



**Adoption of the North London Waste Plan**

**Key Decision No. NH R71**

**CABINET MEETING DATE**

24 January 2022

**CLASSIFICATION:**

Open

**WARD(S) AFFECTED**

All Wards

**CABINET MEMBER**

Councillor Guy Nicholson, Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy

**KEY DECISION**

Yes

**REASON**

Affects two or more wards

**GROUP DIRECTOR**

Ajman Ali, Group Director of Neighbourhoods and Housing

**1. CABINET MEMBER'S INTRODUCTION**

- 1.1. Hackney, in partnership with the six other north London boroughs of Barnet, Camden, Enfield, Haringey, Islington and Waltham Forest, in their collective capacity as the North London Waste Authority (NLWA), have been working collaboratively for over ten years to produce the North London Waste Plan (NLWP).
- 1.2. The NLWP is a statutory Planning framework that supports the management of North London's waste. The purpose of the NLWP is to ensure there will be adequate land provision across all seven borough's through to 2035 that is capable of supporting waste management facilities of the right type, in the right place and at the right time.
- 1.3. The NLWP also seeks to support the NLWA led delivery of sustainable waste management by promoting the principles of the waste hierarchy, alongside other measures such as improving resource management, promoting waste prevention, general waste reduction and increasing recycling rates.
- 1.4. It should be noted that the NLWP identifies two sites and one area within the Hackney Planning Authority's area. All sites and areas are currently identified in Hackney's Local Plan, LP33, and designated as employment or industrial land assets. Two additional areas are identified in the NLWP that sit within the London Legacy Development Corporation Planning Authority's area in Hackney Wick. The details for information only can be found in section 6.1.13 of this report.
- 1.5. I commend this report to Cabinet and to Full Council

## **2. GROUP DIRECTOR'S INTRODUCTION**

- 2.1. This report seeks Cabinet and Council approval to adopt the North London Waste Plan.
- 2.2. The NLWP has been prepared by the seven North London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest and will cover the period up to 2035. It will form part of the statutory Development Plan for these areas.
- 2.3. The NLWP identifies a need for around 6.4 hectares of land across all seven boroughs and identifies areas suitable for waste management facilities to meet that requirement. The identified areas are in addition to the existing safeguarded waste sites in north London.
- 2.4. For Hackney this includes the two existing sites in the borough, one of which is Millfields Depot and the other is on Downs Road. The NLWP sets

out policies to assist development management decisions on new Planning applications for waste facilities.

### **3. RECOMMENDATION**

**Cabinet is recommended to:**

- 1. Recommend to Full Council the adoption of the North London Waste Plan (Appendix 1) in accordance with the Planning Inspector's Report and Schedule of Main Modifications (Appendix 2).**
- 2. Delegate authority to the Strategic Director for Sustainability and Public Realm to approve administrative alterations, typographical amendments, to improve cross referencing (e.g para numbering, page numbering) and typographical errors prior to the publication of the final plan.**

### **4. REASONS FOR DECISION**

- 4.1 The North London boroughs, as the Waste Planning Authorities, are required to prepare a waste local plan by the EU Waste Framework Directive, by the National Waste Management Plan, the National Planning Policy for Waste (NPPW) and by the Mayor's London Plan. It forms part of the suite of documents that make up the 'Local Plan' for each of the boroughs. It sets out how the waste management needs for North London, and provides the planning framework for the management of North London's waste up to 2035.

### **5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 5.1 Boroughs are required to prepare a development plan document that deals with waste management to comply with Government regulations.
- 5.2 At the Option Appraisal stage of the NLWP using different population and economic factors that will affect the quantity of waste generated from households, business and services, three growth assumptions were considered.
  - Option A: No growth
  - Option B: Growth
  - Option C: Minimised growth
- 5.3 Evidence and projections anticipate substantial population and economic growth in London, and so option B : Growth was considered the most appropriate strategy for the NLWP as it would provide the most accurate modelling scenario to project future need.

- 5.4 Growth options A and C were not considered to be appropriate as they do not represent the most credible estimate of growth over the plan period.

## **6. BACKGROUND**

### **What is the North London Waste Plan?**

- 6.1 The seven planning authorities of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest have worked together to produce the North London Waste Plan (NLWP). The Plan forms part of the suite of documents that make up the Local Plan / Development Plan for each of the North London boroughs.
- 6.2 The purpose of the NLWP is firstly to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2035 to manage waste generated in North London; and secondly to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance. The London Plan apportions an amount of waste to each borough that must be managed and states that boroughs may wish to collaborate by pooling their apportionments. The London Plan apportions an amount of waste to each borough that must be managed and states that boroughs may wish to collaborate by pooling their apportionments.
- 6.3 In 2013, the North London boroughs invited representations about the NLWP and a series of Focus Group events were held in 2014. The draft NLWP public consultation took place between July-September 2015. The Draft Plan provided an opportunity for stakeholders to make comments on the strategy for future waste management in North London, potential locations for new facilities across the area, and policies. Comments received on the Draft Plan as well as an updated Data Study and changes to national, regional and local policies, were taken into consideration for the Proposed Submission NLWP.
- 6.4 The Proposed Submission NLWP was approved by the individual boroughs in the autumn of 2018 for consultation at Regulation 19 stage. The seven North London boroughs submitted the NLWP to the Secretary of State for examination in public on 8<sup>th</sup> August 2019. Hearing sessions were held on the 20<sup>th</sup> and 21<sup>st</sup> November 2019.
- 6.5 Following the hearings, consultation on main modifications were undertaken between October and December 2020. Representations were forwarded to the Planning Inspector for him to consider in the final stages of the examination and to inform the recommendations in his final report.

- 6.6 The Inspector's Report and Schedule of Main Modifications were received on the 27th October 2021 (Appendix 2) confirming that the plan is sound subject to modifications.

### **Inspector's Report and Main Modifications**

- 6.7 The main modifications do not significantly affect the objectives, aims and direction of the NLWP. There are three main reasons for the modifications as set out below:

- The modifications contribute to consistency, clarity and/or correct errors.
- The modifications are required to ensure the wording in the NLWP is consistent with the London Plan.
- The modifications are required to ensure clarity about the purpose of the Strategic Principles and Objectives of the NLWP.

### **6.1 Policy Context**

- 6.1.1 The chosen approach to future waste management in North London is to reduce waste exports by identifying land for facilities to manage the equivalent of all Local Authority Collected Waste (LACW), Commercial and Industrial (C&I), Construction and Demolition waste (C&D), including hazardous waste, generated in North London, while recognising that some imports and exports will continue (net self-sufficiency). The NLWP move waste up the waste hierarchy by diverting as much waste as possible away from disposal to landfill by identifying land suitable for recycling and recovery facilities.

#### **Spatial Principles**

- 6.1.2 The NLWP is underpinned by the following spatial principles:

- Make use of existing sites
- Seek a geographical spread of waste sites across North London, consistent with the principles of sustainable development
- Encourage co-location of facilities and complementary activities
- Provide opportunities for decentralised heat and energy networks
- Protect local amenity
- Support sustainable modes of transport

- 6.1.3 There are eight development management policies which cover the following areas:

1. Existing waste management sites
2. Locations for new waste management facilities
3. Windfall sites
4. Re-use and Recycling Centres

5. Assessment criteria for waste management facilities and related development
6. Energy recovery and decentralised energy
7. Waste water treatment works and sewage plant
8. Control of inert waste

### **Targets**

6.1.4 The London Plan projects how much LACW and C&I waste is likely to be generated in the capital over the next 20 years and apportions an amount of these two waste streams to each borough. The North London boroughs have pooled their apportionments and will meet this collectively through existing sites and Priority Areas.

6.1.5 In addition, the London Plan sets recycling and recovery targets

### **Capacity gap**

6.1.6 The capacity gap is the difference between projected waste arisings and existing / pipeline capacity.

6.1.7 The capacity gap equates to a requirement of approximately **6.4 hectares** of land, but the amount of land required depends on the type of facility and the technology being used. To meet the capacity gaps, the North London boroughs will seek opportunities for new capacity through intensification of existing sites and/or new facilities. New technologies may come forward during the plan period which require less land. The NLWP policies will help maximise the capacity of a site while mitigating any environmental impacts. The land required is indicative only and new capacity will be monitored rather than land.

### **Existing sites**

6.1.8 The plan safeguards the waste management capacity of existing waste sites and permits expansion or intensification of operations at existing waste sites where the proposal is in line with the relevant aims and policies. Existing waste sites are safeguarded for waste use in the London Plan and also through the NLWP.

6.1.9 In Hackney the existing waste sites are 1a Downs Road<sup>1</sup> and the Millfields Depot. Both sites are safeguarded as waste facilities.

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<sup>1</sup> Planning permission 2015/0555 was granted for the demolition and redevelopment of the site for mixed use comprising residential, commercial, retail, community and a replacement waste facility. Work commenced 2017, and is likely to be completed in late 2021/ early 2022.

## New areas suitable for waste management

6.1.10 The NLWP directs new waste facilities towards locations assessed and selected as the most suitable in North London which are identified as “Priority Areas”. The identification of ‘Priority Areas’ allows for flexibility in bringing forward a range of locations across North London, allowing for a better geographic spread of opportunities for future waste development that is consistent with the spatial principles of the plan to meet North London’s requirement.

6.1.11 The following Priority Areas for new waste management facilities are identified in the NLWP:

Area ref	Area Name	Size (ha)	Borough
A02-BA	Oakleigh Road	0.99	Barnet
A03-BA	Brunswick Industrial Park	3.9	Barnet
A04-BA	Mill Hill Industrial Estate	0.9	Barnet
A05-BA	Connaught Business Centre	0.9	Barnet
A12-EN	Eley’s Estate	26.1	Enfield
A15-HC	Millfields LSIS	1.48	Hackney
A19-HR	Brantwood Road	16.9	Haringey
A21-HR	North East Tottenham	15.32	Haringey
A22-HR	Friern Barnet Sewage Works/ Pinkham Way	5.95	Haringey
A24-WF	Argall Avenue	26.91	Waltham Forest

6.1.12 For Hackney, only one new area is proposed - Millfields Locally Significant Industrial Site (LSIS). This area is designated in Hackney’s Local Plan as an LSIS; which are the preferred locations for waste management and recycling facilities, industrial, manufacturing and storage and distribution uses. The existing waste transfer depot sits within this wider LSIS designation.

6.1.13 An additional three areas are identified within the area of the London Legacy Development Corporation (LLDC) because they are the planning authority for small parts of Hackney and Waltham Forest. The boroughs cannot make planning allocations in their area but under the Memorandum of Understanding that the boroughs have agreed with the LLDC, three areas have been identified as potentially suitable for waste use.

Area ref	Area Name	Size (ha)	Borough
LLDC1-HC	Bartrip Street	0.6	Hackney
LLDC2-HC	Chapman Road (Palace Close)	0.33	Hackney

LLDC3-WF	Temple Mill Lane	2.1	Waltham Forest
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6.1.14 Both sites in Hackney are currently in commercial / industrial use and are designated as Locally Significant Industrial Sites in the LLDC Local Plan. The LLDC and the four boroughs ( Hackney, Newham, Tower Hamlets and Waltham Forest) are working collaboratively to ensure that planning powers are transferred back to the boroughs by the end of December 2024.

## **6.2 Equalities**

6.2.1 An Equality Impact Assessment (EQIA) has examined the impact of proposed waste management facilities and waste planning policies on the area covered by the seven boroughs. The EQIA found that implementation of the Proposed Submission NLWP policies and proposals shall not prejudice the interests of persons sharing a relevant protected characteristic.

## **6.3 Sustainability**

6.3.1 Underpinning the approach to the development of the document is the process of formulating and undertaking a Sustainability Appraisal (SA). The SA has identified that the NLWP would contribute significantly towards delivering the social, economic and environmental objectives set out in the SA framework.

## **6.4 Consultations**

6.4.1 Consultation on the NLWP was undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and complies with the Statement of Community involvement.

## **6.5 Risk Assessment**

6.5.1 The NLWP was prepared in accordance with the relevant statutory process i.e. taking into account the relevant regulations, guidance in the NPPF and Hackney's Statement of Community Involvement (SCI), which sets out how the Council will involve the community in making planning decisions and policy.

6.5.2 The NLWP is accompanied by other relevant supporting assessments such as a Sustainability Appraisal (SA) (incorporating the requirements of the SEA Directive), Habitats Regulation Assessment (HRA), and Equalities Impact Assessment (EqIA). These form a key element of the development of the waste plan and help to ensure that the social, environmental and



economic impacts of its policies are assessed and taken into account in the decision-making process.

## **7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES**

- 7.1 There are no direct financial implications from the report's recommendations. There is continued contribution to the North London Waste Authority from the levy which is included in the budget.

## **8. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES**

### **8.1 Cabinet's authority to approve the recommendations**

Cabinet is authorised to approve the recommendation in Section 3 of this report pursuant to the Mayor's Scheme of Delegation. Note 3 and the section on 'Policy Framework' which grants Cabinet the responsibility for making recommendations to the Council on the Local Development Framework (now known as the Local Plan) and Local Area Action Plans.

### **8.2 Council's authority to approve the recommendations**

The Council is authorised to approve the recommendations in Section 3 of this report pursuant to:

- Article 4.6(ii) of the Constitution which states that the Full Council will among other things exercise functions on approving or adopting the policy framework. Articles 4.7 and 4.8 of the Constitution define the policy framework, which includes 'the Local Development Framework' prepared pursuant to section 15 of the Planning and Compulsory Purchase Act 2004. Section 15 of this Act has been amended and now refers to 'development plan documents' instead and includes strategic planning policies such as the NWLP; and
- Clause 3.3.1 (3) of Part 3 of the Constitution which authorises Full Council to approve or adopt plans including the Local Development Framework (which includes the NWLP).

### 8.3 Statutory and Policy requirements to have an up to date Local Plan

The following statutory and national planning policy provisions emphasise the primacy of Local Plans (also termed as development plans) in planning decision making:

- Section 28 of the Planning and Compulsory Purchase Act 2004 and regulation 5(1)(a) of the Town and Country (Local Planning)(England) Regulations 2012 authorises two or more local planning authorities to agree to prepare one or more joint local development documents, which would include the NLWP;
- Section 17(6) of the Planning and Compulsory Purchase Act 2004 requires local authorities to keep their Local Plans under review;
- Regulation 10A(1) of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires local planning authorities to review their Local Plans every five years; and
- Paragraph 15 of the National Planning Policy Framework states the planning system should be genuinely plan-led and succinct and places an emphasis on plans being up to date in order to inform future development.

## **9. NEXT STEPS**

9.1 It is anticipated that all seven boroughs will adopt the NLWP through their respective procedures by Spring 2022.

9.2 The roles and responsibility of different organisations required to deliver infrastructure, application of the policies to planning proposals, ongoing regulations and monitoring of the local waste management sector, and achieving performance levels are identified in the Plan. The boroughs have agreed to monitor the NLWP annually through a lead borough agreement, and review the NLWP every 5 years. Monitoring indicators include waste arisings, management capacity, location of new facilities and imports/exports.

## **APPENDICES**

Appendix 1 - North London Waste Plan - Proposed Submission (January 2019)

Appendix 2a - Planning Inspector's Final Report (October 2021)

Appendix 2b - Schedule of Main Modifications (October 2021)

Appendix 3 - Interim North London Waste Plan 2035 (November 2021), including the main modifications

## BACKGROUND PAPERS

None

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