

East London Joint Waste Plan  
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17 June 2025

## **LBTH Response to East London Joint Waste Plan (Regulation 19 Consultation)**

Dear Waste Planning Team,

Thank you for providing the opportunity to respond to the East London Joint Waste Plan (ELJWP).

### **Summary**

This letter is in response to the Regulation 19 consultation on the East London Joint Waste Plan. It raises several key issues of soundness, which are listed below. LBTH has requested assistance from the East London Joint Waste Planning Group (ELJWPG) and, at the time of writing this response, the ELJWPG has not agreed to provide assistance. LBTH is requesting a transfer of 34,370 tonnes per annum (tpa) of Household, Commercial and Industrial (HIC) waste capacity and 56,953tpa of Construction and Demolition (C&D) waste capacity.

The NPPF sets out four tests of soundness against which development plan documents should be assessed:

**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 areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

The ELJWP does not meet this test. Given their large surplus waste capacity, it must be considered practical for them to meet LBTH's unmet waste capacity needs. This point is addressed in more detail in the Capacity and Apportionment section of this response. Further detail regarding the discussions between LBTH and the ELJWPG is provided in the Summary of Duty to Cooperate Discussions section of this response.

**Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

The ELJWP does not meet this test. The Integrated Impact Assessment fails to appropriately test an alternative scenario in which the ELJWP safeguards waste capacity specifically for neighbouring authorities facing a shortfall. This point is addressed in more detail in the Integrated Impact Assessment section of this response. The evidence also does not recognise the existing waste flows from LBTH to the ELJWP area and vice versa; this point is addressed in more detail in the Evidence section of this response.

**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.

The ELJWP does not meet this test. While LBTH clearly set out its capacity shortfall in our response to the Regulation 18 consultation on the ELJWP, the ELJWPG has deferred action on this matter and has not addressed it in their proposed submission ELJWP.

**Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

The ELJWP does not meet this test. Paragraph 33 of the NPPF expects development plan documents to be informed by a Sustainability Appraisal that meets the relevant legal requirements. The IIA published as part of this consultation does not assess the reasonable alternative of safeguarding waste capacity for neighbouring authorities facing a shortfall; more detail on this point can be found in the Integrated Impact Assessment section of this response. Paragraph 22 of the NPPF expects strategic policies to look ahead and anticipate and respond to long-term requirements. LBTH has set out its requirement in terms of waste management capacity and the ELJWP has not responded to that requirement.

In addition to the requirement to be consistent with national policies, Section 24(1)(b) of the Planning and Compulsory Purchase Act 2004 requires development plan documents within London to be in conformity with the London Plan. Paragraph 9.8.6 of the London Plan states that boroughs with a surplus of waste sites should offer to share these sites with those boroughs facing a shortfall in capacity before considering site release.

It is also important to note that the objections that LBTH raised in its response to the ELJWP Regulation 18 consultation (attached to this response at Appendix 2) have not been included in the Consultation Statement. Therefore, it is not possible to determine whether these objections were considered in drafting the Regulation 19 plan.

We have set out our response under the following headings:

1. Background
2. Summary of Duty to Cooperate Discussions
3. Consultation Statement
4. Integrated Impact Assessment
5. Capacity and apportionment
6. Policies
7. Safeguarded and released sites
8. Conclusion

## **1. Background**

Tower Hamlets is a unitary waste planning authority, meaning that the borough is responsible, as far as possible, for meeting its waste apportionment on sites within its boundaries. Given the density of Tower Hamlets and the presence of competing land use priorities, meeting the apportionment has been challenging.

The adopted London Plan (at paragraph 9.8.6) expects boroughs with surplus waste management capacity to share this capacity with boroughs that are unable to meet their waste management needs within their boundaries, before considering releasing sites from safeguarding. The London Plan also aims for net waste self-sufficiency for London, which recognises that while individual boroughs may not be able to meet their waste needs within their boundaries, London as a whole should be able to meet its waste management needs without needing to rely on facilities outside of the Greater London boundary.

Waste planning is also governed by legislation: the Waste Framework Directive (WFD) was incorporated into UK law via the Waste (Circular Economy) (Amendment) Regulations 2020. In addition, the Waste (England and Wales) Regulations 2011, paragraph 4 of Part 1 of Schedule 1, sets out the 'proximity principle' - the requirement for mixed municipal waste to be disposed of or recovered in one of the nearest appropriate installations.

Tower Hamlets is currently in the process of developing a new Local Plan. We have completed a first Regulation 19 consultation (in 2024) and are preparing to carry out a second Regulation 19 consultation focused only on several policies, one of which is RW1 – Managing our waste, which sets out the borough's waste apportionment and capacity, and safeguards sites for waste. As Tower Hamlets is a unitary waste planning authority, the policies in our emerging plan aim to fulfil our waste planning

requirements. The Proposed Submission Version (2025) of Policy RW1 is attached to this response as Appendix 3.

## **2. Summary of Duty to Cooperate Discussions**

In 2023, Tower Hamlets asked to join the ELJWPG, but was informed that adding an additional borough to the group at that time would add an unreasonable delay in the plan-making process.

Given the lack of certainty regarding the sharing of waste capacity from the ELJWPG and other neighbouring waste planning authorities, LBTH sought to plan for waste self-sufficiency. Our 2024 Waste Study Update included untested strategies to find waste capacity within the borough, including the use of On-site Segregation Facilities. The GLA and the Environment Agency objected to this approach and instructed Tower Hamlets to request assistance from the ELJWPG given their significant surplus.

We have formally requested assistance from the ELJWPG in meeting our waste capacity requirements. The ELJWPG asked that we respond to a list of criteria in order to demonstrate that we require assistance and have explored all options to meet our requirements within our boundaries. We provided a response that addressed all of the ELJWPG's criteria; however, the ELJWPG responded that we had not adequately addressed the criteria, including requesting that we carry out a detailed assessment of all LSIS and SIL sites to demonstrate that each would not be suitable for use as a waste site. Given the relatively small volume of waste capacity that we are requesting and the very high level of surplus capacity within the ELJWPG, our initial response to the criteria was proportionate. It should also be noted that the criteria have not been included in the proposed submission ELJWP.

Further detail regarding Duty to Cooperate discussions between LBTH and the ELJWPG can be found in Appendix 1.

## **3. Consultation Statement**

LBTH submitted a detailed response to the Regulation 18 consultation on the ELJWP (Appendix 2). However, there is no reference to LBTH in the Consultation Statement published as part of this Regulation 19 consultation, nor have LBTH's objections been identified or responded to in the Consultation Statement. This has made the process of responding to the regulation 19 consultation on the ELJWP particularly challenging. It is not clear why the previous response from LBTH has not been taken into account.

Given the omission of the LBTH representation, we are unable to determine whether our response to the Regulation 18 consultation has been considered in developing the proposed submission version of the ELJWP.

## **4. Integrated Impact Assessment**

As part of our response to the Regulation 18 consultation on the ELJWP, we recommended that the Integrated Impact Assessment (IIA) test a reasonable



alternative in which the ELJWP provided capacity assistance to LBTH (and other authorities that may have requested assistance). The assessment of Policy JWP2 includes an alternative (Need Alternative 1) that would make provision for additional waste management capacity above the ELJWPG's London Plan apportionment.

Given that the ELJWPG has invited authorities to request capacity assistance, it is not clear how this represents an alternative to the policy approach in the Proposed Submission ELJWP. If authorities request capacity assistance, the ELJWPG will need to make provision for additional waste management capacity above the London Plan apportionment. Further, the ELJWP identifies a substantial surplus capacity, meaning that it is already planning for additional waste management capacity above the London Plan apportionment.

Para 5.156 of the IIA explains that Need Alternative 1 would likely result in waste travelling further, if the sites were to deal with waste from outside the plan area. Tower Hamlets already exports a significant proportion of its waste to the ELJWP and receives waste imports from the ELJWP, therefore it is unlikely that providing for LBTH's apportionment shortfall would result in longer waste trips. In addition, the ELJWP is LBTH's nearest neighbouring waste planning authority. Without support from the ELJWP, Tower Hamlets would need to seek support from a further waste planning authority, resulting in significantly longer waste trips.

Para 5.156 also explains that Need Alternative 1 could have negative effects on all IIA objectives, where East London's environment and communities would be under additional pressure to allocate and/or identify less suitable sites for waste development to come forward. As explained above, the ELJWPG has a significant surplus of waste management capacity. It would not need to allocate or identify any additional sites for waste development in order to meet LBTH's shortfall.

## **5. Evidence**

As part of this Regulation 19 consultation, the ELJWPG has published a Waste Topic Paper to provide a summary of the evidence underpinning the ELJWP. This topic paper provides a brief summary of cross-boundary waste movements into and out of the ELJWPG (para 5.25). It identifies 16 facilities that received potentially strategically significant quantities of waste from the ELJWPG in 2022. The Waste Topic Paper does not identify the facilities within the ELJWPG that receive strategically significant quantities of waste from other waste planning authorities. It should be noted that LBTH's Waste Data Study (2023) identifies two sites in LB Newham that receive strategically significant volumes of HIC waste from Tower Hamlets. While not identifying specific facilities, the Waste Data Study (2023) also shows that LB Havering, LB Newham and LB Barking & Dagenham receive strategically significant volumes of C&D waste from Tower Hamlets. The LBTH Waste Data Study (2023) also shows that the Northumberland Wharf Transfer Station in Tower Hamlets receives strategically significant volumes of HIC waste from the ELJWPG (142,940 tonnes in 2021).

The Waste Topic Paper also omits any reference to LBTH's formal request for the sharing of waste capacity or to the discussions that LBTH and the ELJWPG have had in regards to waste capacity sharing and LBTH's request to join the ELJWPG.

Given that the evidence base for the ELJWP omits these strategically significant flows of waste, and LBTH's request for capacity sharing, it cannot be considered to be adequate or proportionate.

## **6. Capacity and Apportionment**

Section 4 of the Proposed Submission ELJWP sets out the area's waste capacity requirements and the capacity within its waste sites.

The ELJWP identifies an overall waste management apportionment of 1,497,000tpa by 2041 for the whole ELJWPG. The overall capacity within the ELJWPG is 2,619,508tpa, meaning that the authority has a surplus capacity of 1,122,508tpa. This represents a small increase in the capacity reported in the Regulation 18 version of the ELJWP.

The ELJWP acknowledges that there may be a loss of Mechanical Biological Treatment (MBT) capacity after 2027 as a result of renegotiations of contracts, though it is unclear why this capacity would be lost given that the site is safeguarded and is not proposed for release. Even with the loss of MBT capacity (and after removing capacity from sites proposed for release) the ELJWP identifies a surplus HIC waste management capacity of 680,000tpa in 2041.

The Proposed Submission ELJWPG also includes a revision to the level of C,D&E waste arisings from the Regulation 18 version. It identifies a safeguarded capacity of 3,185,500tpa in 2041 and a surplus capacity of 980,000tpa.

The supporting text of London Plan Policy SI8 (paragraph 9.8.6) expects boroughs with a surplus waste capacity to share this with boroughs facing a shortfall before considering release of sites from safeguarding. The London Plan also acknowledges that it may not always be possible for boroughs to meet their apportionments within their boundaries and in these circumstances boroughs will need to agree the 'transfer of apportioned waste'. This has been reiterated in discussions with the GLA, which expects the ELJWPG to offer surplus capacity to other boroughs that are unable to meet their waste planning requirements within their boundaries. London Plan policy SI8 also encourages boroughs to collaborate by pooling their apportionment requirements.

The Waste (England and Wales) Regulations 2011, paragraph 4 of Part 1 of Schedule 1, sets out the 'proximity principle' - the requirement for mixed municipal waste to be disposed of or recovered in one of the nearest appropriate installations.

Paragraphs 4.11 and 4.12 of the Proposed Submission ELJWP set out how the ELJWPG intends to share capacity with other boroughs and authorities that are unable to meet their waste capacity requirements within their boundaries. Para 4.11 explains that neighbouring boroughs have been invited to request capacity from the

ELJWPG and para 4.12 explains that any agreements on sharing capacity will be formalised in a Statement of Common Ground. It should be noted that the criteria that the ELJWPG officers shared with LBTH on 28 January 2025 do not appear to be included in the Proposed Submission ELJWP.

A statement of common ground is not an appropriate mechanism to agree the sharing of waste capacity given that the ELJPW is proposing the release of safeguarded waste sites. Capacity that is safeguarded for other authorities should be set out in the 'Future Requirements for Waste Management Capacity' section of the ELJWP to ensure that sufficient sites are safeguarded in the future to meet neighbouring authorities' requirements. Paragraph 9.8.6 of the London Plan is clear that surplus capacity should be offered to boroughs facing a shortfall in their capacity *before* proposing the release of safeguarded sites. Therefore, capacity sharing must be agreed and set out within the ELJWP itself, rather than deferred to be agreed through statements of common ground after proposing the release of safeguarded sites.

Given LBTH's evidenced shortfall in waste management capacity and the high level of surplus capacity in the ELJWPG, we have requested a transfer of 34,370tpa of HIC waste management capacity to ensure that the borough is able to meet its waste apportionment.

Tower Hamlets also requested a transfer of 56,935tpa of C&D waste to ensure that the borough is able to meet its C&D waste arisings for the plan period, given that the use of 'areas of search' is not realistic in the Tower Hamlets context. To date the ELJWPG have yet to agree to assist LBTH in meeting our shortfall despite their significant surplus capacity, and they continue to propose to release safeguarded waste sites as part of the proposed submission ELJWP.

The Tower Hamlets Employment Land Review (2023) demonstrates that the borough has a significant shortfall in industrial land to meet demand over the plan period of the new Local Plan. This demand is predominantly for logistics facilities and manufacturing, and relying on this land for waste management could further reduce the borough's ability to meet the logistics and manufacturing demand. The London Plan places a significant emphasis on the need for local authorities, particularly in Inner London, to adequately protect their industrial land to ensure that they can meet the logistics and other needs of Central London more broadly. The ELJWPG contend that LBTH should be adopting an approach of using 'areas of search' as part of its proposed waste policy. However, LBTH using areas of search in order to meet its waste planning needs presents a conflict with the need to safeguard industrial land for logistics and manufacturing. Where other waste planning authorities have excess capacity on existing safeguarded waste sites, using these sites for waste purposes ahead of SIL currently in industrial uses would align with the London Plan.

There are several safeguarded waste sites in LB Newham that already currently receive a significant proportion of their waste from Tower Hamlets. These are listed in the table below:

Site Name	Operator	Site Type	LBTH input	Distance to	Comment
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				<b>central LBTH</b>	
Unit J Prologis Park, E3 3JG	Bywaters (Leyton) Limited	MRF	14,263	1.8 miles	
Canning Town Depot E16 4TL	G B N Services Ltd	Skip Waste Recycling	4,800	3.6 miles	
Marshgate Sidings E15 2PJ	S Walsh & Son Limited	Waste transfer	6,781	1.8 miles	
Knights Road, E16 2AT	JRL Environmental	Physical Treatment	2,993	4.4 miles	
Marshgate Sidings E15 2PJ	DB Cargo (UK) Limited	Transfer & treatment	?	1.8 miles	166,577 All uncoded to WPA
9a Cody Business Centre E16 4TL	The Remet Company Limited	Metals & ELV recycling	?	3.6 miles	56,853 Uncoded to WPA
Stephenson Street, E16 4SA	Powerday (IOD Skip Hire Ltd)	Skip Waste Recycling	?	3.3 miles	53,747 All uncoded to WPA

Given that these are existing, safeguarded waste sites that currently process a significant proportion of Tower Hamlets' waste, we consider that these sites should be formally safeguarded in the ELJWP to contribute to meeting Tower Hamlets' waste requirements (for C&D waste, and for HIC waste if the ELJWPG prefers this approach over safeguarding capacity for Tower Hamlets at the River Road site in Barking). While estimating an overall capacity number from these sites is challenging given the uncoded waste inputs, together these sites have the capacity to accommodate all of LBTH's shortfall.

#### Capacity shifted from LBTH to ELJWPG

In February 2018 the London Legacy Development Corporation (LLDC) granted permission for the redevelopment of a safeguarded waste site within Tower Hamlets (though at that time under the planning authority of the LLDC). This site (known as the Hepscott Road site) had capacity for 26,353tpa of HIC waste. This loss of waste capacity in Tower Hamlets was granted on the basis that the capacity would be shifted to a site in Barking (the River Road site) within the ELJWP area (LLDC Planning Reference: 16/00451/OUT).

Given this shift in waste capacity, the Waste Data Study (2023) recommends that this capacity be formally safeguarded for Tower Hamlets through the ELJWP to help ensure that Tower Hamlets can meet its apportionment.

## **7. Policies**

Tower Hamlets does not wish to raise any concerns regarding policies JWP1, JWP3, JWP4, JWP5, and JWP6.

However, we continue to object to the implementation of Policy JWP2, which safeguards provision of waste capacity in the area and particularly does not permit the loss of safeguarded waste sites unless compensatory capacity is provided or it has been demonstrated that the capacity of the facility to be lost is not required for the wider London Plan objective for net self-sufficiency to be met. The ELJWP is proposing to remove sites from safeguarding without first offering capacity to neighbouring and other London boroughs that are unable to meet their waste

planning requirements within their boundaries. Therefore, Policy JWP2 cannot be considered to be in conformity with the London Plan.

## **8. Safeguarded and released sites**

Appendix 1 of the ELJWP lists the safeguarded waste sites in the ELJWPG. There is a total of 66 waste sites listed in the four boroughs, including several in Newham in close proximity to the Tower Hamlets boundary. Table 9 lists four sites to be released from safeguarding, with a total capacity of 462,500tpa (though the table does not specify, except for Old Bus Depot, whether this is HIC waste capacity, C,D&E waste capacity or other types of waste capacity). The surplus set out in Table 8 is the surplus capacity following release of these sites.

Appendix 4 lists sites with potential for release from safeguarding in the future. These are in addition to the four sites identified for release from safeguarding as part of this plan in Table 9. Six total sites have been identified as having potential for release from safeguarding, with a total reduction in apportioned HIC waste capacity of 176,279tpa and a reduction in C,D&E waste capacity of 128,576tpa. The supporting text of London Plan Policy SI8 is clear that boroughs with surplus waste capacity should share this with boroughs facing a shortfall before releasing sites from safeguarding. Paragraph 5.4 explains that the ELJWPG will retain a surplus capacity of at least the amount of these six sites to facilitate their future release.

It should be noted that the Newham Local Plan – Submission Version, which underwent Regulation 19 consultation in 2024 and received Full Council approval to be submitted to the Secretary of State for Examination in Public in April 2025, identifies the potential for the release of waste sites within Newham. Implementation point W1.3 of policy W1 suggests that safeguarded waste sites in Beckton Riverside can be released as part of the Local Plan. However, this site has been identified for release as part of the ELJWP. If the site at Beckton Riverside – and any other locations – is proposed for release, this should be set out in the ELJWP alongside the implications for overall capacity. We raised this as a concern in our response to both the Regulation 18 version of the ELJWP and the Regulation 19 consultation on the Newham Local Plan. This matter does not appear to have been addressed in the Proposed Submission ELJWP, which only identifies one site – Connolleys Yard – for release from safeguarding.

The ELJWP indicates that local plans would take precedence over the waste plan where there is a discrepancy. Given the need to plan for specific waste capacities and the need for evidence to support the release of safeguarded sites, it is unclear how sites could be released in a local plan where this had not been accounted for in the waste plan.

All safeguarded waste sites proposed for release in local plans should be included in the ELJWP and their potential loss of capacity be included in the overall capacity assessment for the ELJWPG.

## **9. Conclusion**

Tower Hamlets welcomes the opportunity to continue to cooperate with neighbouring boroughs on waste management matters. In accordance with London Plan Policy SI8, Tower Hamlets requests a transfer of 34,370tpa of HIC waste capacity and a transfer of 56,935tpa of C,D&E waste capacity. This would allow the borough to meet its waste requirements.

The capacity we are requesting could come from the ELJWPG as a whole, or can be transferred from individual boroughs within the group. In the case of the HIC waste capacity, it may be preferable to transfer the capacity from LB Barking & Dagenham to reflect the transfer of capacity from the Hepscott Road site to the River Road site.

The safeguarding of capacity to meet LBTH's needs should be clearly set out in section 4 of the ELJWP, in an additional clause in Policy JWP2, or in an additional policy that establishes the ELJWPG's approach to sharing capacity.

As Tower Hamlets progresses through Regulation 19 consultation, and then Submission of our Local Plan, it will be essential to ensure that we have more certainty around our waste management capacity. As Tower Hamlets, the ELJWPG and Newham all carry out reviews of their respective plans, it is important that we continue to work together under the Duty to Cooperate and engage with the GLA on waste planning matters. This is a particularly significant time for all parties, which presents an opportunity to address a strategic matter in a sustainable and effective way.

Yours Sincerely,

Marc Acton Fillion  
Plan-making officer

A solid black rectangular box used to redact the signature of Marc Acton Fillion.

## Appendix 1:

### **Duty to Cooperate Discussions**

Officers from Tower Hamlets approached the member boroughs of the East London Joint Waste Planning Group (ELJWPG) in 2023 to inquire about joining the ELJWPG or, should this not be possible, passing some of LBTH's waste apportionment (as set out in the London Plan) to the ELJWPG to address our borough's shortfall in capacity. It should be noted that Tower Hamlets is the only London borough that is not part of a waste planning group; and given the geographical location of the borough, the ELJWPG would be the most logical joint waste planning group for us to join. The ELJWPG indicated that adding an additional borough to the membership would significantly delay the process of developing a new waste plan and was therefore not considered possible at that time. LBTH requested further information regarding how the borough might join the ELJWPG in the future, but this information has not been provided.

The ELJWPG also indicated that they would consider transferring some of their excess capacity to Tower Hamlets if the borough could demonstrate that it was not possible to meet its waste apportionment within the borough. This is in line with discussions LBTH has had with the GLA, who have indicated seeking assistance from other boroughs is the approach we should take. The GLA continue to support our position, i.e. that we should be seeking capacity from the ELJWPG given the significant surplus capacity that they have evidenced.

In our response to the Regulation 18 consultation on the ELJWP in October 2024 (attached as Appendix 2), we set out the level of waste capacity that we would need to ensure that Tower Hamlets does not have a shortfall. At the time this was calculated as 26,363tpa of HIC waste capacity. However, following discussions with the GLA and the Environment Agency, LBTH removed the majority of the capacity in exempt sites from its overall waste management capacity, which increased the shortfall in HIC waste management capacity to 34,370tpa. The request for C&D waste management capacity remains at 56,953tpa.

From late 2024 to early 2025, following submission of our representation and the conclusion of the Regulation 18 consultation, we engaged in discussions with the ELJWPG regarding how we should agree the transfer of capacity. The ELJWPG indicated that they would agree the transfer through a Statement of Common Ground but explained that we would have to make a formal submission that met a set of criteria. The ELJWPG officers explained that these criteria would be included in the Regulation 19 version of the ELJWP, but that they would share them with us in advance in order to allow us to make a formal request as early as possible. It should be noted that these criteria do not appear to have been included in this Regulation 19 version of the ELJWP.

ELJWPG officers explained that the criteria and a formal request process were necessary given the number of requests the ELJWPG had received to share capacity. However, the Duty to Cooperate Statement published as part of this Regulation 19 consultation implies that only Tower Hamlets has requested assistance meeting its waste capacity requirement.

In March 2025, LBTH made a formal request to the ELJWPG to share capacity, setting out how the borough met all of the criteria that the ELJWPG officers had provided. The ELJWPG officers responded in April 2025 explaining that the evidence provided did not adequately demonstrate that the borough was facing a shortfall and required assistance to meet its apportionment. Given the relatively small amount of waste capacity the borough is requesting and the very high surplus of capacity identified in the ELJWP, LBTH considers the evidence provided to be proportionate, but has responded to the ELJWPG with responses to their concerns.

## **Tower Hamlets Evidence Base**

### Waste Data Study (2023)

Tower Hamlets carried out a Waste Data Study (July 2023) to inform its Regulation 18 Draft Local Plan in 2023. This study demonstrated that the borough faced a shortfall of 192,370 tonnes per annum (tpa) by 2041. Given the lack of available locations in the borough for new waste facilities, the Waste Data Study recommended that Tower Hamlets approach neighbouring waste authorities to request that some of their excess capacity be transferred to Tower Hamlets to help meet its apportionment, as set out in the adopted London Plan (2021).

The Waste Data Study also identified a site where planning permission was granted for the loss of a safeguarded waste site in the Tower Hamlets part of the LLDC (LLDC Planning Reference: 16/00451/OUT). This application was granted on the basis that the capacity of the site was being re-provided within London, in this case in Barking and Dagenham within the ELJWPG. The owner of the LLDC site (McGrath) was also the owner of the site in Barking and Dagenham (River Road) and demonstrated that there was spare capacity within the River Road site to accommodate all of the waste processing from the LLDC site. They received agreement from the GLA that they could transfer the capacity from the LLDC site to River Road. The waste planning process for the ELJWP should formalise this. Tower Hamlets' Waste Data Study recommended that this lost capacity – 26,353tpa - be 'transferred' back to Tower Hamlets to help meet its apportionment, meaning that it would be specifically safeguarded within the ELJWP to process waste from Tower Hamlets.

### Waste Study Update (2024)

Following consultation on the Tower Hamlets' Draft Local Plan (Regulation 18), Tower Hamlets commissioned a Waste Study Update (May 2024) to include a more comprehensive search for potential waste sites in the borough. This was in order to test a scenario in which no neighbouring borough was able to assist Tower Hamlets in meeting its need. That search identified additional capacity at Northumberland Wharf and included Onsite Segregation Facilities (OSFs) as part of the waste capacity for Tower Hamlets. The inclusion of OSFs as part of a borough's waste capacity is untested – no local authority is known to have used OSFs to meet its waste planning requirements. OSFs were included as part of scenario testing to see if it was possible for Tower Hamlets to meet its apportionment requirements within the borough if other boroughs did not have surplus capacity.



The Waste Study Update (2024) also relies – to a greater extent than the 2023 Waste Study – on capacity from exempt sites. Exempt sites are those that carry out waste processing functions that do not require an Environment Agency permit. These can meet the definition of waste sites in the London Plan where they have a planning permission that allows for waste processing activities. However, given the lack of Environment Agency data, it can be difficult to accurately measure the level of capacity on these sites.

The Waste Study Update also identified capacity for the management of Construction and Demolition Waste (C&D). It indicates a shortfall of 56,953tpa between the need in the borough to 2041 and the capacity of existing operational C&D processing facilities in the borough. However, in the search for sites, it also identifies an additional 5.28ha of available land in Strategic Industrial Locations and Local Industrial Sites that could be suitable for C&D waste facilities. Based on an estimate of 85,000 tpa per ha, this potential additional capacity could potentially meet the borough's demand to 2041; however, it should be noted that there are competing demands on this available land given the multiple planning priorities in the borough. Tower Hamlets has a particularly large shortfall in industrial land to meet demand over the plan period. This has resulted in increasingly high industrial rents, as many different uses compete for limited stock, forcing out many longstanding local businesses and limiting the extent to which businesses in Tower Hamlets can grow and compete more widely.

#### LBTH's Regulation 19 Consultation (2024)

The 2024 Regulation 19 version of LBTH's local plan included a version of Policy RW1 that was based on the conclusions of the Waste Study Update (2024). It included, within LBTH's list of waste sites, OSFs, areas of search and exempt sites; and stated that LBTH was capable of meeting its waste capacity requirements – including its London Plan apportionment – within the borough boundaries. This was in an attempt to be self-sufficient at managing our own waste, to avoid the need to ask for assistance.

LBTH consulted on the Proposed Submission Local Plan (Regulation 19) in Autumn/Winter 2024. We received several responses to Policy RW1, including from the GLA, the EA and the ELJWPG.

The GLA and the EA both objected to the use of OSFs and exempt sites in calculating the borough's waste management capacity. They also encouraged the borough to work with neighbouring authorities – and specifically the ELJWPG given proximity – to meet our waste capacity requirements.

The ELJWPG responded that the borough's approach was inconsistent: the policies stated that the borough was able to meet its waste capacity requirements within its boundaries while LBTH was requesting support from the ELJWPG.

#### Second Regulation 19 Consultation (2025)

Given that several issues of soundness that were raised by statutory stakeholders as part of the Regulation 19 (2024) consultation, LBTH is undertaking a second Regulation 19 (2025) consultation in Summer 2025. This consultation is limited to

three policies, of which RW1 is one. RW1 has been revised to remove OSFs and areas of search and to reduce the reliance on exempt sites by using the Waste Data Study (2023)'s exempt sites capacity level.

This revised policy states explicitly that LBTH will need to work with neighbouring authorities to meet its waste requirements. These proposed revisions are based on discussions with the GLA, the EA and the ELJWPG.

# Appendix 2: LBTH Response to ELJWP Regulation 18 Consultation



Housing & Regeneration

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

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23 October 2024

## **LBTH Response to East London Joint Waste Plan (Regulation 18 Consultation)**

Dear Waste Planning Team,

Thank you for providing the opportunity to respond to the East London Joint Waste Plan (ELJWP).

### **Summary**

This letter is in response to the East London Boroughs letter dated 21 August 2024, which was sent to local authorities that may have a shortfall in waste management capacity. It gave those boroughs an opportunity to request assistance from the East London Joint Waste Planning Group (ELJWPG) in meeting their needs, in accordance with the requirement in London Plan policy SI8 - for boroughs with spare waste management capacity to offer it to boroughs that are unable to meet their waste management needs within their boundaries. In that context, this letter sets out how we are taking up that offer from the ELJWPG, in meeting the unmet need in Tower Hamlets.

While Tower Hamlets is a unitary waste authority and not part of the ELJWPG, the geographic proximity and the existing cross-boundary flows of waste mean that it is important for us to work effectively on this strategic matter.



The best of London in one borough

**Tower Hamlets Council**  
Tower Hamlets Town Hall  
160 Whitechapel Road  
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As part of the evidence base work being carried out for the new Tower Hamlets Local Plan, the borough identified a significant shortfall in meeting our need for waste management facilities. As part of scenario testing, we commissioned another, more detailed, review to determine, if no other boroughs had spare capacity to offer, how else London Borough of Tower Hamlets (LBTH) might be able to meet its need entirely in the borough. This was largely so that LBTH could continue to progress preparation of its regulation-19 plan, in advance of the draft ELJWP (Regulation 18) being published, and therefore without knowing the excess capacity the ELJWPG may be able to offer to LBTH.

As the options reviewed as part of this work are not optimal, we are formally requesting assistance from the ELJWPG in meeting our waste management needs in accordance with London Plan Policy SI8. The volume that we require and the detailed justification for it are set out in Section 3.

Given that the Tower Hamlets Local Plan has yet to be examined and adopted, we consider it may be premature for the ELJWP to propose release of waste sites before it has been demonstrated that neighbouring boroughs are able to meet their needs within their boundaries.

This is a particularly fortuitous time to review our waste management relationship as both the Tower Hamlets Local Plan and the ELJWP go through their respective plan review processes. Given that these plan reviews may not align in the future, it is important that we reach agreement on strategic waste management issues at this stage. We look forward to working further with the ELJWPG on planning for East London's waste.

We have set out our response under the following headings:

1. Background
2. Capacity and apportionment
3. Policies
4. Safeguarded and released sites
5. Conclusion

## **1. Background**

Tower Hamlets is a unitary waste planning authority, meaning that the borough is responsible, as far as possible, for meeting its waste apportionment targets on sites within its boundaries. Given the density of Tower Hamlets and the presence of competing land use priorities, meeting the apportionment target has been particularly challenging.

The London Plan (at paragraph 9.8.6) expects boroughs with surplus waste management capacity to share this capacity with boroughs that are unable to meet their waste management needs within their boundaries before considering releasing sites from safeguarding. The London Plan also aims for net waste self-sufficiency for London, which recognises that while individual boroughs may not be able to meet their waste needs within their boundaries, London as a whole should be able to meet

its waste management needs without needing to rely on facilities outside of the Greater London boundary.

Waste planning is also governed by legislation: the Waste Framework Directive (WFD) was incorporated into UK law via the Waste (Circular Economy) (Amendment) Regulations 2020. In addition, the Waste (England and Wales) Regulations 2011, paragraph 4 of Part 1 of Schedule 1, sets out the 'proximity principle' - the requirement for mixed municipal waste to be disposed of or recovered in one of the nearest appropriate installations.

Tower Hamlets is currently in the process of developing a new Local Plan. We are now at the Regulation 19 consultation stage. As Tower Hamlets is a unitary waste planning authority, the policies in this plan aim to fulfill our waste planning requirements. The Proposed Submission Version Plan (Regulation 19) (policy RW1) includes 'areas of search', rather than site allocations, to meet the waste capacity requirements, given the lack of available sites. As such the amount of land that could come forward is an estimate based on current levels of vacancy within those areas.

Officers from Tower Hamlets approached the member boroughs of the East London Joint Waste Planning Group (ELJWPG) in 2023 to inquire about joining the ELJWPG or, should this not be possible, passing some of LBTH's waste apportionment (as set out in the London Plan) to the ELJWPG to address our borough's shortfall in capacity. It should be noted that Tower Hamlets is the only London borough that is a unitary waste planning authority; and given the geographical location of the borough, the ELJWPG would be the most logical joint waste planning group for us to join. The ELJWPG indicated that adding an additional borough to the membership would significantly delay the process of developing a new waste plan and was therefore not considered possible at that time. It would be helpful to understand in more detail what the implications would be of Tower Hamlets joining the ELJWPG during the waste plan-making process, and how the borough might join in the future.

The ELJWPG also indicated that they would consider transferring some of their excess capacity to Tower Hamlets if the borough could demonstrate that it was not possible to meet its waste apportionment within the borough. This is in line with discussions LBTH has had with the GLA, which supported our position that we should be seeking capacity from the ELJWPG.

## **2. Tower Hamlets Evidence Base**

### **Waste Data Study (2023)**

Tower Hamlets carried out a Waste Data Study (July 2023) to inform its Regulation 18 Draft Local Plan in 2023. This study demonstrated that the borough faced a shortfall of 192,370 tonnes per annum (tpa) by 2041. Given the lack of available locations in the borough for new waste facilities, the Waste Data Study recommended that Tower Hamlets approach neighbouring waste authorities to request that some of their excess capacity be transferred to Tower Hamlets to help meet its apportionment, as set out in the adopted London Plan (2021).

The Waste Data Study also identified a site where planning permission was granted for the loss of a safeguarded waste site in the Tower Hamlets part of the LLDC

(LLDC Planning Reference: 16/00451/OUT). This application was granted on the basis that the capacity of the site was being re-provided within London, in this case in Barking and Dagenham within the ELJWPG. The owner of the LLDC site (McGrath) was also the owner of the site in Barking and Dagenham (River Road) and demonstrated that there was spare capacity within the River Road site to accommodate all of the waste processing from the LLDC site. They received agreement from the GLA that they could transfer the capacity from the LLDC site to River Road. The waste planning process for the ELJWP should formalise this. Tower Hamlets' Waste Data Study recommended that this lost capacity – 26,353tpa - be 'transferred' back to Tower Hamlets to help meet its apportionment, meaning that it would be specifically safeguarded within the ELJWP to process waste from Tower Hamlets.

#### Waste Study Update (2024)

Following consultation on the Tower Hamlets' Draft Local Plan (regulation-18), Tower Hamlets commissioned a Waste Study Update (May 2024) to include a more comprehensive search for potential waste sites in the borough in order to test a scenario in which no neighbouring borough was able to assist Tower Hamlets in meeting its need. That search identified additional capacity at Northumberland Wharf and included Onsite Segregation Facilities (OSFs) as part of the waste capacity for Tower Hamlets. The inclusion of OSFs as part a borough's waste capacity, while a fully justified and sound approach, is untested – no local authority is known to have used OSFs to meet its waste planning requirements. OSFs were included as part of scenario testing to see if it was possible for Tower Hamlets to meet its apportionment requirements within the borough if other boroughs did not have space capacity.

The Waste Study Update also identified capacity for the management of Construction and Demolition Waste (C&D), giving a shortfall of 56,953tpa between the need in the borough to 2041 and the capacity of existing operational C&D processing facilities in the borough; however, in the search for sites, it identifies an additional 5.28ha of available land in Strategic Industrials Locations and Local Industrial Sites that *could* be suitable for C&D waste facilities. Based on an estimate of 85,000 tpa per ha, this potential additional capacity could potentially meet the borough's demand to 2041; however, it should be noted that there are competing demands on this available land given the multiple planning priorities in the borough. Tower Hamlets has a particularly large shortfall in industrial land to meet demand over the plan period. This has resulted in increasingly high industrial rents, as many different uses compete for limited stock, forcing out many longstanding local businesses and limiting the extent to which businesses in Tower Hamlets can grow and compete more widely.

### **3. Capacity and Apportionment**

The ELJWP acknowledges that the waste apportionments for East London are significantly higher than projected waste arisings in recognition of East London's role in meeting London's overall target or net self-sufficiency.

The ELJWP identifies an overall waste management apportionment of 1,497,000tpa by 2041 for the whole ELJWPG. The overall capacity within the ELJWPG is 2,561,000tpa, meaning that the authority has a surplus capacity of 1,064,000tpa.

The ELJWP also identifies a surplus capacity for Construction, Demolition & Excavation (C,D & E) C,D&E waste of 1.64 million tpa. It should be noted that, because of the specific needs and relatively high volumes of excavation waste, it is usually excluded from boroughs' waste capacity requirements.

The supporting text of London Plan Policy SI8 (paragraph 9.8.6) expects boroughs with a surplus waste capacity to share this with boroughs facing a shortfall before considering release of these sites from safeguarding. The London Plan also acknowledges that it may not always be possible for boroughs to meet their apportionments within their boundaries and in these circumstances boroughs will need to agree the 'transfer of apportioned waste'. This has been reiterated in discussions with the GLA, which expects the ELJWPG to offer surplus capacity to other boroughs that are unable to meet their waste planning requirements within their boundaries. London Plan policy SI8 also encourages boroughs to collaborate by pooling their apportionment requirements.

The Waste (England and Wales) Regulations 2011, paragraph 4 of Part 1 of Schedule 1, sets out the 'proximity principle' - the requirement for mixed municipal waste to be disposed of or recovered in one of the nearest appropriate installations.

Given the level of surplus capacity identified in the ELJWP, Tower Hamlets is asking for a transfer of capacity of 26,363tpa of HIC waste to match the loss of the site in the Hepscott Road site in the LLDC area to formalise a previous agreement. 26,363tpa was the capacity of the Hepscot Road site at the time that permission was granted for the release of the site. This would also mean that the borough was not relying on the untested approach of using OSFs to meet its apportionment.

Tower Hamlets also requests a transfer of 56,935tpa of C&D waste to ensure that the borough is not relying on non-designated waste sites in industrial locations that could be better used for industrial intensification, in accordance with London Plan Policy E7 and to take advantage of good public transport accessibility.

The Tower Hamlets Employment Land Review (2023) demonstrates that the borough has a significant shortfall in industrial land to meet demand over the plan period of the new Local Plan. This demand is predominantly for logistics facilities and manufacturing, and relying on this land for waste management could further reduce the borough's ability to meet that demand. The London Plan places a significant emphasis on the need for local authorities, particularly in Inner London, to adequately protect their industrial land to ensure that it can meet the logistics and other needs of Central London. LBTH identifying areas of search in order to meet its own waste planning needs presents a conflict with the need to safeguard industrial land for waste management. Where other waste planning authorities have excess capacity on existing safeguarded waste sites, it would be aligned with the London Plan for these to be used for waste purposes ahead of SIL land currently in industrial uses.

In addition, there are several safeguarded waste sites in LB Newham that currently receive a significant proportion of their waste from Tower Hamlets. These are listed in the table below:

Site Name	Operator	Site Type	LBTH input	Distance to central LBTH	Comment
Unit J Prologis Park, E3 3JG	Bywaters (Leyton) Limited	MRF	14,263	1.8 miles	
Canning Town Depot E16 4TL	G B N Services Ltd	Skip Waste Recycling	4,800	3.6 miles	
Marshgate Sidings E15 2PJ	S Walsh & Son Limited	Waste transfer	6,781	1.8 miles	
Knights Road, E16 2AT	JRL Environmental	Physical Treatment	2,993	4.4 miles	
Marshgate Sidings E15 2PJ	DB Cargo (UK) Limited	Transfer & treatment	?	1.8 miles	166,577 All uncoded to WPA
9a Cody Business Centre E16 4TL	The Remet Company Limited	Metals & ELV recycling	?	3.6 miles	56,853 Uncoded to WPA
Stephenson Street, E16 4SA	Powerday (IOD Skip Hire Ltd)	Skip Waste Recycling	?	3.3 miles	53,747 All uncoded to WPA

Given that these are existing, safeguarded waste sites that currently process a significant proportion of Tower Hamlets' waste, we consider that these sites should be specifically safeguarded in the ELJWP to contribute to meeting Tower Hamlets' waste requirements (for C&D waste, and for HIC waste if the ELJWPG prefers this approach to safeguarding capacity for Tower Hamlets at the River Road site in Barking). The use of these sites to meet Tower Hamlets' waste requirements represents a more sustainable option than safeguarding new industrial sites in Tower Hamlets, as that would require extensive redevelopment and would prevent those sites from being used for more intensive employment uses that reflect the high level of public transport accessibility the sites benefit from.

#### 4. Policies

Tower Hamlets supports most of the policies in the ELJWP, particularly:

- JWP1, which aligns with LBTH's approach to the circular economy;
- JWP3, which aligns with Policy RW1 of the Draft Tower Hamlets Local Plan in terms of ensuring that new development in close proximity to a safeguarded waste site does not prejudice the current or future operations of the site; and
- JPW4, which seeks to ensure that the development of new waste management facilities does not have a negative impact on nearby sensitive receptors, noting that several waste sites in LB Newham are located in close proximity to the boundary of Tower Hamlets.

However, we object to the implementation of Policy JWP2, which safeguards provision of waste capacity in the area and particularly does not permit the loss of safeguarded waste sites unless compensatory capacity is provided or it has been demonstrated that the capacity of the facility to be lost is not required for the wider London Plan objective for net self sufficiency to be met. While the policy wording in and of itself is in accordance with the London Plan, the ELJWP is proposing to remove several sites from safeguarding, without demonstrating where compensatory



capacity will be provided within London. Further, the ELJWP is proposing to remove sites from safeguarding without first offering capacity to neighbouring and other London boroughs that are unable to meet their waste planning requirements within their boundaries.

## **5. Safeguarded and released sites**

Appendix 1 lists the safeguarded waste sites in the ELJWPG. There is a total of 44 waste sites listed in the four boroughs, including several in Newham in close proximity to the Tower Hamlets boundary. Appendix 3 lists sites with potential for release from safeguarding. Six total sites have been identified as having potential for release from safeguarding, with a total reduction in apportioned waste capacity of 176,279tpa and a reduction in C,D&E waste capacity of 128,576tpa. The supporting text of London Plan Policy SI8 is clear that boroughs with surplus waste capacity should share this with boroughs facing a shortfall before releasing sites from safeguarding. It should be noted, however, that the surplus capacity listed for both HIC waste and C,D&E waste in the Plan appears to be based on the capacity following release of the six sites, meaning that the ELJWPG would continue to have a substantial surplus capacity.

It should be noted that the Newham Local Plan – Submission Version, currently out for consultation, identifies the potential for the release of waste sites within Newham as part of the ELJWP. Implementation point W1.3 of policy W1 suggests that safeguarded waste sites in Beckton Riverside can be released as part of the Local Plan. However, no sites within LB Newham have been identified for release as part of the ELJWP. If the sites at Beckton Riverside – and any other locations – are proposed for release, this should be set out in the ELJWP alongside the implications for overall capacity.

Paragraph 2.55 of the ELJWP indicates that local plans would take precedence over the waste plan where there is a discrepancy. Given the need to plan for specific waste capacities and the need for evidence to support the release of safeguarded sites, it is unclear how sites would be released in a local plan where this had not been accounted for in the waste plan.

We appreciate the opportunity to provide a response to the ELJWP, and it is essential that we be given the opportunity, through the Duty to Cooperate, to respond to any additional release of waste sites that happens outside of the ELJWP. We will also be submitting a representation to the LB Newham consultation on the Proposed Submission Version Local Plan (Regulation 19), which is currently being consulted on.

We welcome the assessment of reasonable alternatives in the Integrated Impact Assessment of the ELJWP, including the alternative of providing more capacity than their apportionment. In future consultations, we would support the assessment the additional reasonable alternative of taking on some of the waste apportionments of neighbouring boroughs (such as Tower Hamlets) that are unable to meet their own requirements within their boundaries.

## 6. Conclusion

Tower Hamlets welcomes the opportunity to continue to work closely with neighbouring boroughs on waste management matters. In accordance with London Plan Policy SI8, and to account for a shift of capacity as part of a planning permission, Tower Hamlets would welcome a transfer of 26,363tpa of HIC waste capacity and a transfer of 56,935tpa of C,D&E waste capacity. This would allow the borough to meet its waste requirements without relying on OSFs, which are difficult to monitor and safeguard, and sites that are not currently in waste use, which need to be protected for other competing land uses (i.e. industrial) in order to meet other relevant policies in the London Plan relating to the protection of SIL (Policies E4 and E5).

The capacity we are requesting could come from the ELJWPG as a whole, or can be transferred from individual boroughs within the group. In the case of the HIC waste capacity, it may be preferable to transfer the capacity from LB Barking & Dagenham to reflect the transfer of capacity from the Hepscott Road site to the River Road site.

As Tower Hamlets progresses through Regulation 19 consultation, and then Submission of our Local Plan, it will be essential to ensure that we have more certainty around our waste management capacity. As Tower Hamlets, the ELJWPG and Newham all carry out reviews of their respective plans, it is important that we continue to work together under the Duty to Cooperate and engage with the GLA on waste planning matters. This is a particularly significant time for all parties, which presents an opportunity to address a strategic matter in a sustainable and effective way.

Yours Sincerely,

Marc Acton Fillion  
Plan-making officer

[Redacted signature]

### 8. Reuse, recycling and waste

RW1 – Managing our waste

#### Introduction

8.1 The management of waste is one of the most challenging issues facing Tower Hamlets. To address this the council has brought the collection and management of household waste under its direct control, declared a waste emergency and developed a detailed management strategy for local authority collected waste. The borough will continue to have significant population and development growth in the coming decades and this is expected to give rise to a growing quantity of waste to be managed, from homes, businesses and construction work. The council wants to ensure that as much of this waste as possible is reused, recycled, and has value extracted from it while facilitating a shift towards a circular economy where the quantity of waste produced falls.

8.2 As a unitary authority Tower Hamlets performs the roles of waste planning authority, waste collection authority, and waste disposal authority in the borough. In our capacity as a waste planning authority, we have a statutory duty to prepare a waste local plan in line with legislation. This is being fulfilled through the inclusion of waste policies in this Local Plan. A key purpose of these policies is to ensure waste produced in the borough is properly managed through access to suitable management facilities. These policies have been prepared within the context of the requirements of the London Plan, with particular focus on the requirement to provide for quantities of



household and commercial and industrial waste apportioned and the management targets set.

8.3 The management of waste rarely respects administrative boundaries and hence waste is considered to be a strategic cross-boundary issue and is subject to the duty to co-operate. In the interests of proper planning and sustainable development Tower Hamlets, through the duty co-operate mechanism, will seek to secure access to sufficient waste management capacity to meet the borough's apportionments as set out in the London Plan and ensure construction, demolition and excavation waste is also properly managed. We will support the transition to the circular economy through the establishment of Material Hubs. Material Hubs can be used to store otherwise unused material which can be reused, repaired, or repurposed within or outside the borough. It is expected that Materials Hubs will be initially trialled in the early part of the plan period and scale up in the medium to long term reducing the quantity of construction and demolition waste requiring management in particular.

8.4 Our duties as a waste collection authority and waste disposal authority include helping households to prevent waste as well as reuse items and recycle as much waste as possible. The London Plan sets a target of recycling 65% of municipal waste by 2030 and zero biodegradable waste to landfill by 2026. However, in 2021/2022, only 20% of household waste was reused, recycled, or composted in Tower Hamlets and it is recognised this needs to increase for those targets to be met.

8.5 Whilst London boroughs have not been set individual targets, Tower Hamlets is working towards meeting the London-wide target. The design of new development is required to ensure integrated waste

collection and bulking systems are included which contribute to the borough's ability to implement the waste hierarchy and increase recycling/ composting rates (see Policy RW3).

8.6 The Local Plan must identify sufficient opportunities to meet the identified needs of an area for the management of waste, aiming to drive waste management up the Tower Hamlet's waste hierarchy (see Figure 22). The council is required to plan for seven waste streams, including household, business, and construction waste. The London Plan (2021) requires boroughs to provide sufficient capacity to manage the tonnages of household and commercial/industrial waste apportioned in the London Plan 2021. The intention is for London to be net self-sufficient in managing all waste, other than excavation waste, by 2030.

8.7 The following tonnages of waste are predicted to arise from Tower Hamlets over the Plan period:

Table 5: Tower Hamlets' waste capacity need 2026-2041 (tonnes)<sup>1</sup>

Waste stream	2026	2031	2036	2041
Apportionment (LACW and C&I)	197,000	199,000	203,000	207,000
Non hazardous C,D&E waste	286,000 - 303,260	286,000 - 323,290	286,000 – 329,000	286,000 – 337,200
Hazardous waste included in LACW, C&I apportionment. Overall arising predicted to be c16,200 tpa <sup>2</sup>				
All other waste streams	0	0	0	0

8.8 Providing for the predicted arisings within the constraints of the borough presents a particular challenge because parts of the borough are densely built-up and there are competing pressures from higher value land uses such as meeting housing and employment land needs.

<sup>1</sup> Derived from Table 9.1 of the London Plan 2021  
<sup>2</sup> Tower Hamlets Waste Data Update – Management requirements for Hazardous Waste in Tower Hamlets to 2042 BPP Consulting June 2024

8.9 Providing for the predicted arisings within the constraints of the borough presents a particular challenge because parts of the borough are densely built-up and there are competing pressures from higher value land uses such as meeting housing and employment land needs.

8.10 The London Plan also has a target of 95% reuse/recycling/recovery of Construction and Demolition waste and 95% beneficial use of excavation waste overall and 100% of inert excavation<sup>3</sup>. The available evidence indicates that Tower Hamlets is likely to be meeting these targets although the data is not definitive.<sup>4</sup>

8.11 Tower Hamlets is also required to plan for hazardous waste, wastewater, agricultural waste, and low-level radioactive waste. The evidence concludes that no additional facilities are required within the borough for these waste streams because they are only produced in very small quantities and/or they are managed at specialist facilities outside the borough.<sup>5</sup>

8.12 Capacity offered by existing waste sites in the borough has been assessed to be insufficient to meet the management needs for C&D waste arisings in particular. It is estimated that an area of approximately to 1 hectare would be required to provide sufficient capacity to manage this waste<sup>6</sup>.



<sup>3</sup> London Plan Footnote 164.

<sup>4</sup> Tower Hamlets Waste Data Update – Management requirements for Construction, Demolition and Excavation Waste in Tower Hamlets to 2042 BPP Consulting June 2024

<sup>5</sup> Tower Hamlets Waste Data Study 2023 Vitaka

<sup>6</sup> Tower Hamlets Waste Data Update – Management requirements for Construction, Demolition and Excavation Waste in Tower Hamlets to 2042 BPP Consulting June 2024



8.13 To continue to provide for the London Plan apportionments for household and business waste, Tower Hamlets will safeguard existing waste sites, identify suitable land where facilities offering additional capacity may be located under Policy RW1 and work with the GLA and other boroughs to secure access to suitable capacity elsewhere in London. Policy RW2 will guide the development, delivery and operation of facilities offering additional waste management capacity within the Borough.

8.14 Policy CG5 – Retrofit and the Circular Economy will ensure that construction and demolition waste continues to be utilised as a resource in the construction and regeneration of new development in the borough and London. The council will explore opportunities to take waste management in house or work in partnership in order to maximise the extraction of resources and financial returns from the waste the borough generates.

8.15 The council will continue to monitor arisings of waste, the availability of land capable of providing additional waste capacity within the Borough and the continued availability of suitable capacity elsewhere in London over the course of the Local Plan period.

Capacity Assessment

8.16 The figures below set out the findings of an assessment of the potential capacity of existing waste management facilities provided in Tower Hamlets.

Table 6: Capacity Assessment of Existing facilities managing apportioned waste in Tower Hamlets (tonnes per annum)<sup>7</sup>

Capacity Source	LACW/C&I management capacity
Existing licensed waste sites	160,000tpa
Exempt waste sites	12,630tpa
<b>Total assessed capacity</b>	<b>172,630tpa</b>
<b>Total potential capacity</b>	<b>172,630tpa</b>

8.17 When the value of 172,630 tpa is compared with the apportioned tonnages presented in Table 5 above, it shows that the assessed capacity is insufficient to meet the apportionment requirement. As per the London Plan approach, the Council will explore any unmet needs to be supported by other Waste Planning Authorities or where there is identified surplus capacity as part of a Joint Waste Plan. This is to be managed as part of the Duty to Cooperate Mechanism and monitoring of waste arisings to and from the Borough. Any proposals for new or extended waste management facilities in Tower Hamlets will be assessed against criteria in the National Planning Policy for Waste, the London Plan and Local Plan policies.

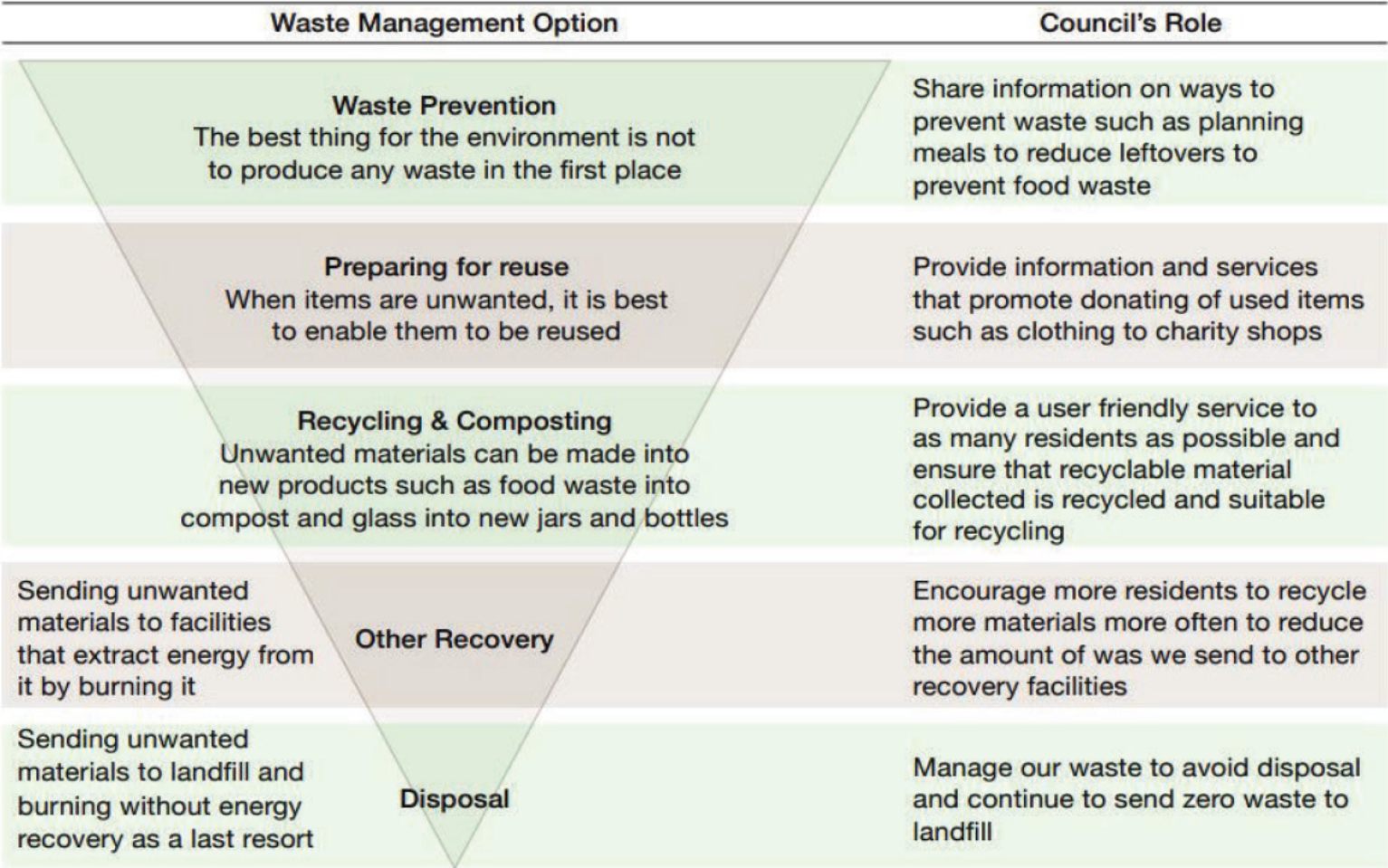
<sup>7</sup> Tower Hamlets Waste Data Update – Management Requirements for Apportioned HIC Waste in Tower Hamlets to 2041 BPP Consulting June 2024

8.18 The construction of new, extended or replacement of existing waste management facilities must include, where possible, technologies that seek to extract as much material and value as possible through the repurposing, recycling, storage, and management of waste. Where opportunities arise for synergies or partnerships with delivery of the council's waste management services these will be explored.

8.19 The London Plan is seeking to move towards a future where goods are designed to be reused and recycled and very little waste will require disposal in the future (a 'circular economy'). Tower Hamlets will contribute to this approach in various ways (e.g. new developments will be required to recycle and reuse construction materials – see Policy RW1).



Figure 1: Waste Hierarchy Diagram





## Policy RW1 Managing our waste

1. The following existing waste sites within Tower Hamlets (as shown on the Policies Map) are safeguarded for waste use over the plan period.

Table 7: Schedule 1: Existing waste sites in Tower Hamlets

Reference	Name/Location	Other designation(s)	Site area (hectares)	Operational capacity/ contribution to apportionment (tonnes per year)
1	Northumberland Wharf, Yabsley Street	Safeguarded Wharf	0.88	160,000
2	Ailsa Street		0.53	0/23,850 – 34,450
3	455 Wick Lane	Strategic Industrial Location & Preferred Industrial Location	0.47 (0.027 currently used for waste purposes ancillary to civil engineering works)	64,610
4	Clifford House	Strategic Industrial Location	0.144	418

2. Development proposals which seek to maximise the efficiency and/or enhance the capacity of existing waste facilities in the borough will be supported.
3. Applications for non-waste uses on safeguarded sites or the re-provision of existing waste management facilities will only be permitted where it is clearly demonstrated and ensured through legal agreement that compensatory capacity that is at least equivalent to the maximum annual throughput that the existing site can achieve will be delivered on a suitable replacement site within the borough in the first instance or another part of London which provides equivalent to, or greater than the maximum annual throughput that the existing site can achieve.
4. Development proposals that prevent or prejudice the safeguarding of these sites will only be supported where alternative waste capacity provision is made.

5. The Council will actively plan for and manage its waste capacity to meet the London Plan apportionment through:

- a. partnership working, co-operating with other Waste Planning Authorities (WPAs) elsewhere in London to meet the London Plan apportionment target; and
- b. monitoring waste movements to and from Tower Hamlets, reviewing waste arisings and capacity every 5 years.

6. Small-scale waste management facilities integrated within new developments may be acceptable where they contribute to managing apportioned waste and are of a scale and nature that does not compromise adjacent existing and proposed land uses.

### Supporting text

8.20 This policy seeks to support the development of a well-planned and integrated network of waste management facilities that provides for identified future capacity needs and contributes towards managing waste generated within the borough (and beyond) over the plan period.

8.21 Meeting this need will require the management of waste arising from new development to be provided for, retention of existing waste management facilities (operational and non-operational), exploring unmet needs to be met via surplus capacity identified by other waste planning authorities (as per the London Plan approach) and suitable locations which comply with the criteria set out in Policy RW2 (and the development management criteria contained in this Local Plan). Where existing facilities can be enhanced to maximise their use, subject to the requirements of Policy RW2, this will be encouraged.

8.22 The existing safeguarded waste site of Ailsa Street is within an area of regeneration and may be released for other uses, providing the requirements set out within Policy RW1 (see Part 4) are met.

8.23 Compensatory capacity will be sought which is at least equivalent to the maximum annual throughput over the last five years, where reported through the Environment Agency's Waste Data Interrogator. Compensatory provision should be provided locally within Tower Hamlets in the first instance, or failing that, elsewhere in London. Compensatory provision will be secured through conditions requiring proof of commencement of operation and operational capacity and a legal agreement at the planning permission stage.

8.24 Competition for land means the borough must look beyond traditional industrial locations when seeking space for facilities to

manage its waste. There is an opportunity for innovative technologies to be incorporated into new development to manage waste generated over its lifetime. Part 7 of the policy therefore allows modern waste facilities to be integrated within new development. Small scale facilities which come forward will be assessed on a case-by-case basis against criteria in Policy RW2 and regional and national policy.

8.25 On-site materials processing systems for food are an important aspect to consider in this borough due to the particular challenges to collection services within blocks of flats. The principle of these systems is two-fold:

- a. To carry out processing of materials at source, thereby reducing the tonnage and volume of solid waste to be managed and the subsequent burden on collection services; and
- b. To make use of valuable end products such as unlocking the energy held within the waste material itself.

8.26 Integrated waste collection systems are also required for new developments under Policy RW3. We will also consider the allocation of community infrastructure levy contributions towards provision of strategic waste management facilities located elsewhere in the borough.

8.27 For part 7 of the policy, developers should submit a plan for the management of on-site waste to demonstrate how much construction, demolition and excavation waste will be reused and recycled, taking account of the London Plan target of 95%. The sustainable transportation of waste (by water and rail) will be assessed as part of Policy RW2, see Part 1(i).

8.28 All waste sites listed under Policy RW1 are shown on the policies map.



# REUSE, RECYCLING AND WASTE

## London Plan policies:

- D13 Agent of Change
- SI7 Reducing waste and supporting the circular economy
- SI8 Waste capacity and net waste self-sufficiency
- SI9 Safeguarded waste sites

## Local Plan policies:

- CG3 Low carbon energy and heating
- CG4 Embodied carbon, retrofit and the circular economy
- CG6 Managing flood risk
- CG7 Sustainable drainage
- CG9 Air Quality
- CG10 Noise and vibration

## Evidence base:

- Tower Hamlets Waste Data Update 2024
- Tower Hamlets Waste Data Study, 2023
- Don't let our future go to waste, Waste Management Strategy, 2018-2030
- Reuse, Recycling and Waste SPD, 2020
- National Planning Policy for Waste, 2014





# Appendix 4

## Waste Topic Paper

**June 2025**

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## 1. Introduction

- 1.1. This waste topic paper provides a brief overview of the relevant national/local policy guidance that impacts on the emerging plan. This paper sets out the existing waste planning context, provides an overview of the current waste evidence base and summary of representations from previous consultations and explains how these have informed the proposed policies in the draft local plan. The proposed policy approach sets out the justification for requesting assistance from neighbouring boroughs in meeting LBTH's waste apportionment. This paper explains the policy approach that is subject to a further focused consultation (summer 2025) which includes a revised waste policy (Policy RW1 Managing our Waste) based on the considerations discussed within this topic paper.

## 2. Background

- 2.1. London Borough of Tower Hamlets (LBTH) is a unitary waste planning authority, waste collection authority and waste disposal authority. In our capacity as a waste planning authority, we have a statutory duty to prepare a waste local plan in line with legislation. This means that the borough is responsible for meeting its waste apportionment target as set out in the London Plan. This is being fulfilled through the inclusion of waste policies in the emerging Local Plan. Given the density of Tower Hamlets and the presence of competing land use priorities, meeting the apportionment target within the borough boundary has been particularly challenging.

## 3. Legislative and Planning Policy Context

### National Planning Policy for Waste (2014)

- 3.1. The National Planning Policy for Waste published in 2014 sets out the approach to working towards a more sustainable and efficient approach to waste use and management. This involves:
- Delivery of sustainable development and resource efficiency.
  - Ensuring that waste management is considered alongside other spatial planning matters.
  - Providing a framework for communities and businesses to take responsibility for waste management.
  - Helping to secure the re-use and recovery and disposal waste whilst mitigating health and environmental impacts
  - Ensuring the design and layout of future developments allows for sustainable waste management.
- 3.2. This document sets out the government's detailed waste planning policies. It should be read in conjunction with the National Planning Policy Framework, the National Waste Management Plan for England and national policy statements for waste water and hazardous waste, or any successor documents.

### National Planning Policy Framework (2024)

- 3.3. Chapter 2 of the NPPF (paragraph 8c) discusses the importance of minimising waste and pollution:
- an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, **minimising waste and pollution**, and mitigating and adapting to climate change, including moving to a low carbon economy [emphasis added].*

### Waste Framework Directive & Waste regulations

- 3.4. Waste planning is also governed by legislation: the Waste Framework Directive (WFD) was incorporated into UK law via the Waste (Circular Economy) (Amendment) Regulations 2020. In addition, the Waste (England and Wales) Regulations 2011, paragraph 4 of Part 1 of Schedule 1, sets out the 'proximity principle' - the requirement for mixed municipal waste to be disposed of or recovered in one of the nearest appropriate installations.



## Adopted London Plan (2021)

- 3.5. Policies SI7-9 within the London Plan discuss the need for reducing waste and supporting the circular economy, assessing waste capacity and managing net waste self-sufficiency and safeguarding waste sites.
- 3.6. Policy SI 7 aims for resource conservation, waste reduction and increase in material recycling and re-use and reduction in waste disposal.
- 3.7. Policy SI 8 lists the requirements for managing waste sustainably including planning for identified waste needs. The policy also covers the management and planning for the apportioned tonnages of waste as set out in the plan and identification of suitable sites for waste management.
- 3.8. The London Plan projects how much LACW (Local Authority Collected Waste) and C&I (Commercial and Industrial) (together referred to as Household, Industrial and Commercial or HIC) waste is likely to be generated in the capital over the next 20 years and 'apportions' an amount of these two waste streams to each borough. Apportionment is the percentage of London's total waste each borough must plan for in a development plan. Apportionments and arisings can be very different things, a borough may generate a high volume of arisings but have little land to deal with them, leading to it having a lower apportionment. Conversely, where it generates little waste itself (arisings) but has a larger amount of waste capacity it may have a higher apportionment.
- 3.9. The London Plan sets out borough level forecasted *arisings* of household, commercial and industrial waste 2021-2041. The 2021 figure lists Tower Hamlet's arisings as 260,000 tonnes and increases to 273,000 tonnes by 2041.
- 3.10. The London Plan sets out borough level *apportionments* of household, commercial and industrial waste 2021-2041. Tower Hamlet's apportionment is 2.4% of London's total waste to be managed in borough. The 2021 figure lists Tower Hamlet's apportionment as 195,000 tonnes and increases to 207,000 tonnes by 2041.
- 3.11. Paragraph 9.8.1 in the London Plan also notes London's net self-sufficiency figure:  
*In 2015, London managed 7.5mt of its own waste and exported 11.4mt of waste. London also imported 3.6mt of waste. This gives London a current waste net self-sufficiency figure of approximately 60 per cent. Around 5mt (49 per cent) of waste exported from London went to the East of England and 4.2mt (42 per cent) to the South East. The bulk of this waste is CD&E (Construction, Demolition & Excavation) waste. Approximately 1.3mt of waste was exported overseas. **The term net self-sufficiency is meant to apply to all waste streams, with the exception of excavation waste.** The particular characteristics of this waste stream mean that it will be challenging for London to provide either the sites or the level of*

*compensatory provision needed to apply net self-sufficiency to this waste stream.*

3.12. Given this, any waste arising and/or apportionment target will refer to C & D waste streams. Tower Hamlet's own arisings and capacity figures will be discussed in further detail within Section 4 of this topic paper.

3.13. To address matters in managing waste across London, Paragraph 9.8.3 states:

***Waste contracts do not recognise administrative boundaries and waste flows across borders. Therefore, sufficient sites should be identified within London to deal with the equivalent of 100 per cent of the waste apportioned to the boroughs as set out in Table 9.2. The Mayor will work with boroughs, the London Waste and Recycling Board, and the London and neighbouring Regional Technical Advisory Bodies to address cross-boundary waste flow issues. Examples of joint working include ongoing updates to the London Waste Map, sharing data derived from Circular Economy Statements, the monitoring of primary waste streams and progress to net self-sufficiency, supporting the Environment Agency's annual monitoring work, and collaboration on management solutions of waste arisings from London. [emphasis added].***

3.14. In addition to this, Paragraph 9.8.6 discusses the waste apportionments and the need for waste management facilities to meet capacity: *National policy guidance requires boroughs to have regard to the waste apportionments set out in the London Plan. The Plan's waste apportionment model defines the proportion of London's total household, commercial and industrial waste that each borough should plan for, and these apportionments are set out in Table 9.2. Part B3 requires boroughs to allocate sufficient land (sites and/or areas) and identify waste management facilities to provide the capacity to manage their apportioned tonnages of waste. Boroughs are encouraged to collaborate by pooling their apportionment requirements. Boroughs with a surplus of waste sites should offer to share these sites with those boroughs facing a shortfall in capacity before considering site release [emphasis added].*

## **Adopted Development Plan Documents**

3.15. The adopted LB Tower Hamlets Local Plan demonstrates that there is not enough capacity within existing waste facilities to meet the borough need.

3.16. Paragraph 15.5 within the current Local Plan notes:

*To meet the apportionment targets for household and business waste, Tower Hamlets will safeguard existing waste sites (Policy S.MW1.1) and identify land suitable for new waste facilities under Policy S.MW1. It has been calculated that between 3.65 and 5.27 hectares of land is required to meet the capacity gap up to 2036, and it is estimated that 5.28 hectares of*

*land will come forward within the areas of search for new waste sites (see Policy S.MW1) through business turnover and vacancies. The borough is not allocating individual sites for waste but identifying areas within which individual sites could come forward; this approach is supported by both national policy and the waste industry. The total amount of suitable industrial land in the borough is just under 22 hectares. We will continue to monitor the amount of land capable of providing new waste capacity over the course of the Local Plan period.*

3.17. The adopted Tower Hamlets Local Plan includes the following policies:

- Policy S.MW1- as discussed above, this policy addresses the safeguarding and management of waste sites and ensures current sites continue to meet the identified waste capacity needs. This policy also ensures that land which is suitable for new waste facilities is identified.
- Policy D.MW2- this policy lists the requirements for new and enhanced waste facilities. Some requirements include ensuring sufficient access/transport links to the site and mitigating local environmental impacts.
- Policy D.MW3- this policy lists the requirements for new waste collection facilities in new developments.

3.18. Given the recent return of planning powers from the LLDC back to Tower Hamlets, policies S7 and S8 in the current LLDC Local Plan will also apply to planning decisions within the relevant area as noted below:

- Policy S.7- this policy addresses the need to cooperate with the four neighbouring boroughs for strategic waste management, safeguarding loss of existing waste management facilities and the need for new waste sites to be located in SIL (Strategic Industrial Locations) and LSIS (Locally Significant Industrial Site) sites.
- Policy S.8- this policy requires that new development proposals contribute to waste reduction measures during construction.

3.19. Both sets of policies (adopted LBTH Local Plan and LLDC Local Plan) will be superseded by the emerging Local Plan once it is adopted.

## **Tower Hamlets Waste Management Strategy**

3.20. The Tower Hamlets Waste Management Strategy (2018-30) sets out the borough's approach to collecting waste and meeting environmental goals. It presents the ideas on how services are improved and how to respond to waste challenges in the borough. The strategy covers six priorities and aims to manage reduction of waste at a local level:

- Collaboration at the heart of change
  - Working together to reduce, reuse and recycle waste.
- Supporting people to love their neighbourhood
  - Design of services to accommodate and encourage waste management.
- Supporting people to reduce, reuse and recycle
  - Follow the three Rs within daily life to lower environmental impact.
- Making waste a resource
  - Provide opportunities for reuse of waste.
- Reducing carbon and improving air quality
  - Cutting emissions generated by waste management activities.
- Building our green economy
  - Capitalise on green opportunities for residents and businesses.

## 4. Existing Waste Context

### LBTH Waste Arisings

- 4.1. Below is a table which indicates the average LBTH C, D & E arisings from 2017-2021 projections over the Local Plan period from the Waste Data Study (2023). This data has been calculated through applying the suggested methodology from the Waste PPG and calculating an average across the plan period which provides an approximate 'constant over time' projection for C, D & E arisings.

*Table 1: Average LBTH C,D& E arisings 2017-2021 from the Waste Data Study (2023)*

Waste stream	2026	2031	2036	2041
C&D	82,364	82,364	82,364	82,364
Excavation	373,498	373,498	373,498	373,498
<b>Total C,D&amp;E</b>	<b>455,862</b>	<b>455,862</b>	<b>455,862</b>	<b>455,862</b>

- 4.2. As noted in the Waste Data Study (2023) paragraph 4.5:  
*The methodology for calculating C&D waste arisings is set out in paragraph 33 of the Planning Practice Guidance: Waste. It states, "Waste planning authorities should start from the basis that net arisings of construction and demolition waste will remain constant over time" and goes on to say that any significant planned regeneration or major infrastructure projects over the timescale of the Plan may be relevant.*
- 4.3. Providing for the predicted C&D arisings within the constraints of the borough presents a particular challenge because most of the borough is densely built-up and there are competing pressures from higher value land uses such as meeting housing and employment land needs.
- 4.4. It is important to note that there is no requirement to provide capacity to meet the excavation waste arisings. Given the nature and scale of excavation waste, the London Plan recognises that excavation waste self-sufficiency for London is not achievable.

### LBTH Waste Capacity and Apportionment figures

- 4.5. As set out previously, within the London context, waste arising and apportionment can differ significantly. It is the latter with we have to plan for.
- 4.6. The table below sets out the borough's waste capacity requirements from 2026-2041 (tonnes).

*Table 1: LBTH Waste capacity requirements 2026-2041 (tonnes) from Table 9.2 in London Plan (2021) and Tower Hamlets Waste Data Update (2024)*

Waste stream	2026	2031	2036	2041
<b>Apportionment (LACW and C&amp;I)</b>	197,000	199,000	203,000	207,000

## Existing Safeguarded waste sites

4.7. LBTH has the following existing safeguarded waste sites:

- Clifford House, Towcester Road (Strategic Industrial Land)
- Northumberland Wharf, Yabsley Street (Safeguarded wharf)
- Ailsa Street (Site allocation)
- 455 Wick Lane (former LLDC area)

4.8. The table below lists the safeguarded waste sites with the maximum throughput capacity and waste management capacity from the Waste Data Study (2023).

4.9. It should be noted that McGrath House, Hepscott Road, a former safeguarded waste site within the LLDC area was granted planning permission to relocate the capacity of the site to Barking which contributed to the loss of this safeguarded waste site for LBTH. This is explained in more detail in Chapter 5.

*Table 3: Safeguarded waste sites in the borough alongside the maximum throughput capacity and waste*

Site Name	Address	Site Area (ha)	Facility type	Input Waste type(s)	Maximum throughput (tonnes)	Waste Management Capacity
Towcester Road (Clifford Devlin)	Clifford House, Towcester Road, Bow, London, E3 3ND	0.014	Hazardous Waste Transfer Station	Hazardous	263	0
Northumberland Wharf Transfer Station (Cory)	Yabsley Street, Poplar, London, E14 9RG	0.841	Reuse and Recycling Centre (RRC) and Transfer Station	LACW/ C&I	158,181	2,000
Ailsa Street	2 Ailsa St, Aberfeldy Village, London E14 0LE	0.529	Transfer and treatment	C, D & E		23,850 – 34,450

(Site allocation) <sup>1</sup>						
J B Riney & Co Ltd (Former LLDC area)	455 Wick Lane, Bow, London, E3 2TB	0.028	Transfer Station	C, D & E	64,610	0

4.10. Per Paragraph 9.8.4 in the London Plan, only capacity which ‘manages’ waste in line with the definitions listed below can contribute to meeting the waste management need in the borough.

*Waste is deemed to be managed in London if any of the following activities take place within London:*

- *waste is used for energy recovery*
- *the production of solid recovered fuel (SRF), or it is high-quality refuse-derived fuel (RDF) meeting the Defra RDF definition as a minimum which is destined for energy recovery*
- *it is sorted or bulked for re-use (including repair and re-manufacture) or for recycling (including anaerobic digestion)*
- *It is reused or recycled (including anaerobic digestion).*

4.11. It must also be noted that per paragraph 9.8.1, excavation waste is not included in the waste streams that go towards the London Plan as ‘*the particular characteristics of this waste stream mean that it will be challenging for London to provide either the sites or the level of compensatory provision needed to apply net self-sufficiency to this waste stream.*’

<sup>1</sup> Ailsa Street is a safeguarded waste site but is not currently operational. Its contribution towards apportionment targets is based on average throughputs per hectare, depending on the facility/technology.

## 5. Summary of Evidence Base

5.1. As part of the evidence base work, LBTH has commissioned two waste studies, the Waste Data Study (2023) and Waste Study Update (2024). The Waste Data Study (2023) identified a significant shortfall in meeting our need for waste management facilities. Following this we commissioned the Waste Study Update (2024) to test alternatives for managing waste in the borough to provide a more detailed review to determine if no other boroughs had spare capacity to offer, how else LBTH might be able to meet its need entirely in the borough. However, following the publication at regulation 19 a number of concerns were raised by statutory stakeholders relating to the proposed approach. A summary of the evidence is set out below.

### Waste Data Study (2023)

- 5.2. Tower Hamlets carried out a Waste Data Study (July 2023), prepared by Vitaka, to inform its Regulation 18 Draft Local Plan. The study indicated that there is a significant gap between the existing waste management capacity and the borough's need for capacity to manage waste generated.
- 5.3. Given the lack of available locations in the borough for new waste facilities, the Waste Data Study recommended that Tower Hamlets approach neighbouring waste authorities to request that some of their excess capacity be transferred to Tower Hamlets to help meet its apportionment, as set out in Policy SI8 the adopted London Plan (2021).
- 5.4. Paragraph 9.8.6 of the policy encourages boroughs to collaborate by pooling the apportionment requirements to ensure London achieves net self-sufficiency by 2026. Those boroughs which have identified surplus waste sites should also offer these sites to boroughs which are facing a shortfall in waste management capacity before considering the sites to be released for other uses.

#### **McGrath House, Hepscott Road**

- 5.5. The study also identified the site at McGrath House, Hepscott Road where planning permission was granted by the LLDC for the loss of a safeguarded waste site in the Tower Hamlets within the LLDC (LLDC Planning Reference: 16/00451/OUT).
- 5.6. This application was granted on the basis that the capacity of the site was being re-provided within London, in this case in Barking and Dagenham within the ELJWPG (East London Joint Waste Planning Group). The owner of the site (McGrath) was also the owner of the site in Barking and Dagenham (River Road) and demonstrated that there was spare capacity within the River Road site to accommodate all of the waste processing from the LLDC site. They received agreement from the GLA that they could transfer the capacity from the LLDC site to River Road. The Officer report



from May 2018 addressed the issues identified by the LLDC Planning Decisions Committee in February 2018. The Planning Committee report from February 2018 in paragraph 10.8 noted the below:

*It is true that the Hepscoth Road site has the capacity to contribute significantly towards Tower Hamlets' waste apportionment target, but it has been operating far below its practical capacity for a number of years, and is only treating small quantities of waste relevant to The London Plan apportionment (household and commercial & industrial waste). The site has a maximum throughput of 200,000 tonnes per annum. **The latest available information in the Environment Agency's Waste Data Interrogator, shows that in 2016 the Hepscoth Road site managed 26,353 tonnes of waste that counts towards Tower Hamlets' waste capacity apportionment.***

- 5.7. The Planning Committee report from May 2018 in paragraph 10.5 noted the below:

*In 2016 McGrath's Hepscoth Road site managed 26,353 tonnes of apportioned waste, compared to the site's maximum throughput capacity of 200,000 tonnes per annum. **LBTHs recent 'Waste Management Evidence Base Review 2017' states that the site's current contribution towards the borough's apportionment target has further reduced to 10,539 tonnes.***

- 5.8. The Planning Committee report from February 2018 recommended that the waste planning process for the ELJWP (East London Joint Waste Plan) should formalise this and that the lost capacity (26,353 tpa) be 'transferred' back to Tower Hamlets to help meet its apportionment. The Waste Data Study (2023) also recommended that this lost capacity – 26,353tpa - be 'transferred' back to Tower Hamlets to help meet its apportionment, meaning that it would be specifically safeguarded within the ELJWP to process waste from Tower Hamlets.
- 5.9. Despite the May 2018 report indicating that the capacity of the Hepscoth Road site has reduced to 10,539 tonnes, the borough's evidence namely the Waste Data Study (2023) has recommended that the capacity noted in the February 2018 report (26,353tpa) should be transferred back to Tower Hamlets to meet its apportionment targets.

## Waste Study Update (2024)

- 5.10. Following consultation on LBTH's Draft Local Plan (regulation-18), Tower Hamlets commissioned a Waste Study Update (May 2024), prepared by BPP, to include a more comprehensive search for potential waste sites in the borough in order to test a scenario in which no nearby waste planning authority was able to assist Tower Hamlets in meeting its need.
- 5.11. That search identified additional capacity at Northumberland Wharf and included Onsite Segregation Facilities (OSFs) as part of the waste capacity

for Tower Hamlets. The inclusion of OSFs as part a borough's waste capacity is untested – no local authority is known to have used OSFs to meet its waste planning requirements. OSFs were included as part of testing to see if it was possible for Tower Hamlets to meet its apportionment requirements within the borough if other boroughs did not have spare capacity.

### **Exempt sites**

- 5.12. Both the Waste Study (2023) and the Waste Study Update (2024) identified 'exempt sites' - sites that carry out waste processes that do not require an Environment Agency permit. Both studies count the capacity of exempt sites towards the borough's overall capacity for HIC (Household, Industrial and Commercial) waste but provide different capacity numbers. Both studies also acknowledge that determining capacity for exempt sites is challenging given the lack of data. The Waste Study (2023) identifies 12,630 tpa of capacity in exempt sites. The Waste Study Update (2024) identifies 38,610 tpa of capacity in exempt sites.
- 5.13. Both the GLA and the Environment Agency, in their responses to the Regulation 19 consultation, objected to the use of exempt sites to meet the borough's waste capacity requirements. It should be noted that exempt sites were included in the evidence base supporting the Regulation 18 draft Local Plan, and neither the GLA nor the Environment Agency raised a concern at that time. Exempt sites meet the London Plan definition of waste sites, and as such LBTH has included some capacity from exempt sites in its overall waste capacity. Given the difficulty of obtaining accurate capacity levels for exempt sites, LBTH has used the more conservative figure of 12,630 tpa that was included in the Waste Study (2023).

### **Capacity of C, D & E waste**

- 5.14. The Waste Study Update (2024) also investigated capacity for the management of Construction and Demolition Waste (C&D), giving a shortfall of 56,953tpa from the borough's apportionment to 2041. The study investigated the capacity of existing operational C&D processing facilities in the borough; however, in the search for sites, it identified an additional 5.28ha of available land in Strategic Industrial Locations and Local Industrial Sites that could be suitable for C&D waste facilities. Based on an estimate of 85,000 tpa per ha, this potential additional capacity could potentially meet the borough's demand to 2041.

## 6. Representations to Regulation 19 (2024)

- 6.1. As part of LBTH's recent Regulation 19 consultation which ran between the 16 September 2024 to the 28 October 2024, the Council received comments for draft waste policy RW1 from the GLA, Environment Agency, East London Joint Waste Planning Group, RB Greenwich, LB Southwark and the SELJWPG.
- 6.2. In summary, the Greater London Authority (GLA) and the Environment Agency (EA) objected to the proposed use of On-site Segregation Facilities (OSFs) and exempt sites to meet LBTH's waste management requirements, whilst the East London Joint Waste Planning group requested further clarification. A number of other boroughs indicated they were unable to assist LBTH with meeting our waste apportionment. Below are the responses from the GLA and EA.

### Greater London Authority (GLA)

- 6.3. The GLA provided the following representation in response to the Regulation 19 publication in 2024:

*LBTH is not part of a waste planning group. The East London Waste Plan is being reviewed and has established surplus capacity of ranging between approximately 0.63 and 1.0 million tonnes per annum (Mtpa) for apportioned waste management up to 2041. It is noted that LBTH have made contact with the East London Waste Planning Group requesting their assistance/to join through the Duty to Cooperate, however further clarity is required on the outcome of those conversations.*

*The Regulation 18 consultation identified a shortfall in the borough's apportionment and available waste capacity, stating that between 1.5 and 3.2 hectares of land is required to meet the capacity gap for apportionment up to 2041 (according to Waste Data Study 2023).*

*The draft Plan now states that the council has carried out a search for additional waste capacity and suggests LBTH have found sufficient capacity to meet its waste apportionment in the borough. However, LBTH are proposing to meet its waste apportionment via 'on-site segregation facilities' and 'exempted waste sites'. **Paragraph 9.9.1 of LP2021 defines waste sites as those that have planning permission for a waste use or a permit from the Environment Agency. Therefore 'on-site segregation facilities' and 'exempted waste sites' cannot be counted. As such, it is considered that currently LBTH is not able to meet its waste apportionment over the Plan period and therefore it is the Mayor's opinion that the proposed approach to waste management is not in general conformity with the LP2021.** (Emphasis added.)*

*LBTH are proposing to safeguard Northumberland Wharf, Ailsa Street and 144 Wick Lane as set out in Table 15. However, it is noted that Clifford House, Towcester Rd (SIL site) is missing from safeguarding in the draft Plan. This omission should be corrected.*

*The Mayor welcomes amended policy wording to ensure that applications that propose replacement waste capacity have regard to their position in the waste hierarchy, however, it is not clear how each identified waste location refers to the 'Waste Hierarchy Diagram' as seen in Figure 22 of the draft Plan.*

## **Environment Agency**

- 6.4. At Regulation 19 consultation, the EA submitted comments raising concerns regarding the use of 'On- Site Segregation Facilities' and exempted waste sites towards the borough apportionment. It is further stated that according to the London Plan's definition that waste management capacity is 'land with planning permission for a waste use or a permit from the Environment Agency for a waste use,' therefore storage and segregation of waste would not be considered waste operations. The EA recommended the removal of waste management capacity as accounted via On-Site Segregation Facilities and the removal of exempt sites from the capacity calculation.

## **East London Joint Waste Planning Group (ELJWPG)**

- 6.5. The East London Joint Waste Planning Group requested clarity regarding LBTH's waste position – whether it is requesting capacity from the ELJWPG or meeting its requirements using on-site segregation facilities and areas of search. Further clarity has been provided through ongoing Duty to Cooperate discussions.

## **RB Greenwich and LB Southwark**

- 6.6. RB Greenwich and LB Southwark indicated that they were not in a position to provide waste capacity to LBTH at this time, but that the South East London Waste Plan may have surplus capacity once the Waste Technical Paper is updated.

## **South East London Joint Waste Planning Group (SELJWPG)**

- 6.7. Comments received from the South East London Joint Waste Planning Group (SELJWPG) noted that the joint waste planning technical paper has not been updated in several years and this work will need to be done prior to any

consideration of meeting other London borough's waste apportionment requirements.

# 7. Waste Capacity Shortfall

7.1. Taking into consideration the representations received from the GLA and Environment agency in response to the regulation 19 publication (2024) and based on the borough's capacity figures from evidence and apportionment as set out in the adopted London Plan (2021), the borough has a capacity shortfall which has been identified within the Waste Data Study (2023) and Waste Study Update (2024). This is shown below.

*Table 5: Shortfall capacity figures identified within Waste Study Update (2024)*

Waste stream	Shortfall figure (tpa)
C&D	56,953
HIC	34,370

7.2. The shortfall figure for C&D waste is calculated by taking the C&D waste arisings (as determined in the Waste Study Update (2024)): 127,961tpa, multiplying it by 0.95 to recognise the London Plan's recycling and recovery target, and subtracting the capacity available from safeguarded sites that handle C&D waste: 64,610tpa.

7.3. The shortfall figure for HIC waste is calculated by taking the borough's London Plan apportionment: 207,000tpa by 2041, subtracting the capacity from safeguarded waste sites: 160,000tpa, and subtracting a small amount of capacity from exempt sites: 12,630tpa.

## 8. Partnership Working and Duty to Cooperate

8.1. As part of ongoing work for Duty to Cooperate, LBTH has participated in different avenues for partnership working. LBTH formally wrote to boroughs and Waste Planning Authorities to request assistance in meeting our waste apportionment (14 October 2024), included in Appendix 2. Appendix 3 sets out a full summary of the responses received. Further detail on ongoing Duty to Cooperate discussions is included below.

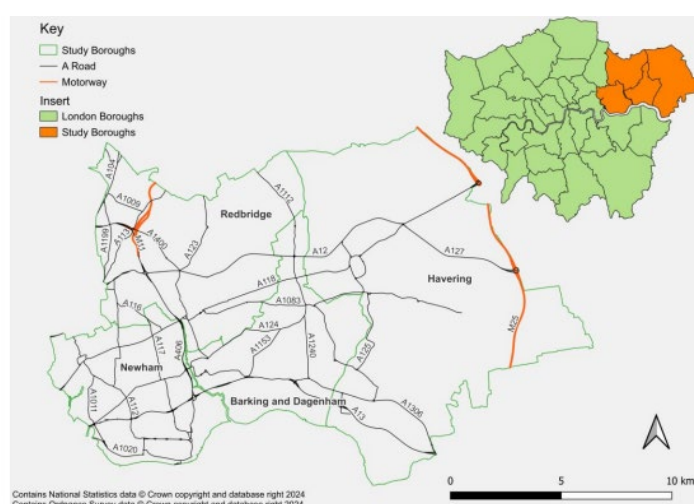
### London Waste Planning Forum

8.2. LBTH has routinely attended and participated in meetings of the London Waste Planning Forum, which provides a forum for co-operation between waste planning authorities in London and contact with authority representatives beyond London.

### East London Joint Waste Planning Group (ELJWPG)

8.3. The ELJWPG (East London Joint Waste Planning Group) consists of the east London boroughs of Barking & Dagenham, Havering, Newham and Redbridge. They work collectively to plan for waste and prepared the East London Waste Plan which was adopted in 2012. As the plan is outdated, the group have carried out a Regulation 18 consultation in summer 2024 and are proceeding with the Regulation 19 consultation in May/June 2025.

*Figure 1 The area covered by the East London Joint Waste Plan (From Draft East London Waste Plan Regulation 19)*



8.4. Geographically, Tower Hamlets shares a boundary with LB Newham. Within the Waste Data Study (2023) it indicates that as Tower Hamlets exports all of its LACW, mixed recyclables are taken to a Materials Recovery Facility (MRF) in Newham to be sorted before their onward journey to be



reprocessed into new products. In 2021, LB Newham in total received 36,1032 tpa of recorded LACW and C&I waste from Tower Hamlets.

- 8.5. According to the Waste Data Study (2023), a significant amount of waste is imported from other boroughs in London to Tower Hamlets' transfer station before its onward journey to be managed at other facilities. In 2020 and 2021, the Northumberland Wharf Transfer Station received 251,957 tonnes of imported waste from the East London Waste Authority.
- 8.6. Given the established waste flows across the boundary with LB Newham and other East London boroughs, LB Newham are well-positioned to receive continued waste exports from Tower Hamlets and transfer some excess capacity which is detailed below.
- 8.7. It should be noted that Tower Hamlets is the only London borough that is a unitary waste planning authority; and given the geographical location of the borough, the ELJWPG would be the most logical joint waste planning group for LBTH to join. As part of engagement with neighbouring authorities, officers from Tower Hamlets approached the member boroughs of the East London Joint Waste Planning Group (ELJWPG) in 2023 to inquire about joining the ELJWPG or, should this not be possible, passing some of LBTH's waste apportionment (as set out in the London Plan) to the ELJWPG to address our borough's shortfall in capacity. The ELJWPG indicated that adding an additional borough to the membership would significantly delay the process of developing a new waste plan and was therefore not considered possible at that time. This email has been included in Appendix 4.
- 8.8. A Statement of Common Ground is currently being prepared with the ELJWPG to seek to agree the transfer of waste capacity to Tower Hamlets. A response from LBTH was also submitted in October 2024 as part of the ELJWPG's Regulation 18 consultation which is included in Appendix 5. The comments provided a summary on the borough's shortfall in capacity in meeting the borough's waste apportionment targets and a summary of our evidence base as discussed in this topic paper.
- 8.9. The comments formally requested assistance from the ELJWPG in meeting the waste management needs in accordance with London Plan policy SI8. LBTH also highlighted the concerns that the draft ELJWP proposes to release waste sites before it has been established whether other boroughs in London require additional capacity to meet their needs, which is premature.

### **Request to assist with waste management capacity shortfall**

- 8.10. The ELJWP (East London Joint Waste Plan) acknowledges that the waste apportionments for East London are significantly higher than projected waste arisings in recognition of East London's role in meeting London's overall

<sup>2</sup> Source: Waste Data Interrogator and ENV18 Tables 2017-2021



target of net self-sufficiency.

- 8.11. The Proposed Submission ELJWP (Regulation 19) identifies a waste management apportionment of 1,497,000tpa by 2041 for the whole ELJWPG. The overall capacity within the ELJWPG is 2,619,508tpa, meaning that the authority has a surplus HIC waste management capacity of 1,122,508tpa.
- 8.12. The ELJWP also identifies a surplus capacity for Construction, Demolition and Excavation (C,D&E) waste of 980,000tpa.
- 8.13. The ELJWPG (East London Joint Waste Planning Group) also indicated that they would consider transferring some of their excess capacity to Tower Hamlets if the borough could demonstrate that it was not possible to meet its waste apportionment within the borough.
- 8.14. Based on the shortfall figures, LBTH request that 56,935tpa of Construction, Demolition and Excavation (C, D&E) waste capacity be transferred to Tower Hamlets or safeguarded specifically to meet LBTH's waste requirements.
- 8.15. In addition to this, LBTH requested that 26,353tpa of Household, Industrial and Commercial (HIC) waste capacity also be transferred to Tower Hamlets to match the loss of the site in the Hepscott Road site in the former LLDC area, as was agreed in the committee report. The Tower Hamlets' Waste Data Study recommended that this lost capacity – 26,353tpa - be 'transferred' back to Tower Hamlets to help meet its apportionment, meaning that it would be specifically safeguarded within the ELJWP to process waste from Tower Hamlets.
- 8.16. Following discussions between LBTH, the GLA and the EA, Tower Hamlets has made the decision to use the more conservative figure for capacity from exempt sites set out in the 2023 Waste Study. As a result, LBTH's shortfall is 34,370tpa of HIC waste capacity, and this is the figure that LBTH is now seeking from the ELJWPG.
- 8.17. This would represent roughly 3.2% of the ELJWPG's surplus HIC waste capacity and roughly 3.4% of the ELJWPG's surplus C,D&E waste capacity.
- 8.18. As part of ongoing discussions with ELJWPG they have provided LBTH with a list of criteria they have produced to formally request some of their surplus capacity. These criteria will be proposed within the draft East London Waste Plan at Regulation 19 so is subject to consultation. The list of criteria is addressed in the next section.

## Greater London Authority (GLA)

8.19. LBTH has engaged with ongoing discussions with the GLA to discuss matters concerning the Council's request to the ELJWPG to seek their excess capacity (identified in their Regulation 19 plan and discussed in Chapter 8 of this paper) for our waste apportionment and their view on the ELJWPG criteria (discussed in Chapter 8 of this paper). The GLA has voiced their support in the Council's approach to requesting excess capacity from neighbouring authorities in particular the ELJWPG to meet the waste apportionment.

### **Addressing ELJWPG criteria**

8.20. The ELJWPG has provided LBTH with a set of criteria that at the time of sending, it intended to include in their Regulation 19 version of the ELJWP in order to assess requests from other waste planning authorities for requests for assistance in meeting their waste requirements. The full list of criteria can be found in Appendix 1.

8.21. As the criteria has not yet been subject to consultation, there is limited information on the methodology of the criteria raised. It is noted that some criteria follow London Plan guidance, however, some criteria do not follow London Plan guidance, in particular, criteria 1(f). LBTH has provided commentary to the ELJWPG in relation to the criteria which is listed out in the table below.

8.22. Whilst this criteria has not been included or referenced in their Regulation 19 plan, to demonstrate the Council's engagement and cooperation with the ELJWPG, the response to the ELJWPG's initial draft criteria has been included.

ELJWP proposed criteria	How LBTH approach meets criteria
<p>1(a) 'Capacity within existing waste sites and how policy included in the source Borough's Local Plan requires new <u>proposals to maximise capacity</u>'</p>	<p>It is worth noting in ELJWP criteria that London Plan policy SI8 part A(3) notes that <i>the waste management capacity of existing sites should be <b>optimised</b></i> rather than maximised.</p> <p>In the draft Local Plan, policies RW1, RW2 and RW3 require existing sites to maximise capacity for waste management. It also covers the need for new developments to accommodate suitable and accessible space for all types of waste including recyclables, organics, residual and bulky waste. Policy RW1 specifies which existing sites in the borough are safeguarded for waste use over the plan period. The policy supports proposals for enhancing and maximising capacity at these sites. The policy also notes that applications for non-waste uses will only be permitted through legal agreements that secure the waste capacity within suitable alternative sites. The Agent of Change principle is also applied within this policy to ensure other non-waste proposed uses do not negatively impact the function and operations of existing and safeguarded sites.</p>

	<p><u>Capacity of existing waste sites:</u></p> <table><tr><th>Site Name</th><th>Facility type</th><th>Input Waste type(s)</th><th>Maximum throughput (tonnes)</th><th>Waste Management Capacity</th></tr><tr><td>Northumberland Wharf Transfer Station (Cory)</td><td>Reuse and Recycling Centre (RRC) and Transfer Station</td><td>LACW/C&amp;I</td><td>158,181</td><td>2,000</td></tr><tr><td>Towcester Road (Clifford Devlin)</td><td>Hazardous Waste Transfer Station</td><td>Hazardous</td><td>263</td><td>0</td></tr><tr><td>Ailsa Street (Site allocation)<sup>3</sup></td><td>Transfer and treatment</td><td>C, D &amp; E</td><td></td><td>23,850 – 34,450</td></tr><tr><td>J B Riney &amp; Co Ltd (Former LLDC area)</td><td>Transfer Station</td><td>C, D &amp; E</td><td>64,610</td><td>0</td></tr></table> <p><u>Tower Hamlet's apportionment:</u></p> <p>The London Plan sets out borough level apportionments of household, commercial and industrial waste 2021-2041. <b>Tower Hamlet's apportionment is 2.4% of London's total waste to be managed in borough. The 2021 figure lists Tower Hamlet's apportionment as 195,000 tonnes and increases to 207,000 tonnes by 2041.</b></p>	Site Name	Facility type	Input Waste type(s)	Maximum throughput (tonnes)	Waste Management Capacity	Northumberland Wharf Transfer Station (Cory)	Reuse and Recycling Centre (RRC) and Transfer Station	LACW/C&I	158,181	2,000	Towcester Road (Clifford Devlin)	Hazardous Waste Transfer Station	Hazardous	263	0	Ailsa Street (Site allocation) <sup>3</sup>	Transfer and treatment	C, D & E		23,850 – 34,450	J B Riney & Co Ltd (Former LLDC area)	Transfer Station	C, D & E	64,610	0
Site Name	Facility type	Input Waste type(s)	Maximum throughput (tonnes)	Waste Management Capacity																						
Northumberland Wharf Transfer Station (Cory)	Reuse and Recycling Centre (RRC) and Transfer Station	LACW/C&I	158,181	2,000																						
Towcester Road (Clifford Devlin)	Hazardous Waste Transfer Station	Hazardous	263	0																						
Ailsa Street (Site allocation) <sup>3</sup>	Transfer and treatment	C, D & E		23,850 – 34,450																						
J B Riney & Co Ltd (Former LLDC area)	Transfer Station	C, D & E	64,610	0																						
1(b), 'that all existing waste sites (including those safeguarded by EA permits via the London Plan) are being	All safeguarded sites are listed in the draft Local Plan and under Policy RW1 are subject to appropriate release criteria specifically in Part 4 of the policy. The London Borough of Tower Hamlets is not proposing release of any waste sites in the borough. Subject to Part 4, applicants proposing to release a waste site																									

<sup>3</sup> Ailsa Street is a safeguarded waste site but is not currently operational. Its contribution towards apportionment targets is based on average throughputs per hectare, depending on the facility/technology.

<p><u>safeguarded</u> subject to appropriate release criteria'</p>	<p>would need to demonstrate there would be no overall net loss of waste capacity across London and per guidelines in the London Plan.</p> <p>It should be noted that, while Clifford House was excluded from the list of safeguarded sites in the Regulation 19 local plan, this was in error and the council has proposed a revision to return it to the list of safeguarded sites.</p> <p>Amendments have been made to draft waste policies which will be subject to a further focused Regulation 19 consultation in Summer 2025 to explicitly state that all existing waste sites are being safeguarded.</p>
<p>1(c) 'whether any waste sites have been lost due to redevelopment in the source Borough since London Plan was adopted and how compensatory capacity has been provided'</p>	<p>Under the LLDC's decision (LLDC Planning Reference: 16/00451/OUT), the site at Hepscott Road was lost due to redevelopment at the site. To allow the redevelopment to proceed, the waste capacity was shifted to an existing waste site within Barking. The Officer report from May 2018 recommended that the waste planning process for the ELJWP (East London Joint Waste Plan) should formalise this and that the lost capacity (26,353 tpa) be 'transferred' back to Tower Hamlets to help meet its apportionment. The report recommends that LBTH seek the capacity back from the London Borough of Barking &amp; Dagenham as the waste capacity was shifted to the River Road waste site in Barking and/or the ELJWPG.</p> <p>The figure of 26,353tpa was confirmed to be the overall waste capacity of the site in the Waste Data Study (2023). The figure of 10,539tpa was confirmed to be the operational number at the time. The Waste Data Study (2023) recommended that the overall waste <i>capacity</i> figure be put forward to be 'transferred' back to Tower Hamlets to meet waste apportionment targets.</p> <p>No other waste sites have been lost to redevelopment in Tower Hamlets since the London Plan was adopted.</p>
<p>1(d) 'Assessment of Strategic Industrial Locations and Locally Significant Industrial Sites to accommodate waste capacity and proposals to</p>	<p>Under Chapter 6 of the Waste Data Study (2023), an assessment of SIL and LIL (LSIS) sites was undertaken to ascertain whether these sites can meet the borough's growing need for waste capacity. As noted in the report, the borough has two SIL sites: Empson Street (10.7ha) and Fish Island (South) (8.91ha). Based on findings from the 2023 Employment Land Review, all of the borough's industrial sites have extremely low vacancy rates and high rents implying a significant undersupply of land for industrial uses.</p>

<p>release such land for non-industrial uses.'</p>	<p>The Tower Hamlets Employment Land Review (2023) (ELR) demonstrates that the borough has a significant shortfall in industrial land to meet demand over the plan period of the new Local Plan. This demand is predominantly for logistics facilities and manufacturing, and relying on this land for waste management could further reduce the borough's ability to meet that demand. The London Plan places a significant emphasis on the need for local authorities, particularly in Inner London, to adequately protect their industrial land to ensure that it can meet the logistics and other needs of Central London.</p> <p>LBTH identifying areas of search in order to meet its own waste planning needs presents a conflict with the need to safeguard industrial land for waste management given the findings from the ELR (2023). Where other waste planning authorities have excess capacity on existing safeguarded waste sites, it would be aligned with the London Plan for these to be used for waste purposes ahead of SIL land currently in industrial uses.</p> <p>The new Local Plan supports industrial intensification (policy EG2); however given the shortfall in land to meet the industrial needs of the borough, intensification is a necessary tool to meet the borough's need for industrial floorspace and cannot be used to release industrial land.</p> <p>Tower Hamlets also has two safeguarded wharves: Orchard Wharf and Northumberland Wharf. Northumberland Wharf includes a waste transfer station. There is currently an extant permission for Orchard Wharf for cement and aggregates storage and therefore the site is not considered available for waste facilities. Given the extant permission for Orchard Wharf, there has been no assessment for further waste capacity given the unavailability of the site. Under criterion 1 in this table, the waste management capacity for the Northumberland Wharf site is noted.</p>
<p>1(e) 'Whether any applications for waste uses in the source Borough have been refused and if so the reasons for refusal'</p>	<p>According to both the Waste Data Study (2023) and the Waste Data Update (2024), there have been no refused waste applications in the borough.</p> <p>A general search on the borough's planning register for planning applications since 2017 using key words such as 'waste facility' brought up no relevant records for proposals for new waste sites or expansion of existing sites. A further detailed search was carried out with locational data of all current waste sites, SIL and</p>

	<p>LSIS to confirm if any applications had been put forward. No relevant records were brought up during this exercise.</p>
<p>1(f) 'Demonstrating that all options have been explored to identify suitable locations for further waste sites within the source borough(s) (consistent with national policy and the London Plan) and other London boroughs to meet capacity requirements. This should include the results of any call for waste sites and how conclusions not to allocate sufficient land to meet the requirements for which surplus is being sought were reached.'</p>	<p>It is not clear which specific part of the London Plan policy this criterion is referencing. Notwithstanding, the following sets out that LBTH consider we have met the criteria.</p> <p>LBTH carried out a call for sites between 6 July 2022 to 19 August 2022. No potential waste sites were submitted as part of this process.</p> <p>The Waste Study Update (2024) carried out a search for locations in the borough that could come forward for waste sites in the future. It identified these sites:</p> <ul style="list-style-type: none"> <li>• The Highway (LIL) with a total area of 2.7 hectares and an on-site segregation land area availability of 0.65 hectares.</li> <li>• Empson Street SIL with a total area of 10.07 hectares and an assumed land area availability of 2.42 hectares.</li> <li>• Fish Island SIL with a total area of 9.21 hectares and an assumed land area availability of 2.21 hectares.</li> </ul> <p>Given the very high demand for other industrial uses and the findings from the ELR and the limited available land in the borough for those uses, these sites are not considered deliverable. In addition to this, none of these sites were submitted as part of the Call for Sites and we have received no indication of a desire on the part of the landowners to bring forward waste facilities on these sites.</p> <p>In response to the ELWJPG comment '<i>It is also not clear how the GLA objection has shaped Tower Hamlets approach to no longer considering SILs and LSIS for waste management use</i>', the GLA (Greater London Authority) and the Environment Agency objected to the proposed use of on-site segregation facilities and exempt sites to meet LBTH's waste management requirements.</p> <p>The GLA have been supportive of LBTH's proposed approach in requesting assistance from the East London Waste Planning Group given they have excess capacity. The borough's proposed approach is also justified by the ELR findings (need for priority of the limited industrial capacity in the borough to be used for</p>

	logistics/manufacturing uses). Further to this, the findings from the Waste Study Update (2024) state that whilst there is availability of potentially suitable units within the Areas of Search identified, this is premised on operators coming forward and putting these sites forward for waste management operations. Our evidence demonstrates that through a search on the borough’s planning register and no waste sites submitted as part of our call for sites, that this is not a feasible or deliverable option for the borough’s management of waste capacity. In order to ensure the plan can be found sound, it is not considered appropriate to include these as there is insufficient evidence they will have capacity which will be deliverable during the Plan period.																		
Part 2: ‘The proximity of historic and existing significant flows of waste and availability of capacity for which capacity is being sought between, the source borough(s) and the ELJWP boroughs, including comparisons with any other London borough(s) that may have surplus capacity available.’	<p>Chapter 7 of the Waste Data Study (2023) discusses the existing flows of waste exports. The table shown below lists the borough’s recorded LACW (Local Authority Collected waste) and C&amp;I (Commercial and Industrial) waste exports over 2500 tpa between 2017-2021 to LB Newham.</p> <table><tr><td>WPA</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td></tr><tr><td>Newham (WDI)</td><td>1,445</td><td>1,319</td><td>10,870</td><td>14,301</td><td>15,133</td></tr><tr><td>Newham (ENV18)</td><td>25,306</td><td>23,123</td><td>21,238</td><td>20,094</td><td>20,970</td></tr></table>	WPA	2017	2018	2019	2020	2021	Newham (WDI)	1,445	1,319	10,870	14,301	15,133	Newham (ENV18)	25,306	23,123	21,238	20,094	20,970
WPA	2017	2018	2019	2020	2021														
Newham (WDI)	1,445	1,319	10,870	14,301	15,133														
Newham (ENV18)	25,306	23,123	21,238	20,094	20,970														



The table below lists the borough's recorded C, D& E waste exports over 5000 tpa between 2017-2021 to East London waste authorities and demonstrates that all of LBTH's significant waste flows are to the ELJWPG boroughs.

Please see Appendix 6 for further information for Tower Hamlets exports and waste received according to the WDI 2023.

<b>WPA</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
East London (Havering)	54,378	45,772	41,797	12,133	75,248
East London (Newham)	7,622	10,031	59,587	39,648	38,436
East London (Barking and Dagenham)	4,536	2,898	0	31,249	4,706

In addition to this, according to the Waste Data Study (2023), a significant amount of waste is imported from other boroughs in London to the borough's transfer station before its onward journey to be managed at other facilities. This is shown in the table below:

Origin	Site and Waste Type	2017	2018	2019	2020	2021
East London Waste Authority	Northumberland Wharf Transfer Station (HIC)	-	-	-	109,017	142,940
WPA not codeable (London, South London)	Northumberland Wharf Transfer Station (HIC)	148,215	153,766	158,181	-	-
WPA not codeable (London, South London)	J B Riney & Co Ltd (C,D &E)	64,610	3,849	1,705	-	-
Various	Towcester Road (Hazardous)	259	163	110	107	0
<b>Total</b>		<b>220,868</b>	<b>161,350</b>	<b>159,996</b>	<b>109,125</b>	<b>142,940</b>

Tower Hamlets are formally requesting a transfer of **56,935tpa of C&D waste** and an additional transfer of capacity of **34,370tpa of HIC waste** from the ELJWPG. This is to match the loss of the site in the Hepscott Road site in the former LLDC area to formalise a previous agreement and to ensure that the borough can meet its apportionment requirement. The capacity of the Hepscott Road site was 26,363tpa. In addition, in response to objections from the GLA and EA, LBTH has reduced the reliance on exempt sites, using the more conservative capacity estimate included in the 2023 Waste Study. The use of this more conservative figure increases the borough's HIC waste capacity shortfall to 34,370tpa. The ELJWPG has proposed the release of

	several safeguarded sites across the four boroughs and has identified a surplus of waste management capacity of 1,064,000tpa of HIC waste and 1,670,000tpa of C, D & E waste following release of sites.
Part 3: 'Any relevant changes to the London Plan 2021, in particular those affecting the sharing of capacity and quantities of waste that Boroughs are expected to plan for.'	Any changes and updates to the waste apportionment figures and waste policies within the London Plan will be taken into account in any future assessment of waste management capacity within the borough.

## London Borough of Newham

8.23. LBTH's representation to LB Newham's Regulation 19 consultation which was carried out in September 2024 identified several safeguarded waste sites in LB Newham that largely handle Tower Hamlets waste, that could be specifically safeguarded for LBTH's waste capacity requirements.

8.24. LBTH also raised concerns about the release of Beckton Riverside as a safeguarded waste site. As noted in Paragraph 9.8.6 in the London Plan, waste sites with surplus capacity should be shared with boroughs facing a shortfall in capacity before they are considered for site release. The comments relating to waste are below and the full comments that were submitted are included in Appendix 6:

*Policy W1 of Newham's Regulation 19 Plan sets out the borough's strategic approach to waste management, including safeguarding sites for waste management. Point 3 of the policy indicates that 'existing waste sites within Newham will be safeguarded and should be retained in waste management use'. We welcome that safeguarding and note that the safeguarding of all waste sites in Newham is in accordance with the draft East London Joint Waste Plan (ELJWP), which does not identify any sites in Newham for release from waste safeguarding.*

*However, it is noted that despite the clear protection in the wording of the policy itself, Implementation Point W1.3 explains that the land at Beckton Riverside that is safeguarded for waste management in the adopted 2012 East London Waste Plan is no longer being safeguarded. This appears to be at odds with both the adopted East London Waste Plan, and the emerging (Regulation 18) ELJWP, neither of which identify Beckton Riverside for release from safeguarding. It is unclear what evidence has been provided to justify such a release.*

8.25. In response to LBTH's comments, LB Newham in the published consultation report (April 2025) stated that:

*This comment has been subject to further discussion with the London Borough of Tower Hamlets and a satisfactory resolution has been found. This is set out in more detail in a Statement of Common Ground, **included in the updated Duty to Cooperate Statement.***

8.26. Main points from the Duty to Cooperate Statement stated the following:

- *Some changes have been made to the draft East London Waste Plan as a result of the Regulation 18 consultation, including suggested changes to the list of safeguarded sites. Although discussions with London boroughs and the GLA continue regarding capacity sharing, a programme of work*

*on the Regulation 19 East London Waste Plan has been drafted with likely publication period dates for Spring 2025.*

- Given the level of surplus capacity identified in the emerging East London Joint Waste Plan, Tower Hamlets is seeking for a transfer of capacity of 26,363tpa of HIC waste and 56,935tpa of Construction, Demolition and Excavation waste. The geographic proximity and the existing cross-boundary flows of waste between Tower Hamlets and the East London Waste Authority boroughs mean that it is important for the parties to work effectively on this strategic matter.*
- London Boroughs of Newham, Redbridge, Barking and Dagenham and Havering agreed to continue to cooperate via the Joint Waste Plan making processes.*
- London Borough of Newham and London Borough of Tower Hamlets agreed to engage in more formal discussion on waste capacity through the Joint Waste Plan making process.*
- London Borough of Newham will finalise and publish a SOCG with the Mayor of London/Greater London Authority ahead of submission of the Local Plan to examination to reflect the position of both the parties. The statement will be amended as required to reflect the progress made on the emerging Joint East London Waste Plan.*

8.27. To summarise, LBTH will continue to engage in discussions with LB Newham given its membership of the ELJWPG and ensure that any safeguarded waste sites which manage and process LBTH's waste is taken into account before they are considered for release for other uses. This is in accordance with London Plan guidance. This will be carried out through formal discussions with LB Newham and the wider ELJWPG and set out within a Statement of Common Ground.

## **South East London Joint Waste Planning Group**

8.28. SELJWPG indicated in their representation to the regulation 19 (2024) that they cannot confirm at this time whether there is spare capacity to help meet LBTH's waste apportionment capacity requirements. The group has indicated that an update to the technical paper will be carried out in late 2025 to support the Local Plan reviews of LB Bromley, LB Southwark and RB Greenwich. LBTH will continue to have discussions with them.

8.29. A SoCG is being agreed with RB Greenwich and LB Southwark in relation to the ability of the Southeast London Joint Waste Planning Group (SELJWPG) to assist LBTH.

## Other engagement

8.30. LBTH also contacted all other London boroughs to explain the borough's waste context and to seek spare capacity to meet LBTH's waste apportionment capacity requirements. Some responses were received which are detailed in Appendix 3 of this paper, but no offers to assist meet LBTH's apportionment were received.

## 9. Proposed policy approach

- 9.1. The evidence base and representations submitted as part of previous consultations have informed the proposed policy approach. The proposed policy approach has been revised to request that neighbouring waste authorities transfer some of their significant excess surplus capacity to Tower Hamlets to help meet its apportionment, as set out in the adopted London Plan (2021) Policy SI 8. This approach is subject to consultation as part of this Regulation 19 (2025) consultation on a number of focused policies. The revised approach has been steered by comments from the GLA and EA stating that use of OSFs and exempt waste sites is not in accordance with the London Plan and is an untested methodology.
- 9.2. The Environment Agency and the GLA, in their responses to the Regulation 19 consultation, objected to the inclusion of exempt sites in the calculation of the borough's waste capacity on the basis that the sites do not have Environment Agency permits; however, the London Plan's definition of waste sites includes both sites that have Environment Agency permits and sites that have planning permission for a waste use. It is under the second category that both waste studies included exempt sites. Given the difficulty of accurately determining the level of capacity in exempt sites, LBTH has taken the more conservative estimate set out in the 2023 Waste Study.
- 9.3. Through the East London Waste Planning Group's draft waste plan consultation, the surplus waste capacity in their waste planning area has also been formalised. This had not been formalised when the most recent LBTH Regulation 19 (2024) was produced. To ensure that draft policy RW1 in the LBTH emerging draft local plan is in general conformity with the London Plan, the council has revised its proposed approach so that OSFs are not included in the waste capacity figures and to seek capacity from neighbouring authorities, in particular the ELJWPG. This is in line with discussions LBTH has had with the GLA, which supported our position that we should be seeking capacity from the ELJWPG.
- 9.4. Other waste policies in the emerging Local Plan also address London Plan policies, in particular, draft policy RW2 New and enhanced waste facilities encourages new waste facilities to be expanded on existing waste sites and part (b) of the policy states 'they observe the 'Proximity Principle', dealing with waste as close to its source as possible.' The 'Proximity Principle' is established in the Waste Framework Directive to ensure waste is managed near to the site of production as transporting waste has significant environmental impacts. The council's adoption of this principle is demonstrated in seeking capacity from the nearest adjacent Waste Planning Authority which has identified surplus capacity.
- 9.5. In addition to this, draft policy RW2 also meets Policy D13 Agent of Change specifically as it notes *'the Agent of Change principle should be applied to all noise-generating uses and activities including schools, places of worship,*

*sporting venues, offices, shops, industrial sites, **waste sites**, safeguarded wharves, rail and other transport infrastructure.'* (emphasis added).

- 9.6. The findings from the Employment Land Review (2023) which demonstrate that Tower Hamlets has a particularly large shortfall in industrial land to meet demand over the plan period have been considered as part of the revised policy approach.
- 9.7. Given the imperative to protect existing industrial land for a variety of industrial uses, including manufacturing and distribution, and the lack of interest from landowners in bringing sites forward for waste uses, the methodology of utilising areas of search within SIL/LSIS for waste management (as noted in the Waste Data Update (2024)) will not be applied as part of the policy approach.
- 9.8. As discussed in the criteria from the ELJWPG, the use of SIL/LSIS land for waste management facilities would not accommodate the priority need for this land to be used for logistics and manufacturing uses as evidenced in the ELR (2023). Limited land supply and high rents further demonstrates why it is necessary for the council to seek waste capacity outside of the borough. It should be noted that the 'areas of search' approach formed part of the adopted Local Plan, and that in the time since adoption not applications have come forward for new waste facilities in industrial areas.
- 9.9. As discussed above and detailed in the Waste Capacity and apportionment figures section in the paper, the council is requesting a transfer of **56,935tpa of C&D waste** and a transfer of capacity of **34,370tpa of HIC waste** from the ELJWPG. This approach has been supported by the GLA through Duty to Cooperate discussions. The transfer of capacity of HIC waste is to reflect the loss of the site in the Hepscott Road site in the former LLDC area to formalise a previous agreement and to ensure that the borough can meet its apportionment requirement as per the adopted London Plan (2021).
- 9.10. As demonstrated, the revised policy approach has considered the guidance in the London Plan which noted in Paragraph 9.8.6 that boroughs are encouraged to pool their waste apportionment targets with other boroughs to ensure net self-sufficiency. Given the proximity to the ELJWPG and evidence from the borough's ELR (2023), the approach is deemed proportionate to the factors outlined above and has considered cross boundary matters alongside the strategic needs of the borough.



## 10. Conclusion

- 10.1. Taking into account the evidence outlined in this paper and the wider context of waste policy, the proposed policies presented in the draft Plan are considered to represent a proportionate approach to addressing the borough's requirements in respect of waste. It is considered that these policies strike a reasonable and appropriate balance between seeking to meet the borough's waste apportionments as set out in the London Plan alongside meeting other London Plan policy requirements.

## 11. Appendix 1 – ELJWPG criteria

Any requests to share capacity made by London Waste Planning Authorities will be assessed on a case by case basis taking into consideration the waste management context of the ELJWP area and 'source' Plan area at the time, including:

1. The provision of suitable evidence that insufficient capacity exists in the source borough(s). This should be demonstrated using the same methodology as used to calculate waste capacity in the ELJWP and provision of relevant information which includes:
  - a. Capacity within existing waste sites and how policy included in the source Borough's Local Plan requires new proposals to maximise capacity
  - b. That all existing waste sites (including those safeguarded by EA permits via the London Plan) are being safeguarded subject to appropriate release criteria
  - c. Whether any waste sites have been lost due to redevelopment in the source Borough since London Plan was adopted and how compensatory capacity has been provided
  - d. Assessment of Strategic Industrial Locations and Locally Significant Industrial Sites to accommodate waste capacity and proposals to release such land for non-industrial uses
  - e. Whether any applications for waste uses in the source Borough have been refused and if so the reasons for refusal
  - f. Demonstrating that all options have been explored to identify suitable locations for further waste sites within the source borough(s) (consistent with national policy<sup>[1]</sup> and the London Plan) and other London boroughs to meet capacity requirements. This should include the results of any call for waste sites and how conclusions not to allocate sufficient land to meet the requirements for which surplus is being sought were reached
2. The proximity of historic and existing significant flows of waste and availability of capacity for which capacity is being sought between, the source borough(s) and the ELJWP boroughs, including comparisons with any other London borough(s) that may have surplus capacity available.
3. Any relevant changes to the London Plan 2021, in particular those affecting the sharing of capacity and quantities of waste that Boroughs are expected to plan for.

During the period of the ELJWP it is likely that the London Plan 2021 will be updated and any updates relating to the need for Boroughs to share capacity and meet apportionments will be taken into account in any assessment.

<sup>[1]</sup> In particular see sections 4 and 5 of *National Planning Policy for Waste* (October 2014)

## **12. Appendix 2 – Letter Request for assistance meeting London Plan Waste Apportionment**

Via email

Housing and Regeneration  
Tel 020 7364 5078  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

14 October 2024

## **LB Tower Hamlets: Request for assistance meeting London Plan Waste Apportionment**

Dear Sir/Madam,

LB Tower Hamlets is in the process of preparing a new Local Plan and is aiming to submit the plan to the Secretary of State to commence the Examination in Public process by early 2025.

The purpose of this letter is to ask if your council would be in a position to assist Tower Hamlets in meeting their waste needs, should this be required. Specifically, we require assistance with HIC waste capacity and CDE waste capacity. Our shortfall (at 2041) is:

- 5,000 tpa of HIC waste
- 56,935 tpa of CDE waste

### **LB Tower Hamlets context**

Tower Hamlets is a highly urbanised borough with the fastest growing population in the country. We have the highest housing target in the London Plan of 34,730 homes and also the fourth highest target for small sites within one of London's smallest geographical boundary areas, which makes meeting the requirements for different needs, such as housing, employment and waste especially challenging. In particular, planning constraints and a lack of suitable and deliverable sites limit our ability to meet our needs in relation to Waste. Our [Proposed Submission Version Local Plan](#) has been produced given this context.

### **LBTH Waste Apportionment**

As a unitary waste authority Tower Hamlets performs the roles of waste planning authority, waste collection authority, and waste disposal authority in the borough. In our capacity as a waste planning authority, we have a statutory duty to prepare a local waste plan in line with legislation. This is being fulfilled through the inclusion of waste policies in our emerging Local Plan, which seek to meet our apportioned waste targets, as set out in the adopted London Plan in accordance with Policy SI8.

As part of the evidence base work that has been undertaken to support the new Tower Hamlets Local Plan, the borough identified a significant shortfall in meeting our need for waste management capacity. As part of scenario testing, we commissioned another, more detailed, review to determine how we might potentially be able to meet our need entirely in the borough, if no other boroughs had spare capacity to offer. This study identified the inclusion of the waste management capacity of on-site segregation facilities towards meeting our household, industrial and commercial (HIC) waste apportionment. While the study is clear that these facilities meet the definition of a waste facility, this



approach is untested. To meet our construction, demolition and excavation (CDE) waste requirement, the study carried out a search of available industrial sites in the borough that could be used for waste management; however, the study cautioned that the borough's very low level of industrial vacancies means that relying on available sites is risky given that the land area required may not remain available throughout the plan period. Further, this approach risks removing sites from general industrial use at a time when the borough is in particular need of industrial floorspace to meet demand.

Given the limitations of the approach taken in the updated waste study, Tower Hamlets approached the East London Joint Waste Planning Group (ELJWPG) to determine if the group could take on a portion of the borough's waste management requirement. The East London Joint Waste planning group recently published and consulted on a regulation 18 draft plan to review their existing joint waste plan – which demonstrated that the ELJWPG had excess capacity. LBTH submitted a formal representation to the East London Joint Waste Plan requesting that the ELJWP provide excess capacity to LBTH to help us meet our needs given the geographic proximity. We have been having ongoing discussions with the group as part of the Duty to Cooperate process both prior to publication of their plan and following the close of the consultation. We understand that the GLA has directed the ELJWPG to offer excess capacity to boroughs that can demonstrate that they are unable to meet their waste planning requirements. As such, we believe the ELJWPG will be accepting our request.

In the event that the East London Joint Waste Planning group are not able to meet our request, we would like to understand your borough's (or joint waste planning group's) potential capacity to assist us in meeting our waste needs. Specifically, we require assistance with HIC waste capacity and CDE waste capacity. Our shortfall (at 2041) is:

- 5,000 tpa of HIC waste
- 56,935 tpa of CDE waste

Providing this waste management capacity to us would allow Tower Hamlets to meet its waste requirements without relying on Onsite Segregation Facilities, which are difficult to monitor and safeguard, and sites that are not currently in waste use, which need to be protected for other competing land uses (i.e. industrial) in order to meet other relevant policies in the London Plan relating to the protection of SIL (Policies E4 and E5).

As previously mentioned, we are seeking to submit our plan for examination in early 2025, and so we would be grateful if you could confirm your position in respect to assisting our authority in meeting our waste needs **by no later than 31 December 2024**.

Please note that we are currently also inviting representations on our Proposed Submission Version Local Plan (Regulation 19) **until 28 October 2024**, and you may wish to formally submit your response as a representation to this – as this would enable you to attend hearings should you feel this is required. Full details of the consultation, including evidence base can be found here: [New Local Plan | Let's Talk Tower Hamlets](#)

In the meantime, if you feel you need more information, including detailed evidence or would like to discuss the matter with us before formally responding please let us know as soon as possible so that we can arrange a meeting in October.

For your information, a similar request has also been sent to all other London authorities. We also anticipate commencing the process of preparing Statements of Common Ground with relevant authorities following the end of the Regulation 19 consultation and will be in touch in due course to

discuss this.

Please send replies to [REDACTED] cc'ing [localplan@towerhamlets.gov.uk](mailto:localplan@towerhamlets.gov.uk)

Kind regards,

A handwritten signature in black ink, appearing to read 'N Palit', written in a cursive style.

Natalya Palit

**Planmaking Manager**

Strategic Planning Service | Planning & Building Control Division | Housing & Regeneration  
Directorate

### 13. Appendix 3 – London Boroughs and response to LBTH's request for assistance for waste capacity:

London Borough	Waste Plan	Formal response to LBTH for assistance with waste capacity
Barking and Dagenham	East London Waste Plan	Formal response received as part of the ELJWPG comments. The ELJWPG have stated that more robust evidence is required to support the position that LBTH will require assistance from neighbouring authorities in respect of waste apportionment capacity requirements.
Barnet	North London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Bexley	South East London Waste Plan	Formal response received as part of the South East London Joint Waste Planning Group (SELJWPG) comments. The SELJWPG cannot confirm at this time whether there is spare capacity to help meet LB Tower Hamlets waste apportionment capacity requirements.
Brent	West London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Bromley	South East London Waste Plan	Formal response received as part of the South East London Joint Waste Planning Group (SELJWPG) comments. The SELJWPG cannot confirm at this time whether there is spare capacity to help meet LB Tower Hamlets waste apportionment capacity requirements.
Camden	North London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Croydon	South London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.

Ealing	West London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Enfield	North London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Greenwich	South East London Waste Plan	Formal response received as part of the South East London Joint Waste Planning Group (SELJWPG) comments. The SELJWPG cannot confirm at this time whether there is spare capacity to help meet LB Tower Hamlets waste apportionment capacity requirements.
Hackney	North London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Hammersmith and Fulham	Individual	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Haringey	North London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Havering	East London Waste Plan	Formal response received as part of the ELJWPG comments. The ELJWPG have stated that more robust evidence is required to support the position that LBTH will require assistance from neighbouring authorities in respect of waste apportionment capacity requirements.
Harrow	West London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Hillingdon	West London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Hounslow	West London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.



Islington	North London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Kensington and Chelsea	Individual	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Kingston upon Thames	South London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Lambeth	Individual	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Lewisham	South East London Waste Plan	Formal response received as part of the South East London Joint Waste Planning Group (SELJWPG) comments. The SELJWPG cannot confirm at this time whether there is spare capacity to help meet LB Tower Hamlets waste apportionment capacity requirements.
Merton	South London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Newham	East London Waste Plan	Formal response received as part of the ELJWPG comments. The ELJWPG have stated that more robust evidence is required to support the position that LBTH will require assistance from neighbouring authorities in respect of waste apportionment capacity requirements.
Redbridge	East London Waste Plan	Formal response received as part of the ELJWPG comments. The ELJWPG have stated that more robust evidence is required to support the position that LBTH will require assistance from neighbouring authorities in respect of waste apportionment capacity requirements.
Richmond upon Thames	West London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.

Southwark	South East London Waste Plan	Formal response received as part of the South East London Joint Waste Planning Group (SELJWPG) comments. The SELJWPG cannot confirm at this time whether there is spare capacity to help meet LB Tower Hamlets waste apportionment capacity requirements.
Sutton	South London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Waltham Forest	North London Waste Plan	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Wandsworth	Individual	No response received in regard to LBTH's communication to take on waste apportionment capacity requirements.
Westminster	South East London Waste Plan	Formal response received as part of the South East London Joint Waste Planning Group (SELJWPG) comments. The SELJWPG cannot confirm at this time whether there is spare capacity to help meet LB Tower Hamlets waste apportionment capacity requirements.
City of London	South East London Waste Plan	Formal response received as part of the South East London Joint Waste Planning Group (SELJWPG) comments. The SELJWPG cannot confirm at this time whether there is spare capacity to help meet LB Tower Hamlets waste apportionment capacity requirements.

## **14. Appendix 4 – Email from ELJWPG (19/05/2023)**

**From:** [Claire Laurence](#)  
**To:** [Tom Walsh](#)  
**Subject:** RE: East London Joint Waste Plan  
**Date:** 19 May 2023 11:51:59

Good morning Tom,

We've had a chance to review your waste data study and discuss it as a group. Apologies for any inconvenience caused, but having reviewed your evidence and considering where we are in the process, we think it would actually end up delaying all our Plans if we were to widen the group to incorporate Tower Hamlets at this stage.

We have made this decision based on both the established nature of our group of authorities, which has political agreement from each of the boroughs. Our data study and the ultimate level of waste capacity is likely to change as we go through the Waste Plan process and therefore at this point, we aren't in a position to consider if your waste capacity needs can be met within the East London Joint Waste Plan.

We're also concerned that widening the group at this stage would require formal decisions from us all, and having taken a number of years for all boroughs to agree to proceed with the Waste Plan, we're worried that re-opening governance conversations may cause significant delays. Once our position is known in more detail, we are very happy to continue working with you, alongside other boroughs, via the duty to cooperate process in conversation with our appointed consultants and the GLA, to consider how we best share any available capacity with boroughs with deficits.

If you wish to discuss this further please let me know.

Kind regards,

Claire

**Claire Laurence** | She/Her

**Principal Planner** | **Planning Policy**

Inclusive Economy and Housing | Planning and Development

**London Borough of Newham**

**Newham Dockside** | 1000 Dockside Road, London E16 2QU

**DDI: 0203 373 2248** | **Internal: 32248**

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## **15. Appendix 5 – LBTH response to East London Joint Waste Plan (Regulation 18 Consultation)**

East London Joint Waste Plan  
FAO: Cara Collier  
Development Planning Team  
Havering Town Hall  
Main Road  
Romford  
RM1 3BB

23 October 2024

## **LBTH Response to East London Joint Waste Plan (Regulation 18 Consultation)**

Dear Waste Planning Team,

Thank you for providing the opportunity to respond to the East London Joint Waste Plan (ELJWP).

### **Summary**

This letter is in response to the East London Boroughs letter dated 21 August 2024, which was sent to local authorities that may have a shortfall in waste management capacity. It gave those boroughs an opportunity to request assistance from the East London Joint Waste Planning Group (ELJWPG) in meeting their needs, in accordance with the requirement in London Plan policy SI8 - for boroughs with spare waste management capacity to offer it to boroughs that are unable to meet their waste management needs within their boundaries. In that context, this letter sets out how we are taking up that offer from the ELJWPG, in meeting the unmet need in Tower Hamlets.

While Tower Hamlets is a unitary waste authority and not part of the ELJWPG, the geographic proximity and the existing cross-boundary flows of waste mean that it is important for us to work effectively on this strategic matter.



As part of the evidence base work being carried out for the new Tower Hamlets Local Plan, the borough identified a significant shortfall in meeting our need for waste management facilities. As part of scenario testing, we commissioned another, more detailed, review to determine, if no other boroughs had spare capacity to offer, how else London Borough of Tower Hamlets (LBTH) might be able to meet its need entirely in the borough. This was largely so that LBTH could continue to progress preparation of its regulation-19 plan, in advance of the draft ELJWP (Regulation 18) being published, and therefore without knowing the excess capacity the ELJWPG may be able to offer to LBTH.

As the options reviewed as part of this work are not optimal, we are formally requesting assistance from the ELJWPG in meeting our waste management needs in accordance with London Plan Policy SI8. The volume that we require and the detailed justification for it are set out in Section 3.

Given that the Tower Hamlets Local Plan has yet to be examined and adopted, we consider it may be premature for the ELJWP to propose release of waste sites before it has been demonstrated that neighbouring boroughs are able to meet their needs within their boundaries.

This is a particularly fortuitous time to review our waste management relationship as both the Tower Hamlets Local Plan and the ELJWP go through their respective plan review processes. Given that these plan reviews may not align in the future, it is important that we reach agreement on strategic waste management issues at this stage. We look forward to working further with the ELJWPG on planning for East London's waste.

We have set out our response under the following headings:

1. Background
2. Capacity and apportionment
3. Policies
4. Safeguarded and released sites
5. Conclusion

## **1. Background**

Tower Hamlets is a unitary waste planning authority, meaning that the borough is responsible, as far as possible, for meeting its waste apportionment targets on sites within its boundaries. Given the density of Tower Hamlets and the presence of competing land use priorities, meeting the apportionment target has been particularly challenging.

The London Plan (at paragraph 9.8.6) expects boroughs with surplus waste management capacity to share this capacity with boroughs that are unable to meet their waste management needs within their boundaries before considering releasing sites from safeguarding. The London Plan also aims for net waste self-sufficiency for London, which recognises that while individual boroughs may not be able to meet their waste needs within their boundaries, London as a whole should be able to meet

its waste management needs without needing to rely on facilities outside of the Greater London boundary.

Waste planning is also governed by legislation: the Waste Framework Directive (WFD) was incorporated into UK law via the Waste (Circular Economy) (Amendment) Regulations 2020. In addition, the Waste (England and Wales) Regulations 2011, paragraph 4 of Part 1 of Schedule 1, sets out the 'proximity principle' - the requirement for mixed municipal waste to be disposed of or recovered in one of the nearest appropriate installations.

Tower Hamlets is currently in the process of developing a new Local Plan. We are now at the Regulation 19 consultation stage. As Tower Hamlets is a unitary waste planning authority, the policies in this plan aim to fulfill our waste planning requirements. The Proposed Submission Version Plan (Regulation 19) (policy RW1) includes 'areas of search', rather than site allocations, to meet the waste capacity requirements, given the lack of available sites. As such the amount of land that could come forward is an estimate based on current levels of vacancy within those areas.

Officers from Tower Hamlets approached the member boroughs of the East London Joint Waste Planning Group (ELJWPG) in 2023 to inquire about joining the ELJWPG or, should this not be possible, passing some of LBTH's waste apportionment (as set out in the London Plan) to the ELJWPG to address our borough's shortfall in capacity. It should be noted that Tower Hamlets is the only London borough that is a unitary waste planning authority; and given the geographical location of the borough, the ELJWPG would be the most logical joint waste planning group for us to join. The ELJWPG indicated that adding an additional borough to the membership would significantly delay the process of developing a new waste plan and was therefore not considered possible at that time. It would be helpful to understand in more detail what the implications would be of Tower Hamlets joining the ELJWPG during the waste plan-making process, and how the borough might join in the future.

The ELJWPG also indicated that they would consider transferring some of their excess capacity to Tower Hamlets if the borough could demonstrate that it was not possible to meet its waste apportionment within the borough. This is in line with discussions LBTH has had with the GLA, which supported our position that we should be seeking capacity from the ELJWPG.

## **2. Tower Hamlets Evidence Base**

### Waste Data Study (2023)

Tower Hamlets carried out a Waste Data Study (July 2023) to inform its Regulation 18 Draft Local Plan in 2023. This study demonstrated that the borough faced a shortfall of 192,370 tonnes per annum (tpa) by 2041. Given the lack of available locations in the borough for new waste facilities, the Waste Data Study recommended that Tower Hamlets approach neighbouring waste authorities to request that some of their excess capacity be transferred to Tower Hamlets to help meet its apportionment, as set out in the adopted London Plan (2021).

The Waste Data Study also identified a site where planning permission was granted for the loss of a safeguarded waste site in the Tower Hamlets part of the LLDC



(LLDC Planning Reference: 16/00451/OUT). This application was granted on the basis that the capacity of the site was being re-provided within London, in this case in Barking and Dagenham within the ELJWPG. The owner of the LLDC site (McGrath) was also the owner of the site in Barking and Dagenham (River Road) and demonstrated that there was spare capacity within the River Road site to accommodate all of the waste processing from the LLDC site. They received agreement from the GLA that they could transfer the capacity from the LLDC site to River Road. The waste planning process for the ELJWP should formalise this. Tower Hamlets' Waste Data Study recommended that this lost capacity – 26,353tpa - be 'transferred' back to Tower Hamlets to help meet its apportionment, meaning that it would be specifically safeguarded within the ELJWP to process waste from Tower Hamlets.

#### Waste Study Update (2024)

Following consultation on the Tower Hamlets' Draft Local Plan (regulation-18), Tower Hamlets commissioned a Waste Study Update (May 2024) to include a more comprehensive search for potential waste sites in the borough in order to test a scenario in which no neighbouring borough was able to assist Tower Hamlets in meeting its need. That search identified additional capacity at Northumberland Wharf and included Onsite Segregation Facilities (OSFs) as part of the waste capacity for Tower Hamlets. The inclusion of OSFs as part a borough's waste capacity, while a fully justified and sound approach, is untested – no local authority is known to have used OSFs to meet its waste planning requirements. OSFs were included as part of scenario testing to see if it was possible for Tower Hamlets to meet its apportionment requirements within the borough if other boroughs did not have space capacity.

The Waste Study Update also identified capacity for the management of Construction and Demolition Waste (C&D), giving a shortfall of 56,953tpa between the need in the borough to 2041 and the capacity of existing operational C&D processing facilities in the borough; however, in the search for sites, it identifies an additional 5.28ha of available land in Strategic Industrials Locations and Local Industrial Sites that *could* be suitable for C&D waste facilities. Based on an estimate of 85,000 tpa per ha, this potential additional capacity could potentially meet the borough's demand to 2041; however, it should be noted that there are competing demands on this available land given the multiple planning priorities in the borough. Tower Hamlets has a particularly large shortfall in industrial land to meet demand over the plan period. This has resulted in increasingly high industrial rents, as many different uses compete for limited stock, forcing out many longstanding local businesses and limiting the extent to which businesses in Tower Hamlets can grow and compete more widely.

### **3. Capacity and Apportionment**

The ELJWP acknowledges that the waste apportionments for East London are significantly higher than projected waste arisings in recognition of East London's role in meeting London's overall target or net self-sufficiency.

The ELJWP identifies an overall waste management apportionment of 1,497,000tpa by 2041 for the whole ELJWPG. The overall capacity within the ELJWPG is 2,561,000tpa, meaning that the authority has a surplus capacity of 1,064,000tpa.

The ELJWP also identifies a surplus capacity for Construction, Demolition & Excavation (C,D & E) C,D&E waste of 1.64 million tpa. It should be noted that, because of the specific needs and relatively high volumes of excavation waste, it is usually excluded from boroughs' waste capacity requirements.

The supporting text of London Plan Policy SI8 (paragraph 9.8.6) expects boroughs with a surplus waste capacity to share this with boroughs facing a shortfall before considering release of these sites from safeguarding. The London Plan also acknowledges that it may not always be possible for boroughs to meet their apportionments within their boundaries and in these circumstances boroughs will need to agree the 'transfer of apportioned waste'. This has been reiterated in discussions with the GLA, which expects the ELJWPG to offer surplus capacity to other boroughs that are unable to meet their waste planning requirements within their boundaries. London Plan policy SI8 also encourages boroughs to collaborate by pooling their apportionment requirements.

The Waste (England and Wales) Regulations 2011, paragraph 4 of Part 1 of Schedule 1, sets out the 'proximity principle' - the requirement for mixed municipal waste to be disposed of or recovered in one of the nearest appropriate installations.

Given the level of surplus capacity identified in the ELJWP, Tower Hamlets is asking for a transfer of capacity of 26,363tpa of HIC waste to match the loss of the site in the Hepscott Road site in the LLDC area to formalise a previous agreement. 26,363tpa was the capacity of the Hepscot Road site at the time that permission was granted for the release of the site. This would also mean that the borough was not relying on the untested approach of using OSFs to meet its apportionment.

Tower Hamlets also requests a transfer of 56,935tpa of C&D waste to ensure that the borough is not relying on non-designated waste sites in industrial locations that could be better used for industrial intensification, in accordance with London Plan Policy E7 and to take advantage of good public transport accessibility.

The Tower Hamlets Employment Land Review (2023) demonstrates that the borough has a significant shortfall in industrial land to meet demand over the plan period of the new Local Plan. This demand is predominantly for logistics facilities and manufacturing, and relying on this land for waste management could further reduce the borough's ability to meet that demand. The London Plan places a significant emphasis on the need for local authorities, particularly in Inner London, to adequately protect their industrial land to ensure that it can meet the logistics and other needs of Central London. LBTH identifying areas of search in order to meet its own waste planning needs presents a conflict with the need to safeguard industrial land for waste management. Where other waste planning authorities have excess capacity on existing safeguarded waste sites, it would be aligned with the London Plan for these to be used for waste purposes ahead of SIL land currently in industrial uses.

In addition, there are several safeguarded waste sites in LB Newham that currently receive a significant proportion of their waste from Tower Hamlets. These are listed in the table below:

Site Name	Operator	Site Type	LBTH input	Distance to central LBTH	Comment
Unit J Prologis Park, E3 3JG	Bywaters (Leyton) Limited	MRF	14,263	1.8 miles	
Canning Town Depot E16 4TL	G B N Services Ltd	Skip Waste Recycling	4,800	3.6 miles	
Marshgate Sidings E15 2PJ	S Walsh & Son Limited	Waste transfer	6,781	1.8 miles	
Knights Road, E16 2AT	JRL Environmental	Physical Treatment	2,993	4.4 miles	
Marshgate Sidings E15 2PJ	DB Cargo (UK) Limited	Transfer & treatment	?	1.8 miles	166,577 All uncoded to WPA
9a Cody Business Centre E16 4TL	The Remet Company Limited	Metals & ELV recycling	?	3.6 miles	56,853 Uncoded to WPA
Stephenson Street, E16 4SA	Powerday (IOD Skip Hire Ltd)	Skip Waste Recycling	?	3.3 miles	53,747 All uncoded to WPA

Given that these are existing, safeguarded waste sites that currently process a significant proportion of Tower Hamlets' waste, we consider that these sites should be specifically safeguarded in the ELJWP to contribute to meeting Tower Hamlets' waste requirements (for C&D waste, and for HIC waste if the ELJWPG prefers this approach to safeguarding capacity for Tower Hamlets at the River Road site in Barking). The use of these sites to meet Tower Hamlets' waste requirements represents a more sustainable option than safeguarding new industrial sites in Tower Hamlets, as that would require extensive redevelopment and would prevent those sites from being used for more intensive employment uses that reflect the high level of public transport accessibility the sites benefit from.

#### 4. Policies

Tower Hamlets supports most of the policies in the ELJWP, particularly:

- JWP1, which aligns with LBTH's approach to the circular economy;
- JWP3, which aligns with Policy RW1 of the Draft Tower Hamlets Local Plan in terms of ensuring that new development in close proximity to a safeguarded waste site does not prejudice the current or future operations of the site; and
- JPW4, which seeks to ensure that the development of new waste management facilities does not have a negative impact on nearby sensitive receptors, noting that several waste sites in LB Newham are located in close proximity to the boundary of Tower Hamlets.

However, we object to the implementation of Policy JWP2, which safeguards provision of waste capacity in the area and particularly does not permit the loss of safeguarded waste sites unless compensatory capacity is provided or it has been demonstrated that the capacity of the facility to be lost is not required for the wider London Plan objective for net self sufficiency to be met. While the policy wording in and of itself is in accordance with the London Plan, the ELJWP is proposing to remove several sites from safeguarding, without demonstrating where compensatory

capacity will be provided within London. Further, the ELJWP is proposing to remove sites from safeguarding without first offering capacity to neighbouring and other London boroughs that are unable to meet their waste planning requirements within their boundaries.

## **5. Safeguarded and released sites**

Appendix 1 lists the safeguarded waste sites in the ELJWPG. There is a total of 44 waste sites listed in the four boroughs, including several in Newham in close proximity to the Tower Hamlets boundary. Appendix 3 lists sites with potential for release from safeguarding. Six total sites have been identified as having potential for release from safeguarding, with a total reduction in apportioned waste capacity of 176,279tpa and a reduction in C,D&E waste capacity of 128,576tpa. The supporting text of London Plan Policy SI8 is clear that boroughs with surplus waste capacity should share this with boroughs facing a shortfall before releasing sites from safeguarding. It should be noted, however, that the surplus capacity listed for both HIC waste and C,D&E waste in the Plan appears to be based on the capacity following release of the six sites, meaning that the ELJWPG would continue to have a substantial surplus capacity.

It should be noted that the Newham Local Plan – Submission Version, currently out for consultation, identifies the potential for the release of waste sites within Newham as part of the ELJWP. Implementation point W1.3 of policy W1 suggests that safeguarded waste sites in Beckton Riverside can be released as part of the Local Plan. However, no sites within LB Newham have been identified for release as part of the ELJWP. If the sites at Beckton Riverside – and any other locations – are proposed for release, this should be set out in the ELJWP alongside the implications for overall capacity.

Paragraph 2.55 of the ELJWP indicates that local plans would take precedence over the waste plan where there is a discrepancy. Given the need to plan for specific waste capacities and the need for evidence to support the release of safeguarded sites, it is unclear how sites would be released in a local plan where this had not been accounted for in the waste plan.

We appreciate the opportunity to provide a response to the ELJWP, and it is essential that we be given the opportunity, through the Duty to Cooperate, to respond to any additional release of waste sites that happens outside of the ELJWP. We will also be submitting a representation to the LB Newham consultation on the Proposed Submission Version Local Plan (Regulation 19), which is currently being consulted on.

We welcome the assessment of reasonable alternatives in the Integrated Impact Assessment of the ELJWP, including the alternative of providing more capacity than their apportionment. In future consultations, we would support the assessment the additional reasonable alternative of taking on some of the waste apportionments of neighbouring boroughs (such as Tower Hamlets) that are unable to meet their own requirements within their boundaries.

## 6. Conclusion

Tower Hamlets welcomes the opportunity to continue to work closely with neighbouring boroughs on waste management matters. In accordance with London Plan Policy SI8, and to account for a shift of capacity as part of a planning permission, Tower Hamlets would welcome a transfer of 26,363tpa of HIC waste capacity and a transfer of 56,935tpa of C,D&E waste capacity. This would allow the borough to meet its waste requirements without relying on OSFs, which are difficult to monitor and safeguard, and sites that are not currently in waste use, which need to be protected for other competing land uses (i.e. industrial) in order to meet other relevant policies in the London Plan relating to the protection of SIL (Policies E4 and E5).

The capacity we are requesting could come from the ELJWPG as a whole, or can be transferred from individual boroughs within the group. In the case of the HIC waste capacity, it may be preferable to transfer the capacity from LB Barking & Dagenham to reflect the transfer of capacity from the Hepscott Road site to the River Road site.

As Tower Hamlets progresses through Regulation 19 consultation, and then Submission of our Local Plan, it will be essential to ensure that we have more certainty around our waste management capacity. As Tower Hamlets, the ELJWPG and Newham all carry out reviews of their respective plans, it is important that we continue to work together under the Duty to Cooperate and engage with the GLA on waste planning matters. This is a particularly significant time for all parties, which presents an opportunity to address a strategic matter in a sustainable and effective way.

Yours Sincerely,

Marc Acton Fillion  
Plan-making officer

[Redacted signature]

## 16. Appendix 6 – Tower Hamlets- Data on waste received and exported

This data has been collated from the Waste Data Interrogator 2023 (the most recent data) on Tower Hamlets imports from other London Boroughs and other WPAs.

WPA	Type of Waste	Amount of waste received (tonnes)
London (WPA not codeable)	HIC	166,354
London (WPA not codeable)	Inert/C+D	165
LB Newham	HIC	38
East Sussex	Inert/C+D	990

This data has been collated from the Waste Data Interrogator 2023 (the most recent data) on Tower Hamlets exports to other London Boroughs and other WPAs.

WPA	Type of Waste	Amount of waste exported (tonnes)
Bexley	HIC	161,138
Greenwich	HIC	8
London (WPA not codeable)	HIC	1636
London (WPA not codeable)	Inert/C+D	316
Wandsworth	HIC	1686
Kent	HIC	1853

## **17. Appendix 7 – LBTH Submission for LB Newham Regulation 19 consultation**

Housing & Regeneration

Tel 020 7364 5078

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

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Planning Policy Team  
Newham Dockside  
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E16 2QU

12 June 2025

**LBTH Representation on the LB Newham Draft Submission Local Plan  
(Regulation 19 Consultation)**

Dear Planning Policy Team,

Thank you for providing LB Tower Hamlets with the opportunity to submit a representation to your Draft Submission Local Plan consultation (Regulation 19 Plan).

Overall, we support the principles and objectives of the Regulation 19 Plan and recognise that our two boroughs share many of the same challenges and opportunities. The primary aim of submitting this representation is to seek further information specifically regarding the proposed release of safeguarded land for waste management at Beckton Riverside. There appears to be a discrepancy between Newham's draft plan (Regulation 19) this aspect would be welcomed.

We wish to have the opportunity to participate in hearing sessions should this be deemed necessary, which we believe is justified given both boroughs continue to cooperate on a number of strategic cross-boundary matters through the Duty to Cooperate. The purpose of this letter is to seek clarification on the aforementioned matter and express support for many of the policies in the Plan.

This letter is set out under the following headings:

1. Background



2. Support for policies
3. Matters requiring clarification
4. Conclusion

## **1. Background**

As you will likely be aware, Tower Hamlets is currently in the process of producing a new Local Plan. This is currently undergoing Regulation 19 consultation, and we are intending to submit our Plan to the Secretary of State early in 2025. As part of our Regulation 19 consultation, we have published a Duty to Cooperate statement, which sets out key strategic matters and how Tower Hamlets has engaged with prescribed bodies and neighbouring local authorities on these matters. This includes the extensive engagement that we have had with LB Newham on numerous strategic cross-boundary issues.

## **2. Support for policies and site allocations**

LB Tower Hamlets wishes to express support for several policies and site allocations.

### *Policies*

- HS1 – We support the redevelopment of Gallions Reach Retail Park as this has been identified in the Tower Hamlets Retail and Town Centre Study as a major leakage of spending out of the borough to out of town retail centres.
- HS5 – It should be noted that Hackney Wick has been designated as a night time economy centre of local significance in the Tower Hamlets Draft Local Plan. There is an opportunity for synergy in the night time economy between Hackney Wick and Stratford.
- J1 – We support the continued designation of Fish Island/Bow Goodsyard as Strategic Industrial Land, the safeguarding of the railhead, and the protection of the site for industrial uses, and we would welcome closer working on plans for redevelopment on the site across both sides of the borough boundary to ensure that both boroughs benefit from enhancements to the public realm and the introduction of sustainable industrial uses. We are aware there is an extant planning application (24/00122/OUT) – which is to be determined by the LLDC given its location - and we would wish that Newham ensure that determination of this application is in conformity with the adopted and emerging Newham policies as well as London Plan policies in relation to protection of SIL. As part of redevelopment here we would expect to see modern and sustainable industry, alongside place-shaping principles which deliver good growth (e.g. public realm improvements, permeability, legibility, quality design, safety etc.) to be implemented across the site regardless of the administrative boundary. This is reflected in our draft local plan and we would hope is reflected as part of any pre/application discussions with applicants.
- H1 – We note that LB Newham is proposing to use a stepped housing trajectory, which in the short term would suggest that their delivery is below

their London Plan target. However, we recognise that this is due to the complex and large scale nature of the sites that they have allocated.

### *Site Allocations*

- N2.SA4 – We support the inclusion of bridge crossings over the River Lea to Tower Hamlets and welcome the opportunity to work further with LB Newham to deliver these crossings.
- N4.SA4 – We support the significant additional greenspace that is proposed on this site and the new crossings of the railway line, which will improve connectivity for residents of Tower Hamlets.
- N4.SA5 – We support the proposed bridge connections across the River Lea to Tower Hamlets, as well as the proposed greenspace along the riverfront and the improved crossings of the A13.
- N7.SA2 – We support additional connectivity through the site and additional greenspace, which will benefit Tower Hamlets residents. We also support the height strategy for the site, which includes lower heights towards Three Mills and the Tower Hamlets boundary.
- N7.SA3 – We support the proposed new bridge across the River Lea to Tower Hamlets and the proposed greenspace along the river.
- N8.SA9 – We support the proposed new bridge across the River Lea to Tower Hamlets.

### **3. Matters requiring clarification**

Policy W1 of Newham's Regulation 19 Plan sets out the borough's strategic approach to waste management, including safeguarding sites for waste management. Point 3 of the policy indicates that 'existing waste sites within Newham will be safeguarded and should be retained in waste management use'. We welcome that safeguarding and note that the safeguarding of all waste sites in Newham is in accordance with the draft East London Joint Waste Plan (ELJWP), which does not identify any sites in Newham for release from waste safeguarding.

However, it is noted that the clear protection in the wording of the policy itself, Implementation Point W1.3 explains that the land at Beckton Riverside that is safeguarded for waste management in the adopted 2012 East London Waste Plan is no longer being safeguarded. This appears to be at odds with both the adopted East London Waste Plan, and the emerging (Regulation 18) ELJWP, neither of which identify Beckton Riverside for release from safeguarding. It is unclear what evidence has been provided to justify such a release.

London Plan Policy SI8 expects boroughs with a surplus of waste sites to offer to share these sites with those boroughs facing a shortfall in capacity before considering site release. Tower Hamlets is facing a shortfall in capacity and

explained this to officers from LB Newham and the other members of the East London Joint Waste Planning Group in meetings in early 2023. We are keen to continue to work with Newham (alongside the other boroughs within the ELJWPG) to ensure that the approaches taken in our respective plans (as well as the East London Joint Waste Plan which is being progressed concurrently) remain in conformity with the adopted London Plan.

As you will be aware, Tower Hamlets provided a detailed representation to the Regulation 18 consultation on the ELJWP (dated 16 September 2024), which sets out in detail the shortfall Tower Hamlets is facing and how much capacity should be allocated from the East London boroughs.

We consider that the release of safeguarded waste sites – as a strategic matter - is best addressed through the ELJWP, particularly as it is currently going through the plan-making process.

#### **4. Conclusion**

Overall, we support the principles and objectives of the LB Newham Draft Submission Local Plan. We have noted where further clarification would be welcomed around the proposed release of safeguarded waste sites in Beckton Riverside on the basis that this appears to be in conflict with the emerging East London Joint Waste Plan. We consider that releasing safeguarded waste sites is best addressed through the ELJWP and we welcome further discussion of waste management as part of that process. We look forward to continue conversations with Newham as part of ongoing discussions of strategic matters as part of the Duty to Cooperate.

Tower Hamlets broadly supports the policies in the LB Newham Draft Submission Local Plan, and we have set out in Section 4 where we wish to particularly express support.

We look forward to continuing to work closely with LB Newham on strategic matters as we both move forward in the plan-making process.

All the best,

Plan-making Team  
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