

**ADDENDUM to:
Duty to Co-operate Statement, April 2022 (SD-014)**

APPENDIX C Additional minutes from Duty to Cooperate meetings

Appendix C includes minutes of the Duty to Cooperate meeting between officers of Wandsworth Council and the Environment Agency (meeting held on 22.02.22) and the Western Riverside Waste Authority (meeting held on 10.03.22). These minutes were agreed after the submission of the SD-014 Duty to Cooperate Statement on 29 April 2022. Appendix C also includes minutes of the Duty to Cooperate meeting between officers of Wandsworth Council and the Greater London Authority (meeting held on 26.05.21), which were erroneously omitted from the initial submission.

Meeting Agenda

Partner	Topic	
Environment Agency	Duty to Cooperate	
Date	Location	Time
Tuesday, 22 February 2022	MS Teams	15.00 – 17.00

Meeting Attendees

Name	Organisation
Adam Hutchings	LB Wandsworth
Louis Osman	LB Wandsworth
Eoghan McConville	LB Wandsworth
Catriona Ramsay	LB Wandsworth
Rachel Holmes	Environment Agency
George Goodby	Environment Agency
Ajit Gill	Environment Agency

Agenda Items

- 1. Introductions**
- 2. Local Plan update, including SPDs (Supplementary Planning Documents)**

The Local Plan is now at Reg.19 stage which has been informed by previous DtoC discussions regarding previous reps to date. February 28th is the deadline for the Reg.19 consultation period. A number of other evidence-based documents have been made available. There is a place-making approach to the Plan and LBW will be collating all comments made to submit to the Planning Inspectorate in late April.

A revised LDS (Local Development Scheme) is on the website and sets out the changed Reg.19 consultation date and the intention to submit in spring 2022, Inspector’s Report in autumn/winter 2022 and aim for adoption in spring/summer 2023.

LBW: On the whole, the Reg.18 responses from EA have been favourably considered and amendments subsequently made to the Plan.

- 3. Duty to Cooperate: strategic issues (selected based on Reg.18 comments):**
 - a. Sustainability Appraisal**

EA: Had commented at Regulation 18 Stage on areas of the sustainability appraisal which needed further clarification and modifications. These comments focussed on details within LP12.

The EA raised the following points that;

- There was no mention in LP12 regarding the impact of development and how this can affect offsite flood risk. There is a need to clarify that all sites are subject to exception test where necessary even though they have passed ST.

- Biodiversity needs to be delivered and maximised in the policy and should set a clear Net Gain target for delivery by developments.
- They are concerned regarding the potentially negative effects in air quality from waste sites that are operating not fully enclosed. Added that there is no reference or requirement of fully enclosed waste sites or required mitigation to offset any negative effects in air quality from waste sites operating not fully enclosed.
- Enclosed waste sites – should be required to mitigate against any negative effects on air quality. Para 15.75 covers enclosure of new facilities expressed concern that more development is happening closer to waste sites, so more complaints are being made.

LBW outlined that:

- wording has been added about flood risk of LP12 in relation to the points made.
- A Biodiversity Strategy and Action Plan has been prepared, which is considered to cover the consultation point on biodiversity.
- LP13 'Waste Management' already includes an 'agent of change' clause C. which states "Development on sites adjacent to existing waste sites that may prejudice use for waste management purposes will not be permitted unless satisfactory mitigation measures can be provided, in line with the Agent of Change principle."

b. Policy LP12 Water and Flooding

i. Riverside strategy approach

LBW: confirmed that the supporting text within LP12 has been amended to reference the Riverside Strategy approach and to take into account the requirements of the Thames Estuary 2100 (TE2100) as a result of comments made by the **EA** at Regulation 18 stage.

ii. Formatting and wording changes

There were numerous formatting and wording changes that the **EA** had proposed at Regulation 18 stage. **LBW** accepted the majority of these comments.

EA: At Regulation 18 stage EA suggested that LP12 Part A using the term, 'minimise,' is weak language and does not reflect the NPPF.

LBW: Agreed to review the reps in this regard to terminology.

EA: Recommend updating the table title and headings within LP12 to incorporate fluvial and undefended tidal (breach hazards).

LBW: to review reps regarding LP12 table layout and headings.

EA: Part B (4) - useful to clarify what the definition of minor development is, e.g. if this is in terms of flood risk. Major or minor development would be treated similarly in terms of flood risk. Had case officers unaware of two definitions.

LBW: Agreed to review the reps on the definition of minor developments for flood risk and to review the policy on this basis.

EA: welcome the addition of fluvial comments. Enhancements however could be made to Part C and suggested splitting the policy.

LBW: agree with the comments and proposed additional wording, and asked **EA** to set this out in their response.

EA: Compensation thread – Part E (3) talks about fluvial requirements but sustainable drainage aspect is more about surface water.

LBW to review reps regarding Part E (3) and including surface water.

EA: welcome the wording at Part H (3) about setback between flood defences and development, but caveat preferably not in there as they could build within 2m of flood defence and say it does not affect the defence. 8m buffer should still be there.

LBW: Will review reps regarding wording changes.

EA: Commented on future flood management. From a biodiversity net gain perspective if there is any development within 10m of a flood defence then they may not be able to achieve biodiversity target.

LBW: Thames Path Policy different to the above 10m minimum distance requirement so would need to check. Will have to look at wording and refer to Thames Estuary 2100 document.

ACTION: **LBW** agreed to liaise with the **EA** to review their **Reg 19** reps at the stage that **LBW** produces their response to the **Reg 19** comments to the Inspector.

iii. Fluvial Floodplain compensation levels

EA: do not get consulted on many sites in Flood Zone 2. Fluvial and tidal aspects show that requirements for different sites are different. Potential issue around finished floor levels and LP12 does not specify that it is just sleeping accommodation that we would want above tidal flood level.

LBW: thought about going beyond EA requirements but will have to check.

iv. Sequential Approach

EA: commented that the further wording should be added to LP 12 that encourages the Sequential Approach to be considered in the layout of the site.

LBW: have included in the Regulation 19 Plan wording to the policy that makes it clear sites need to pass the Exception Test even when sites have already passed the Sequential Test. However, will review reps regarding SA wording.

c. LP13/LP14 Waste Management and Air Quality

EA: commented at Regulation 18 stage that Table 15.3 in Part D of LP13 does not include three permitted waste sites.

LBW: Vitaka working on behalf of LBW contacted the three sites and they had said no waste management was taking place on site. As a result, LBW removed these sites from Reg 19 Table 15.3.

EA: Acknowledged this conclusion.

d. LP55 Biodiversity Net Gain (De-culverting of the river / ecology / estuary restoration and requiring a 10m setback)

LBW: have included in the LP12 (H)(7) of Reg.19 Plan that deculverting is encouraged where possible and within site allocation WT20 explained that opportunities should be explored to articulate the location of the culverted River Wandle by opening access to the river.

EA: Would wish to see the Regulation 18 wording replace the current wording which does not permit culverting over watercourses or building over culverts. They requested recognition in the Plan that any substantial redevelopment of site allocation WT20 Southside Shopping Centre, Wandsworth High Street must include the de-culverting of the River Wandle as a fundamental part of any scheme. The EA would object to any proposal that would prevent future restoration of the channel, and would like to see any re-design proposals fully consider any positive outcomes that could be achieved.

LBW: Will review reps regarding LP12 (H)(7) wording

EA: commented at Regulation 18 stage that the Local Plan should incorporate encouraging the Estuary Edges method into policy LP60 River Corridors.

LBW: agreed with EA comments about Estuary Edges and included these in the Reg.19 Plan LP58 River Corridors.

EA: commented on numerous parts of the Regulation 18 version of the Local Plan regarding demonstrating a Biodiversity Net Gain and requested the text is strengthened to reflect this.

LBW: have updated references about biodiversity net gain in para 21.32. As the Environment Bill had not received Assent to become the Environment Act prior to the LBW Council meeting to adopt the Publication Local Plan it could not be amended. LBW explained they will meet all the requirements set out in the Environment Act and the requirement for Biodiversity Net Gain does not require duplication throughout the site allocations.

EA: commented that in their Reg.18 Local Plan Consultation response they had requested that PM10 The Wandle Valley's text needs to be much stronger to state that new development adjacent to the river must aim for a Biodiversity Net Gain They asked for additional information as to why this had not been included in the Publication Local Plan.

LBW: explained that they would meet the Biodiversity Net Gain requirements established through the Environment Act and would not need to include a duplication of this in PM10.

EA: asked for additional information as to why their request at Reg18 Consultation for PM10 to provide at least a 10-metre buffer of river and bankside habitat corridor was not included in the Publication Local Plan.

LBW: explained that the river and bankside habitat buffer for the borough is set out in LP12 (H)(3) which requires developments to be set back 16 metres from the River Thames and 8 metres from all other rivers. This has not been amended for PM10 to remain consistent with the rest of the plan's policies.

EA: explained the DEFRA's biodiversity metric penalised development that encroaches within 10m of the top bank of a river. Suggested that LP58 River Corridors (C) could include reference to a 10m buffer between development and river and bankside on all waterways in the borough other than the Thames as opposed to linking off to the requirements set out LP12.

LBW: explained that this would contradict LP12 but they agreed that including within LP58 (C) *'Development should not encroach within a minimum of 8m or 16m of the top of the river bank, depending on the river'* would solve issue.

LBW: queried how the Estuary Edges website, which provides design guidance for ecologically sensitive and soft development and landscaping of estuaries, should be referenced in the Local Plan and how will it be referenced if the website with the design guidance is ever updated.

EA: agreed they will look into how the website should be referenced now and how what should be done if the website were updated with new information.

4. Next steps

5. AOB



Meeting Notes

Partner Western Riverside Waste Authority	Topic Publication version Local Plan	
Date Thursday, 10 March 2022	Location MS Teams	Time 15:30 – 16:30

Meeting Attendees

Name	Organisation
Paul Chadwick	LB Wandsworth
Adam Hutchings	LB Wandsworth
Eoghan McConville	LB Wandsworth
Mark Broxup	Western Riverside Waste Authority
Chris Buss	Western Riverside Waste Authority
Nick Taylor	Carter Jonas
Niamh Burke	Carter Jonas

Note that any proposed actions resulting from this meeting in relation to possible amendments to the Local Plan are draft and represent informal officer opinions at this stage. All potential amendments will be subject to discussion and agreement with Councillors in due course.

Issues for Discussion:

The Feathers Wharf/Institute Wharf site:

- Amendment to WRWA Site Allocation Boundary
- Including the WRWA Site Allocation within the Feathers Wharf Cluster
- Open Space at Feathers Wharf

Kirtling Street Cluster: Request to Combine Site Allocation NE9 (Kirtling Wharf); and NE11 (Cringle Dock):

- Kirtling Wharf Site Allocation Boundary
- Combining the Cringle Dock and Kirtling Wharf Site Allocations
- Loss of safeguarded wharf operations at Kirtling Street
- Open Space at Kirtling Wharf

The Feathers Wharf/Institute Wharf site

General:

WRWA: raised concerns about the impact of the Environment Act 2021 regarding their ability to process all the required materials expected under the statutory duty in the coming years. New facilities will need to be provided and the WRWA are still exploring whether the existing site can support this.

WRWA: have a statutory duty to collect and manage waste and that imposing strict open space requirements on Feathers Wharf will reduce their ability to complete this duty.

WRWA are planning to begin pre-application consultations with WBC for separate waste facility developments at Feathers Wharf and at Cringle Dock/ Kirtling Wharf in the coming months.

Amendment to Western Riverside Waste Transfer Station Site Allocation Boundary (WRWTS)

WRWA: the boundary of Site Allocation WT11 Western Riverside Waste Transfer Station, SW18 should be extended eastwards to include the entirety of the Household Waste Recycling Centre (HWRC). This follows the latest update to the safeguarded wharf boundaries which now include the northern section of the HWRC.

Action: WBC officers provisionally agree to extend the boundary to include the HWRC in accordance with the land ownership map.

Including the WRWTS Site Allocation within the Feathers Wharf Cluster

WRWA: propose that the Feathers Wharf cluster in the Reg19 Local Plan be amended to include the WRWTS Site Allocation (with the extension to HWRC).

WBC: The existing cluster sets out that the principles of development are focussed around mixed use development, opening up of the River Wandle for its amenity and providing new public open space. Including WRWA in the cluster would be somewhat contradictory to this approach and would be too significant a change to incorporate at this stage. WBC officers consider that the existing approach would not prevent a comprehensive approach to site redevelopment.

Feathers Wharf Cluster



Open Space at Feathers Wharf

WRWA: the amount of open space proposed in the Local Plan for Feathers Wharf will make mixed use development unviable.

WBC: The Wandle Delta Masterplan SPD identifies how the Feathers Wharf Cluster is expected to come forward with tall and mid-rise buildings to the south of the cluster. The maps are somewhat indicative but agree that there are consistency issues with the SPD and the Area strategy Maps. The emphasis on the provision of open space is on the northern most area and a riverside path alongside the Wandle.

Action: WBC to review the Area Strategy Map with a view to emphasising that the openspace is required to the north of the area alongside a riverside path with development opportunity lying to the rest of the site.

Kirtling Street Cluster: Request to Combine Site Allocation NE9 (Kirtling Wharf); and NE11 (Cringle Dock)

General:

WRWA: previously planned to build a temporary waste transfer station at West Cringle Dock with agreement with Battersea Power Station. However, due to the cost of the interim station and the viability of the residential development which is attached to a waste station the plan was not brought forward.

WRWA: now plan to acquire Kirtling Wharf once it is placed on the market in the coming years. Aspiration to build a new WTS on the southern portion of Kirtling Wharf, then repurpose the northern section of Cringle Dock as a dock.

Kirtling Wharf Site Allocation Boundary

WBC: the safeguarded wharf boundary at Kirtling Wharf (NE9) is not entirely captured. WBC propose that the boundary is modified to accord with the boundary identified within the Safeguarded Wharf Safeguarding Directions.

Kirtling Wharf safeguarded wharf boundary:



Combining the Cringle Dock and Kirtling Wharf Site Allocations

WRWA: request that the Cringle Dock and Kirtling Wharf allocations be identified as one allocation.

WBC: these sites are both within the Kirtling Street Cluster. The current cluster is considered to already address the need for a comprehensive redevelopment of the area including mixed-use development accounting for the continued operations of both wharves. Combination at this stage is considered too significant a change to incorporate in the Plan. However, agree to review wording to clarify that these sites could be developed together if there is an opportunity to do so.

Kirtling Street Cluster



Loss of safeguarded wharf operations at Kirtling Street

WRWA: due to the ongoing maintenance requirements of the Thames Tideway Tunnel shaft (top third of NE9 Kirtling Wharf), and as part of the Cringle Dock and Kirtling Street Masterplan, compensation for this loss of the safeguarded wharf operation could be offset by offering some land at Smugglers Way.

WBC: The Council are not the arbiters on changing the boundaries of safeguarded wharves and so any agreement would need to be sought between WRWA, the Secretary of State for DLUHC (or the Mayor of London, from discussions it was not clear who is now responsible for this).

Action: As already noted, WBC propose to extend the WRWA Site Allocation to include the HWRC – but the southern part would not be designated safeguarded wharf status.

Identified land for compensation:



Open Space at Kirtling Wharf

WRWA: identified that the language used for the open space requirement at the Cringle Dock and Kirtling Wharf site allocations could be reviewed to clarify the proposed location and types of open space.

WBC: Wording could be clarified. A continuation of the Thames Path is sought to the northern part of Cringle Dock which will include public realm enhancements where possible. The northern side of Kirtling Wharf will require a public open space as part of the Thames Tideway access shaft, the continuation of the Thames Path, and the landing point for the proposed Nine Elms Pimlico Bridge.

Action: WBC acknowledges that the current wording of the Publication version Local Plan be reviewed to clarify where and what open space is required in this area.

Further meetings

It has been agreed that a follow-up meeting to this one will be held in 4-5 weeks-time (or otherwise agreed upon finalising reviewing of all reps) to update WBC officers on pre apps and to review actions following review of reps.

Meeting Minutes

Partner Greater London Authority	Topic Industrial land	
Date Wednesday 26th May 2021	Location MS Teams	Time 10:00 – 12:00

Meeting Attendees

Name	Organisation
Adam Hutchings	LB Wandsworth
Robert Wellburn	LB Wandsworth
Alejandra Potocko	LB Wandsworth
Hassan Ahmed	Greater London Authority
Giorgio Wetzl	Greater London Authority
Celeste Giusti	Greater London Authority
Victoria Manning	Vitaka

Actions:

- **LBW** to produce a framework detailing pipelines gains, losses and potential capacity of industrial floorspace.

Agenda Items

1. Introductions
2. Waste
 - **LBW** will include explicit reference to the commitment to meet the waste need, including apportionment targets, as set out in the London Plan (264,000 tonnes by 2021).
 - **LBW** noted that the land take identified in the Waste Technical Study is indicative, as the amount of land required for waste is dependent on the technology used. The Local Plan does identify suitable areas and waste management facilities to provide capacity to manage the apportioned tonnages of waste (as required by the London Plan). National planning policy for waste requires LPAs to create opportunities and identify existing capacity, rather than to create its own capacity. The **GLA** noted that they would like to see a more proactive approach to addressing the capacity gap, such as offering sites that are coming forward for redevelopment in industrial areas to waste operators before other users, however **LBW** has only limited influence sites that it does not own. Operators now prefer to have flexibility in the location of sites (e.g. within designated industrial land) rather than the allocation of specific sites.
 - **LBW** suggested that an additional sentence could be added to the supporting text of the Local Plan to introduce a response mechanism in the case that monitoring indicates that waste management capacity to meet the apportionment target has not been achieved by 2026.
 - **LBW** noted that work has been undertaken to partner with neighbouring boroughs (Western Riverside) however this has not resulted in an agreement (OPCD did not want to pursue this option), and is unlikely to do so.
 - The Waste Management Service Agreement between WRWA and Cory Environment Ltd ends in 2032, prior to the end of the Local Plan period (2038), however the Local Plan will be reviewed before 2032. The Local Plan can only reflect the Waste Authority's strategy.
 - **LBW** noted that the waste evidence base establishes how much of its waste is exported outside of London. However, exports are not in themselves a measure of net self-sufficiency. Net self-sufficiency means providing enough waste

management capacity to manage the equivalent of the waste need in Wandsworth, while recognising that some imports and exports will continue. Wandsworth's waste need is set out in Local Plan. An area may have sufficient capacity to meet the equivalent amount of its waste arisings and yet still export and import waste. This is the case in Wandsworth for construction and demolition waste. If there were zero waste imports and exports, this would be self-sufficiency rather than net self-sufficiency. The Waste Data Interrogator does not always include an origin or destination at planning authority level, and as such not all waste arising in Wandsworth is traceable to its end destination. It is therefore not possible to state exactly how much waste is managed in London and how much is managed outside London.

3. Assessing capacity of industrial sites/industrial intensification

- The demand identified in **LBW's** evidence base is consistent with the **GLA's** evidence base for industrial demand, however further work is required to understand the borough's capacity.
- **LBW** intend to undertake further work to establish the capacity of the borough's SIL, LSIA's (equivalent to LSIS) and non-designated sites, given that only preliminary work has informed the Pre-Publication (Regulation 18) version of the Local Plan. The focus will be on understanding capacity for intensification of floorspace as there is no scope to allocate new industrial land within the borough. The **GLA** confirmed that, given this, it is acceptable to consider need in terms of the core industrial uses floorspace identified within the Employment Land and Premises Study. The **GLA** recommended that a framework should set out gains and losses in industrial capacity, as has been done by other boroughs. This work will be undertaken as part of **LBW's** HELAA.
- **LBW** noted that the reference to 10 hectares of non-designated industrial land, identified within the **GLA's** comments, is potentially misleading as this is located in the designated Economic Use Intensification Areas (EUIAs), the majority of which falls within the Wandle Delta Masterplan area and is therefore addressed in the capacity work undertaken to date. There is only a limited amount of land in industrial use within the borough's designated Focal Points of Activity and the Employment Protection Areas and the draft Local Plan seeks to protect this, however the adopted Local Plan only requires the replacement of 'economic uses'.
- The lack of additional industrial land reinforces the need for **LBW** to understand floorspace capacity. In the areas which have been identified for intensification of use, the **GLA** encouraged that further in-depth work (e.g. design and viability) should inform understanding of potential capacity, which can reassure the **GLA** that sufficient protection is in place. The outcomes of this work should be included in the site allocations. **LBW** will seek to do this for key sites, however resources mean that this will not be possible for every site at this stage. There may be scope for subsequent work on this (e.g. as an SPD).
- The lack of additional capacity in Wandsworth is why the **GLA** are resistant to the inclusion of non-industrial uses in industrial locations.
- **LBW** noted that the viability of the Local Plan's industrial policies would be considered as part of the Whole Plan Viability Study.

4. Battersea Design and Technology Quarter

- **LBW** set out the intentions for the Battersea Design and Technology Quarter (BDTQ): that the introduction of office floorspace will support the intensification of industrial capacity (anticipated to be 24,000 sqm). This level of intensification is unlikely to be achieved if industrial-only uses are permitted. The approach builds on that set out within the previous London Plan (relating to its designation as an Industrial Business Park), and Wandsworth has been working with landowners on this basis prior to the publication of the new London Plan. It is noted that there is political will to deliver the BDTQ, and that **LBW** consider there are locationally specific reasons why the site is suitable for the introduction of office uses (connected to the wider redevelopment of the VNEB OA).
- The **GLA** noted these points, but remain concerned that the introduction of non-industrial uses to help provide of industrial floorspace today may restrict opportunities to meet future industrial demand. Should **LBW** wish to pursue this option, this should be informed by a strong evidence base on how future demand will be met. **LBW** should set out a framework to better understand industrial capacity elsewhere in the borough, as the approach to LSIA's is not currently as advanced as it is for the BDTQ.
- **LBW** anticipate that when all industrial sites in the borough are considered with respect to gains and losses, the borough will be closer to meeting the identified demand for industrial floorspace.
- **LBW** noted that Summerstown LSIA is intended to be redesignated as a SIL as part of the new Local Plan. **LBW** questioned whether this would satisfy the substitution of SIL land within the borough, should the BDTQ be designated as a LSIA to permit co-location, as it could potentially result in a small gain in designated SIL land in the borough. The **GLA** strongly support added protection to land which is already in industrial use; however are not supportive of downgrading designations as this could lead to a decrease in industrial land.

5. AOB

- **LBW** set out the timescales for draft Local Plan, with the intention to take the Publication (Regulation 19) version to Committee in September; to undertake the public consultation in October; to submit the Plan in spring 2022; and for it to be adopted in spring/summer 2023.