



# London Borough of Lewisham Local Development Framework

## Lewisham Town Centre Area Action Plan Development Plan Document (DPD)

Ref:

For official use only

### Proposed Submission Stage Representation Form

**Please return your completed form to the London Borough of Lewisham by 5pm  
Monday 23 April 2012**

- By post to  
Planning Service  
London Borough of Lewisham  
5<sup>th</sup> Floor, Laurence House  
1 Catford Road  
London SE6 4RU

or

- By e-mail to [planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk)

**You may also make your representation online without the need to use this form.**

- Online at <http://lewisham-consult.objective.co.uk/portal>

For further information, or to request extra representation forms please phone  
020 8314 7400 or e-mail [planning.policy@lewisham.gov.uk](mailto:planning.policy@lewisham.gov.uk) .

This form has two parts  
Part A – Personal Details  
Part B – Your representation(s).

Please fill in a separate sheet (Part B) 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	Mr	_____	_____
First Name	Charles	_____	_____
Last Name	Muriithi	_____	_____
Job Title (where relevant)	Planning Technical Specialist	_____	_____
Organisation (where relevant)	Environment Agency	_____	_____
Address Line 1	Eastbury House	_____	_____
Line 2	30-34 Albert Embankment	_____	_____
Line 3	London	_____	_____
Line 4	_____	_____	_____
Post Code	SE1 7TL	_____	_____
Telephone Number	02070914020	_____	_____
E-mail Address (where relevant)	<a href="mailto:charles.muriithi@environment-agency.gov.uk">charles.muriithi@environment-agency.gov.uk</a>	_____	_____

## Part B – Please use a separate sheet for each representation

Name or Organisation :

3. To which part of the Area Action Plan does this representation relate?

Paragraph \_\_\_\_\_ Policy- Whole Document Proposals Map \_\_\_\_\_

4. Do you consider the Area Action Plan is:

4.(1) Legally compliant Yes

4.(2) Sound\* Yes

*\*The considerations in relation to the DPD being ‘Sound’ are explained in the notes which accompany this form*

*If you have entered **No** to 4.(2), please continue to Q5.  
In all other circumstances, please go to Q6.*

5. Do you consider the Area Action Plan is **unsound** because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments. *(Continue on a separate sheet /expand box if necessary)*

### **Legal compliance**

The Lewisham Town Centre Area Action Plan Proposed Submission Version meets the legal requirements under s20 (5) (a) of the 2004 Act

### **Soundness of the AAP**

The Lewisham Town Centre Area Action Plan Proposed Submission Version appears to be founded on a robust evidence base. We welcome Policy LAAP25 Adapting to climate change which will require use of measures including living roofs and walls, water saving measures, sustainable urban drainage systems and vegetation and planting to help adapt to the potential impacts of climate change.

We also consider it effective with sound infrastructure delivery plan as detailed on Appendix 4 - Lewisham town centre infrastructure schedule. It appears Consistent with national Policy. However there is need to make amendments to reflect the National Planning Policy Framework and the Technical Guidance accompanying it. We are of the opinion that this will not impact on the Policies

7. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at point 5 above where this relates to soundness. You will need to say why this change will make the DPD 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 this 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**

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: Charles Muriithi

Date: 18 April 2012

# Notes to accompany Representation Form for Development Plan Documents

## 1. Introduction

1.1 The Area Action Plan is being published in order for representations to be made prior to submission. The representations will be considered alongside the published Area Action Plan when submitted, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004 (as amended)<sup>1</sup> (the 2004 Act) states that the purpose of the examination is to consider whether the Area Action Plan complies with the legal requirements and is 'sound'.

- If you are seeking to make a representation on the way in which Lewisham has prepared the published Area Action Plan, it is likely that your comments or objections will relate to a matter of legal compliance.
- If it is the actual content on which you wish to comment or object it is likely that it will relate to whether the published Area Action Plan is justified, effective, or consistent with national policy.

## 2. Legal Compliance

2.1 The Inspector will first check that the published Area Action Plan meets the legal requirements under s20(5)(a) of the 2004 Act before moving on to test for soundness. You should consider the following before making a representation on legal compliance:

- The published Area Action Plan should be within Lewisham's current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by Lewisham, setting out the Local Development Documents it proposes to produce over a 3 year period. If the Area Action Plan is not in the current LDS it should not have been published for representations. The LDS is available on the Lewisham website<sup>2</sup>.
- The process of community involvement for the Area Action Plan should be in general accordance with the Lewisham's Statement of Community Involvement<sup>3</sup>. The Statement of Community Involvement (SCI) is a document which sets out Lewisham's strategy for involving the community in the preparation and revision of Local Development Framework (including the Area Action Plan) and the consideration of planning applications.

---

<sup>1</sup> View the 2004 Act at:

[http://www.opsi.gov.uk/acts/acts2004/ukpga\\_20040005\\_en\\_1](http://www.opsi.gov.uk/acts/acts2004/ukpga_20040005_en_1)

View the amending 2008 Act at: [http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga\\_20080029\\_en.pdf](http://www.opsi.gov.uk/acts/acts2008/pdf/ukpga_20080029_en.pdf)

<sup>2</sup> View the Lewisham LDS at:

<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/LocalDevelopmentFramework/LocalDevelopmentScheme.htm>

<sup>3</sup> View the Lewisham SCI at:

<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/StatementCommunityInvolvement.htm>

- The published Area Action Plan should comply with the Town and County Planning (Local Development) (England Regulations) 2004 (as amended)<sup>4</sup>. When publishing the Area Action Plan Lewisham must also publish the documents prescribed in the regulations, and make them available at their principal offices and their website. Lewisham must also place local advertisements and notify the organisations listed in the regulations, and any persons who have requested to be notified.
- Lewisham is required to provide a Sustainability Appraisal Report when they publish a Area Action Plan<sup>5</sup>. 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. The Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- The published Area Action Plan should have regard to national policy and conform generally to the London Plan<sup>6</sup>. This sets out the policies for London in relation to the development and use of land and forms part of the development plan for Lewisham.
- The published Area Action Plan must have regard to Lewisham's Sustainable Community Strategy (SCS)<sup>7</sup>. The SCS was prepared by the Local Strategic Partnership which represents a range of interests in the Lewisham Borough. The SCS was subject to consultation but not to an independent examination.

### 3. Soundness

3.1 Soundness is explained fully in Planning Policy Statement 12: Local Spatial Planning in paragraphs 4.36 – 4.47, 4.51 and 5.52 and the boxed text<sup>8</sup>. The Inspector has to be satisfied that the published Area Action Plan is justified, effective and consistent with national policy. To be sound a published Area Action Plan should be:

- Justified

This means that the published Area Action Plan should be founded on a robust and credible evidence base involving:

- Evidence of participation of the local community and others having a stake in the area
  - Research/fact finding: the choices made in the plan are backed up by facts
- The published Area Action Plan should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The published Area

<sup>4</sup> View the 2004 Regulations at: <http://www.opsi.gov.uk/si/si2004/20042204.htm> View the 2008 amending Regulations at: [http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20081371\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081371_en.pdf) View the 2009 amended Regulations at: [http://www.opsi.gov.uk/si/si2009/pdf/uksi\\_20090401\\_en.pdf](http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090401_en.pdf)

<sup>5</sup> View the Sustainability Appraisal at: <http://lewisham-consult.objective.co.uk/portal>

<sup>6</sup> View the London Plan at: <http://www.london.gov.uk/priorities/planning/londonplan>

<sup>7</sup> View the Lewisham SCS at:

<http://www.lewisham.gov.uk/mayorandcouncil/aboutthecouncil/strategies/Pages/default.aspx>

<sup>8</sup> View at <http://www.communities.gov.uk/publications/planningandbuilding/pps12lsp>

Action Plan should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

- Effective

This means the published Area Action Plan should be deliverable, embracing:

- Sound infrastructure delivery planning
- Having no regulatory or national planning barriers to delivery
- Delivery partners who are signed up to it
- Coherence with the strategies of neighbouring authorities.

The published Area Action Plan should also be flexible and able to be monitored.

The published Area Action Plan should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen.

The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the published Area Action Plan should make clear that major changes may require a formal review including public consultation. Any measures which the Lewisham has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report<sup>9</sup>. This report is produced each year by Lewisham and will show whether the Area Action Plan needs amendment.

- Consistent with national policy

The published Area Action Plan should be consistent with national policy. Where there is a departure, Lewisham must provide clear and convincing reasoning to justify their approach. Conversely, you may feel that Lewisham should include a policy or policies which would depart from national or regional policy to some degree in order to meet a clearly identified and fully justified local need, but they have not done so. In this instance it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national or regional policy and support your assertion with evidence.

3.2 If you think the content of the published Area Action 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 any national planning policy or in the London Plan? If so it does not need to be included.

---

<sup>9</sup> View Lewisham's Annual Monitoring Reports at:  
<http://www.lewisham.gov.uk/myservices/planning/policy/LDF/Pages/Annual-monitoring-report-.aspx>

- Is what you are concerned with covered by any other policies in the published Area Action Plan on which you are seeking to make representations or in any other document in the Lewisham's Local Development Framework (LDF). If so, there is no need for repetition between documents in the LDF.
- If the policy is not covered elsewhere, in what way is the published Area Action Plan unsound without the policy?
- If the published Area Action Plan is unsound without the policy, what should the policy say?

#### **4. General advice**

- 4.1 If you wish to make a representation seeking a change to the published Area Action Plan you should make clear in what way the published Area Action Plan is not sound having regard to the legal compliance check and three tests set out above. You should try to support your representation by evidence showing why the published Area Action Plan should be changed. It will be helpful if you also say precisely how you think the published Area Action Plan should be changed. Representations 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 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.
- 4.2 Where there are groups who share a common view on how they wish to see the published Area Action Plan changed, 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.
- 4.3 Further detailed guidance on the preparation, publication and examination of area Action Plans is provided in *PPS12* and in *The Plan Making Manual*<sup>10</sup>.

---

<sup>10</sup> View at <http://www.pas.gov.uk/pas/core/page.do?pagelId=109798>