



Local Plan Review

Consultation on the Publication Draft Local Plan

10 January to 28 February 2022

RESPONSE FORM

The Council is inviting comments over a seven-week period on the Publication version of the Local Plan.

The Draft Local Plan sets out a vision and spatial strategy to guide the development of the borough from 2023, when the Plan is anticipated to be adopted, to 2038. It sets out key objectives for the borough, which are supported by planning policies, area strategies, and – at the smallest scale – detailed guidance for the development of specific sites. Collectively, these identify where development should be targeted and set out how the borough's neighbourhoods and places will change over the next 15 years.

This consultation is the final opportunity to comment on the Local Plan before it is submitted to the Secretary of State for independent 'examination in public'. At this stage in the plan-making process, in accordance with the national guidance, consultation responses should focus on whether the Local Plan has been developed in compliance with the relevant legal and procedural requirements, including the duty to cooperate, and with the 'soundness' of the Plan. Further detail on these concepts is provided in the accompanying guidance notes provided at the end of the form.

How to respond

Please read the consultation documents and other background information made available on the Local Plan website: <http://www.wandsworth.gov.uk/draft-local-plan-publication>

You can respond by completing this form, either electronically using Word or as a print out, and sending it to the Council by:

- Email to planningpolicy@wandsworth.gov.uk
- Post to Planning Policy and Design, Environment and Community Services, Town Hall, Wandsworth High Street, Wandsworth, SW18 2PU.

Alternatively, you can also make comments on the draft Local Plan online via our Consultation Portal, which is accessible at the website listed above.

All responses must be received by **11.59pm on Monday 28 February 2022**. The consultation is open to everyone; however please note that responses will not be treated as confidential and those submitted anonymously will not be accepted.

Part A: Personal Details		
	1. Personal details*	2. Agent's details (if applicable)
Title	Mr	Miss
First name	Mark	Niamh
Last name	Broxup	Burke
Job title (where relevant)		Associate
Organisation (where relevant)	Western Riverside Waste Authority (WRWA)	Carter Jonas
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Postcode		W1G 0BG
Telephone		██████████
E-mail address		████████████████████

*If an agent is appointed, please complete only the title, name and organisation boxes for the respondent and complete the full contact details for the agent.

Part B: About You...		
3. Please tell us about yourself or who you are responding on behalf of.		
Do you live in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you work in the borough?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Do you run a business in the borough?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Are you a student in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a visitor to the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Data protection

Information provided in this form will be used fairly and lawfully and the Council will not knowingly do anything which may lead to a breach of the General Data Protection Regulation (GDPR) (2018).

All responses will be held by the London Borough of Wandsworth. They will be handled in accordance with the General Data Protection Regulation (GDPR) (2018). Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

For further details regarding your privacy please see the Council's information published at:

www.wandsworth.gov.uk/privacy

Part C: Your Response

4. Do you consider the Local Plan is:

4.1 Legally compliant	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4.2 Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4.3 Complies with the duty to co-operate	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Further information on these terms is included within the accompanying guidance note, which can be found at the end of the response form.

If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6.

5. Do you think the Local Plan is unsound because it is not:

(Please tick all that apply)

5.1 Positively prepared	<input checked="" type="checkbox"/>
5.2 Justified	<input checked="" type="checkbox"/>
5.3 Effective	<input checked="" type="checkbox"/>
5.4 Consistent with national policy	<input checked="" type="checkbox"/>

6. Please give details of why you think the Local Plan is not legally compliant and/or is unsound and/or fails to comply with the duty to co-operate.

Please make it clear which consultation document your comments relate to and, where applicable, please include the relevant policy name/number, the site allocation name/reference, the Policies Map change, and/or the paragraph number. Please be as precise as possible.

If you wish to provide comments in support of the legal compliance and/or soundness of the Local Plan, or its compliance with the duty to co-operate, please use this box to set out your comments.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the response. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

These representations are submitted on behalf of the Western Riverside Waste Authority (WRWA) to the draft Local Plan (the draft Plan).

These should be read alongside those submitted by the Cory Group who operate two facilities in the borough on behalf of the WRWA, in particular those elements explaining how Cory and the WRWA are committed to improving the operational and environmental performance of the existing facilities in the borough through renewal, upgrade and development options at both locations.

Introduction -

The WRWA was established in 1986 as an autonomous statutory local government body to undertake the waste disposal functions prescribed by the Local Government Act 1985 and the Waste Regulations

and Disposal (Authorities) Order 1985. The WRWA is responsible for managing the waste collected in the London Boroughs of Hammersmith and Fulham, Lambeth, Wandsworth and the Royal Borough of Kensington and Chelsea.

The WRWA is responsible for the reuse, recycling and recovery of energy from around 400,000 tonnes per annum of municipal waste collected by its constituent councils. The WRWA minimises the impact of this essential public service by utilising its riparian transfer stations to transport the residual waste (that which cannot be reused or recycled) by river for treatment which removes around 100,000 HGV movements a year from London's congested roads.

The WRWA own two waste transfer stations, one at Cringle Dock, Battersea and the other at Smugglers Way, Wandsworth. The Smugglers Way site also incorporates an 84,000 tonne per year Materials Recycling Facility and a 20,000 tonne per year Household Waste and Recycling Centre. Both sites are currently operated by Cory Environmental Ltd trading as Cory. Both of the sites are 'safeguarded wharves' within the current Wandsworth Development Plan. Cringle Dock is allocated for residential-led mixed use development above, within the Wandsworth Site Specific Allocations Document (adopted March 2016).

On behalf of the WRWA, we provide our representations to the draft Local Plan (the 'draft Plan') below.

1. Policy LP13 Waste Capacity -

The WRWA supports policy LP13 which seeks to safeguard existing waste sites and identify new sites in the borough which contribute to London's recycling and waste capacity, in particular the potential given to the consolidation of waste sites.

Part F of the draft policy highlights the Council's intention to increase waste capacity within the borough, although it is acknowledged that no sites were put forward to meet the identified need (Consultation Statement Appendix 5).

The WRWA has two points to make on this. First, it is not clear that the supporting evidence base has given sufficient consideration to the requirements of the Environment Act 2021, with the inevitable consequence that the quantitative and qualitative shortfall in current facilities to meet the identified need is under-estimated, let alone the ability of these facilities to meet future needs. Second, there are clear opportunities to improve and enhance existing facilities within the borough that can help meet this need, however this is going to require changes to draft allocations WT9, NE9 and NE11, and the Council will have to play a lead role in facilitating the delivery of the facilities through the plan-making and decision-making process on applications. The WRWA's comments on the draft allocations is set out under separate headings in this submission.

2. Policy LP40 -

The WRWA supports draft Policy LP40 which acknowledges the potential for the consolidation of safeguarded wharves. This has already occurred in respect of the WRWA's protected wharves at Cringle Dock and Smuggler's Way.

This acknowledgement cross references the potential for intensification and upgrading of existing waste sites, as well as for mixed-use development to be achieved on these sites where long-term water freight use and operational capacity are not compromised.

3. Feather's Wharf Cluster; Site Allocation WT9 (Feather's Wharf); and Site Allocation WT11 (Western

Riverside Waste Transfer Station, SW12) -

The WRWA own half of the Feather's Wharf site that is identified as draft site allocation WT9 and included within the Feather's Wharf Cluster (previously named Feather's Wharf/Smuggers Way Cluster in the Regulation 18 Local Plan document) and have a development agreement in place with Wandsworth Council that owns the other half of the site.

The WRWA also own the Western Riverside Waste Transfer Station (WRWTS), identified as site allocation WT11 in the draft plan, as well as the Household Waste and Recycling Centre (HWRC), which both lie adjacent to the east boundary of the Feather's Wharf site (WT9).

In principle, the WRWA strongly supports the inclusion of the Feather's Wharf site allocation (WT9) within the Feather's Wharf Cluster and is fully committed to working with the other landowners within the cluster, to help bring forward the mixed-use redevelopment of the area.

In relation to the Feather's Wharf site, paragraph 4.90 of the draft Plan states "the area at the northern end of the site (WT9) by the Wandle mouth should be specifically designed to provide a generous open space and be a place with distinctive character and identity for the public to enjoy. Developments must include measures that contribute towards enhancement of the riverbanks". The recently adopted Wandle Delta Masterplan SPD goes further, identifying a proposed 'major green space' on the Feather's Wharf site.

Whilst the importance of high quality public realm and landscaping is recognised and supported, the WRWA considers that the full potential and quality of public realm cannot be realised without considering the full WRWA land ownership in the area (which the Council have failed to do). Furthermore, without the potential for mixed-use development on this site, it is unclear as to how a 'major green space' would be financially viable.

The WRWA supports the draft allocation of the WRWTS site as a safeguarded wharf with potential for residential led mixed-use development above including commercial / business (WT11). It is considered however that both the WRWTS and HWRC sites should be allocated for mixed use development. The HWRC site is immediately adjacent to the WRWTS and both are owned by WRWA, and therefore should be treated as a whole. Both sites together offer an excellent opportunity to play a pivotal role in a more comprehensive redevelopment of the area, than that currently proposed.

In February 2021, representations were made on behalf of the WRWA to the Regulation 18 Local Plan consultation, and it was suggested that the HWRC should also be allocated for mixed use development. The Council responded that: "the inclusion of the Household Waste and Recycling Centre as a mixed use development would diminish the safeguarded wharf designation and will not be made a site allocation".

The WRWA do not consider that the above response provides sufficient justification for the exclusion of the HWRC site from the WT11 allocation. The safeguarded wharf status would not be threatened by the inclusion of the HWRC site in the WT11 allocation (half of the HWRC is designated as a safeguarded wharf); rather there would be potential for a scheme including residential led mixed-use development above to be realised. Such an allocation would not result in a conflict of use between wharf operations and the other land uses, nor constrain the long-term use and viability of the safeguarded wharf. The Council allocated the WRWA's other facility at Cringle Dock for mixed use development (NE11) and for which planning permission was granted for a replacement facility with enabling residential. The WRWA contends that the same approach should be taken to this site. Accordingly, it would not be effective or justified to necessarily restrict the delivery of development on a suitable brownfield site in the Borough, and for that reason draft allocation WT11 is not sound.

In addition to a mixed-use allocation, it is considered that the WRWTS and HWRC sites should also be included within the Feather's Wharf Cluster, and it is not clear why they have they have been excluded

from the cluster in the draft Plan as no justification has been provided by the Council. The Council have not applied a consistent approach with regards to the inclusion of sites within the Feather's Wharf Cluster; there is no reason as to why Feather's Wharf (WT9) and Land at The Causeway (WT10) would be included and the WRWTS and HWRC sites would not be.

The WRWA consider the Council to have overlooked the conclusions drawn from the Waste Technical Study (2020) which was produced as part of the Local Plan evidence base. The document explains that "the Borough's existing capacity is not enough to meet its need" and that "up to 2.1ha of land will be required by 2026".

In addition, the WRWA do not consider that the Council have given appropriate consideration to the Environment Act 2021 (the 'Act'), which was introduced in November 2021. The Act has placed new duties on waste collection authorities for the separate management of food, green waste, packaging and recycling materials.

This operational change requires additional space and changes in operations. Therefore the WRWA's waste collection facilities in the Borough will need to expand to receive these materials for treatment or onward transportation. The only land currently available to the WRWA for this is that within draft allocation WT11.

It is clear that a comprehensive approach to redevelopment is required for this area and the inclusion of the WRWTS and HWRC would assist with this. The WRWA do not consider that the draft Plan has been positively prepared and therefore draft allocations WT9 and WT10 are not sound as they are not effectively prepared.

4. Kirtling Street Cluster; Site Allocation NE9 (Kirtling Wharf); and Site Allocation NE11 (Cringle Dock) - WRWA owns the Cringle Dock site that is identified as site allocation NE11 and included within the Kirtling Street Cluster.

In order to understand the context of the WRWA's comments on the development potential of Cringle Dock and the adjoining Kirtling Wharf, it is important to briefly consider the history of Cringle Dock. It was built in the 1970s as a riparian waste transfer station that pulverised waste before sending it to landfill. In the 1990s the operation changed to containerisation of the waste before transport downriver to a resource recovery energy facility at Bexley.

The transformation sought for the area set out in the Vauxhall Nine Elms Battersea Opportunity Area Framework included the regeneration of Battersea Power Station as a flagship element of the vision for the area.

The masterplan for Battersea Power Station, which wrapped around the Cringle Dock WTS, showed that:

1. it provides an essential public service,
2. it has exceeded its design life and needs to be replaced,
3. it has to be located next to the river, and
4. its replacement is essential to the delivery of Phase 6 of the masterplan and associated 1m sq ft of mixed use development

Although it was already clear that a nearly 50 year old waste transfer station at Cringle Dock was visually, environmentally and aesthetically out of place next to Battersea Power Station, it was the grant of planning permission in 2016 for the replacement of the Cringle Dock WTS that established the site's potential to include mixed-use development. The approved proposal included construction of a new

modernised WTS within an enclosed structure, provision of up to 442 residential units above the enclosed WTS and associated landscaping and parking. It was modified slightly in 2017.

There were 4 main reasons why the scheme did not progress:

1. The transitional engagements were subsequently found to be unworkable owing to service disruption, increased operational costs and harmful impacts on local amenity arising from diversion of waste movement from river to road;
2. The costs of building residential over a new WTS were prohibitive;
3. The resultant constraints on the design and quality of the residential rendered the new homes to be below the standard required by homeowners, and thus the scheme became unviable and unfundable; and
4. Fire safety concerns relating to residential over an operational WTS resulted in the scheme becoming unfundable.

The underlying reasons why the Cringle Dock WTS needs to be replaced have not changed.

However, these has been a catalyst for change which leads the WRWA and Cory to consider that a revised scheme would be viable and deliverable on the combined sites of Cringle Dock and Kirtling Street.

The catalyst is the acquisition of Kirtling Street and neighbouring land by the Thames Tideway Tunnel and the completion of those works which have reached the stage at which restoration of the site is required.

The WRWA and Cory appointed a technical project team to assess the options to replace the Cringle Dock WTS and produce conditions that would support the completion of the Battersea Power Station Masterplan (Phases 5, 6 and 7).

The draft site allocation proposes mixed use development in the cluster with business uses on the ground floor and residential use on the upper floors. The WRWA support the principle of mixed use development however are also aware that the redevelopment of Cringle Dock on its own is simply not viable or deliverable. In order to deliver a solution that maintains the strategic waste service, satisfies the requirements of the Mayor's Safeguarded Wharf policy and delivers the need of the wider area (including the provision of a continuous riverside walk) it is essential that the Cringle Dock and Kirtling Wharf sites are considered together in planning terms.

The WRWA consider that the draft Site Allocation NE9 and draft Site Allocation NE11 should be combined in order for a comprehensive approach to be taken for their redevelopment.

Appended to these representations is a Cringle Dock and Kirtling Street (CDKS) Masterplan produced by Wood plc which demonstrates how a comprehensive redevelopment of Cringle Dock and Kirtling Wharf could be achieved. The WRWA consider that, with this approach, a better arrangement of land uses can be achieved, and this would also allow for a more appropriate transition between these sites and the edge of the Battersea Power Station site.

The CDKS Masterplan:

- Will seek to improve the transport environment integrating public and private transport, including active travel
- Will maximise opportunities for cycling and walking, including connections into the proposed Pimlico bridge
- Includes a riverside walk

- Acknowledges that NE9 is suitable for a landmark building
- Improves frontages, streetscape, public realm and signage
- Achieves active frontages onto key routes
- Provides a high quality public realm
- Delivers high quality open space
- Enables Phase 6 of the Battersea Power Station Masterplan to be implemented

The CDKS Masterplan demonstrates that by 2026, Cringle Dock and Kirtling Wharf will have been comprehensively redeveloped and will accommodate a sympathetically designed, modern waste transfer station (WTS) capable of safely and efficiently meeting the statutory customer service obligations of Western Riverside Waste Authority (WRWA). It will also satisfy Thames Tideway Tunnel's ongoing tunnel and maintenance and emergency access safeguarding requirements at Kirtling Wharf.

The aggregation of Cringle Dock and Kirtling Wharf estates, and the resultant intensification of operational floorspace and repurposing of the existing dock and jetty, will provide opportunities to increase the combined operational capacity of the waste and logistics area to exceed the current capacity.

A fully enclosed WTS will be an exemplar facility, benefitting from off-street vehicle processing and holding areas, advanced waste handling and logistics infrastructure, and state of the art security, surveillance and control systems to manage emissions, energy and water consumption, ventilation, safety, pollution and fire.

The WTS will be amongst the first purpose-built facilities in the country capable of supporting fully decarbonised bulk handling and river and road haulage operations, progressively contributing to improved air quality in London. Furthermore, the new facility will also increase WRWA's overall service resilience by providing flexible operational space to respond to emerging regulations requiring the separate management of waste streams (including food and green waste).

Following the commissioning of the new WTS, and the demolition of the former waste facility, a major new residential mixed-use development will be developed in its place. Physically segregated from the new waste and logistics areas to safeguard the security and amenity of its occupiers, the mixed-use zone will benefit from its own vehicle and pedestrian access arrangements. The new mixed-use development will provide up to 400 residential units and a range of tenure options, including private market/owner-occupier housing, shared ownership, and affordable rental properties. The development of these sites will make a material contribution to the delivery of London Plan and Local Plan housing targets.

There is also the potential to provide additional commercial space over the new facility. The intensification of industrial, logistics and commercial uses is supported by the London Plan and draft Local Plan. The proposals for the site would make a material contribution to meeting targets for the provision of this space. It is estimated that circa. 34,000 sqm of commercial office and light industrial floorspace could be developed which could support circa 1,200 – 1,500 jobs depending on the typology of commercial floorspace delivered.

There are a number of key drivers for the comprehensive redevelopment of the Cringle Dock and Kirtling Wharf sites including the urgent need to upgrade critical waste management infrastructure (already well beyond its end of life) while maintaining service continuity, meeting the WRWA's ongoing statutory service obligations. The introduction of the Environment Act 2021 and the aforementioned Borough-wide waste management capacity deficiency which provide further justification for the requirement for redevelopment.

The proposed replacement waste transfer facility at Cringle Dock/Kirtling Street would be internalised, thus delivering an important objective to improve air quality and enhance the general environment. The new facility will enable a greater volume of waste to be processed, thus ensuring that the identified deficit in waste management is addressed. As mentioned, there is an urgent need to address the identified shortfall in waste management and the draft proposals are a viable and deliverable solution to achieve this. It will also realise wider air quality, environmental and regeneration benefits.

The proposed development will address part of the current London and WRWA waste management capacity deficiency and comply with the requirement that there be no net loss in waste management through the protection (and expansion) of an existing waste management facility.

The proposed development is also consistent with the London-wide Transport Strategy set out in the London Plan to include greater use of the River Thames to reduce congestion, improve air quality and safety (Policy SI 15). The proposed development maintains access to the river and is consistent with this important strategic objective. The proposals will also maintain access to the waterfront at all times. Redevelopment is key to facilitate the delivery of the Battersea Power Station Masterplan phases 5, 6, and 7, including a safe and efficient access and transportation system for the locality. Furthermore, imminent completion of the Thames Tideway Kirtling Wharf works, site restoration and market disposal represents a once in a generation opportunity to complete the Battersea Power Station Masterplan.

This indicative scheme would involve the loss of part of the safeguarded wharf area designated at Cringle Dock (i.e. loss of 0.355ha), however the WRWA is able to offer 0.420ha of land at Smuggler's Way to compensate for this loss should it be required because the land to the south-east of the Smuggler's Way site is not currently included in the safeguarded wharf designation. The safeguarded wharf designations for Cringle Dock and Smuggler's Way have been appended to these representations for reference purposes.

The WRWA are aware of the requirement to respect the statutory safeguarding protection for Cringle Dock and Kirtling wharves and therefore with any redevelopment of the sites it is imperative that the design process has full regard to the current and future operation of the safeguarded wharves, including maintaining appropriate access arrangements and hours of operation. For example, areas of open space and balconies will have to be carefully considered for residential uses.

Paragraph 5.30 of the draft Plan states "proposals to the north of the cluster in the Kirtling Wharf and Cringle Dock sites (NE9, NE11) will be required to provide open space that connects to the proposed Nine Elms Pimlico Bridge, the Thames Path and the open space above the Thames Tideway Tunnel access shaft. It will need to consider the Nine Elms Pimlico Bridge structure, its future access and maintenance requirements, the users of the bridge, the river walk as well as providing a welcoming gateway to the area that takes into account views to and from the bridge".

References to the open space are also included at paragraphs 5.27 and 5.28 of the draft Plan.

Map 5.3 'Spatial Area Map: Kirtling Street Cluster' on p. 115 of the draft Plan shows an area on the eastern side of Kirtling Wharf to be the suggested location for the new public open space. The WRWA acknowledge that this is a suggested location and understand that an exact location has not yet been confirmed. The WRWA make the below comments in respect of the open space given that the policy wording explains that it is required to be provided "to the north of the cluster in the Kirtling Wharf and Cringle Dock sites".

As mentioned above, in February 2021, representations were made on behalf of the WRWA to the Regulation 18. Local Plan consultation questioning the inclusion of open space in this location. The Council's response was as follows: "the site allocation wording is considered sufficient as the open space to the north is considered necessary to link into the development of the Thames Path, the Nine Elms Pimlico Bridge, and the Thames Tideway access shaft".

The wording in paragraph 5.30 of the draft Plan is directly contradicted by the following wording at paragraph 5.36 "at Cringle Dock (NE11), buildings should front on to Cringle Street and the River Thames above the waste transfer station". The WRWA are unclear as to how both open space and buildings fronting the river can be achieved in the same location.

Furthermore, as previously mentioned, Cringle Dock and Kirtling Wharf are safeguarded wharves and are protected by Policy SI 15 'Water Transport' of the London Plan (2021) which states "development proposals on a safeguarded wharf that include the provision of a water freight below or alongside another land use, must ensure that the water freight use is secured long-term, that the development is designed so that there are no conflicts of use and that the freight-handling capacity of the wharf is not reduced".

Paragraph 5.30 of the draft Plan does not acknowledge the fact that the WRWA has a statutory duty to provide waste disposal services to four London Boroughs and Cringle Dock is an operational waste transfer station. Located at the eastern end of Cringle Street, it has frontage onto the River Thames to the north, adjoins the Battersea Power Station site to the west and industrial land to the west. There are no opportunities for riverside access at this point. Whilst the WRWA appreciate that a redevelopment solution must satisfy the Thames Tideway Kirtling Wharf maintenance and emergency access safeguarding requirements, it considers that the provision of open space in this location, as suggested by the draft policy, would result in a conflict of use with the safeguarded wharf and is therefore considered to be inconsistent with London Plan Policy SI 15.

Section 20 of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") provides that the purpose of an independent examination into a development plan document is to determine, inter alia, whether it is "sound" and whether it satisfies the requirements of section 19 of the PCPA 2004. Section 19(2) of the PCPA 2004 provides that "In preparing a local development document the local planning authority must have regard to... (c) the spatial development strategy if the authority are a London Borough or if any part of the authority's area adjoins Greater London". Additionally, s.24(1)(b) PCPA 2004 requires that the Local Plan "must be in general conformity with...the spatial development strategy".

Consequently, the PCPA 2004 requires the Local Plan to be prepared having regard to, and to be in general conformity with, the London Plan. Those are "legal requirements" which paragraph 35 of the National Planning Policy Framework (NPPF) (2021) requires the Local Plan to adhere to.

The WRWA does not consider the Local Plan to be consistent with the legal requirements of the NPPF and therefore draft allocation NE11 is not sound.

In terms of next steps, the WRWA and Cory are preparing a formal pre-application submission to the Council which will progress the emerging proposals to the next stage of design evolution. It is anticipated that this pre-application meeting could take place in the next 3 months.

It is important that there is connection between the policy team and the development management team of the Council as the proposals emerge, and we reserve the right to update these representations to reflect the outcome of the pre-application process.

5. PM3 Nine Elms -

Draft Local Plan Policy PM3 has undergone substantial rewording since the Regulation. 18 Local Plan consultation in February 2021. The WRWA support the removal of the reference to "the creation of green / open space that the Tideway Tunnel access shaft presents" from this policy.

Part 5. of the policy states that "the continuity of the Thames Path along the riverside is key to enhancing active travel and ease of movement in the area and will be a requirement of development

proposals around Kirtling St and Cringle St, whilst retaining service access to the Power Station and waste transfer station and protecting the safe-guarded wharves".

We note a spelling mistake in the above paragraph which we have suggested a correction in our response to Question 7 (below). The WRWA supports the principle of the continuity of the Thames Path and supports the wording of the text relating to the protection of the safeguarded wharves and the service access to the waste transfer station.

Please continue on a separate sheet / expand the box if necessary.

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, when considering any legal compliance or soundness matter you have identified at 5 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the suggested change. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

1. Feather's Wharf / Smugglers Way Cluster; Site Allocation WT9 (Feather's Wharf); and Site Allocation WT11 (Western Riverside Waste Transfer Station, SW12) -

As set out in the response to Question 6, the WRWA propose that Paragraph 4.90 of the draft Plan, which states "the area at the northern end of the site (WT9) by the Wandle mouth should be specifically designed to provide a generous open space and be a place with distinctive character and identity for the public to enjoy. Developments must include measures that contribute towards enhancement of the riverbanks", is deleted.

The WRWA propose that site allocation WT11 should be extended to include the HWRC as well as the WRWTS which is currently included in the allocation.

Furthermore, it is proposed that the Feather's Wharf cluster be amended by the Council to include the WRWTS and HWRC sites.

2. Kirtling Street Cluster; Site Allocation NE9 (Kirtling Wharf); and Site Allocation NE11 (Cringle Dock) -

As set out in the response to Question 6, the WRWA propose that draft Site Allocation NE9 and draft Site Allocation NE11 should be combined in order for a comprehensive approach to be taken for their redevelopment to create a scheme which is both viable and deliverable and is in line with the attached CDKS Masterplan.

With regards to Open Space, the draft policy currently reads as follows:

"Proposals to the north of the cluster in the Kirtling Wharf and Cringle Dock sites (NE9, NE11) will be required to provide open space that connects to the proposed Nine Elms Pimlico Footbridge, the Thames Path and the open space above the Thames Tideway Tunnel access shaft".

This wording should be revised to the following:

"Development proposals should incorporate appropriate open space and connectivity to the proposed

Nine Elms Pimlico Footbridge and the Thames Path".

3. PM3 Nine Elms -

As mentioned in the response to Question 6, Part 5. of Policy PM3 states that "the continuity of the Thames Path along the riverside is key to enhancing active travel and ease of movement in the area and will be a requirement of development proposals around Kirtling St and Cringle St, whilst retaining service access to the Power Station and waste transfer station and protecting the safe-guarded wharves".

We note there is a spelling mistake in 'safeguarded wharves' and therefore suggests this is corrected as set out below:

As mentioned in the response to Question 6, Part 5. of Policy PM3 states that "the continuity of the Thames Path along the riverside is key to enhancing active travel and ease of movement in the area and will be a requirement of development proposals around Kirtling St and Cringle St, whilst retaining service access to the Power Station and waste transfer station and protecting the safeguarded wharves".

Please continue on a separate sheet / expand the box if necessary.

8. If you are seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? (Please tick box as appropriate)

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

The WRWA owns two waste transfer stations in the Borough, one at Cringle Dock, Battersea and the other at Smugglers Way, Wandsworth. Both of the sites are 'safeguarded wharves' within the current Wandsworth Development Plan and also within the draft Plan.

The WRWA do not find the policies in the draft Plan relating to the two sites to be sound and therefore consider it necessary, as significant landowners in the Borough, to participate in the hearing sessions at the Examination in Public. We ask to be notified about future hearing sessions in due course.

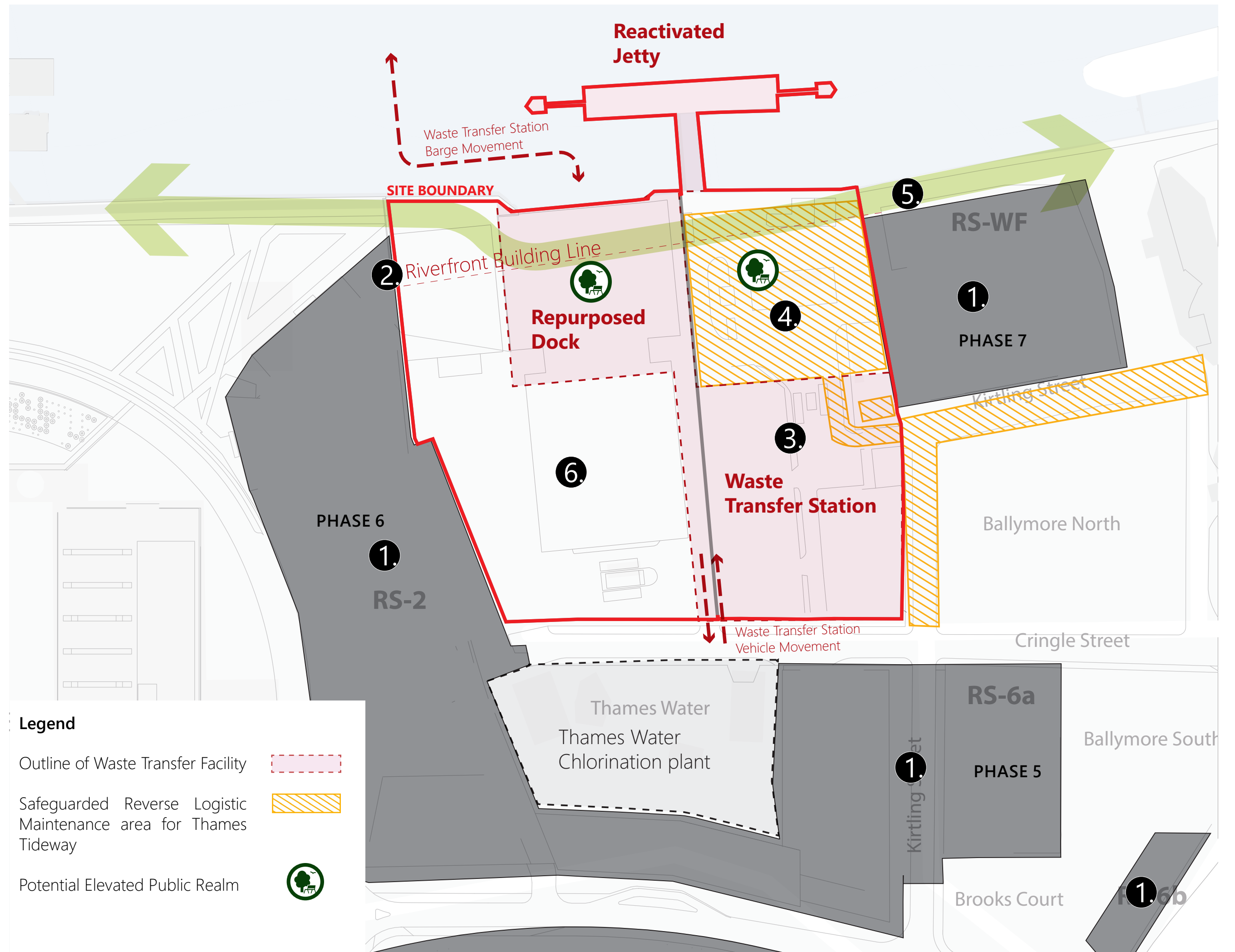
Please continue on a separate sheet / expand the box if necessary.

If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box.			<input type="checkbox"/>
Signature: <i>For electronic responses a typed signature is acceptable.</i>	Niamh Burke	Date:	25/02/2022

Key

- 1 Parameters of Development to be bought forward by others
- 2 River-front desired building line to ensure there is a uniform waterfront.
- 3 Waste Transfer Facility (WTF) at the lower level. Upper level can be used for commercial purposes.
- 4 Reverse Logistics Thames Tideway (TT) maintenance area with potential for development above.
- 5 Desired river-front walk
- 6 Indicative new residential-led mixed-use development area



TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015
DIRECTION UNDER ARTICLES 18 AND 45 RELATING TO CRINGLE
DOCK

The Secretary of State for Communities and Local Government, in exercise of the powers conferred on him by articles 18(4) and 45 of the Town and Country Planning (Development Management Procedure) (England) Order 2015¹, directs the Council of the London Borough of Wandsworth as follows—

1. In this Direction, “Council” means the Council of the London of Borough of Wandsworth.
2. (1) This Direction shall come into force on 1 December 2017 and subject to sub-paragraph (2) below, applies to any application for planning permission for development which is received by the Council on or after 1 December 2017 and which is for development wholly or partly within the area edged red on the attached plan.

(2) This Direction does not apply to any application for planning permission to which paragraph 1(2) of the Schedule to the Town and Country Planning (Mayor of London) Order 2008² applies.
3. Before granting planning permission on any application to which this Direction applies, the Council must consult the Mayor of London.
4. (1) Subject to sub-paragraph (2) below, the Directions given to the Council by the Secretary of State for Environment, Transport and the Regions on 3 July 2000 under articles 10(3) and 27 of the Town and Country Planning (General Development Procedure) Order 1995³ relating to Cringle Dock are cancelled.

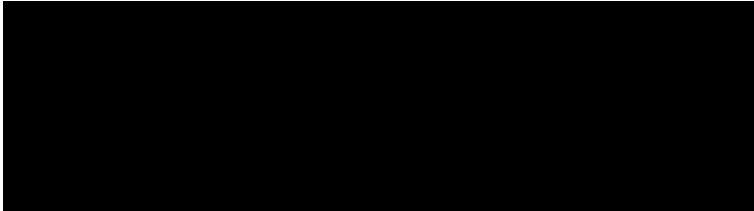
¹ S.I. 2015/595, amended by S.I. 2017/402. There are other amendments which are not relevant to this Direction.

² S.I. 2008/580.

³ S.I. 1995/419, which was revoked in relation to England by SI 2010/2184.

(2) Sub-paragraph (1) does not apply to any application for planning permission which is received by the Council on or before 30 November 2017

Signed by authority of the Secretary of State.



Chief Planner, Department for Communities and Local Government

24 November 2017

This is the plan referred to in paragraph 2 of the Direction dated 24 November 2017 and made under articles 15(4) and 45 of the Town and Country Planning (General Development Procedure) (England) Order 2015 relating to Cringle Dock.

Signed by authority of the Secretary of State.



Chief Planner, Department for Communities and Local Government
24 November 2017



TOWN AND COUNTRY PLANNING ACT 1990

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

DIRECTION UNDER ARTICLES 18 AND 45 RELATING TO THE WESTERN RIVERSIDE WASTE TRANSFER STATION (INCORPORATING THE SMUGGLERS WAY EXTENSION)

The Secretary of State for Communities and Local Government, in exercise of the powers conferred on him by articles 18(4) and 45 of the Town and Country Planning (Development Management Procedure) (England) Order 2015¹, directs the Council of the London Borough of Wandsworth as follows:

1. In this Direction, “Council” means the Council of the London of Borough of Wandsworth.

2. (1) This Direction shall come into force on 1 December 2017 and subject to sub-paragraph (2) below, applies to any application for planning permission for development which is received by the Council on or after 1 December 2017 and which is for development wholly or partly within the area edged red on the attached plan.

(2) This Direction does not apply to any application for planning permission to which paragraph 1(2) of the Schedule to the Town and Country Planning (Mayor of London) Order 2008 applies.

3. Before granting planning permission on any application to which this Direction applies, the Council must consult the Mayor of London.

4. (1) Subject to sub-paragraph (2) below, the Directions given to the Council by the Secretary of State for Environment, Transport and the Regions on 3 July 2000 under articles 10(3) and 27 of the Town and Country Planning (General Development Procedure) Order 1995² relating to Western Riverside Waste Transfer Station are cancelled.

¹ S.I. 2015/595, amended by S.I. 2017/402. There are other amendments which are not relevant to this Direction.

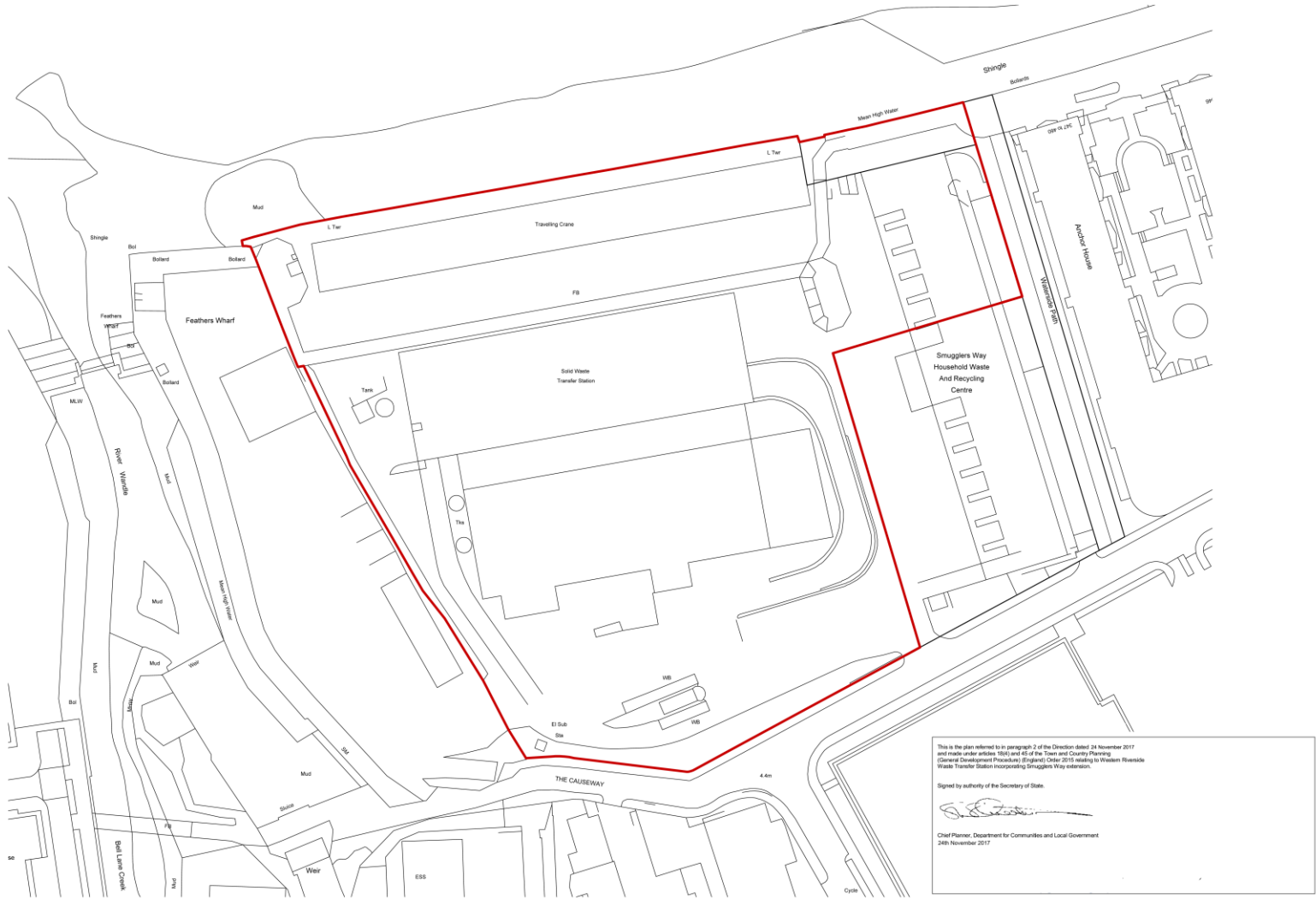
² S.I. 1995/419, which was revoked in relation to England by SI 2010/2184.

(2) Sub-paragraph (1) does not apply to any application for planning permission which is received by the Council on or before 30 November 2017

Signed by authority of the Secretary of State.




Chief Planner, Department for Communities and Local Government
24 November 2017



This is the plan referred to in paragraph 2 of the Direction dated 28 November 2017 and made under articles 18(2) and 45 of the Town and Country Planning (General Development Procedure) (England) Order 2015 relating to Western Riverside Waste Transfer Station incorporating Smugglers Way extension.

Signed by authority of the Secretary of State.



Chief Planner, Department for Communities and Local Government
24th November 2017



Local Plan Publication Consultation

Guidance Notes to accompany the Representation Form

Introduction

1. The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

Legal Compliance

3. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should be in general conformity with the London Plan.
- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

Duty to Co-operate

4. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

5. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- Positively prepared – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

6. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy (or the London Plan)? If so, does not need to be included?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

7. If you wish to make a representation seeking a modification to the plan or part of the plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 5 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

8. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

9. Where groups or individuals share a common view on the plan, it would be helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

10. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Osman, Louis

From: Burke, Niamh [REDACTED]
Sent: 25 February 2022 14:42
To: PlanningPolicy Wandsworth
Cc: Taylor, Nick; Mark Broxup
Subject: RE: Reg.19 Consultation on the Publication Draft Local Plan - WRWA Response [CJ-WORKSITE.FID44541]
Attachments: Wandsworth Local Plan Reg.19 Repls - WRWA Final With Masterplan and Designations - 25.02.2022_.PDF

Dear Sir / Madam,
Further to my email below, please find attached an updated version of our representations which we are submitting on behalf of the WRWA. Please disregard the version that was sent below and take the attached as our final representations.

We would be grateful if you could confirm receipt of this email and the attachment.

Kind regards
Niamh

Classification L2 - Business Data

NiamhBurke
Associate

Carter Jonas

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[REDACTED] | [REDACTED] carterjonas.co.uk

One Chapel Place, London, W1G 0BG



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Please consider the environment. Do you really need to print this email?

From: Burke, Niamh
Sent: Friday, 25 February 2022 14:22
To: planningpolicy@wandsworth.gov.uk
Cc: Taylor, Nick [REDACTED]
Subject: Reg.19 Consultation on the Publication Draft Local Plan - WRWA Response [CJ-WORKSITE.FID44541]

Dear Sir / Madam,

On behalf of our client, the Western Riverside Waste Authority (WRWA), we have been instructed to submit representations to the above Local Plan consultation currently being undertaken by the London Borough of Wandsworth, ahead of the deadline on 28th February 2022. Please find our representations attached.

These representations should be read alongside those submitted by the Cory Group who operate two facilities in the borough on behalf of the WRWA, in particular those elements explaining how Cory and the WRWA are committed to improving the operational and environmental performance of the existing facilities in the borough through renewal, upgrade and development options at both locations.

We would be grateful if you could confirm receipt of this email and the attachment.

We look forward to being notified as to the next steps with the Local Plan process. Should you have any queries, please do not hesitate to contact me, or my colleague, Nick Taylor (cc'ed into this email).

Kind regards
Niamh

Classification L2 - Business Data

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Carter Jonas LLP

Place of Registration: England and Wales

Registration Number: OC304417

Address of Registered Office: One Chapel Place, London, W1G 0BG.