

## PETITIONS RELATING TO THE DRAFT WEST LONDON WASTE PLAN PROPOSED SITES AND POLICIES PUBLIC CONSULTATION

**Cabinet Member**

Councillor Keith Burrows

**Cabinet Portfolio**

Cabinet Member for Planning, Transportation and Recycling

**Officer Contact**

Jales Tippell - Planning, Environment, Education and Community Services

**Papers with report**

None

### HEADLINE INFORMATION

**Purpose of report**

To inform the Cabinet Member that two petitions have been received in response to the Draft West London Waste Plan: Proposed Sites and Policies public consultation which took place between February-March 2011. They oppose the inclusion of the former Coal Depot at Tavistock Road, West Drayton in the Draft Plan as a potential waste plant site.

**Contribution to our plans and strategies**

The request will be considered as part of the consultation responses to the Draft West London Waste Plan Proposed Sites and Policies Document.

**Financial Cost**

There are none associated with the recommendation to this report.

**Relevant Policy Overview Committee**

Residents and Environmental Services.

**Ward(s) affected**

Yiewsley and West Drayton.

### RECOMMENDATION

It is recommended that the **Cabinet Member for Planning, Transportation and Recycling**

1. **listens to the views of the petitioners; and**
2. **instructs officers to review the inclusion the former Coal Yard at Tavistock Road, West Drayton in the next stage of the Draft West London Waste Plan (Draft WLWP) in view of the environmental concerns raised in these petitions, notably regarding traffic access to the site by heavy goods vehicles and their possible implications for the surrounding road network. Any resulting change would form part of the revisions to the Draft WLWP which are due to be considered by Cabinet at its meeting in the autumn.**

## **INFORMATION**

### **Reasons for recommendation**

To ensure the Draft WLWP consultation process helps to shape the content of the document, and that comments and recommendations by interested parties are accommodated where appropriate.

### **Alternative options considered / risk management**

The Cabinet Member may decide not to instruct officers to consider making any further changes to the Draft WLWP as a result of the petitions.

### **Comments of Policy Overview Committee(s)**

None at this stage.

### **Supporting Information**

#### The Petitions Received

1. Two petitions comprising 2,201 and 209 signatures were received as part of the Draft WLWP consultation process. The larger petition relates directly to the inclusion of the former Coal Yard site at Tavistock Road in the Draft WLWP; the smaller concerns draft proposals to locate a recycling plant there. Details of this were recently circulated to local residents by a major waste company which is expected to submit a planning application shortly.
2. The concerns in both petitions principally focus on the potential impacts of the site being developed as a major waste facility. The main concerns are traffic generation and site access, and the potential for any development to be visually intrusive on the nearby Green Belt and adjacent housing areas due to its raised height. The covering letter notes that the site will also be affected by the forthcoming Crossrail development.
3. A covering letter for both petitions objects to the inclusion of the former Coal Yard site at Tavistock Road in the Draft WLWP for the following reasons:
  - i. vehicle access to the site is gained via a residential road off the main high street, from which northbound traffic is required to make a sharp left turn under a narrow railbridge at a point where the road is at its narrowest and also subject to flooding;
  - ii. large vehicles accessing the site from the south cannot turn into Tavistock Road in one movement. Some large vehicles accessing the road at present utilise the bus station for a turn around point in order to access Tavistock Road with a right turn;
  - iii. the only vehicular access to the site is via a narrow, ramped access way, making it likely that traffic will need to queue when accessing or leaving – something which will be polluting, disruptive and disturbing to the local area and residents;
  - iv. Heavy Goods Vehicles (HGV's) associated with waste plant activities will come through the town centre – the Association considers they are unsuitable for small suburban centres and already contribute to congestion during peak and other times at the high road junction;
  - v. residents have already commented on the borough's Transport Plan that vehicle use in West Drayton and Yiewsley town centres should be restricted to cars, vans

and buses - HGV's should use Stockley Bypass to the east and the M25 to the west;

- vi. the High Road is used to access a primary school in Yiewsley town centre;
- vii. the site is immediately adjacent to a Zone 3b Flood Risk Area (as defined in PPS25: Development and Flood Risk), part of the Green Belt and located close to densely developed residential areas to the north and south on an elevated site where any significant development will be visually intrusive over a wide area – the nearest housing is located 50m away and includes elderly persons' sheltered housing accommodation as well as an area of Special Local Character;
- viii. the site is large and capable of generating more than 120,000 heavy goods vehicle movements - any additional HGVs generated from the site will materially worsen air pollution in an Air Quality Management Area where steps should be taken to improve air quality for local residents;
- ix. the site scored highly in the technical assessment for the Draft WLWP due to the location of a rail siding there which could be used to transport materials away from the site – this did not take into account the likelihood that waste would come in via heavy lorries and trucks and their resultant impact on the local area;
- x. builders' waste is not covered by the West London Waste Plan. This is the largest site being actively pursued by Powerday plc – a company that specialises in builders' waste. Therefore, if the site was developed by that company for processing builders' waste, that would not meet the requirements of the waste targets listed within the West London Waste Plan;
- xi. in recent years a resident has been killed in the town centre by a heavy goods vehicle driving through it from the site;
- xii. there is already a large modern waste facility nearby at Colnbrook which makes good provision for this part of London which is located well away from residential properties;
- xiii. the site will be affected by the 'CrossRail' development which has been approved and is currently under construction; and
- xiv. local people consider themselves threatened by the scale of the operation this site could generate - there is no objection to a small scale municipal waste use of the sort currently provided once a month at this site. There is already waste recycling on a much smaller scale at a site on Trout Lane at the end of a residential road which causes problems for local residents and businesses even with a much more moderate level of traffic, dust and disturbing activity.

4. The wording used on the larger petition specifically states that the residents of West Drayton and Yiewsley object to the former Coal Yard site at Tavistock Road being considered as suitable for large scale waste recycling for the following main reasons:

- i. it is on an elevated site too close to large areas of housing;
- ii. has limited and difficult access through a town centre where a large vehicle from this site was responsible for the death of a local person;
- iii. is accessed from a main road which is a route to school for primary school children; and
- iv. the main road access is severely restricted by a low railway bridge below where flooding occurs.

5. The smaller petition states that the signatories oppose any proposed Recycling Plant to be built in the old railway sidings in Tavistock Road. The signatories believe this proposal would have an adverse effect on West Drayton, "...not least because of the huge lorries which will be using the High Street..." to access the site.

6. Both petitions were submitted by the Secretary of the Garden City Estate Residents' Association, Ms Janet Sweeting.

#### Background on the Draft West London Waste Plan: Proposed Sites and Policies Consultation Document

7. The Proposed Sites and Policies Consultation Document is the latest stage in the preparation of a joint waste plan for the six west London boroughs. Consultations were held on an initial draft plan between 9th February and 25th March, 2011. The plan is being prepared jointly by the six West London Waste Authority (WLWA) boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow, and Richmond upon Thames – and when completed will form part of the Local Development Framework for each borough.
8. The purpose of the WLWP is to set out a planning strategy to 2026 for sustainable waste management, deliver national and regional targets for waste recycling, composting and recovery and provide sufficient waste management capacity to manage waste arisings. In particular it sets out how the boroughs will deal with the projected “apportionment” of waste which they are expected to deal with in the London Plan. Planning applications for any new waste management facilities will be considered in the light of the WLWP site proposals and policies and they will also be assessed by individual boroughs against their Local Development Framework - including local development management policies and any other material considerations.
9. The Draft WLWP seeks to provide sufficient waste management capacity to manage projected waste arisings by safeguarding the capacity of selected existing waste management facilities and identifying opportunities for sufficient additional facilities, whilst aiming to ensure that the WLWA boroughs do not manage a disproportionate amount of waste from other London boroughs.

#### Site Selection

10. An independent technical study was undertaken by consultants Mouchel acting on behalf of the six boroughs, to select a series of sites to meet their London Plan waste apportionment. Sites were assessed in accordance with the criteria set out at Policy 4A.23 of the 2008 London Plan: proximity to the source of waste; the nature of activity proposed and its scale; the environmental impact on surrounding areas; the full transport impact of all collection, transfer and disposal movements, and whether it was possible to make use of rail and water transport. The policy gives priority to proposed sites located on Preferred Industrial Locations or at any of the existing waste management locations.
11. Any sites listed in the Draft WLWP are ‘Technology Neutral’ that is, they have been put forward on the basis that they could support any of a number of recognised waste management technologies (i.e. Composting, Mechanical Biological treatment, Anaerobic Digestion and Gasification/pyrolysis), and also the co-location of complimentary waste facilities such as a material reclamation facility (Community Recycling Centre).
12. In Hillingdon, there are two existing sites that may be considered to be suitable for intensification (for treatment facilities) or re-orientation (for transfer facilities). These are Rigby Lane Waste Transfer Station in Hayes and the Victoria Road Waste Transfer Station at Civic Way in Ruislip. There are also three sites that are identified as potential locations that may be suitable for new waste treatment facilities, namely the Silverdale Road Industrial Area, located to the east of Hayes Town Centre, the former Powergen site at Bulls Bridge, Hayes and the Tavistock Road depot site at West Drayton.

13. Tavistock Road was identified as a potential new site primarily on the basis that it offered the opportunity to bring materials to it and take them away by rail – a sustainable means of transport. This meant the site compared well with other potential sites across the six boroughs on the basis of the site assessments carried out for this initial draft of the Plan.

Concerns outlined in the covering letter regarding consultation arrangements

14. The covering letter accompanying the petitions notes the Residents' Association's concerns that the consultation process for the draft WLWP was seriously flawed as it was completely reliant on residents using public libraries, reading statutory notices in the local Gazette newspaper or looking on the West London Waste Plan website or Hillingdon Council's website to gain knowledge of the proposal. In the Association's view many local residents are not able to respond easily to on-line consultations. It advocates that in future consultation leaflets and larger advertisements in local newspapers should be used to advertise important issues. Additionally, a drop-in centre is needed in Yiewsley or West Drayton.
15. The detailed arrangements made to involve the public and key stakeholders in consultations on the Draft WLWP have followed the approach set out in the Council's Statement of Community Involvement (SCI) adopted in November 2006. The SCI sets out a minimum of six weeks for public consultations for each of the stages in the plan making process. Consultations on the Draft WLWP were carried out over a six-week period between 9<sup>th</sup> February and 25<sup>th</sup> March.
16. During this six-week period:
- a. Press notices were published in the Hillingdon Leader, Gazette series (all Hillingdon editions) and in the London Gazette on the 9<sup>th</sup> February.
  - b. Consultation documents were available for viewing and comment at all borough public libraries, the Hayes One Stop Shop, and the Planning Information Services section at the Uxbridge Civic Centre.
  - c. Public information displays on the Draft WLWP were exhibited at Uxbridge Library and at Planning Information Services, Civic Centre, Uxbridge.
  - d. Six information drop in sessions were held at Ruislip Manor, Uxbridge and Botwell libraries. The drop in session on 10<sup>th</sup> March at Botwell Library was primarily focussed on the Draft WLWP with specialist consultants present to answer enquiries.
  - e. Notification letters were also sent to all residents located adjacent to the sites identified in the Plan.
17. A number of local events and meetings were also attended by officers to raise awareness and encourage discussion about the Draft WLWP. These included the:
- Youth Council (5pm, 10 January)
  - West Drayton Town Partnership (7pm, 12 January)
  - Hillingdon Motorists Forum (7pm, 12 January)
  - Older Peoples Steering Group exhibition (12 January)
  - Cleaner Greener Group (25 January)
  - Hayes Town Partnership (7 February)
  - Local Strategic Partnership - Executive Meeting (8 February)
  - Hillingdon Force - Older People's Steering Group (18 February)
  - Yiewsley Community Fair (26 February)
  - Yiewsley & West Drayton Town Centre Partnership (2 March)
  - Hillingdon Interfaith Network (2 March)

- Access and Mobility Forum (7 March)
18. Approximately 3,000 letters and emails were sent to various groups and individuals, inviting comments on the consultation documents. The letters included a brief summary about the Draft WLWP, where to view it and how to provide comments. Relevant groups were also provided with a CD Rom. Responses were invited on-line, by email, by completing a Consultation Response Form, by letter or fax.
  19. The recent consultations were held in accordance with the approved Statement of Community Involvement and electronic responses were requested as the most cost-effective means of dealing with responses. Responses made by letter were also accepted. Drop-in information sessions were staged at libraries in the north, centre and south of the borough. The use of Botwell library for the drop-in session in the south was considered the most effective location to allow residents affected by two new site proposals in Hayes to obtain information as well as residents affected by the proposed Tavistock Road site at West Drayton.

### The Next Stage of the West London Waste Plan

20. The next stage involves preparation of a 'Submission Draft' version of the Development Plan Document. This requires: the review and assessment of the last round of consultation responses and considering whether any changes are required to the proposed policies and sites as a result; reviewing the associated Sustainability Assessment; and producing a Site Deliverability Assessment – which reviews the Plan's allocated sites' potential for development with the level of detail required for a subsequent Examination in Public. Once this 'Proposed Submission Draft' has been finalised and agreed by the West London boroughs, it will again be published jointly for consultation over a 6-week period. When those consultations are completed the comments received will be considered and any further revisions prepared before the Plan is submitted to the Secretary of State. There will then be an Examination in Public of the Plan held before an independent Planning Inspector before the Plan can be finally adopted as a joint policy document by the six boroughs.

### **Financial Implications**

There are none associated with the recommendations in this report.

### **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

#### **What will be the effect of the recommendation?**

Greater clarity for local residents on the West London Waste Plan and its site and policy proposals for their local area.

#### **Consultation Carried Out or Required**

Public consultations on the initial consultation draft stage in February and March were carried out in accordance with the Council's Statement of Community Involvement.

## **CORPORATE IMPLICATIONS**

### **Legal**

Section 15 of the Planning and Compulsory Purchase Act 2004 places a statutory duty on a Council to prepare and maintain a Local Development Scheme (“the Scheme”). The Scheme will specify those documents which are Development Plan Document (“DPD”). Regulation 7 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) (“the 2008 Regulations”) states that the Core Strategy will be a DPD.

When preparing the Draft West London Waste Plan, the Local Planning Authority must comply with the consultation requirements found in the 2008 Regulations, specifically Regulation 25 relating to the Public participation in the preparation of the DPD and also the revised PPS 12 (Local Spatial Planning) which sets out government policy on Local Development Frameworks, of which the Core Strategy is a fundamental document. The UK government has signed up to the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Århus Convention). Article 7 states:

“Each Party shall make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment, within a transparent and fair framework, having provided the necessary information to the public.”

In compliance with UNECE Convention, PPS 12 states that the Council must produce a Statement of Community Involvement (“SCI”) which should follow these principles. The involvement of the public in preparing the Core Strategy must follow the approach set out in the SCI, which the Council adopted in November 2006.

This includes the duty to consult with specific and general consultation bodies, the requirement to place an advertisement in the newspaper and the general duty to comply with the Council’s SCI.

The 2008 Regulations require that any representation received must be fully considered by the decision maker, including those which do not accord with the proposals.

### **BACKGROUND PAPERS**

Petitions received in March 2011.