



London Borough of Lewisham Local Development Framework

Core Strategy

Development Plan Document (DPD)

Publication Stage Representation Form

Ref:

For official use only

Please return your completed form to the London Borough of Lewisham by 5pm
Tuesday 6th April 2010

- By post to
FREEPOST RRZZ TLHU GKZS
Planning Service
London Borough of Lewisham
5th Floor, Laurence House
1 Catford Road
London SE6 4RU

or

- By e-mail to planning.policy@lewisham.gov.uk

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

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

For further information, or to request extra representation forms please phone
020 8314 7400 or e-mail 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 for each representation you wish to make.

Part A

1. Personal Details*

**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 National Grid

First Name _____

Last Name _____

Job Title
(where relevant) _____

Organisation
(where relevant) _____

Address Line 1 _____

Line 2 _____

Line 3 _____

Line 4 _____

Post Code _____

Telephone
Number _____

E-mail Address
(where relevant) _____

2. Agent's Details (if applicable)

Ms

Jo

Cutler

Planning Perspectives LLP

24 Bruton Place

London, W1J 6NE

W1J 6NE

020 7493 1518/6008

jo.cutler@planper.com

Part B – Please use a separate sheet for each representation

Name or Organisation :

3. To which part of the Core Strategy does this representation relate?

Paragraph 6.120 Policy _____ Proposals Map _____

4. Do you consider the Core Strategy is:

4.(1) Legally compliant Yes No

4.(2) Sound* Yes No

**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 Core Strategy 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)*

National Grid welcomes the designation of Bell green as an out-of-town retail park. Para 6.120 makes reference to planning permission granted in 2005. This is incorrect. Planning permission was granted in October 2006.

Para 6.120 further states that further retail development will not be granted beyond the 16,110 sq.m 2006 consented scheme. National Grid have held discussions with the Council with regard to minor variations to the consented mezzanine floorspace in order to deliver a market facing development whilst still protecting the viability of adjacent town centres. This will be essential to deliver a development which is viable and deliverable.

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 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)

Ammend reference to 2005 planning permission to refer to 2006 planning permission.

State thst the floorspace permitted at Bell Green will be limited to that which ensures the protection of the viability of adjacent town centres and encourages full and early occupation of the retail development.

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

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

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

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

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

[Empty box for response to question 9]

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

Signature: 

Date: 6th April 2010

Notes to accompany Representation Form for Development Plan Documents

1. Introduction

1.1 The Core Strategy is being published in order for representations to be made prior to submission. The representations will be considered alongside the published Core Strategy when submitted, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004 (as amended)¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Core Strategy 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 Core Strategy, 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 Core Strategy is justified, effective, or consistent with national policy.

2. Legal Compliance

2.1 The Inspector will first check that the published Core Strategy 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 Core Strategy 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 Core Strategy is not in the current LDS it should not have been published for representations. The LDS is available on the Lewisham website².
- The process of community involvement for the Core Strategy should be in general accordance with the Lewisham's Statement of Community Involvement³. 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 Core Strategy) and the consideration of planning applications.

¹ View the 2004 Act at:

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

² View the Lewisham LDS at:

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

³ View the Lewisham SCI at:

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

- The published Core Strategy should comply with the Town and County Planning (Local Development) (England Regulations) 2004 (as amended)⁴. When publishing the Core Strategy 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 Core Strategy⁵. 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 Core Strategy should have regard to national policy and conform generally to the London Plan⁶. 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 Core Strategy must have regard to Lewisham's Sustainable Community Strategy (SCS)⁷. 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 text⁸. The Inspector has to be satisfied that the published Core Strategy is justified, effective and consistent with national policy. To be sound a published Core Strategy should be:

- Justified

This means that the published Core Strategy 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 Core Strategy should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives

⁴ 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 View the 2009 amending Regulations at: http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090401_en.pdf

⁵ View the Sustainability Appraisal at: <http://consult.lewisham.gov.uk/portal>

⁶ View the London Plan at: <http://www.london.gov.uk/thelondonplan/>

⁷ View the Lewisham SCS at:

<http://www.lewisham.gov.uk/CouncilAndDemocracy/StrategiesPlans/StrategyDocuments/SustainableCommunityStrategy.htm>

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

should be realistic and subject to sustainability appraisal. The published Core Strategy 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 Core Strategy 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 Core Strategy should also be flexible and able to be monitored.

The published Core Strategy 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 Core Strategy 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 Report⁹. This report is produced each year by Lewisham and will show whether the Core Strategy needs amendment.

- Consistent with national policy

The published Core Strategy 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 Core Strategy is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

⁹ View Lewisham's Annual Monitoring Reports at:
<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/LocalDevelopmentFramework/AnnualMonitoringLDF.htm>

- 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.
- Is what you are concerned with covered by any other policies in the published Core Strategy 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 Core Strategy unsound without the policy?
- If the published Core Strategy 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 Core Strategy you should make clear in what way the published Core Strategy 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 Core Strategy should be changed. It will be helpful if you also say precisely how you think the published Core Strategy 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 Core Strategy 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 Core Strategies is provided in *PPS12* and in *The Plan Making Manual*¹⁰.

¹⁰ [View at http://www.pas.gov.uk/pas/core/page.do?pageId=51391](http://www.pas.gov.uk/pas/core/page.do?pageId=51391)



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Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**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 National Grid

First Name _____

Last Name _____

Job Title
(where relevant) _____

Organisation
(where relevant) _____

Address Line 1 _____

Line 2 _____

Line 3 _____

Line 4 _____

Post Code _____

Telephone
Number _____

E-mail Address
(where relevant) _____

2. Agent's Details (if applicable)

Ms _____

Jo _____

Cutler _____

Planning Perspectives LLP

24 Bruton Place

London, W1J 6NE

W1J 6NE

020 7493 1518/6008

jo.cutler@planper.com

Part B – Please use a separate sheet for each representation

Name or Organisation :

3. To which part of the Core Strategy does this representation relate?

Paragraph _____ Policy 4 _____ Proposals Map _____

4. Do you consider the Core Strategy is:

4.(1) Legally compliant Yes No

4.(2) Sound* Yes No

**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 Core Strategy 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)*

National Grid welcome the identification of Bell Green as a Local Hub and it's designation as an out-of-centre retail park within the Council's retail hierachy.

National Grid object however at 4ii to the limitation of floorspace and range of goods sold to that contained in the granted planning permission. Discussions have taken place with the Council with regard to a variation to the goods sold and mezzanine floorspace in order to deliver a market facing development whilst still protecting the viability of adjacent town centres. This will be essential to deliver a development which is viable and deliverable in the current market.

Policy 4iii and 4iv are a duplication of one another relating to the HSE proximity zones around the gas holders.

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 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)

At 4ii state that the floorspace and range of goods sold will be limited to those which ensure the protection of the viability of adjacent town centres and encourages full and early occupation of the retail development.
At 4iii alter to state that any development should the ground contamination issues associated with the redevelopment of the site

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

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

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

Yes, I wish to participate at the oral examination

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

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Signature: 

Date: 6th April 2010

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¹ View the 2004 Act at:

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

² View the Lewisham LDS at:

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

³ View the Lewisham SCI at:

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

- The published Core Strategy should comply with the Town and County Planning (Local Development) (England Regulations) 2004 (as amended)⁴. When publishing the Core Strategy 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 Core Strategy⁵. 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.
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- The published Core Strategy must have regard to Lewisham's Sustainable Community Strategy (SCS)⁷. 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 text⁸. The Inspector has to be satisfied that the published Core Strategy is justified, effective and consistent with national policy. To be sound a published Core Strategy should be:

- Justified

This means that the published Core Strategy 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 Core Strategy should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives

⁴ 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 View the 2009 amending Regulations at: http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090401_en.pdf

⁵ View the Sustainability Appraisal at: <http://consult.lewisham.gov.uk/portals>

⁶ View the London Plan at: <http://www.london.gov.uk/thelondonplan/>

⁷ View the Lewisham SCS at:

<http://www.lewisham.gov.uk/CouncilAndDemocracy/StrategiesPlans/StrategyDocuments/SustainableCommunityStrategy.htm>

⁸ View at <http://www.communities.gov.uk/publications/planningandbuilding/pps12/sp>

should be realistic and subject to sustainability appraisal. The published Core Strategy 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 Core Strategy 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 Core Strategy should also be flexible and able to be monitored.

The published Core Strategy 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 Core Strategy 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 Report⁹. This report is produced each year by Lewisham and will show whether the Core Strategy needs amendment.

- Consistent with national policy

The published Core Strategy 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 Core Strategy is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

⁹ View Lewisham's Annual Monitoring Reports at:
<http://www.lewisham.gov.uk/Environment/Planning/PlanningPolicy/LocalDevelopmentFramework/AnnualMonitoringLDF.htm>

- 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.
- Is what you are concerned with covered by any other policies in the published Core Strategy 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 Core Strategy unsound without the policy?
- If the published Core Strategy 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 Core Strategy you should make clear in what way the published Core Strategy 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 Core Strategy should be changed. It will be helpful if you also say precisely how you think the published Core Strategy 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.
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- 4.3 Further detailed guidance on the preparation, publication and examination of Core Strategies is provided in *PPS12* and in *The Plan Making Manual*¹⁰.

¹⁰ View at <http://www.pas.gov.uk/pas/core/page.do?pagelid=51391>