

CROYDON
www.croydon.gov.uk



Response Form for the Draft South London Waste Plan (Submission Version)

To make comments on the draft South London Waste Plan, the councils welcome:

- a) Responses using this form
- b) Emails to planningpolicy@sutton.gov.uk
- c) Letters to Planning Policy, London Borough of Sutton, 24 Denmark Road, Carshalton. SM5 2JG

Please note: If emails and/or attachments and letters include objections, it should be clear on what basis the objection is being made:

- a) not legally compliant
- b) does not comply with the duty to cooperate
- c) unsound because the plan is not positively prepared
- d) unsound because the plan is not justified
- e) unsound because the plan is not effective
- f) unsound because the plan is not consistent with national policy.

The guidance notes at the end of this form explain in greater detail legal compliance, compliance with the duty to cooperate and soundness.

The consultation opens on Friday 4 September and the deadline for representations is **5pm on Thursday, 22 October**.

This form has two parts:

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details***2. Agent's Details (if applicable)**

**If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text"/>	<input type="text"/>
First Name	<input type="text"/>	<input type="text"/>
Last Name	<input type="text"/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	<input type="text"/>

Part B – Please use a separate sheet for each representation

Name of Organisation:

3. To which part of the draft South London Waste Plan does this representation relate?

Draft South London Waste Plan

Sustainability Appraisal

Paragraph Policy Site Safeguarding

4. Do you consider this part of the draft South London Waste Plan to be:

- | | | | | |
|---|-----|----------------------|----|----------------------|
| 1) Legally compliant | Yes | <input type="text"/> | No | <input type="text"/> |
| 2) Sound | Yes | <input type="text"/> | No | <input type="text"/> |
| 3) Complies with the duty to co-operate | Yes | <input type="text"/> | No | <input type="text"/> |

*If you have entered **No** to 4.(2), please continue to Q5. In all other circumstances, please go to Question 6.*

5. Do you consider this part of the draft South London Waste Plan to be unsound because it is not:

- | | |
|--|----------------------|
| 1) Not Positively Prepared
(it is not prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements) | <input type="text"/> |
| 2) Not Justified
(it is not the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base) | <input type="text"/> |
| 3) Not Effective
(the plan is not deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities) | <input type="text"/> |
| 4) Not Consistent with national policy | <input type="text"/> |

6. Please give details of why you consider the draft South London Waste Plan is not legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or compliance with the duty to co-operate, please also use this box to set out your comments

(Continue on a separate sheet /expand box if necessary)

7. Please set out what change(s) you consider necessary to make the draft South London Waste Plan legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/ Effective/ Consistent with National Policy) where this relates to soundness. You will need to say why this change will make the South London Waste Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

Signature:

Date:

Guidance Note - Consultation Form

The draft South London Waste Plan is published in order for representations to be made prior to submission to the Government. The representations will be considered alongside the published plan when submitted, which will be examined by a planning inspector. The Planning and Compulsory Purchase Act 2004 (as amended) states that the purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to co-operate and is sound.

Legal Compliance

The Inspector will first check that the plan meets the legal requirements under s20 (5) (a) and the duty to co-operate under s20 (5) (c) of the Planning and Compulsory Purchase Act 2004 before moving on to test for soundness. You should consider the following before making a representation on legal compliance:

- The plan should be included in each council's current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the councils, setting out the Local Development Documents it proposes to produce. It will set out the key stages in the production of any plans which the council proposes to bring forward for independent examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the council's website and available at its main offices.

- The process of community involvement for the plan should be in general accordance with each council's Statement of Community Involvement (SCI). An SCI sets out the council's strategy for involving the community in the preparation and revision of planning documents and the consideration of planning applications.
- The plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations) No: 2012/767. On publication, the councils must publish the documents prescribed in the Regulations, and make them available at its principal offices, provided social gathering guidance allow for principal offices to be open, and on the website. The councils must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.
- The councils are required to provide a Sustainability Appraisal Report when it publishes a plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- In London, the Plan should be in general conformity with the London Plan (the Spatial Development Strategy).

Soundness

Soundness is explained in paragraph 35 of the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the plan is positively prepared, justified, effective and consistent with national policy.

Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs¹⁹; 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;

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

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; and

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy (or the London Plan)? If so, it does not need to be included.

- Is what you are concerned with covered by any other policies in the plan on which you are seeking to make representations or in any other plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

Duty to Cooperate

The duty to cooperate came into force in November 2011 and any plan submitted for examination on or after this date will be examined for compliance. Councils will be expected to provide evidence of how they have complied with any requirements arising from the duty. Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the plan.

General advice

If you wish to make a representation seeking a modification to a plan or part of a plan you should make clear in what way the plan or part of the plan is not sound having regard to the legal compliance, duty to cooperate and the four requirements set out above. You should try to support your representation by evidence showing why the plan should be modified. It will be helpful if you also say precisely how you think the plan should be modified.

Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Where there are groups who share a common view on how they wish to see a plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Consultation Information Arrangements

Any responses received to the consultations will be held electronically for the purposes of meeting the council's duties arising from reporting consultations. Representations will be made public but your personal data will not be made public. Consultation responses will be kept for two years.

Representations and your personal data will be passed to the Planning Inspectorate and a Programme Officer who will work for the Planning Inspector who will examine the plan. The Programme Officer may contact you using the personal information you have provided.