



Local Plan Review

Consultation on the Publication Draft Local Plan

10 January to 28 February 2022

RESPONSE FORM

The Council is inviting comments over a seven-week period on the Publication version of the Local Plan.

The Draft Local Plan sets out a vision and spatial strategy to guide the development of the borough from 2023, when the Plan is anticipated to be adopted, to 2038. It sets out key objectives for the borough, which are supported by planning policies, area strategies, and – at the smallest scale – detailed guidance for the development of specific sites. Collectively, these identify where development should be targeted and set out how the borough's neighbourhoods and places will change over the next 15 years.

This consultation is the final opportunity to comment on the Local Plan before it is submitted to the Secretary of State for independent 'examination in public'. At this stage in the plan-making process, in accordance with the national guidance, consultation responses should focus on whether the Local Plan has been developed in compliance with the relevant legal and procedural requirements, including the duty to cooperate, and with the 'soundness' of the Plan. Further detail on these concepts is provided in the accompanying guidance notes provided at the end of the form.

How to respond

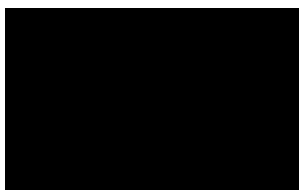



Please read the consultation documents and other background information made available on the Local Plan website: <http://www.wandsworth.gov.uk/draft-local-plan-publication>

You can respond by completing this form, either electronically using Word or as a print out, and sending it to the Council by:

- Email to planningpolicy@wandsworth.gov.uk
- Post to Planning Policy and Design, Environment and Community Services, Town Hall, Wandsworth High Street, Wandsworth, SW18 2PU.

Alternatively, you can also make comments on the draft Local Plan online via our Consultation Portal, which is accessible at the website listed above.

All responses must be received by **11.59pm on Monday 28 February 2022**. The consultation is open to everyone; however please note that responses will not be treated as confidential and those submitted anonymously will not be accepted.

Part A: Personal Details		
	1. Personal details*	2. Agent's details (if applicable)
Title	Mr	
First name	Michael	
Last name	Atkins	
Job title (where relevant)	Senior Planning Officer	
Organisation (where relevant)	Port of London Authority	
Address		
Postcode		
Telephone		
E-mail address		

*If an agent is appointed, please complete only the title, name and organisation boxes for the respondent and complete the full contact details for the agent.

Part B: About You...		
3. Please tell us about yourself or who you are responding on behalf of.		
Do you live in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you work in the borough?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Do you run a business in the borough?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Are you a student in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a visitor to the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Data protection

Information provided in this form will be used fairly and lawfully and the Council will not knowingly do anything which may lead to a breach of the General Data Protection Regulation (GDPR) (2018).

All responses will be held by the London Borough of Wandsworth. They will be handled in accordance with the General Data Protection Regulation (GDPR) (2018). Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

For further details regarding your privacy please see the Council's information published at:

www.wandsworth.gov.uk/privacy

Part C: Your Response		
4. Do you consider the Local Plan is:		
4.1 Legally compliant	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4.2 Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4.3 Complies with the duty to co-operate	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Further information on these terms is included within the accompanying guidance note, which can be found at the end of the response form.		
If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6.		
5. Do you think the Local Plan is <u>unsound</u> because it is <u>not</u>: <i>(Please tick all that apply)</i>		
5.1 Positively prepared	<input type="checkbox"/>	
5.2 Justified	<input checked="" type="checkbox"/>	
5.3 Effective	<input type="checkbox"/>	
5.4 Consistent with national policy	<input type="checkbox"/>	
6. Please give details of why you think the Local Plan is not legally compliant and/or is unsound and/or fails to comply with the duty to co-operate.		
<p>Please make it clear which consultation document your comments relate to and, where applicable, please include the relevant policy name/number, the site allocation name/reference, the Policies Map change, and/or the paragraph number. Please be as precise as possible.</p> <p>If you wish to provide comments in support of the legal compliance and/or soundness of the Local Plan, or its compliance with the duty to co-operate, please use this box to set out your comments.</p> <p><i>Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the response. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.</i></p>		
Allocation WT11: Western Riverside Waste Transfer Station		
<p>Given the sites safeguarded status, and the recent confirmation of Ministerial Safeguarding Directions (2021) for this wharf, the site allocation must be focused on the protection and maximisation of use of the site as a safeguarded wharf during the plan period rather than as a potential housing allocation. Therefore, it is recommended that the reference in section 4.105 to potential decommissioning is removed.</p> <p>As part of paragraphs 4.101 - 4.102 and the need for development to ensure there are no conflicts of use between wharf operations and the other land uses, nor constrain the long-term use and viability of</p>		

the safeguarded wharf, it must be specifically highlighted that the safeguarded wharf can operate over 24 hours a day in line with tidal movements, and this must be taken into consideration as part of the design of any future development, in line with the Agent of Change principle.

There must also be a specific link in the allocation to policy LP40 (Protected Wharves) as part of the site description due to the strong links between the policy and allocation.

Allocation WT22: Pier Wharf

As noted in the PLA's previous response, it is considered that the allocation should focus on the protection and maximisation of use of the site as a Safeguarded Wharf during the plan period rather than as a potential housing allocation if the wharf is de-designated. This must be reflected in paragraph 4.171 of the Local Plan.

Policy PM3: Nine Elms

Within the 'draft Local Plan Consultation Statement Appendix five' document the following changes were proposed to policy PM3 under the Placemaking section:

"Development proposals within this location should maximise the opportunity for the creation of green/open space that the Tideway Tunnel access shaft presents, contribute to the creation of a positive arrival experience for pedestrians and cyclists using the bridge, and improve walking and cycling connectivity in line with the VNEB Cycling Strategy, while also retaining Kirtling Wharf as a safeguarded zone for waterborne freight handling in line with LP 43."

It does not appear that this has been carried over into the latest draft Local Plan wording. It is therefore considered that similar wording must be included in policy PM3 to emphasise the safeguarded wharves (Cringle Dock, Kirtling Wharf and Middle Wharf) and their importance for Wandsworth and London as a whole. This is considered essential as the PLA noted in its previous response that it would strongly object to any proposed change in designation here, particularly at Kirtling wharf as the site is safeguarded for waterborne freight cargo handling and the PLA would object to all or part of the site being lost for alternative uses. As the owner of the riverbed and given its role as the statutory harbour authority for the River Thames the PLA would not support a river crossing located in an area that could negatively affect the long term viability of one of the boroughs key safeguarded wharves and potentially constrain navigation.

In addition, in order for the policy to be found fully sound, there must also be a specific reference in the policy itself that any development here will be designed in line with the Agent of Change principle, to ensure that existing and potential wharf operations (which can operate over 24 hours a day) are fully protected and the long term use and viability of these sites not compromised.

Allocations NE9: Kirtling Wharf and NE11: Cringle Dock

It is considered essential that these allocations consistently highlight the need for the safeguarded wharves to continue to be able to operate over 24 hours a day, in line with tidal movements, to ensure that the long term use and viability of these sites are not constrained in line with London Plan policy SI15. Therefore as part of the allocation wording it must be emphasised that future additional uses such as residential will have full regard to the current and future operation of the safeguarded wharves, including as part of the design of outdoor amenity space, balcony design and internal noise levels.

As part of this within the 'draft Local Plan Consultation Statement Appendix five' document for these allocations it is stated that any proposals for open space would be expected to not interfere with the safeguarded wharves in line with the policies that have been set out to protect them. It is therefore proposed that this wording is included as part of these allocations. The allocation must also include a specific link to associated policy LP40 (Protected Wharves) to ensure the strong links between this allocation and policy LP40 are made fully clear.

In addition, paragraphs 5.25 and 5.26 must specifically highlight that the allocations included safeguarded wharves within site allocation boundaries.

Policy PM9: Wandsworth Riverside

Map 11.1 must be updated to reflect the areas Safeguarded Wharves as part of the importance designations for this area.

Policy LP49: Sustainable Transport

In principle support policy LP51, which states that the Council will support proposals that reduce the need to travel and will work to promote safe, sustainable and accessible transport solutions for all users and part B4 which promotes safer, less polluting and more efficient freight movement. As part of this it is considered that specific reference is given to the potential increased use of the river as part of the policy, both for passenger and freight transport.

Please continue on a separate sheet / expand the box if necessary.

7. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, when considering any legal compliance or soundness matter you have identified at 5 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note your response should provide succinctly all the information, evidence and supporting information necessary to support / justify the suggested change. After this stage, further submission will only be at the request of the Inspector, based on the matters and issues they identify for examination.

1 - Allocation WT11: Western Riverside Waste Transfer Station

Recommended that the reference in 4.105 to potential decommissioning is removed.

Insert the following into paragraph 4.102:

" Any proposal would need to demonstrate that the addition of residential dwellings would not compromise the operation of the adjacent wharf, which can operate over 24 hours a day in line with tidal movements, in line with the Agent of Change principle."

There must also be a specific link in the allocation to policy LP40 (Protected Wharves) as part of the site description due to the strong links between them.

2 - Allocation WT22: Pier Wharf

Paragraph 4.171 of the Local Plan should be amended to state the following

"The site is currently used as a concrete batching plant on a safeguarded wharf. This use is in line with the sites safeguarded status and will continue to be supported."

3 - Policy PM3: Nine Elms

The following wording should be included in policy PM 3 under the Placemaking section:

"Development proposals within this location must ensure that the safeguarded Cringle Dock, Kirtling and Middle Wharves are retained for waterborne freight handling uses in line with policy LP40. Development Proposals within Nine Elms will be designed in line with the Agent of Change principle, to ensure that existing and potential wharf operations, which can operate over 24 hours a day in line with tidal movements are fully protected and the long term use and viability of these sites not compromised."

In addition the Safeguarded wharf boundaries must be highlighted on map 5.3 (Spatial Area Map: Kirtling Street Cluster) under the transport infrastructure section.

4 - Allocations NE9: Kirtling Wharf and NE11: Cringle Dock

Recommend the following amendments to the proposed allocations:

Paragraph 5.25:

NE9: This site is south of the River Thames, abutting the shoreline, and west of NE2 and includes the safeguarded Kirtling Wharf. To the south the site is Cringle Street, and it is east of NE11.

Paragraph 5.26:

NE11: This site is south of the River Thames and abuts onto the shoreline and is west of NE9. The site includes the Safeguarded Cringle Dock. To the south of the site is Cringle Street and to the west is Battersea Power Station (NE14).

Paragraph 5.27:

"Proposals for mixed-use development must retain or enhance wharf capacity and operability and maintain appropriate access arrangements. Development must not result in conflicts of use between wharf operations and the other land uses, nor constrain the long-term use and viability of the safeguarded wharves which can operate for over 24 hours a day in line with tidal movements".

Paragraph 5.30 (Open Space):

"Proposals to the north of the cluster in the Kirtling Wharf and Cringle Dock sites (NE9, NE11) will be required to consider open space that connects to the proposed Nine Elms Pimlico Bridge, the Thames Path and the open space above the Thames Tideway Tunnel access shaft without affecting the long term use and viability of the areas safeguarded wharves for waterborne freight cargo handling, in line with policy LP 40 (Protected Wharves) and the London Plan."

5 - Policy PM9: Wandsworth Riverside

Map 11.1 must be updated to reflect the areas Safeguarded Wharves to ensure the importance of these designations are appropriately highlighted.

6 - Policy LP49: Sustainable Transport

Specific support must be given to the potential increased use of the river as part of the policy, both for passengers in part B1 and waterborne freight cargo handling in part B4.

<i>Please continue on a separate sheet / expand the box if necessary.</i>			
8. If you are seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? (Please tick box as appropriate)			
No, I do not wish to participate in hearing session(s)		<input type="checkbox"/>	
Yes, I wish to participate in hearing session(s)		<input checked="" type="checkbox"/>	
Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.			
9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:			
<i>Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.</i>			
At this stage the Port of London Authority wish to reserve the right to potentially speak at the hearing sessions, to ensure that the boroughs safeguarded wharves are appropriately protected and promoted throughout the Local Plan over the plan period.			
<i>Please continue on a separate sheet / expand the box if necessary.</i>			
If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.			
If you do not wish to be added to our database or you would like your details to be removed, then please tick this box.			<input type="checkbox"/>
Signature: <i>For electronic responses a typed signature is acceptable.</i>	Michael Atkins	Date:	28/02/2022



Local Plan Publication Consultation

Guidance Notes to accompany the Representation Form

Introduction

1. The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector.

Legal Compliance

3. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should be in general conformity with the London Plan.
- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

Duty to Co-operate

4. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

5. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- Positively prepared – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

6. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy (or the London Plan)? If so, does not need to be included?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

7. If you wish to make a representation seeking a modification to the plan or part of the plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 5 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

8. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

9. Where groups or individuals share a common view on the plan, it would be helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

10. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.