

Local Plan Partial Review Issues and Options Consultation Schedule



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Section 15: Waste

Issue 1: Waste apportionment

Question: Which option should the Council take?

Option 1: The Council should identify a site or sites within the Borough to address its apportionment shortfall entirely within the Borough.

Option 2: The Council should continue to work with the other WRWA WPAs to jointly identify a site or sites within the WRWA area to address their collective apportionment shortfall entirely within the WRWA area.

Option 3: The Council should continue to work with the other WRWA WPAs and collectively secure spare apportionment capacity outside of the WRWA area, but within London, to address the WRWA WPAs' collective apportionment shortfall.

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	<p>The Council needs to examine its own responsibility in creating the waste problem by continuing to approve retail expansion; fast food eateries; take away food and beverage outlets etc.</p> <p>Residential rubbish is miniscule compared to what is being disgorged each and every day by Waitrose; Tesco; M+S; McDonalds; etc.</p> <p>Stop the retail expansion, and this problem declines dramatically. And why are there so few rubbish baskets on the streets of the Borough??????</p>	3	<p>Legislative, national policy and guidance requires waste planning authorities to develop waste plans as part of their wider strategic planning responsibilities.</p> <p>It is recognised that development within the Borough will result in an increase in waste arisings. The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper, the work will explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area.</p> <p>The comment regarding number of waste baskets on streets, whilst important, is not relevant to the Local Plan Partial Review.</p>
Onslow Neighbourhood Association (Eva Skinner)	Waste should not be transported long distances for recycling,	2	<p>Article 16 of the Waste Framework Directive covers 'Principles of Self Sufficiency and Proximity'. In meeting the requirement of the proximity principle, there is no expectation that each WPA will deal solely with its own waste.</p> <p>Paragraph 007 of the NPPG on Waste clarifies that "though this should be the aim, there is no</p>

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			<p>expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles. Nor does the proximity principle require using the absolute closest facility to the exclusion of all other considerations. There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively.</p> <p>The ability to source waste from a range of locations/organisations helps ensure existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity.”</p> <p>The Council is statutorily required to deliver its municipal waste to places as directed by WRWA. Currently all of the municipal waste and recyclables go to WRWA facilities in Wandsworth for transfer and treatment, residuals are barged down river to the facility at Belvedere, in the London Borough of Bexley This contract is understood to run until 2031 meaning that, in reality, waste arisings from the Borough and the other WRWA WPAs are dealt with in Bexley</p> <p>Policy CE3 currently seeks to reduce, reuse or recycle waste as close as possible to where it is produced. This policy approach will not change. There are no waste management facilities in the Borough and Cremorne Wharf, a waste transfer site, is currently not in operation as it is being utilised to deliver the Thame Tideway Tunnel project.</p>

Name	Comment	Selected Option	Council's Response
			The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper, the scope of work includes investigating the ability to manage waste arisings within the WRWA area.
City of London Corporation (Janet Laban)	The City of London Corporation acknowledges the difficulty in identifying suitable sites for waste management in central London locations and supports option 3, which promotes collaborative working to meet the London Plan's aspiration of net waste self-sufficiency by 2026. A slight amendment is proposed to make it clear that the WRWA WPAs will continue to explore opportunities for providing additional sites in their areas before seeking apportionment elsewhere.	3	The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.
Sonia Richardson		2	The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.
Roy Burns		3	The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.

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John Eagle		2	The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.
Cheyne Walk Trust (David Waddell)		1	The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.
Kensington Society (Michael Bach)		2	The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.
London Borough of Hammersmith and Fulham (Trevor Harvey)	LBHF consider that Options 2 and 3 do not preclude the operation of Option 1. Indeed all 3 options should be pursued.		The Council is working with the other WRWA Waste Planning Authorities, including Hammersmith & Fulham, and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will also explore the waste arisings from the waste streams set out in

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			national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.
Cllr E Dent Coad		1	If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.

Question 1: Are there any sites (or areas) that should be considered as a site (or area) allocation as part of the Local Plan Partial Review for waste management? If so, please complete the Call for Sites section of the Consultation Response Form.

Name	Comment	Council's Response
Kensington Society (Michael Bach)	dont know	Noted - The Council will continue to work with the WRWA WPAs and other London Boroughs, to ensure that all possible sites are considered.

Question 2: Should the Council continue to safeguard Cremorne Wharf for waste management, water transport and cargo handling purposes?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder		No	The Mayor of London's Safeguarded Wharves Review provides evidence to support the safeguarding of a number of wharves. The only wharf which lies in the Borough, Cremorne Wharf, is recommended to be retained for safeguarding. The Review states that Cremorne Wharf "may be required... for the Thames Tideway Tunnel for the medium term, following that it should be able to contribute to the shortfall in wharf capacity in West London" (Table 7.1). Cremorne Wharf, a waste transfer site, is currently not in operation as it is being utilised to deliver the Thame Tideway Tunnel project. As the site has previously been used as a waste transfer site, there is opportunity for this use to be reinstated following the completion of Thames Tideway Tunnel project. Policy CE3 currently safeguards Cremorne Wharf and, in line with the London Plan, this policy approach is not proposed to be changed.
Onslow Neighbourhood Association (Eva Skinner)		Don't Know	See above
Sonia Richardson	Very important to retain the uses of the Wharf, which have been fought hard for	Yes	See above

Name	Comment	Selected Option	Council's Response
J Neville		Don't Know	See above
Roy Burns		Yes	See above
Victoria and Albert Museum (Steve Hyde)		Don't Know	See above
Jo Poole		Yes	See above
Cheyne Walk Trust (David Waddell)		Yes	See above
Bell Cornwell LLP (Simon Avery)		Yes	See above
Kensington Society (Michael Bach)		Yes	See above
Cllr E Dent Coad		Yes	See above
Port of London Authority (Helena Payne)	<p>With regard to the need to 'protect local uses', the PLA considers this to remain of key relevance to the Borough's one and only safeguarded wharf (Cremorne Wharf), which should remain protected from potential loss. The Safeguarded Wharves Review (2013) advises that, in terms of the Mayor's Transport Strategy, it will seek to ensure that existing safeguarded wharves are fully utilised for waterborne freight (including waste), and will examine the potential to increase the use of the Thames and London's canal network for waterborne freight transport. It is considered relevant that the Local Plan for the Borough also reflect the objectives of the Safeguarded Wharves review and London Plan objectives. This will in turn retain the need for above-mentioned aims and objectives to remain part of the borough's future goals.</p> <p>Whatever conclusions are made in terms of Safeguarded Wharves Policy, it must be in general conformity with the London Plan, which is particularly strong on the use of water for transportation of goods and people and the protection of wharves. Therefore it is imperative that Policies are included/retained that achieve to meet these aims and objectives.</p>	Yes	See above
Greater London Authority Development (Stewart Murray)	Policy 5.17G specifically calls for the safeguarding of wharves (as does Policy 7.26) so Cremorne Wharf should continue to be safeguarded.	Yes	See above

Question: Do you have any other comments, issues or options (reasonable alternatives) you would like to raise regarding this section?

Name	Comment	Council's Response
Environment Agency (Simon Banks)	<p>The assumption of 80,000 tonnes per Hectare in section 15.4.1 is quite an old assumption and may need revising. It is based on figures used in previous iterations of the London Plan and supporting data, which included the throughput of inert waste transfer stations which can have a very high throughput per Hectare. Generally a lower figure is used (such as 60,000 tonnes per Hectare or less) to take into account the tendency for facilities higher up the waste hierarchy being less efficient in terms of throughput per unit area. Alternatively a more bespoke approach could be taken using studies of the waste throughput of the current waste estate in Kensington and Chelsea.</p> <p>It should be noted that the 60,000 tonnes collected figure indicated is for municipal i.e. Local Authority Collected waste (LACW) only. The latest waste data interrogator (2014 data) indicates that around 250,000 tonnes of construction, demolition and excavated materials (CDE) are attributed to Kensington and Chelsea as a waste origin at licensed waste management facilities. It would be beneficial to the overall waste planning process if the authority developed a plan for engaging with receiving authorities for CDE wastes in addition as a part of their duty to cooperate on waste planning.</p> <p>WRWA Waste Apportionments Engagement Statement (Appendix 2) The data relating to the activities on the protected sites would benefit from using the latest available data, as the utilisation of facilities and the activities on site can change response to changes in the waste industry as a whole. For example the assumptions used in the WRWA baseline report of the quantities of wastes recycled at the various facilities seems to be in need of revision (e.g. Powerday which recycles less than the 50,000 tonnes per annum listed in table at the present time).</p>	<p>The assumption of 80,000 tonnes per hectare is used by the GLA Land for Industry and Transport SPG (September 2012 – see Annex 2) and also known as the Jacobs Babbie formula. This was also used by the South East Boroughs Joint Waste Technical Paper and is recommended by the GLA.</p> <p>The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper, the scope of work includes investigating the tonnes per hectare assumption. The Waste Technical Paper will also explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. This will be informed by the most current EA data available at the time and be used to engage with waste receiving authorities.</p>

Name	Comment	Council's Response
Greater London Authority Development (Stewart Murray)	<p>Waste</p> <p>London Plan policy 5.17F allows boroughs to collaborate with other boroughs to deal with their waste apportionments. These do not have to be in the same waste disposal area so any of the options put forward on this issue are acceptable.</p>	<p>The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will also explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. If needs cannot be met within the WRWA area, the Councils will consider using the 'duty to cooperate' to ensure these can be met within London.</p>
North London Waste Plan (Archie Onslow)	<p>The North London Boroughs note that the chapter only mentions the management of waste apportioned by the London Plan. We draw your attention to the National Planning Policy for Waste (NPPW) paragraph 3 which states "Waste planning authorities should prepare Local Plans which identify sufficient opportunities to meet the identified needs of their area for the management of waste streams." The National Planning Practice Guidance (NPPG) sets out these waste streams in paragraph 13 which states "Waste planning authorities should plan for the sustainable management of waste including:</p> <ul style="list-style-type: none"> • Municipal/household • Commercial/industrial • Construction/demolition • Low Level Radioactive • Agricultural • Hazardous • Waste water <p>Only the first two of these waste streams is apportioned through the London Plan (Local Authority Collected Waste and Commercial and Industrial Waste). Currently, the Issues and Options document only sets out a plan to meet apportioned waste. However, we believe the Local Plan will not meet the requirements of NPPW or NPPG if all the waste streams are not planned for.</p> <p>Waste Apportionments Engagement Statement</p> <p>In June 2015, the North London Boroughs responded to a joint letter from the WRWA WPAs requesting consideration regarding any spare waste capacity we might have to help meet apportionment. Thank you for your response in Appendix 2 of the Waste Apportionments Engagement Statement.</p> <p>In our response we noted that not all waste streams had been considered when estimating the capacity shortfall and that this could impact on the identified need. Your response is that consideration of other waste streams will be taken forward in future evidence base work. We look forward to engaging with RBK&C in the duty to co-operate aspect of this work relating to movements of waste between our areas.</p> <p>We note in Appendix 2: Schedule of existing waste facilities that the table includes columns setting out Existing throughput (tpa) and Maximum licensed capacity (tpa). It is worth noting that the Environment Agency use standard maximum capacity limits for licensing facilities and so this is not considered a realistic way of estimating capacity of a facility.</p> <p>It is not clear how the existing throughput has been identified; for example does it just use the latest year's throughput? The methodology used by the North London Boroughs to ascertain maximum available capacity at each site was to use the highest annual throughput over the last six years.</p>	<p>The Council is working with the other WRWA Waste Planning Authorities and has jointly commissioned a Waste Technical Paper. The Waste Technical Paper will also explore the waste arisings from the waste streams set out in national planning policy and practice guidance and the ability to manage waste arisings within the WRWA area. This will be informed by the most current EA data available at the time and be used to engage with waste receiving authorities.</p> <p>The findings of the Waste Technical Paper will be used to update and support the waste engagement statement.</p>

Issue 2: Bin storage and management in new development

Question: Which option should the Council take?

Option 1: Keep existing Local Plan Policy CE3 (b), (c) and (e) structured and worded as it is.

Option 2: Amend existing Local Plan Policy CE3 (b), (c) and (e) to consider issues such as: temporary storage space within each flat/apartment, Design, quality and access of storage and collection systems, managing, to acceptable levels, impacts on amenity including those that may be caused by odour, noise, and dust, on-site treatment of waste and adequate contingency measures to manage any mechanical breakdowns.

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	Look in the mirror and examine your own responsibility. You have expanded the retail etc footprint in the borough; attracted thousands of visitors each day who are not residents etc etc all of which generate waste. This is where the problem lies, and it is a problem of your creation.	1	See response to Issue 1 of the Waste topic.
Sonia Richardson	Care with which bin storage is regarded and enforced varies and should be properly enforced; effects can be very damaging	2	Policy CE3 is proposed to be amended to require bin storage facilities as part of new development.
Roy Burns	Many flats in the south-end of the Borough would be unable to provide temporary storage within the flat.	1	Relevant parts of Policy CE3 are proposed to be amended to clarify that it applies to new development.
Cheyne Walk Trust (David Waddell)		1	The Council considers that Policy CE3 needs to be amended to address a number of issues, as set out in the Draft Policies document and the Policy Formulation Report for the Waste topic.
Turley (Ian Fergusson)	The existing policy ensures that developments manage their own waste requirements. Any adverse amenity expects experienced by residents are far more likely to arise from management issues than the acceptability or otherwise of the development as was permitted.	1	Relevant parts of Policy CE3 relating to developments managing their own waste are proposed to remain as is.
Christian Durie		2	The Council considers that Policy CE3 needs to be amended to address a number of issues, as set out in the Draft Policies document and the Policy Formulation Report for the Waste topic.
Kensington Society (Michael Bach)		2	The Council considers that Policy CE3 needs to be amended to address a number of issues, as set out in the Draft Policies document and the Policy Formulation Report for the Waste topic.
Jo Poole	Waste and recycling bin areas should be provided within all new developments. They should be designed to reduce rodent infestation and be accessible to all.		Policy CE3 requires waste and recycling bin areas to be provided within all new developments.
Environment Agency (Simon Banks)	A reduction of waste overall could be stated as a policy in CE3. This would necessitate a target or indicator mentioned regarding the amount of waste produced per capita in the Borough – this could be included as a way of encouraging waste minimisation and moving their other waste indicators such as recycling percentage in the right direction. Part c of Policy CE3 states that developers should provide 'adequate' provision for waste management in their plans. This wording should be strengthened to require developers to have a waste management strategy for the post-construction phase focusing on the collection methodology, incorporating provision of the separate collection of paper, glass, plastic and metals where technically, environmentally and End 5 economically practicable. This should be designed to enable the maximum amount of materials to be moved up the hierarchy by integrating with suitable collection technologies and techniques by engaging with the waste collection authority or private contractors. Part e, in reference to site waste management plans, could also incorporate hazardous materials. In the case of high-rise developments the waste strategy should incorporate best practice elements drawing on the	2	Existing Policy CE3 already States “The council will meet the waste apportionment figure as set out in the London Plan and will ensure that was is managed in accordance with the waste hierarchy, which is to reduce, reused or recycle waste as close as possible to where it is produced.” Policy CE3 has been amended to make reference to the LWARB Waste Management Strategy template as referred to in the Mayor of London's Housing SPG.

Name	Comment	Selected Option	Council's Response
	recent work done by the London waste and recycling board (LWARB) and the waste and resources action programme (WRAP) looking at this issue.		

Question: Do you have any other comments, issues or options (reasonable alternatives) you would like to raise regarding this section?

Name	Comment	Council's Response
Onslow Neighbourhood Association (Eva Skinner)	To what extent are commercial properties subject to waste recycling schemes? Introduce more schemes to encourage waste recycling, possibly a higher degree of monitoring and warnings and penalties.	RBKC provides a commercial waste service which includes recycling, further information is available at: https://www.rbkc.gov.uk/commercialwasteservices/welcome-to-commercial-waste-services
Sainsbury's Supermarkets Ltd (Indigo Planning)	Chapter 15: Waste Reference is made to current Local Plan Policy CE3 which requires an on-site waste management facility to be provided to handle waste arising from new uses on the Kensal Gasworks site. This seems out of proportion with the level of development proposed. This should be removed from any policy moving forward as it could compromise the ability to deliver this site.	Article 16 of the Waste Framework Directive covers 'Principles of Self Sufficiency and Proximity'. The London Plan also is working towards net self-sufficiency of waste management in London by 2026. Whilst there is no national policy expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles, where development is likely to generate substantial waste arisings throughout the plan period and present an opportunity to manage its own waste, this should be utilised. The Kensal Canalside Development Infrastructure Funding Study explains the infrastructure requirements to support development and growth at Kensal and whether this can be viably delivered. The DIF has informed the Kensal site allocation set out in Chapter 5 and the IDP Schedule in Chapter 37
Cllr E Dent Coad	There should also be waste management facilities at Kensal Gasworks to serve the north of the borough.	See above.