

Planning Policy, Environment and Community Services
Town Hall
Wandsworth High Street
London
SW18 2PU

By email: planningpolicy@wandsworth.gov.uk

14th March 2023

Dear Sir/Madam,

CONSULTATION RESPONSE ON BEHALF OF WESTERN RIVERSIDE WASTE AUTHORITY TO THE PROPOSED MAIN MODIFICATIONS TO THE LOCAL PLAN

We write on behalf of our client, the 'Western Riverside Waste Authority' (WRWA), with comments on the Proposed Main Modifications to the Publication Local Plan. Whilst the WRWA supports the ambitions of the draft Plan, it continues to have a number of concerns and requests that the Inspector considers these as part of the examination of the Local Plan. The Council has proposed a number of changes in an attempt to address the WRWA's original representations, however for the reasons set out below, it is not considered that the changes properly address the WRWA's objections,

THE WRWA

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 (HWRC). 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).

LOCAL PLAN REPRESENTATION TO DATE

Representations have been submitted to Wandsworth Borough Council (the 'Council') by Carter Jonas, on behalf of the WRWA, at every consultation opportunity associated with the Local Plan. Since the submission of representations at Regulation 19 stage, the WRWA has been in discussions with the Council's planning policy team in relation to Policy LP13 'Circular Economy, Recycling and Waste Management', Site Allocation WT9 (Feather's Wharf), Site Allocation WT11 (Western Riverside Waste Transfer Station) (WRWTS), Site Allocation NE9 (Kirtling Wharf), Site Allocation NE11 (Cringle Dock) and Policy PM9 (Nine Elms).

A Statement of Common Ground (Examination Document Reference: WBC-004) was agreed between the WRWA and the Council and this sought to establish areas of agreement and also proposed minor changes to the Submission Local Plan which were to be considered prior to the public examination. The WRWA attended and participated in the Local Plan hearing sessions in relation to the following matters: Main Matter 3 (Wandsworth Town); Main Matter 4 (Nine Elms); and Main Matter 14 (Tackling Climate Change).

REPRESENTATIONS TO MAIN MODIFICATIONS TO THE LOCAL PLAN

'MM25 - WT11 Western Riverside Waste Transfer Station'

The proposed modification Paragraph 4.105 is as follows:

'4.105 Site Layout – Should the safeguarded wharf be ~~de-designated~~ *decommissioned (in line with LP40 – Safeguarding Wharves)* then a mixed-use residential scheme could come forward with built frontages on to the River Thames and The Causeway.'

The WRWA welcomes the inclusion of the wording '*in line with LP40 – Safeguarding Wharves*' on the basis that it ensures that the site's safeguarded wharf status is fully recognised. The WRWA, however, considers that consistent wording should be included throughout the Local Plan and is therefore does not agree with the use of the word 'decommissioned'. At Paragraph 4.173 of the Local Plan, the word 'de-designated' is used and as such the WRWA considers that this wording is used throughout. This point was initially raised by the Port of London Authority (PLA) in their Hearing Statement in respect of Main Matter 3.

The point being that a decommissioned wharf could still be designated as a safeguarded wharf, therefore the Council's policy ambitions can only be realised with a de-designated wharf.

'MM35 - 05 Area Strategy for Nine Elms', 'MM40 – PM3 Nine Elms', and 'MM51 – Kirtling Street Cluster'

MM35 is a proposed modification to Paragraph 5.12, which is as follows:

'...A key component in the realisation of this objective is that the location has been identified, subject to further detailed design, as the ~~preferred~~ *indicative* landing site for the proposed Nine Elms Pimlico pedestrian and cycle bridge, ...'.

MM40 is a proposed modification to the wording of PM3 C.6, which is as follows:

'...will work with partners to bring forward the proposals for the Nine Elms Pimlico Bridge at the ~~preferred~~ *current indicative* location.'

MM51 is a proposed modification to Paragraph 5.37 (bullet point 2), which is as follows:

'This cluster of sites and other adjacent sites are located in the vicinity of the *indicative* landing site of the proposed Nine Elms Pimlico Bridge.'

The WRWA's original objection to the bridge is not to the principle of it, but that it is shown as landing on a safeguarded wharf, and this is simply not practical and conflicts with the operation of the wharf. Whilst the increased flexibility over the location of the Nine Elms Pimlico Bridge is welcomed by the WRWA, it considers

that the incorporation of the 'illustrative' landing site for the bridge in this location could still result in a conflict of use with the safeguarded wharf and would therefore be inconsistent with London Plan Policy SI15. Detailed design/feasibility will confirm that this is not a practical/deliverable location for the bridge and another location would have to be sought in the surrounding area, most likely to the east. The WRWA is therefore not in agreement with the proposed wording of Paragraph 5.12, Policy PM3 C.6 or Paragraph 5.37 on the basis that it does not appear that regard has been given to the current and future operation of the safeguarded wharves, including maintaining appropriate access arrangements and hours of operation.

'MM39 – PM3 Nine Elms'

The proposed modification to PM3 C.5 is as follows:

'PM3 - People First 5. 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 and Thames Tideway Tunnel infrastructure.'

Whilst not a comment on the main modification, the WRWA would like to take the opportunity to point out a spelling mistake. The word 'safe-guarded' should be replaced by the word 'safeguarded'.

'MM42 - Map 5.3 Spatial Area Map: Kirtling Street Cluster'

MM42 includes the removal of the icon for 'Suggested Location for new public open space' at NE9 Kirtling Wharf. The proposed modification also refers to 'illustrative' location for Nine Elms Pimlico pedestrian and cycle bridge.

The WRWA welcome the removal of the icon for 'Suggested Location for new public open space', however for the same reasons set out above, it considers that the incorporation of the 'illustrative' landing site for the bridge in this location would result in a conflict of use with the safeguarded wharf and would therefore be inconsistent with London Plan Policy SI15. The WRWA is therefore not in agreement with the reference to the 'illustrative' location for Nine Elms Pimlico pedestrian and cycle bridge.

'MM46 – Kirtling Street Cluster'

The proposed modification to Paragraph 5.27 is as follows:

'The cluster is appropriate for a mixed-use development with commercial uses on the ground floor, and residential uses. Ground floor uses should have consideration of to upper floors due to the proximity to heavily trafficked streets and flood zone parameters and should accord with the relevant Design Code (July 2021, or successor document). Proposals for mixed-use development should retain or enhance wharf capacity...'

Whilst the WRWA supports the greater flexibility provided by the modification, it is not considered that the proposed amendment to Paragraph 5.27 ensures that the operational requirements of the safeguarded wharves are protected. The WRWA would support Paragraph 5.27 with a change as follows with the revised text underlined and in italics (assuming all the other changes are accepted):

'Ground floor uses should have consideration of the proximity to heavily trafficked streets, the operational needs of the safeguarded wharves and flood zone parameters and should accord with the relevant Design Code (July 2021, or successor document).'

'MM49 – Kirtling Street Cluster'

The proposed modification to Paragraph 5.30 is as follows:

~~'5.30 Open Space Public Realm – Proposals to the north of the cluster in at the Kirtling Wharf and Cringle Dock sites (NE9, NE11) will be required to provide a publicly accessible landscaped area open space that connects to the proposed Nine Elms Pimlico Bridge, the Thames Path and subject to operation and maintenance requirements, 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. Proposals will be required to comply with the London Plan Policy SI15 Water transport and public realm landscaping should not conflict with the safeguarded wharf use.'~~

The WRWA is strongly opposed to the proposed modification with the inclusion of 'a publicly accessible landscaped area' at Kirtling Wharf. In the Statement of Common Ground between the WRWA and the Council, the following wording was agreed:

~~'5.30 Open Space - Proposals to the north of the cluster in the Kirtling Wharf and Cringle Dock sites (NE9, NE11) will be required to provide appropriate open space that connects to the proposed Nine Elms Pimlico Bridge, and the Thames Path and 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. Proposals will be required to comply with London Plan Policy SI15 Water transport and open space should not conflict with the safeguarded wharf use.'~~

WRWA acknowledges and supports Policy SI16, and it believes future development of the safeguarded wharves can, through good design, incorporate the continuation of the Thames Path without compromising the operational throughput of the safeguarded wharves. However, whilst it is acknowledged that the wording in MM49 still requires proposals to comply with Policy SI15, the WRWA also objects to the exclusion of the word 'appropriate' from Paragraph 5.30. The Council's proposed wording requires that "a publicly accessible landscaped area" be provided on Kirtling Wharf and this is directly in conflict with Policy SI15 which states that "The redevelopment of safeguarded wharves for other land uses should only be accepted if the wharf is no longer viable or capable of being made viable for waterborne freight-handling". It must be reiterated that the London Plan was adopted in March 2021 and the Safeguarded Wharf Direction for Kirtling Wharf was issued by the Secretary of State on 19th February 2021. The policy position relating to the protection of this wharf is therefore recent and should be given due consideration by the Council and the Inspector.

On the basis that Kirtling Wharf is only an 'illustrative' location for the Nine Elms Pimlico Bridge, and the proposals for the bridge should not compromise the operational requirements of the safeguarded wharf, the WRWA suggest that Paragraph 5.30 should be further modified, as set out below (with all other changes agreed in the Statement of Common Ground accepted):

~~'5.30 Open Space - Proposals to the north of the cluster in the Kirtling Wharf and Cringle Dock sites (NE9, NE11) will be required to provide appropriate open space that connects to the proposed Nine Elms Pimlico Bridge, and the Thames Path and the Thames Tideway Tunnel access shaft. It will foremostly need to consider the operational requirements of the safeguarded wharves 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. Proposals will be required to comply with London Plan Policy SI15 Water transport and open space should not conflict with the safeguarded wharf use.'~~

SUMMARY

In summary, the WRWA supports the ambitions of the draft Plan, however it has a number of concerns and requests that the Inspector considers these further as part of the examination of the Local Plan. The Council's proposed changes do not adequately address the WRWA's concerns in respect of safeguarding the operational status of its facility at Cringle Dock.

Please do not hesitate to contact me should you require any additional information.

Yours faithfully



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