Municipal Solid Waste and Commercial and Industrial Waste

This should be revised to reflect the fact that the new EU Waste Framework Directive requires the new waste hierarchy to followed from the top down as a legal priority order from the top down.

Proposed reword as follows:

“The boroughs of the South London Waste Plan will catalyse partnership between local communities and the waste management industry to maximise opportunities to reduce, reuse, recycle, recover and dispose of waste in the area, in that order. Proposals will be required to be flexible so that during the lifetime of the plan, the boroughs do not constrain or otherwise act in ways that limit the ability to maximise waste reduction, reuse and recycling by investing in too much capacity to recover or dispose of waste.

This would enable the SLWP to focus less on increased capacity to deal with the problem, by recognising the collective effort and intelligence to continue to shrink the size of the waste management problem that the authority is responsible for.

Policy WP6

Carbon emissions should be minimised for the construction and maintenance (embodied carbon of materials) used to build and sustain waste facilities as well as the operational energy and transportation impacts of the sites. Table 4.6 sets out current London targets for in-use energy. The SLWP recognises that for London to reduce its overall carbon footprint it is also important that construction, transport and maintenance impacts are considered so will commit to these being measured and use targets in contracts to ensure these are reduced, and continue to fall with time.

Policy WP8

Instead of the deleting the final sentence it should be replaced with reference to the requirement for energy recovery developments to meet the R1 test, as set out by the EU Waste Framework Directive.

However, we note that the level of energy recovery and climate change benefit through reduce, reuse and recycling is greater than can ever be achieved through energy recovery, even with CHP that shifts overall efficiency from around 20% to a potential of 80+%. This is because of the embodied energy that is retained through reuse of a product, and lesser so when materials are recycled and remanufactured in similar products again.

Policy WP9

Planning obligations, set within a sustainable strategic vision as set out in WP1, enable the SLWP to avoid

constructing capacity that locks-in current predicted levels of residual waste. The specific environmental impacts of each development will be minimised including construction, ongoing maintenance and associated transport impacts. The SLWP aims to first enable a residual waste research centre is constructed, as this, together with best practice segregation and collection will save the SLWP significant expenditure by reducing the overall level of residual waste that is required to be treated in the long-term.

Comment 12 Comments on Waste Policies in the Plan

Ref: SLWP appendix 2, 3, 4

Name Jonathan Essex

Appendix 2 Legislation

This should be amended to include the following national legislation:

- Waste Legislation Regulations (March 29 2011)
- Waste Review (June 14 2011).

Appendix 3 Glossary

This should be revised to be compliant with the new waste hierarchy, and therefore be distinguished by disposal through the R1 test.

New Appendix 4.

This should make reference to the new levels in the waste hierarchy as introduced in law in the Waste Regulations (29 March 2011) and the means to determine at which level different waste processes are judged to sit at. This is currently not clear in the Appendix, as presented.

The South London Waste Plan should be compliant with the whole of the EU Waste Framework Directive (not just Article 28).

Comment 13 The plan does not provide sufficient land allocation for landscaping waste sites

Ref: SLWP SC34

Name Lewis White

Land take estimates in the document, whether revised or not, make the assumption that waste facilities will in future will be totally enclosed in buildings. Even if this is a goal, the vast majority of such facilities will also include some outdoor areas, such as lorry parking and waiting areas, staff car parks, and possibly even sorting bays where there is no risk of significant dust e.g. with the council's own recycling centres such as the Purley oaks depot.

With the possible exception of a new facility in an industrial estate (the kind with extensive building and hard surfacing but little or no green space), it is likely that most new waste sites, whether waste handling or waste processing or waste disposal, will need a landscape scheme to be carried out to give visual screening and go some way to mitigating the visual and wider environmental impact.

Yet this does not seem to figure in the calculations of space needed to accommodate the waste sites. Para SC 34- Page 21 of the original document, new charts Table 3.1 and 3.2 refer-- these figures are just estimates of the site area, but do not seem to include for amenity landscape schemes need to make the developments. In this sense the tables are inadequate, as they omit an important aspect of land take-- the landscaping. This therefore has a further implication for the soundness of the "Plan".