



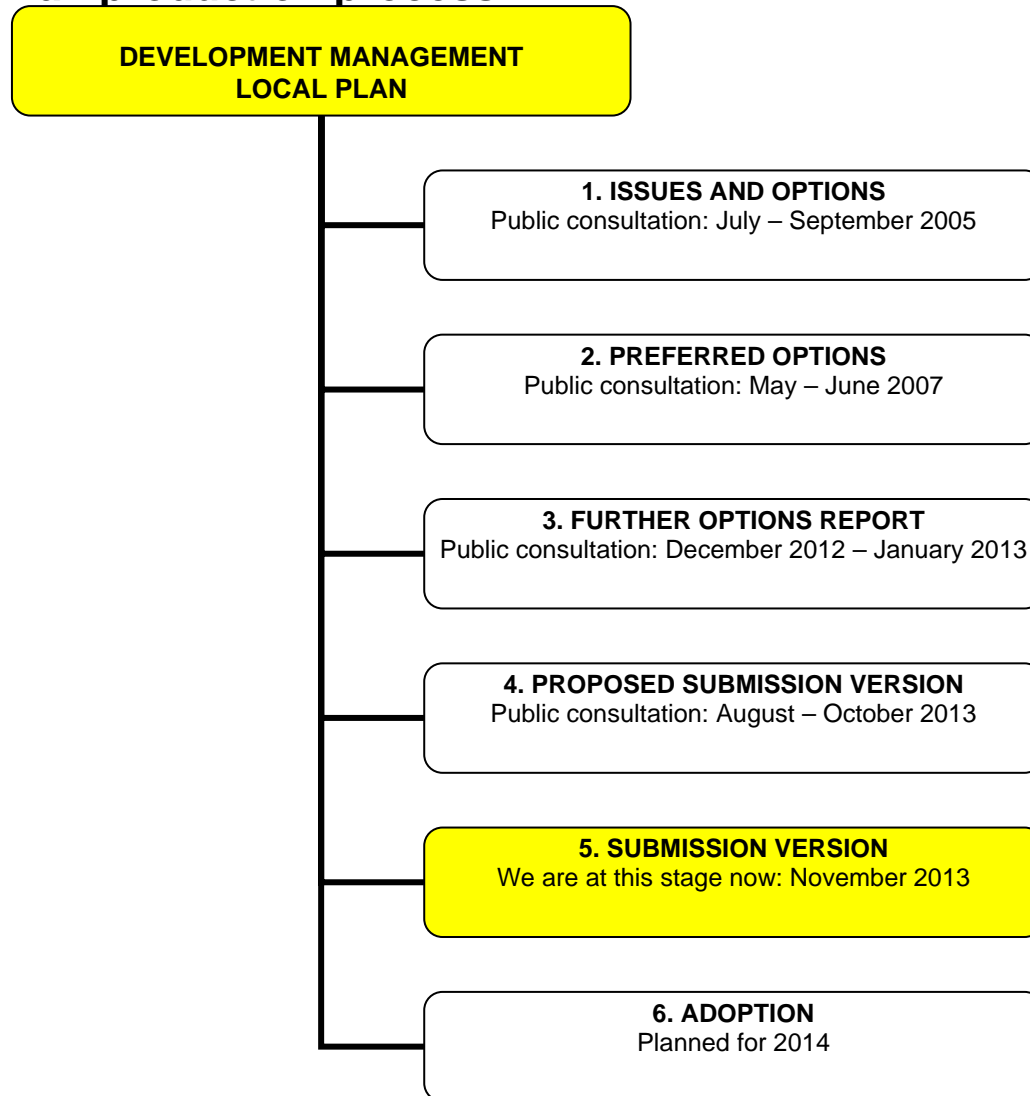
London Borough of Lewisham

LDF Development Management Local Plan: Submission Version November 2013

PAS Legal Compliance Tool

DMLP1.12

Plan production process



Note:

A Sustainability Appraisal scoping report was undertaken for the whole Local development Framework (LDF) in May 2005. Subsequently, every iteration of the Development Management Local Plan has been accompanied by a Sustainability Appraisal and Strategic Environmental Assessment.

Local Plan Legal Compliance Checklist (April 2013)

This checklist has been updated for PAS by SNR Denton. It supersedes the previous checklist and is based on **Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012**. It should be used with the Soundness Self Assessment Checklist (also updated January 2013).

Remember that the evidence you provide to support your plan should be relevant and proportionate. Please don't use this checklist as a reason to assemble more than is needed.

Glossary:

"Act" means the **Planning and Compulsory Purchase Act 2004 (as amended)**

"NPPF" means the **National Planning Policy Framework** published March 2012

"Regulations" means the **Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012**

LDS means **Local Development Scheme**

SCI means **Statement of Community Involvement**

DPD means **Development Plan Document**

Stage one: The early stages

Where the 'possible evidence' column refers to a document that will not be complete until a later stage (for example, the sustainability appraisal report), documents that will contribute to that report are relevant at the earlier stages. This way, the submitted report provides the evidence at submission, with an audit trail back to its source.

In terms of legal compliance, the main issues for the early stage are in relation to:

- planning for community engagement
- planning the sustainability appraisal (including consultation with the statutory environment consultation bodies)
- identifying significant cross boundary and inter-authority issues
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

Regulation 17 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 18 is one of the proposed submission documents. In this tool, the term 'consultation statement' is used to describe this statement.

Section 33A of the Act (introduced by the Localism Act 2011) introduces a duty to cooperate as a mechanism to ensure that local planning authorities and other bodies engage with each other on issues which are likely to have a significant effect on more than one planning area. This pervades every stage of the plan preparation. A plan may be found unsound if a council cannot show that it has taken reasonable steps to comply with the duty.

Stage one: The beginning

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?</p>	<p>The Act section 15(2) and section 19(1)</p>	<p>NPPF para 153</p>		<p>Yes.</p> <ul style="list-style-type: none"> • Work commenced on the DMLP under the first Local Development Scheme (LDS), which was adopted on 19 May 2005 (CSD1.3). • The LDS has since been through 6 revisions. The latest revised LDS was adopted and came into effect February 2013 and continues to include the timetable for the DMLP (CSD1.4a).
<p>2. How will community engagement be programmed into the preparation of the DPD?</p>	<p>The Act section 19(3) Regulation 18</p>	<p>NPPF paras 150, 155 and 157</p>	<p>If the SCI is up-to-date, use that. If not set out any changes to community engagement as a result of changes in legislation.</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Statement of Community Involvement for LBL has been the basis for public consultation since it's inception and throughout all consultation processes (DMLP1.8). • The LDS (CSD1.4) schedule is available on the Council's website for the public and is assisted by updates using LDF Newsletters (CSD1.6). • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				from our consultation databases on request.
3. Have you considered the appropriate bodies you should consult?	Regulation 18	NPPF paras 4.25 -4.26	<p>Regulation 2 defines the general and specific consultation bodies.</p> <p>The possible evidence may duplicate each other. Only use what you need to.</p>	<p>Yes.</p> <ul style="list-style-type: none"> The Statement of Community Involvement for LBL contains a base list of both specific and general consultation bodies (DMLP1.8). The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> Detail of the consultation process The key letters from each consultation relating to the DMLP A list of the specific bodies consulted and the documents sent A list of the general bodies consulted and the documents sent A summary of the representations from each consultation A summary of how the representations have been taken into account Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
4. How you will co-operate with other local planning authorities, including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	<p>The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) & (4)</p> <p>The Act Section 20(5)(c)</p>	<p>NPPF paras 178 to 181 (which comprise the guidance referred to in the Act section 33A(7))</p> <p>Under NPPF Para 182, to</p>	<p>Section 33A(4) defines a "strategic matter".</p> <p>Under section 33A(6) the required engagement includes considering</p>	<p>Yes.</p> <ul style="list-style-type: none"> The Duty to Co-operate statement (CTCLP1.18) provides details of co-operation with relevant public bodies including neighbouring Local Authorities. The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> Detail of the consultation process The key letters from each consultation relating to the DMLP A list of the specific bodies consulted and the documents sent

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
	Regulation 4	<p>be 'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities.</p> <p>Strategic priorities are listed at NPPF Para 156</p>	<p>joint approaches to the plan making activities (including the preparatory activities) and considering whether to agree joint local development documents under section 28.</p> <p>The bodies prescribed by section 33A(1)(c) are set out at Regulation 4(1).</p>	<ul style="list-style-type: none"> • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	<p>The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)</p> <p>The Act section 20(5)(c).</p>	NPPF paras 178 to 181	<p>Section 33A(4) defines a "strategic matter". Strategic priorities are listed at NPPF Para 156.</p> <p>Regulation 4(2)</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Duty to Co-operate statement (DMLP1.18) provides details of co-operation with relevant public bodies including neighbouring Local Authorities. • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
	Regulation 4		<p>prescribes LEPs and LNPs for the purposes of section 33A(9).</p> <p>Under section 33A(6) the required engagement includes consulting on joint approaches to relevant activities.</p>	<p>documents sent</p> <ul style="list-style-type: none"> • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
6. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act section13	NPPF paras 158 - 177		<p>Yes.</p> <ul style="list-style-type: none"> • The DMLP Sustainability Appraisal Scoping Report (DMLP2.1) reviewed existing plans, using an appraisal framework to establish key sustainability issues and baseline information. • Each stage of the plan making process, the Sustainability Appraisal has been updated and kept under review (DMLP2.3, DMLP2.5 and DMLP1.2). • A wide ranging evidence base has been collated by the Council in support of the DMLP. A complete set of documents has been provided for inspection (see submission library). • Key information from these reports is monitored through the AMR process and will continue to be so to ensure it remains up to date (CSD1.7).
7. Is baseline information being collected and	The Act section19(5)	NPPF paras 165 and 167		<p>Yes.</p> <ul style="list-style-type: none"> • The DMLP Sustainability Appraisal Scoping Report

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
evidence being gathered to set the framework for the sustainability appraisal?		Strategic Environmental Assessment Guide, chapter 5		<p>(DMLP2.1) reviewed existing plans, using an appraisal framework to establish key sustainability issues and baseline information.</p> <ul style="list-style-type: none"> • Further, with consideration to the scoping report, a Sustainability Appraisal Report has been prepared for each version of the DMLP (DMLP2.3, DMLP2.5 and DMLP1.2).
8. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	NPPF paras 165 and 167 SEA Guide chapter 3	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).	<p>Yes.</p> <ul style="list-style-type: none"> • Copies of the Sustainability Appraisal (SA) Scoping Report (DMLP2.1) were sent to: <ul style="list-style-type: none"> • Environment Agency • Countryside Agency • English Heritage • English Nature • Alongside the report was a request for comments on the proposed scope and level of details of the information to be included in the final report. • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following for the scoping report: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters sent out • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				from our consultation databases on request.

Stage two: Plan preparation - frontloading phase

Information assembled during this phase contributes to:

- showing that the procedures have been complied with
- demonstrating cooperation with statutory cooperation bodies
- developing alternatives and options and appraising them through sustainability appraisal and against evidence.

The council should record actions taken during this phase as they will be needed to show that the plan meets the legal requirements. They will also show that a realistic and reasonable approach has been taken to plan preparation.

Stage two: Plan preparation

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>2. Have you notified:</p> <ul style="list-style-type: none"> • the specific consultation bodies? • the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents? 	<p>Regulation 18(1) and (2)(a) (b)</p>	<p>NPPF paras 159 – 173</p>	<p>Specific and general consultation bodies are defined in Regulation 2.</p>	<p>Yes.</p> <ul style="list-style-type: none"> • All ‘specific consultation bodies’ and general consultation bodies have been consulted in accordance with the adopted Statement of Community Involvement. The Statement of Community Involvement for Lewisham has been the basis for public consultation since it’s inception and throughout all consultation processes (DMLP1.8). • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
<p>3. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?</p>	<p>Regulation 18(1) and (2)(c)</p>	<p>NPPF paras 159 – 173</p>		<p>Yes.</p> <ul style="list-style-type: none"> • The Statement of Community Involvement outlines the methodology for communication with residents and business owners. The Statement of Community Involvement for LBL has been the basis for public consultation since it’s inception and throughout all consultation processes (DMLP1.8). • Alongside the consultation processes outlined in the Statement of Community Involvement, residents and businesses have been engaged through public forums and

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				<p>events and advertising through local newspapers, libraries and other council offices, leaflet drops, letters and posters. The public have made representations using a variety of formats, such as mail, e-mail, the internet and the public forums.</p> <ul style="list-style-type: none"> • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
4. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF para 155	NPPF paras 160-171 4.29 give examples of relevant bodies which should be consulted.	<p>Yes.</p> <ul style="list-style-type: none"> • The Statement of Community Involvement outlines the methodology for communication with all stakeholders. Lewisham breaks down its stakeholders by the groupings Statutory, Specific and General. The Statement of Community Involvement for LBL has been the basis for public consultation since it's inception and throughout all consultation processes (DMLP1.8). • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				<ul style="list-style-type: none"> • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request. This demonstrates how representations have been considered and any action taken as a result. • The Infrastructure Delivery Plan (CSD2.17) establishes the key stakeholders responsible for the delivery of the infrastructure supporting major development in the borough. Additionally, it provides an Infrastructure Delivery Schedule which forms a strategy and proposed timeline for implementation.
5. Are you taking into account representations made?	Regulation 18(3)	NPPF para 155	Evidence from participation is part of the justification. Show how you have taken representations into account.	<p>Yes.</p> <ul style="list-style-type: none"> • Representations have been taken into account at each stage of the DMLP preparation. • The Statement of Community Involvement outlines the methodology for communication with residents and business owners. The Statement of Community Involvement for LBL has been the basis for public consultation since it's inception and throughout all consultation processes (DMLP1.8). • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				<ul style="list-style-type: none"> • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request. This demonstrates how representations have been considered and any action taken as a result. • The Development Policies and Site Allocations Preferred Options (LTCLP2.3) document reflects the representations made during the Issues and Options stage (DMLP2.2) by detailing alternative options and the reason they have not been chosen to progress. The same process was also followed for the DMLP Further Options (LTCLP2.5) document.
6. Does the consultation contribute to the development and sustainability appraisal of alternatives?	<p>The Act section 19(5)</p> <p>Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 165 – 168</p> <p>SEA Guide, chapter 3</p>		<p>Yes.</p> <ul style="list-style-type: none"> • Each version of the Sustainability Appraisal has been updated to include the contribution of representations from preceding consultation exercises (DMLP2.4, DMLP2.6, DMLP2.8 and DMLP1.2) • The Consultation Statement (LTCLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				<p>into account</p> <ul style="list-style-type: none"> Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request. This demonstrates how representations have been considered and any action taken as a result.
<p>7. Is the participation:</p> <ul style="list-style-type: none"> following the principles set out in your SCI? integrating involvement with the sustainable community strategy? proportionate to the scale of issues involved in the DPD? 	<p>The Act section19(3)</p>	<p>NPPF para 155</p>		<p>Yes.</p> <ul style="list-style-type: none"> The Statement of Community Involvement for LBL has been the basis for public consultation since it's inception and throughout all consultation processes (DMLP1.8). The Lewisham Strategic Partnership (LSP) are responsible for the Sustainable Community Strategy (CSD2.1) in the borough. There is considerable communication at officer level from the Planning Policy Team to ensure close links with the Sustainable Community Strategy's development. The participation from the public is considered to be in scale with the level of issues. Additionally, the Council has used focussed attention where necessary on specific issues. The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> Detail of the consultation process The key letters from each consultation relating to the DMLP A list of the specific bodies consulted and the documents sent A list of the general bodies consulted and the documents sent A summary of the representations from each consultation A summary of how the representations have been taken into account Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>8. Are you keeping a record of:</p> <ul style="list-style-type: none"> • the individuals or bodies invited to make representations? • how this was done? • the main issues raised? 	<p>The Act section 20(3)</p> <p>Regulation 17</p>	<p>NPPF paras 158 - 171</p>	<p>You will need to submit a statement of representations under Regulation 22 (1) (c): see Submission stage below.</p> <p>Regulation 35 deals with the availability of documents and the time of their removal.</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request. • Additionally, for particular individual representations requiring further investigation, the Council responses and any further correspondence have been retained. • The Development Policies and Site Allocations Preferred Options (LTCLP2.3) document reflects the representations made during the Issues and Options stage (DMLP2.2) by detailing alternative options and the reason they have not been chosen to progress. The same process was also followed for the DMLP Further Options (LTCLP2.5) document.
<p>9. Are you inviting representations on issues that would have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning</p>	<p>The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) & (e) section</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Duty to Co-operate statement (CTCLP1.18) provides details of co-operation with relevant public bodies including neighbouring Local Authorities. • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?</p>	<p>33A(4) section 33A(9)</p> <p>The Act section 20 (5)(c)</p>		<p>and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<ul style="list-style-type: none"> • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
<p>10. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?</p>	<p>The Act section 33A(1)(c) and Section 33A(9).</p> <p>The Act section 20(5)(c).</p> <p>Regulation 4</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Duty to Co-operate statement (CTCLP1.18) provides details of co-operation with relevant public bodies. • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
<p>11. Are you developing a framework for monitoring</p>	<p>The Act section 35</p>	<p>NPPF paras 165 - 1687</p>	<p>It is a matter for each</p>	<p>Yes.</p> <ul style="list-style-type: none"> • Section 3 of the Development Policies & Site Allocations

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
the effects of the DPD?	<p>Regulation 34</p> <p>Regulation 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363</p>	SEA Guide, Chapter 5	<p>council to decide what to include in their monitoring reports while ensuring they are prepared in accordance with relevant UK and EU legislation”</p> <p>Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.</p>	<p>Preferred Options Report (DMLP2.3) and Chapter 5 of the DMLP Further Options Report (DMLP2.5) provide details regarding implementation and monitoring</p> <ul style="list-style-type: none"> • The DMLP along with the Core Strategy (CSD1.5) and other Local Development Documents will be monitored on an annual basis in the Annual Monitoring Report (CSD1.7). This document explains the context of the reporting and reviews progress on the LDF. The First AMR was produced in December 2005 and since then an AMR has been produced each December to regularly monitor progress. Many of the targets and indicators already monitored are relevant to the DMLP. • The Sustainability Appraisal (at each stage) (DMLP2.4, DMLP2.6 and DMLP2.8) also proposes a monitoring framework to assess the sustainability effects of implementing the DMLP.

Stage three: Plan preparation - formulation phase

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the local plan or supplementary planning document with which the council chooses to address Regulation 18 requirements, using the information gathered and previous collaborative work with stakeholders.

Para 182 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.

You should evaluate the reasonable alternatives identified in 'stage two: frontloading phase – plan preparation' phase against the:

- completed body of information from evidence gathering
- results of sustainability appraisal
- findings from community participation
- findings from engagement with statutory cooperation bodies.

This may be written up as a preferred strategy report. The results of participation on the preferred strategy and an accompanying sustainability report will enable the council to gauge the community's response and receive additional evidence about the options. The council can then decide whether, and how, the preferred strategy and policies should be changed for publishing the finished DPD.

Alternatives developed from the evidence and engagement during the frontloading stage need to be appraised to decide on the preferred strategy. Participation will also need to be carried out on it.

These matters need to be considered, and dealt with, in good time, and not left until publication. Supporting documents will assist in providing evidence that decisions on alternatives and strategy are soundly based. These documents will, in due course, become part of the proposed submission documents in stage four.

The council should tell all parties that this is the main participation opportunity on the emerging plan.. The publication stage is a formal opportunity for anyone to comment on an aspect of the DPD's soundness, and to propose a change to the plan accordingly. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication.

Stage three: Plan preparation – writing the plan

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
<p>1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?</p>	<p>Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</p>	<p>NPPF paras 152 - 182 SEA Guide, Chapter 5</p>	<p>The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).</p>	<p>Yes.</p> <ul style="list-style-type: none"> • Alternatives have been evaluated through the DMLP Issues and Options Papers (DMLP2.2), Development Policies & Site Allocations Preferred Options Report (DMLP2.3) and the DMLP Further Options Report (DMLP2.5). • A full draft Sustainability Appraisal was undertaken of the Development Policies & Site Allocations Preferred Options Report and published for consultation (DMLP2.4) in parallel with consultation on the Development Policies & Site Allocations Preferred Options. The Sustainability Appraisal evaluated the emerging options against the Sustainability Objectives that had been developed and provided a commentary on the options, which helped develop the preferred options at that stage. • The same process was followed for the DMLP Further Options and Proposed Submission, with the Sustainability Appraisal joining the DMLP in consultation (DMLP2.6 and DMLP2.8).
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> • consistency with national policy? • general conformity with the regional spatial strategy where still in force? 	<p>The Act section 19 (2), section 24</p>	<p>NPPF para 151</p>	<p>For London boroughs and local authorities where regional strategies are still in force general conformity is tested formally later but you need to consider it during</p>	<p>Yes.</p> <ul style="list-style-type: none"> • Consistency with national and regional policy is required by the Councils Local Development Scheme (LDS). This can be seen in every version of the LDS from the first Adopted LDS in 2006 (CSD1.3) to the current 2013 version 6 (CSD1.4a). • The national and regional policy context is considered throughout the Development Policies & Site Allocations Preferred Options Report (DMLP2.3). Each preferred option is followed by a section called “consistency with National and Regional Planning Guidance”. Section 1.2 of the DMLP Further Options (DMLP2.5) document summarises the national and regional requirements and where applicable references to national and regional policies are included within the policy justification text.

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
			preparation of the DPD.	<ul style="list-style-type: none"> With regard to the London Plan, the Mayor of London often has the same policy direction as our spatial vision. For example, Objective 2 of the London Plan is 'To make London a better city for people to live in' which fits in with Lewisham's aim to 'seek to make Lewisham the best place in London to live, work and learn'. Correspondence with the Mayor of London took place during all consultations, while GOL were heavily involved in the DMLP production before they were dissolved in 2010 (DMLP2.10). Also see the Consultation Statement (LTCLP1.10).
<p>3. Are you having regard to (where relevant):</p> <ul style="list-style-type: none"> adjoining regional spatial strategies? the spatial development strategy for London? Planning Policy for Wales? the National Planning Framework for Scotland? 	<p>The Act sections 19 (2) and 24 (1) and (4)</p> <p>Regulation 10 and 21</p>		Where the regional strategy has been revoked you should record that fact.	<p>Yes.</p> <ul style="list-style-type: none"> All stages of the preparation of the Development Policies & Site Allocations Preferred Options and DMLP Further Options have had regard to the Spatial Development Strategy for Greater London - The London Plan (CSD3.1). Each version relates to the London Plan, as do each of the supporting evidence base documents. Correspondence with the Mayor of London took place during all consultations, while GOL were heavily involved in the DMLP production before they were dissolved in 2010 (DMLP2.10). Also see the Consultation Statement (LTCLP1.10). Planning Policy for Wales and the NPF for Scotland are not relevant to Lewisham's planning area.
<p>4. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues?</p> <p>Have you discussed doing joint local development documents?</p>	<p>The Act section 33A(2)(a)</p> <p>Section 33A(6)(a)(b)</p> <p>Section 20(5)(c)</p>	NPPF paras 181 and 185	.	<p>Yes.</p> <ul style="list-style-type: none"> Correspondence with both the Greater London Authority (GLA) and the Government Office for London (GOL) took place (DMLP2.10). Correspondence with GOL occurred on several occasions during the Issues and Options consultation. Two hard copies and one electronic copy were sent to both the GOL. This process continued through the Development Policies & Site Allocations Preferred Options stage of production and ceased

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
				<p>when GOL ceased to exist.</p> <ul style="list-style-type: none"> • The Duty to Co-operate statement (CTCLP1.18) provides details of co-operation with relevant public bodies including neighbouring Local Authorities. • The possibility of joint local development documents has been discussed as part of the Duty to Co-operate but none are being prepared at this time. • Neighbouring boroughs have been regarded as specific consultation bodies at every stage of the document production process and have therefore been consulted regularly. The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
<p>5. Are you cooperating with a person prescribed for the purposes of Regulation 33A(1)(c) to address significant cross boundary issues including preparing joint approaches?</p>	<p>The Act section 33A(2)(a), section 33A(6)(a)</p> <p>The Act section 20 (5)</p>	<p>NPPF paras 181 and 182</p>	<p>The bodies prescribed by The Act section 33A(1)(c) are set out at Regulation 4 (1).</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Duty to Co-operate statement (CTCLP1.18) provides details of co-operation with relevant public bodies including neighbouring Local Authorities. • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
	(c) Regulation 4			<ul style="list-style-type: none"> • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
6. Are you cooperating with having regard to the activities of the LEP and LNP?	The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2)	NPPF para 181 and 182		<p>Yes.</p> <ul style="list-style-type: none"> • The Duty to Co-operate statement (CTCLP1.18) provides details of co-operation with relevant public bodies. • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
7. Are you having regard to: <ul style="list-style-type: none"> • your sustainable 	The Act section 19(2)			<p>Yes.</p> <ul style="list-style-type: none"> • Section 2.3.5 of the Development Policies & Site Allocations

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
<p>community strategy or of other authorities whose area comprises part of the area of the council?</p> <ul style="list-style-type: none"> any other local development documents adopted by the council? 				<p>Preferred Options (DMLP2.3) makes reference to local plans and strategies and contains a section on the Community Strategy. Reference to the Community Strategy is also made after the policy option, in the text called “Reasons for the Preferred Option”, where relevant.</p> <ul style="list-style-type: none"> Section 1.2 of the DMLP Further Options (DMLP2.5) makes reference to the Sustainable Community Strategy. Many of the recommended options seek to enhance the quality of the borough, for the benefit of the local community. Lewisham has many other strategies and programmes that influence the use of land and these were taken into account in the preparation of the DMLP to bring about positive change, particularly for the benefit of the local community.
<p>8. Do you have regard to other matters and relevant strategies relating to:</p> <ul style="list-style-type: none"> resources the local/regional economy the local transport plan and transport facilities and services waste strategies hazardous substances 	<p>The Act section19(2)</p> <p>Regulation 10</p>		<p>As well as the matters and strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the DPD.</p>	<p>No.</p> <ul style="list-style-type: none"> The Development Policies & Site Allocations Preferred Options (DMLP2.3) and the DMLP Further Options (DMLP2.5) has not referred specifically to local and regional strategies such as the Economic Development Strategy (EDS) produced by the London Development Agency, the Mayor’s Transport Strategy, Lewisham Local Implementation Plan. It should be noted that these strategies were integral to the production of the over-arching Core Strategy DPD which sets the vision and objectives for the DMLP. The Consultation Statement (DMLP1.10) submitted alongside the DMLP at each stage of plan-making has detailed the specific and general consultation bodies that have made representations, including TfL, utility companies etc. Waste management sites are not discussed within the DMLP. Waste sites are comprehensively covered in the wider LDF programme, specifically in the Core Strategy and Site Allocations. The EU directive on hazardous substances requires land use policies to take prevention and minimisation of consequences

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
				into account. Recommended option 27 in the DMLP Further Options Report (DMLP2.5) deals specifically with land contamination.
9. Are you having regard to the need to include policies on mitigating and adapting to climate change?	The Act section19(1A)	NPPF paras 93 -108		<p>Yes.</p> <ul style="list-style-type: none"> Climate change is considered an important issue for Lewisham. Section 2.3.4 of the Development Policies and Site Allocations Preferred Options (DMLP2.3) focuses on climate change and it is also mentioned where relevant throughout the document as part of policies, although there is no specific policy related to it. For the DMLP Further Options report (DMLP2.5) climate change is incorporated in the section 2.1 Implementing the Core Strategy and in policies as relevant. It should also be noted that the DMLP is under the influence of the adopted Core Strategy which already has a comprehensive approach to climate change mitigation and adaptation.
10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	<p>The Act section19(5)</p> <p>Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF para 182</p> <p>SEA Guide, Chapter 5</p>	Regulation13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.	<p>Yes</p> <ul style="list-style-type: none"> A Sustainability Appraisal was undertaken of the Development Policies and Site Allocations Preferred Options and published for consultation (DMLP2.4) in parallel with consultation on the Preferred Options report (DMLP2.3). The Sustainability Appraisal evaluated the emerging options against the Sustainability Objectives that had been developed and provided a commentary on the options, which helped develop the preferred options at that stage. The same process was followed for the DMLP Further Options Report and the proposed Submission, with the Sustainability Appraisal (DMLP2.6 and DMLP2.8) joining the DMLP Further Options and Publication consultations (DMLP2.5 and DMLP2.7).
11. Are you setting out	Regulation	NPPF para	This will	Yes.

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
reasons for any preferences between alternatives?	8(2)	182	include Information from the sustainability appraisal.	<ul style="list-style-type: none"> • The Development Policies and Site Allocations Preferred Options Report (DMLP2.3) identifies the significant alternatives to the preferred approach at each stage. This is achieved simply and concisely following each new preferred option in the text with paragraphs headed: <ul style="list-style-type: none"> • ‘The Options’ • ‘The Preferred Option’ • ‘Draft Policy’ • ‘Reasons for Preferred Option’ • The last section contains a subheading of ‘What alternatives were considered and why they were rejected?’ • The DMLP Further Options Report (DMLP2.5) identifies the Council’s recommended option, followed by a justification then an alternative option and lastly a summary of what the Sustainability Appraisals says. • It should be noted that both versions should ideally be read alongside their accompanying Sustainability Appraisals as these documents provide further analysis regarding the choice of options and the dismissal of alternatives (DMLP2.4, DMLP2.6 and DMLP2.8).
<p>12. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?</p>	<p>Regulations 17, 18(3) and 22 (1) (c) (iv)</p> <p>Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	NPPF paras 150, 155, 157 and 159-171	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.	<p>Yes.</p> <ul style="list-style-type: none"> • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation, on both versions of the DMLP and the

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
				<p>Sustainability Appraisals</p> <ul style="list-style-type: none"> • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request. • It should be noted that the DMLP should ideally be read alongside their accompanying Sustainability Appraisals (DMLP2.4, DMLP2.6 and DMLP2.8).
<p>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> • enable you to amend the currently adopted policies map? • inform the community about the location of proposals? 	<p>Regulations 5 (1)(b) and 9</p>	<p>NPPF para 157</p>	<p>Regulation 2 defines the terms 'submission' and 'adopted' proposals map.</p> <p>A map showing changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.</p>	<p>No.</p> <ul style="list-style-type: none"> • No amendments are needed to the Proposals Map, arising from the options contained in the Development Policies and Site Allocations Preferred Options Report (DMLP2.3) and the DMLP Further Options Report (DMLP2.5).
<p>14. Are the participation arrangements compliant with the SCI?</p>	<p>The Act, section 19(3)</p> <p>Regulation 18</p>	<p>NPPF paras 150 and 155</p>		<p>Yes.</p> <ul style="list-style-type: none"> • The Statement of Community Involvement for LBL contains a base list of both specific and general consultation bodies (DMLP1.8). • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following:

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
				<ul style="list-style-type: none"> • Detail of the consultation process. • The key letters from each consultation relating to the DMLP. • A list of the specific bodies consulted and the documents sent. • A list of the general bodies consulted and the documents sent. • A summary of the representations from each consultation, on both versions of the DMLP and the Sustainability Appraisals. • A summary of how the representations have been taken into account. • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.

Stage four: Publication

Under Regulation 20, the period for formal representations takes place **before** the DPD is submitted for examination in accordance with a timetable set out in the statement of the representations procedure which is made available at the council's office and published on its website.

When moving towards publication stage, the council should consider the results of participation on the preferred strategy and sustainability appraisal report and decide whether to make any change to the preferred strategy. In the event that changes are required, the council will need to choose either to:

- do so and progress directly to publication

OR

- produce and consult on a revised preferred strategy.

The latter may be appropriate where the changes to the DPD bring in changed policy or proposals not previously covered in community participation and the sustainability appraisal. It avoids having to treat publication as if it were a consultation, which it is not. It also provides insurance in relation to compliance with the Strategic Environmental Assessment Regulations. Legally, during any participation on a revised preferred strategy, you should:

- comply with the requirements of the SCI
- update the sustainability appraisal report.

The council should then produce the DPD in the form in which it will be published. This includes removing material dealing with the evaluation of alternatives and the finalisation of the text. The council should be happy to adopt the DPD in this form, and satisfied that it is sound and fit for examination.

The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the DPD to make formal representations to the inspector about its soundness. Only people proposing a change to the plan can expect to be heard at examination.

The possibility of change under certain circumstances (which should be exceptional) is allowed for in the new procedures, and is described in 'stage five: submission'.

Stage four: Publication

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
1. Have you prepared the sustainability appraisal report?	The Act section 19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 165 - 168 SEA Guide Chapter 5		Yes. <ul style="list-style-type: none">A Sustainability Appraisal and Strategic Environmental Assessment was undertaken on the DMLP Proposed Submission Version and published for consultation in August 2013 (DMLP2.8) in parallel with consultation on the DMLP report itself (DMLP2.7).
2. Have you made clear where and within what period representations must be made?	Regulation 17, 19, 20 and 35		The period must not be less than 6 weeks from when you publish under Regulations 19 and 35 (see below).	Yes. <ul style="list-style-type: none">The consultation details were made available through a press advert found within the Consultation Statement (DMLP1.10), the Council website and documents in all libraries. This detailed both where and within what period representations were to be made (16th August to 4th October 2013).The statement of representations procedure was produced in the Consultation Statement (DMLP1.10) and sent to all consultees, made available online on the Council's website and was obtainable in all libraries and key public offices where the DMLP was available.The Consultation Statement (DMLP1.10) submitted alongside the DMLP details the consultation process undertaken, while the Statement of Community Involvement (see DMLP1.8) has been the basis for public consultation since its inception and throughout all consultation processes.
3. Have you made copies of the following available for inspection:	Regulation 19(a)		Regulation 17 gives definitions.	Yes. <ul style="list-style-type: none">All material under consultation was made available to the public for inspection. The Consultation Statement

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
<ul style="list-style-type: none"> the proposed submission documents? the statement of the representations procedure? 				<p>(LTCLP1.10) submitted alongside the DMLP details the consultation process undertaken, while the Statement of Community Involvement (DMLP1.8) has been the basis for public consultation since its inception and throughout all consultation processes.</p> <ul style="list-style-type: none"> The statement of representations procedure was produced in the Consultation Statement (DMLP1.10) and sent to all consultees and made available online on the Council's website and was obtainable in all libraries and key public offices where the DMLP was available.
<p>4. Have you published on your website:</p> <ul style="list-style-type: none"> the proposed submission documents? the statement of the representations procedure? statement and details of where and when documents can be inspected? 	Regulations 19 and 35		Regulations 2 and 17 give definitions.	<p>Yes.</p> <ul style="list-style-type: none"> The DMLP Proposed Submission Version (DMLP2.7) and accompanying Sustainability Appraisal (DMLP2.8) and Consultation Statement (DMLP1.10) can all be found on the Council's website at the location below. http://www.lewisham.gov.uk/myservices/planning/policy/LDF/development-policies/Pages/Publication.aspx This web page also includes the details of where and when the documents can be inspected.
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> A copy of each of the proposed submission documents The statement of the representations procedure? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<p>Yes.</p> <ul style="list-style-type: none"> The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> Detail of the consultation process and representations procedure The key letters from each consultation relating to the DMLP A list of the specific bodies consulted and the documents sent A list of the general bodies consulted and the documents sent A summary of the representations from each

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence
				<p>consultation</p> <ul style="list-style-type: none"> • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
<p>6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> • the statement of the representations procedure? • where and when the documents can be inspected? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<p>Yes.</p> <ul style="list-style-type: none"> • The consultation regarding the DMLP Proposed Submission Version was advertised in the South London Press on the 16th August 2013. • A copy of the advertisement can be viewed in the Consultation Statement (DMLP1.10).
<p>7. Have you requested the opinion of the Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the DPD spatial development strategy?</p>	<p>The Act section 24</p> <p>Regulation 21</p>		<p>The request must be made on the day you publish the documents under Regulation 19(a) and a response must be made within six weeks from the request (Regulation 21).</p>	<p>Yes.</p> <ul style="list-style-type: none"> • Correspondence with the Mayor of London (GLA) took place during the consultation (LTCLP2.10).

Stage five: Submission

At the submission stage, the council should receive and collate any representations made at publication stage. You don't have to report these representations to councillors but there may be requirements deriving from other legislation, Standing Orders or council procedures that must be considered. Or you might just think it is a good idea to report on it anyway.

If they are reported it should be on the facts of the representations made, not the results of a consultation process by the council. They should not be treated as a consultation or an opportunity to make changes or answer representations. NB: under the 2012 Regulations there is no longer any requirement to give notice by local advertisement.

You should ensure you are in legal compliance with the SCI, the Habitats Directive and the Strategic Environmental Assessment Directive in any additional work. Any formal publication of additional or changed matters would need to allow at least a six-week period for representations to be made.

There are different approaches that could be taken to changes. You should be satisfied that you remain fully compliant with the legal requirements if any changes are made (and any consequential effects on the DPD as a whole).

Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission.

Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS been met?</p>	<p>The Act section 19(1)</p>		<p>The Act section 15(2) sets out the matters specified in the LDS. As at January 2013, no further matters are prescribed in the Regulations.</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The latest iteration of the Local Development Scheme (LDS) was adopted by Lewisham Council in February 2013 (CSD1.4). • It is considered that the DPD listing and description in the LDS matches the submitted DMLP. • The production timetable of the DMLP is in accordance with the milestones set out in the LDS, i.e. submission in November 2013. • The Draft Annual Monitoring Report 2012/13 identifies that the DMLP is on target, with key milestones met.
<p>2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?</p>	<p>The Act section 19(2)</p>	<p>NPPF para 182</p>		<p>Yes.</p> <ul style="list-style-type: none"> • The Lewisham Strategic Partnership (LSP) are responsible for the Sustainable Community Strategy (SCS) in the borough (CSD2.1). There is considerable communication at officer level from the Planning Policy Team to ensure close links with the Sustainable Community Strategy's development. • The DMLP submission version has regard to the SCS throughout. Section 2.1 of the DMLP details how the Core Strategy's objectives and policies will be implemented. The Core Strategy, adopted in 2011, details how it's implementation will deliver the objectives of the Sustainable Community Strategy (CSD1.5). • Figure 1 of the DMLP submission version acknowledges that the DMLP implements certain aspects of the vision outlined in the SCS. Lewisham has many other strategies and programmes that influence the use of land and these were taken into account in the preparation of the DMLP to bring about positive change, particularly for the benefit of the local community.

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?</p>	<p>The Act section 19(3)</p> <p>Regulation 22(1)(c)</p>		<p>Before the SCI is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).</p>	<p>Yes.</p> <ul style="list-style-type: none"> The Statement of Community Involvement (SCI) for LBL has been the basis for public consultation throughout all consultation processes (DMLP1.8). Throughout this period, the development of the DMLP has been compliant with all requirements of the SCI. The Consultation Statement (DMLP1.10) submitted alongside the DMLP details the consultation process undertaken at each stage of the plan making process.
<p>4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues If you have not agreed on the approach is there a justification?</p>	<p>The Act section 33A(1) and section 20(5)</p>	<p>NPPF paras 181 and 182</p>	<p>Under NPPF para 182, the plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.</p>	<p>Yes.</p> <ul style="list-style-type: none"> It is acknowledged that Lewisham may have cross-boundary influence and therefore a number of measures have been taken to ensure that issues are identified and either absolved or mitigated against. The production of the DMLP has been influenced by key sub regional documents, reports and evidence base. Specific measures to address issues include: The Strategic Flood Risk Assessment involving LB Lewisham and Southwark The Sub-regional Strategic Housing Market Assessment (LB Bexley, Bromley, Greenwich, Lewisham and Southwark) The sharing of evidence between LB Lewisham, Greenwich and Southwark to account for the cumulative impacts of proposed development. Further, neighbouring boroughs have been regarded as specific consultation bodies at every stage of the document production process and have therefore been consulted regularly. LB of Greenwich made representations supporting the DMLP (DMLP1.9). The other neighbouring boroughs did

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				<p>not submit representations.</p> <ul style="list-style-type: none"> The Duty to Co-operate statement (CTCLP1.18) provides details of co-operation with relevant public bodies including neighbouring Local Authorities.
<p>5. Has the DPD been subject to sustainability appraisal?</p> <p>Has the council provided a final report of the findings of the appraisal?</p>	<p>The Act section 19(5)</p> <p>Regulation 22(1)(a)</p>	<p>NPPF para 165</p> <p>SEA Practical Guide, chapter 5</p>		<p>Yes.</p> <ul style="list-style-type: none"> The DMLP has been subject to Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) at each stage of the plan making process. Copies of the SA/SEAs are located at the following locations: <ul style="list-style-type: none"> Scoping Report – DMLP2.1 Preferred Options – DMLP2.4 Further Options – DMLP2.6 Proposed Submission – DMLP2.8 Submission – DMLP1.2. Included within this document is the final report highlighting the findings of the appraisal.
<p>6. Is the DPD to be submitted consistent with national policy?</p>	<p>The Act section 19(2) and Schedule 8</p>	<p>NPPF para 151</p>		<p>Yes.</p> <ul style="list-style-type: none"> The DMLP has been produced to be consistent with national policy. The DMLP was produced up to the proposed submission version under the 'Planning Policy Statement (PPS) system', which has since been replaced by the new National Planning Policy Framework (NPPF) (CSD4.1). As at proposed submission stage, a number of minor amendments were suggested to the DMLP to recognise the change in nomenclature of the national policy context and to acknowledge the introduction of the NPPF. The DMLP is underpinned by the NPPFs 12 core planning principles. The submission library contains a relevant document that assess compliance with national policy –the DMLP Self Assessment Soundness Form (DMLP1.11)
<p>7. Does the DPD contain</p>	<p>The Act</p>	<p>NPPF para</p>	<p>In London the</p>	<p>Yes.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>any policies or proposals that are not in general conformity with the regional strategy where it still exists?</p> <p>If yes, is there local justification?</p> <p>If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>	<p>section 24(1)(a) and 24(4)</p> <p>Regulation 21</p>	<p>218 footnote 41</p>	<p>requirement is for general conformity with the spatial development strategy (The London Plan).</p>	<ul style="list-style-type: none"> • The GLA responded to the consultation of the DMLP Proposed Submission version (DMLP2.10). • Their response advises that the DMLP is not in general conformity with the London Plan (see DMREP11 in DMLP1.9a).
<p>8. Has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make representations on the plan?</p> <p>Does the DPD contain a list of superseded saved policies?</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)</p> <p>Regulations 8 and 19</p>	<p>NPPF para 182</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Council has published all of the prescribed documents and they are available on the Council's website and at the principal office (Laurence House, Catford). • Local advertisements (DMLP1.17) and notification to the consultation bodies took place as part of the submission of the DMLP. • Appendix 4 identifies the saved policies in the UDP that have been superseded by the DMLP.
<p>9. Are there any policies applying to sites or areas by reference to an</p>	<p>Regulations 5(1) (b), 9 (1), 17 & 22(1)</p>			<p>No.</p> <ul style="list-style-type: none"> • No amendments are needed to the Proposals Map, arising

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>				<p>from the policies contained in the DMLP.</p>
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The DMLP has been produced to be consistent with the Lewisham Core Strategy (CSD1.5), adopted in 2011. Section 2.1 of the DMLP describes how the DMLP seeks to implement the Core Strategy and it's strategic objective themes of 1) providing new homes, 2) growing the local economy, 3) environmental management and 4) building a sustainable community. This connection is continued throughout the document. • Appendix 4 identifies the saved policies in the UDP that have been superseded by the DMLP.
<p>11. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> • Which bodies and persons were invited to make representations under Regulation 18? • How they were invited? • A summary of the main issues raised? • How the representations have been taken into account? 	<p>The Act section 20 (3)</p> <p>Regulation 22(1)(c)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above).</p>	<p>Yes.</p> <ul style="list-style-type: none"> • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				from our consultation databases on request.
<p>12. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> • the number of representations made under Regulation 22? • a summary of the main issues raised? <p>OR</p> <ul style="list-style-type: none"> • that no representations were made? 	<p>The Act section 20(3)</p> <p>Regulation 22(1)(c)</p>			<p>Yes.</p> <ul style="list-style-type: none"> • The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains the following: <ul style="list-style-type: none"> • Detail of the consultation process • The key letters from each consultation relating to the DMLP • A list of the specific bodies consulted and the documents sent • A list of the general bodies consulted and the documents sent • A summary of the representations from each consultation • A summary of how the representations have been taken into account • Where further detail is required, the full text / original copies of consultation responses and representations are available from our consultation databases on request.
<p>13. Have you collected together all the representations made under Regulation 28?</p>	<p>The Act section 20(3)</p> <p>Regulation 22(1)(e)</p>			<p>Yes.</p> <ul style="list-style-type: none"> • All the representations made under Regulation 28 have been submitted alongside the DMLP (DMLP1.9).
<p>14. Have you assembled the relevant supporting documents?</p>	<p>The Act section 20(3)</p> <p>Regulation 22(1)(g)</p>			<p>Yes.</p> <ul style="list-style-type: none"> • All supporting documents have been included in the submission library. Amongst others they include: <ul style="list-style-type: none"> • DMLP Submission Version (DMLP1.1) • DMLP Submission Version - Sustainability Appraisal and strategic environmental assessment (DMLP1.2) • The Consultation Statement (DMLP1.10) contains details of the consultation process and details and responses from each consultation

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				<ul style="list-style-type: none"> The schedule of suggested modifications (DMLP1.7) details where a change to the submission document is requested by the Council as a result of a representation at the proposed submission stage (Reg 28(2)), (DMLP1.9 and LTCLP1.9a) Additionally, copies of all representations made are available in DMLP1.9 The Statement of Community Involvement for LBL has been the basis for public consultation since its inception and throughout all consultation processes (see DMLP1.8) Self Assessment Soundness Form (DMLP1.11) Evidence Base Documents – Provided in paper and electronic (cd) format as well as being available on the Councils website
15. Has your council approved the DPD for submission?	The Act section 20		Check the LPA's constitution/ standing orders for the authorisation process appropriate for the type of DPD.	<p>Yes.</p> <ul style="list-style-type: none"> Lewisham Full Council approved the DPD for submission at the meeting dated 26th June 2013. See the minutes from the meeting (DMLP1.14).
16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following: <ul style="list-style-type: none"> the DPD? the submission policies map (unless there are no site allocation 	The Act section 20(1) and 20(3) Regulations 22(1) and 22(2)		Regulation 35 deals with the availability of documents and the time of their removal. Electronic copies of	<p>Yes.</p> <ul style="list-style-type: none"> The DMLP and the documents prescribed in Regulation 22(1) was sent to the Planning Inspectorate on the 15/11/2013, both in paper copy and in an electronic format. The submission library index indicates the full suite of documents that can be viewed online at the Councils website at: http://www.lewisham.gov.uk/my services/planning/policy/LDF/development-policies/Pages/Submission.aspx

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>policies)?</p> <ul style="list-style-type: none"> the documents prescribed in Regulation 22(1)? 			<p>some of the representations and supporting documents may not be practicable. Regulation 35 deals with the availability of documents and the time of their removal.</p>	
<p>17. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> The DPD? The documents prescribed in Regulation 22(1)? 	Regulation 22(3)		<p>You should do this as soon as reasonably practicable after submission.</p>	<p>Yes.</p> <ul style="list-style-type: none"> The following key documents have been made available at the planning reception desk and the borough libraries in paper format (electronic format only at smaller libraries), alongside an electronic copy of the submission library. The following documents are available for inspection: <ul style="list-style-type: none"> The DMLP submission version (LTCLP1.1) The schedules of suggested modifications to the DMLP (DMLP1.7) The Sustainability Appraisal Report to the DMLP (DMLP1.2) The Statement of Community Involvement (DMLP1.8) The Statement of Consultation regarding representations received (including details of the main issues raised and how they were taken into account) (DMLP1.10) Copies of representations received at the Proposed Submission Stage (DMLP1.9) and the Council's response to the representations (DMLP1.9a)

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
				<ul style="list-style-type: none"> Supporting documents which informed the preparation of the document (DMLP2.1 – 2.10).
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> DPD? submission policies map? sustainability appraisal report? Regulation 22(1)(c) statement? supporting documents (where practicable) ? representations made under Regulation 20 (where practicable) ? statement as to where and when the DPD and the documents are available? 	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably practicable after submission.	<p>Yes.</p> <ul style="list-style-type: none"> The submission library containing the DMLP submission version (DMLP1.1), Sustainability Appraisal Report (DMLP1.2), Regulation Statement (DMLP1.15), representations received and the summary of the Council's response (DMLP1.9 and 1.9a) and all other required supporting documents has been made available on the Council's website. The submission library index indicates the full suite of documents provided in electronic format and can be viewed online at: http://www.lewisham.gov.uk/myservices/planning/policy/LDF/development-policies/Pages/Submission.aspx
<p>19. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</p> <ul style="list-style-type: none"> notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection where and when they 	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	<p>Yes.</p> <ul style="list-style-type: none"> A copy of the submission notification (local advertisement) is provided in the submission library (DMLP1.17). The submission library index indicates the full suite of documents in electronic format that will be available for viewing online at the Council's website: http://www.lewisham.gov.uk/myservices/planning/policy/LDF/development-policies/Pages/Submission.aspx

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
can be inspected?				
20. Have you given notice to persons who have requested to be notified that submission has taken place?	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	<p>Yes.</p> <ul style="list-style-type: none"> The consultation database has been kept up to date at all stages of plan making. Persons who have requested to be informed of the submission have been included in the consultation database and have therefore been informed as part of the submission. The Consultation Statement (DMLP1.10) submitted alongside the DMLP contains full details of the consultation process up to submission stage.
<p>21. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> published the time and place of the examination and the name of the person appointed to carry out the examination on your website? notified those who have made representations on the published DPD which have not been withdrawn of these details? 	<p>The Act section 20</p> <p>Regulations 24 and 35</p>			<ul style="list-style-type: none"> The Programme Officer has been appointed and is in place to complete tasks as required. A copy of the submission notification (local advertisement) is provided in the submission library (DMLP1.17). Details of the approximate time of the Examination have been provided to all consultees with notice that formal details will be made available by the Council as soon as they are available.