

LONDON BOROUGH OF CROYDON

REPORT:	COUNCIL	
DATE OF DECISION	14 December 2022	
REPORT TITLE:	South London Waste Plan Development Plan Document - Adoption	
CORPORATE DIRECTOR / DIRECTOR:	Nick Hibberd, Corporate Director of Sustainable Communities, Regeneration & Economic Recovery Heather Cheesbrough, Director of Planning & Sustainable Regeneration	
LEAD OFFICER:	Julia Dawe - Plan Making Team Leader Steve Dennington – Service Head for Spatial Planning and Interim Service Head for the Growth Zone and Regeneration Email: Julia.dawe@croydon.gov.uk Steve.Dennington@croydon.gov.uk	
LEAD MEMBER:	Cllr Jeet Bains, Cabinet Member for Planning & Regeneration	
KEY DECISION?	Yes	KEY DECISION REFERENCE NO.: 6022EM REASON: Document will form part of the Policy Framework as a Local Development Framework Development Plan Document
CONTAINS EXEMPT INFORMATION?	NO	
WARDS AFFECTED:	All	

1 SUMMARY OF REPORT

- 1.1 In order to have an up-to-date planning framework to make decisions on proposals on sites which process waste, in addition to the Local Plan, there is a separate Waste Plan. It will form part of the Council’s Planning Policy Framework to spatially manage waste and be used to determine related planning applications. The production of the South London Waste Plan (SLW Plan) has been undertaken jointly by the four London boroughs of Merton, Kingston, Sutton and Croydon and has been funded in full from a successful bid to the Department for Levelling Up, Housing & Communities, Planning Delivery Fund.
- 1.2 This is the final stage of the production of the South London Waste Plan following two stages of consultation in October- December 2019 (Regulation 18 Issues and Options)

and September – October 2020 (Regulation 19 Submission), the Examination in Public in September 2021 and receipt of Secretary of State appointed Planning Inspectors' report. This adoption stage represents the final stage in the progression of the preparation of the joint South London Waste Plan Development Plan Document for adoption.

- 1.3 Executive Mayor Perry recommended in Cabinet on 16 November 2022 that Council should adopt the SLW Plan. The SLW Plan Cabinet Report can be viewed as Appendix D.

2 RECOMMENDATIONS

For the reasons set out in the report and appendices A, B, C and D Council is recommended:

- 2.1 To adopt the South London Waste Plan 2022 to 2037, subject to the recommendations in the Inspector's Report as a Development Plan Document in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012.

3 REASON FOR RECOMMENDATIONS

- 3.1 As the current South London Waste Plan ends this year, it is important for residents that a replacement plan is in place with up-to-date and robust policies that can be used to consider planning applications for waste facilities.

4 BACKGROUND AND DETAILS

PREPARATION OF THE SOUTH LONDON WASTE PLAN 2022-2037

- 4.1 In 2012, the London boroughs of Croydon, Sutton, Kingston and Merton, working jointly produced and adopted the South London Waste Plan (Development Plan Document) 2012-2022. This had the aim of providing policies for making decisions on planning applications for waste use and safeguarding a range of existing waste sites for waste management purposes with designated sites appearing on the boroughs' Planning Policies Maps. The plan also safeguarded existing waste sites and identified areas which may be suitable for waste use. The South London Waste Plan 2022-2037 supersedes the 2012 waste plan that seeks to provide continuous planning policy coverage to determine waste planning applications.
- 4.2 The draft SLW Plan for 2022-2037 was consulted upon twice between October and December 2019 (regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 generally known as 'Issues and Options') and between September and October 2020 (regulation 19 generally known as 'Submission'). It was submitted to the Planning Inspectorate in January 2021 and an Examination in Public

(EiP) was held in front of the Secretary of State's appointed panel of two Inspectors in September 2021 with subsequent correspondence since to identify the Main Modifications required to make the plan sound, including;

- Written response to the Inspectors' preliminary matters and initial questions in March 2021 on targets, the new London Plan and queries about sites,
- Written responses to the Inspectors' detailed "Matters, Issues and Questions" in July 2021 that formed to subject areas for the Examination in Public.

4.3 A further round of consultation to support the Examination was undertaken on [the main modifications and associated evidence](#), the "Main Modifications" between 14 July and 2 September 2022. As this consultation was undertaken after the submission of the SLW Plan the consultation responses were sent to the Inspectors to take into account when writing their report. In summary the Main Modifications are;

- Amendments required to achieve general conformity with the London Plan (published 2021): The Spatial Development Strategy for Greater London
- Adjustments to ensure that the SLW Plan accords with national policy in terms of (amongst other things) heritage assets, amenity protection, design and waste management
- Changes to ensure that robust monitoring arrangements are in place to secure the effectiveness of the Plan, and
- A number of other modifications to ensure that the Plan is legally compliant, positively prepared, justified, effective and consistent with national policy.

4.4 The Inspectors' report has now been received and finds the SLW Plan sound subject to the modifications that have been consulted upon mentioned above. In addition, some very minor amendments to the detailed wording of the Main Modifications are necessary for consistency or clarity. The Inspectors made these amendments and do not require further consultation as none of the amendments significantly alters the content as published for consultation or undermines the participatory processes and sustainability appraisal that had been undertaken.

ADOPTION OF THE PLAN

4.5 Adoption is required of the SLW Plan before the end of 2022. This will be undertaken by each of the four local authorities, seeking approval for the SLW Plan to be adopted as part of their policy framework, as this Council is recommended to do. Adoption by the end of 2022 is driven by the updated National Planning Policy Framework (NPPF), requiring that a Development Plan Document has a lifespan of 15 years *from adoption*. The SLW Plan has a lifespan of 2022 to 2037, which means it has to be adopted by all four authorities in 2022 to meet the NPPF requirement.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 **Adopt the SLW Plan** – this will provide the boroughs with an up-to-date Development Plan based on local evidence and local knowledge to use to spatially manage waste and determine planning applications.
- 5.2 **Delay or do not adopt the SLW Plan** – the adopted South London Waste Plan 2012 expires at the end of 2022 so should the new plan not be adopted there would not be a Development Plan in 2023. The fall -back position would be to use the guidance in the National Planning Policy Framework to determine planning applications. The NPPF being the national guidance is a one size fits all approach so local issues may not be able to be adequately addressed.
- 5.3 If adoption is delayed to 2023 the boroughs would need to produce new additional supporting evidence and changes to the SLW Plan such as to analyse the latest Environment Agency waste data, recalculate all the waste figures in the SLW Plan, and make any other consequential alterations, resubmit this to the Inspectors and undertake an additional round of consultation which will be time consuming and costly. To avoid this, the boroughs need to accept all the recommendations in the Inspectors' Report and allow the final SLW Plan to be adopted by all the partner Councils by the end of December 2022.

6 CONSULTATION

- 6.1 There have been two rounds of consultation undertaken as required by regulations 18 and 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. These rounds of consultation were used to develop the policies in the SLW Plan before it was submitted for Examination. A further Main Modifications consultation on the instruction of the Inspectors took place this summer to address issues raised during the Examination. The Inspectors will have taken into account the responses to the Main Modifications in their report and make a recommendation on SLW Plan soundness. As required by the Regulations a full report of the consultations undertaken was part of the bundle submitted with the SLW Plan to the Secretary of State.
- 1.4 Scrutiny (Streets and Environment Sub-committee) at their meeting on 8 November received 16 November 2022 Cabinet Report for consideration concerning the recommendation to Council to adopt the SLW Plan. There were no actions or requests arising from the consideration by Scrutiny.

7. CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1 The adoption of the South London Waste Plan will support the priorities of the Mayor's Business Plan 2022-2026 and in particular priority 4 – "Croydon is a cleaner, safer and healthier place, a borough we're proud to call home". This is because the SLW Plan enables Croydon to plan for the management of waste and recycling, taking account of the growth in the population and the emerging London Plan's waste apportionments.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1 In 2018, the four boroughs successfully bid for £136,594 from the government Planning Delivery Fund for joint working to produce a new SLW Plan. Not all of this funding has been spent and finalising the SLW Plan towards adoption will continue to be funded from this grant award. The London Borough of Sutton manages the project budget, with support from the existing resource of the Croydon Plan Making Team – Spatial Planning, Growth Zone and Regeneration, and this stage of the Plan’s production and adoption does not create any budget pressure for Croydon Council. There are sufficient budget monies available to complete the project as the large expense of the examination which has been held is now known and has been paid for. To date £100,869 of this £136,594 budget has been spent. The remaining budget will be spent finalising the plan based on the approval of this report.

8.1.2 Revenue and Capital consequences of report recommendation

	Current Year	Medium Term Financial Strategy – 3 year forecast		
	2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26
Revenue Budget Available				
Expenditure	36	0	0	0
Income	(36)	0	0	0
Effect of decision from report				
Expenditure	36	0	0	0
Income	(36)	0	0	0
Remaining Budget	0	0	0	0
Capital Budget available				
Expenditure	0	0	0	0
Income	0	0	0	0
Effect of decision from report				

Expenditure	0	0	0	0
Income	0	0	0	0
Remaining Budget	0	0	0	0

The project is being fully funded by a government grant and supported by the existing resource in Spatial Planning, Plan Making Team and can be delivered with the current establishment staff level. Post adoption the SLW Plan will provide a planning framework to determine waste proposals, so should reduce the likelihood and costs associated with planning appeals.

Approved by: Darrell Jones, Acting Head of Finance for Sustainable Communities Dated 30.11.22. (checked by Kay Oshin)

8.2 LEGAL IMPLICATIONS

8.2.1 As waste planning authorities, all four of the boroughs have a statutory duty to prepare a waste Local Development Plan in line with Article 28 of the Waste Framework Directive (2008) (as amended).

8.2.2 The Housing and Planning Act 2016, gives the Secretary of State greater powers to intervene in the Local Development Plan making process. Specifically, it would allow the Secretary of State to intervene if a local authority was failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a Local Development Plan.

8.2.3 The SLW Plan has been produced according to the Planning and Compulsory Purchase Act (2004, as amended) and the Town and Country Planning (Local Planning) (England) Regulations as set out in the report.

Approved by: Samra Yunus Corporate Solicitor on behalf of Stephen Lawrence – Orumwense, the Director of Legal Services and Monitoring Officer Date approved: on 28th November 2022

8.3 EQUALITIES IMPLICATIONS

8.3.1 The Sustainability Appraisal, accompanying the Draft South London Waste Plan, included a comprehensive Equalities Impact Assessment covering all four boroughs involved.

8.3.2 The Equalities Impact Assessment outlined the benefits that the proposal would provide to protected characteristics in the borough. The EQIA found that the proposal would support residents who were minoritized for socio economic reasons, along with the Global Majority and single mothers by providing useful employment in the circular economy. The proposals will yield a range of jobs for the aforementioned Croydon residents. Further details can be found in on pages 27-28 of Appendix 3 (Equality Impact Assessment)

Approved by: Denise McCausland (– Equality Programme Manager Dated 24 November 2022)

OTHER IMPLICATIONS

8.4 HUMAN RESOURCES

- 8.4.1 There are no Human Resource impacts as the production and adoption of the South London Waste Plan is set out in the Spatial Plan, Growth Zone and Regeneration Service Plan and can be delivered with the current establishment staff level. If any issues arise these will be managed under the Council's policies and procedures.

Approved by: Jennifer Sankar, Head of HR Housing Directorate & Sustainable Communities, Regeneration and Economic Recovery, for and on behalf of Dean Shoesmith, Chief People Officer. Date approved: 1 December 2022

9. APPENDICES

9.1 Appendix A The Draft South London Waste Plan

Available online via [Draft South London Waste Plan](#)

Appendix B Sustainability Appraisal of the Draft SLWP

Appendix B2 Sustainability Appraisal Addendum Report on Proposed Modifications

Available online via

[Sustainability Appraisal Of the Draft London Waste Plan](#)

[Sustainability Appraisal of the Draft South London Waste Plan with proposed modifications](#)

Appendix C Inspector's Final Report

Appendix C1 Schedule of Main Modifications

Appendix C2 Drafted Safeguarding Site – Chessington

Appendix C3 Main Modifications Monitoring Table

Appendix C4 Main Modifications

Appendix D South London Waste Plan – Cabinet Report – 16 November 2022

Available online via

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CId=183&MId=2987>

BACKGROUND DOCUMENTS

[South London Waste Plan 2011-2021](#)

[South London Waste Plan Issues and Preferred Options Document \(2019\)](#)

[South London Waste Plan Submission Draft \(2020\)](#)

[Consultation Statement South London Waste Plan](#)

[Scrutiny 8 November papers](#)

[Waste Framework Directive \(2008\)](#)

[Planning and Compulsory Purchase Act \(2004, as amended\)](#)

[The Town and Country Planning \(Local Planning\) \(England\) Regulations
2012](#)

[National Planning Policy Framework](#)

[National Planning Policy for Waste](#)

[The London Plan \(2021\)](#)