

## Comments on the modifications to the South London Waste Plan 2022

### Executive Summary

The draft 2022 South London Waste plan did not properly take account of the toxic effects of air pollution despite the large numbers of waste carrying HGV's on local roads. Instead it safeguarded the waste sites adopted in the 2012 South London Waste even though some of these were known to be causing harm to human health. As a result it was unsound. Quite a few of the proposed modifications to the 2022 plan place strong constraints on the air pollution that can be generated by new developments or the intensification of existing sites. However, these do not apply to the existing sites. These modifications should be changed so that these air pollution conditions apply to the existing sites when they are subject to their annual review. The Boroughs should also be required to assess air quality on the affected roads and also develop a clear strategy for the closure of failing sites and the search for new less polluting sites. Without these changes waste processing in south London will not have properly taken account of air pollution and so it will be unsound.

#### 1. The draft South London Waste Plan 2022

- [1.1] Most of the sites designated in the South London Waste Plan 2012 are now processing waste. In 2012 the health consequences of air pollution were not so widely understood and so it is perhaps not surprising that this played essentially no part in the assignment of the waste sites. It might have been hoped that the consequences for air quality and traffic congestion were assessed when the sites applied for planning permission, but this was not the case. Thus the way waste is currently processed in South West London has not taken account of air pollution despite the large number of waste carrying HGV's that are travelling on the roads and that it is well known that on average about 30 people die every day as a result of air pollution in London.
- [1.2] By 2022 the consequences of air pollution were well known. Indeed, in our previous submissions, we listed the national and local planning guidelines on air quality in enforce 2022. It was well known that the roads around some waste processing sites exceeded the EU guidelines, for example Gap, Haydon, and Durnsford Roads as well as Plough Lane along which the waste carrying HGV's travel. from and to Weir Road in Merton.
- [1.3] One might have hoped that the South London Waste Plan 2022 would assess the air pollution due to the waste processing sites introduced in the 2012 plan. In the 2022 draft plan a waste site was only assessed to be causing air pollution if it was close to an air focus area! Indeed a site, which was distant from such an area, could be found to generate little air pollution even though the roads along which the waste carrying HGV's travel were known to have very high levels of air pollution! At the hearing in front of the inspectors no one was prepared to defend this approach. As we said at the hearing, and in our submitted documents, the 2022 draft South London Waste Plan was unsound and could not be defended. The national and local planning

guidelines that underlie our comments, including those in this document, are given in our previous submissions and so we will not repeat them here.

- [1.4] One problem was that the air pollution, or the traffic levels, on the relevant roads due to waste carrying HGV's were not measured by the Boroughs. As such it was difficult for the Boroughs to identify which waste sites were causing excessive air pollution and harm to local residents. As we pointed out, with some foresight, these measurements could have been achieved as part of the usual monitor procedures. We carried out a survey and found that during working hours on each weekday there were about 600 HGV's going in and out the sites on Weir Road. Furthermore the large majority of these were going to and from sites to the south of Weir Road and so they were taking their waste unnecessarily through Wimbledon. Hence there were very large numbers of HGV's generated by the Weir Road sites causing significant problems with air quality, a fact that was rather obvious to local residents.
- [1.5] The 2022 plan safeguarded many of the 2012 sites. It proposed that they could be intensified rather than any new sites allowed. Thus the mistakes of the 2012 plan were perpetuated into the far future. Taking account of air pollution and traffic journeys the 2022 plan should not have safeguarded those sites that generated excessive air pollution, such as those in Weir Road. Indeed it should have begun the process of finding alternative sites to compensate for the resulting lack of waste provision when the failing sites were closed. Our objections were implicitly referred to in the questions of the inspectors on the 2022 draft plan. As a result they were discussed at the hearing in September 2021. A number of modifications to the 2022 plan were subsequently made which involve air quality.

**An assessment of the air pollution and traffic congestion was not carried out for the waste sites put forward in the 2012 plan. Nor were such assessments carried out when the sites applied for planning permission or in the 2022 plan. This was despite the fact that some of these sites were known to be causing harm to the health of the local residents near the roads along which the waste carrying HGV's travel. Instead the sites put forward in the 2012 plan were safeguarded in the 2022 plan and new sites were strongly discouraged. In this way the waste sites causing harm to human health were perpetuated into the far future.**

## **2. The modifications**

- [2.1] There are a significant number of modifications and quite a few of these concern air quality. Indeed some of these are provide strong constraints. For example
- modification MM28 to policy WP5 requires ... *taking account of national air quality objectives and current exceedances...* but this only applies new developments.
  - modification MM32 requires that *that proposed developments: are at least Air Quality Neutral having regard to the latest available Mayoral guidance on neutral and air quality positive approaches; promote opportunities to deliver further improvements to air quality; and do not conflict with ongoing London-wide or borough level activities aimed at reducing air pollution..* but this only concerns the information required for a planning application.

-modification MM43 *post implementation monitoring and annual reporting of local air quality and polluting emissions from both on-site waste operations and associated HGV movements in the vicinity of new or intensified waste sites against national air quality objectives and any relevant emissions limits set as part of the planning permission and/or waste license;*. but this applies to new developments.

- Modifications MM53, 55 59 62, 65, 66, 67, 68, 69, 72, 73, 74, 75, 78, 79, 84, 89 , 90, 93, 96, 98, 101, 102, 104, 105, 108, 110, 111, 113 and 117 has the following ...*Avoiding harm to the living conditions of the occupants of those residential properties in the vicinity of the site, especially with regard to air emissions and noise impacts...* but these refers to intensification, or a new planning permission.

- Modification MM47 contains *The waste operator is responsible for ensuring that its regulated facility does not cause pollution of the environment and harm to human health* but this only concerns compliance with the terms and conditions of the permit

These will have little effect as the 2022 plan essentially does not essentially permit significant new development as it freezes in place the sites allocated in the 2012 plan.

[2.2] An important modification is MM 15 which reads *The list of safeguarded waste sites will be reviewed and updated on an annual basis in the Waste Authority Monitoring Report and new sites will be safeguarded for waste uses once operational.*

- There appears to be no modification that clearly requires the local authorities to measure the air pollution, or traffic levels, on roads that are affected by the waste sites. The same is true for the levels of dust, noise and air pollution at the sites. All this should be required. While Merton, for example, has made good progress towards installing continuous and automatic monitoring of air quality and traffic levels, with for example Breath London, it is so far temporary in nature, not systematically rolled out and is not fully funded. For example, some of the key roads used by the HGV's from Weir Road waste sites, such as Alexander, Durnsford, and Gap Roads and Plough Lane, are not properly monitored. Without such data it will be difficult to know what sites are failing in the annual review.

Given a list of the sites which are failing, and so no longer safeguarded, the plan does not specify how new, less polluting, sites can be found. It appears that this is to be left up to the market to arrange. This might be difficult because it will involve developers whose business is waste and others who have expertise in industrial land. Given that the origin of the problems, it is only fair that the Boroughs should take some responsibility for bringing about the solution. They should be required to have strategies to find new less polluting sites much as they did for the 2012 plan.

To be concrete lets take the example of the sites in Weir Road. The waste carrying HGV traffic does lead to significant air pollution on the surrounding roads and this is causing very significant harm to local residents. During the first review of the 2022 plan these sites should no longer be safeguarded and so lined up for closure. For this to take place compensatory provision will have to be found. Given the new very strict restrictions mentioned above in MM32 this will not be easy as it should, for example, be air quality neutral. However, what is really required is that this new provision substantially reduces air pollution taking into account the reduction in pollution at Weir Road. From this viewpoint the modifications in MM32 are not helpful.

WimSoc in its letter to the Council in October of last year (referring to the Weir Road operation) said that processing facilities of this type of waste should be relocated to another site in the SLWP Boroughs that is directly accessed from a major road and does not as now cause such severe traffic and environmental impact on local residential roads. WRPA in its submission to the local plan also advocated the same.

**The modifications place very strong constraints on new developments, new planning permissions and possibly on intensifications of use. They will have little effect as the 2022 draft plan also places very strong constraints on possible new sites and largely freezes in place the previously allocated sites in the 2012 plan. Essentially the stable door has been closed after the horse has bolted. The new air quality constraints should apply to the operations on the existing sites when they are subject to the annual review. The Boroughs should also be required to develop a clear strategy for the closure of failing sites and the search for new less polluting sites.**

### **3. Proposed changes to the Modifications**

- [3.1] The modifications should require the boroughs to carry out air quality and traffic assessments on the roads used by the HGV's coming from waste processing sites. Particular attention should be paid to roads on which the EU air pollution limits are exceeded. They should also monitor the levels of dust, air quality and noise at the waste sites themselves and the waste operators should be obliged to allow such monitoring on site if the local authority wishes to do so. The results should be published. Perhaps MM15 should be changed to specifically require the boroughs to carry out such air quality and traffic assessments.
- [3.2] The modifications should replace the requirement of air quality neutral for a new site by the requirement that the new site would substantial reduce air pollution by taking into account that it replaces sites that are causing damage to human health. Specifically change MM9 so as to include this justification for a new site. This is consistent with the modification MM7 i.e. Objective 8. Similarly change MM10 and MM21.
- [3.3] Change MM17 to exclude intensification of sites that are causing harm to human health as a result of air pollution. The site M14 is a case in point.
- [3.4] The modifications MM28, MM32, MM43, MM53 and MM47 are excellent requirements but they do not apply to existing sites and this should be changed so that they do when the existing sites are subject to the annual review. Clearly existing sites should satisfy the same constraints as new developments.
- [3.5] The modifications MM53, 55 59 62, 65, 66, 67, 68, 69, 72, 73, 74, 75, 78, 79, 84, 89 , 90, 93, 96, 98, 101, 102, 104, 105, 108, 110, 111, 113 and 117 have the following *...Avoiding harm to the living conditions of the occupants of those residential [MM53] properties in the vicinity of the site, especially with regard to air emissions and noise impacts...* but they refer to intensification, or a new planning permission. However, we know some sites, such as those in Weir Road (M10, M12, M14) are currently causing harm

to human health as a result of the air pollution that they generate. In particular M14 is identified for intensification when we know this is already the case for this site. The wording should be changed so that the existing sites, as they are currently operating, are subject to this condition when they are subject to the annual review and it should be made clear that it also applies to the pollution on local roads in the vicinity.

- [3.6] Boroughs should be required to give a clear strategy for how the replacement of sites that fail the annual review by new sites can be achieved. We leave it to the Boroughs to suggest which modification could incorporate this.

**The modifications should be changed so that the Boroughs are required to assess air quality in the affected roads, the air quality conditions also apply to the existing sites and also be required to have a strategy for the replacement of polluting sites by others that are less polluting. If these changes are not adopted then waste processing in South London has not properly taken into account air pollution and so the 2022 plan is not sound. The alternative is to re-run the 2022 plan so as to properly take account of air pollution from the outset, as should have been the case in the first place.**

This document is co-signed by the following resident associations and organisations which are affected by the Weir Roads waste sites\*

**The Wimbledon Park Residents Association**

Iain Simpson (Chair) and Peter West

**The Wimbledon Union of Residents Associations**

Chair Clive Hilton

**The Wimbledon Society**

Chair Wimbledon Society Planning and Environment Committee Chris Goodair

**The Wimbledon East Hillside Residents Association**

Chair Lynne Gordon

**The South Ridgway Residents Association**

Chair Bill Petch

**Belvedere Estate Residents Association**

Chair Susan Cusack

The following councillors in the Weir Road area have agreed to co-sign

**Wimbledon Park Ward**

Jil Hall, Samantha MacArthur and Tony Reiss.

**East Hillside Ward**

Dan Holden and Susie Hicks

**Village Ward**

Max Austin, Thomas Barlow

**Wandle Ward**

Kirsten Galea

\* We have only asked organisations and councillors near the Weir Road sites. Several councillors were on holiday and so could not be contacted even so we have most of them.