

Stephen M Daw Limited



Mr Ian Kemp
Programme Officer
PO Box 241
Droitwich
Worcestershire
WR9 1DW

VIA EMAIL ONLY

For Attention of T. L. Davis BA(Hons) MA MRTPI and G. J. Fort BA PGDip LLM MCD MRTPI (Planning Inspectors)

28th May 2026

Dear Inspectors,

Examination of the East London Joint Waste Plan : Hearing Statement

This Hearing Statement is written on behalf of Brett Aggregates Limited in relation to:

Matter 3: Safeguarded sites and sites to be released from waste use

Issue (ii) is the safeguarding of individual sites justified; are the capacity assumptions they contain soundly based; and would the stock of safeguarded sites provide sufficient opportunities to meet waste needs?

Question 4. Some minerals sites in the Plan area may have the potential to provide waste management capacity but are not safeguarded in the Plan. Is this approach effective, justified and positively prepared?

In our Regulation 19 Representation (Ref 1/001), we contended that the East London Joint Waste Plan (ELJWP) is not sound because it fails to safeguard mineral working sites for the disposal of soft inert excavation material. In light of the Boroughs' response to our Representation, this Hearing Statement re-affirms our position that the ELJWP should safeguard minerals sites and argues that, without such provision, the approach to the safeguarding of individual sites is not justified or positively prepared.

For ease of reference, extracts from the Boroughs' response to our Representation are provided in **bold**. Our subsequent response to each extract is then provided, with text from any referenced plans provided in *italics*.



Extract 1: ‘The East London Joint Waste Plan has to be in general conformity with the London Plan, and therefore follows Policy SI8 in its approach to planning for net self-sufficiency which excludes excavation waste.’

Whilst it is acknowledged that Policy SI8 of the London Plan does not require net self-sufficiency to be achieved for excavation waste, nor require London Boroughs to apportion for this waste stream, it is our view that this should not preclude the safeguarding of sites suitable for managing such waste. Policy SI9 of the London Plan, Part A. states that:

“Existing waste sites should be safeguarded and retained in waste management use.” (pg. 378)

Paragraph 9.9.1 of the London Plan further confirms that waste sites are:

“...defined as land with planning permission for a waste use or a permit from the Environment Agency for a waste use.” (pg. 378)

and that this definition applies to:

“...land used for any waste stream.” (pg. 378)

Our interpretation of Policy SI9 of the London Plan is that all sites which accord with the definition in Paragraph 9.9.1 should be safeguarded, irrespective of waste stream. The reliance on Policy SI8 as justification for not safeguarding mineral sites is therefore considered contradictory to the London Plan approach to safeguarding.

Further to this, Paragraph 6.35 of the ELJWP states that:

“Sites that are not safeguarded by this Plan but are subject to Environmental Permits are still safeguarded by virtue of the existing Policy SI9 of the current London Plan...” (pg. 71)

This approach not only has consequences for the type and number of sites safeguarded within the ELJWP but also the level of policy protection they are afforded, given that the strategic protection provided by Policy SI9 is arguably weaker than the site-specific safeguarding afforded by the ELJWP. The London Plan definition of waste sites is therefore considered more effective in the context of safeguarding and should be adopted, which would in turn facilitate the safeguarding of minerals sites within the ELJWP. For the reasons outlined above, the approach to safeguarding adopted in the ELJWP is not considered justified.

Finally, notwithstanding the fact that the London Plan does not apportion quantities of excavation waste, Paragraph 2.42 of the ELJWP confirms that:

“boroughs are still required to plan for this waste stream.” (pg. 26)

It is acknowledged that the scale of excavation waste required to be managed within London is significant therefore limiting the possibility of achieving net self-sufficiency. However, our position remains that it is at best contradictory and at worst negligent to not safeguard sites which could contribute to the management of this waste stream. For this reason, the approach taken in the ELJWP to not safeguard mineral sites is not considered positively prepared, either.

Extract 2: ‘The East London Joint Waste Plan is not a minerals plan’ and ‘Minerals and aggregate safeguarding is covered in the London Plan and individual borough Local Plans where relevant’.

The Boroughs’ position outlined in the above extract also fails to acknowledge the dual purpose of some mineral sites in enabling both the provision of aggregates and managing waste. The value of minerals sites in managing waste is most evident once extraction activities cease and final phases of restoration progress, at which point mineral working sites operate principally for a waste purpose. Examples of such sites which should benefit from suitable safeguarding include Brett Aggregates Limited site at East Hall Farm, Havering and, subject to receipt of suitable planning permission and subsequent Environmental Permit, Rainham Lodge Farm, Havering.

To conclude, our position remains that the ELJWP should safeguard suitable minerals sites for the disposal of soft inert excavation material. The approach to safeguarding taken in the ELJWP fails to recognise the importance of mineral sites in facilitating the disposal of excavation material and, by extension, fails to effectively plan for this waste stream. Because of this, the approach taken in the ELJWP is not considered justified or positively prepared.

Thank you for your consideration.

Yours sincerely,

A solid black rectangular box used to redact the signature of Charlotte A Brinkley.

Charlotte A Brinkley