



## 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](mailto: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	Ms	
First name	A	
Last name	Hetherington	
Job title (where relevant)		
Organisation (where relevant)		
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 checked="" type="checkbox"/>	No <input 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 type="checkbox"/>	No <input checked="" 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](http://www.wandsworth.gov.uk/privacy)

<b>Part C: Your Response</b>		
<b>4. Do you consider the Local Plan is:</b>		
4.1 Legally compliant	Yes <input 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 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.		
<b>If you have entered 'No' to 4.2, please continue with Q5. Otherwise, please go to Q6.</b>		
<b>5. Do you think the Local Plan is <u>unsound</u> because it is <u>not</u>:</b> <i>(Please tick all that apply)</i>		
5.1 Positively prepared	<input type="checkbox"/>	
5.2 Justified	<input type="checkbox"/>	
5.3 Effective	<input checked="" type="checkbox"/>	
5.4 Consistent with national policy	<input checked="" type="checkbox"/>	
<b>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.</b>		
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.		
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.		
<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>		
Area Strategy for Balham BA1 Sainsbury's Carpark		
Vision 10.12 says that you want to restore the town centre's character, and provide "an inclusive and connected public realm/open space and encourage urban greening to create a pleasant and people-focused urban environment".		
Your plans for the current Sainsbury's car park are the complete opposite of that. Yes it's a car park, but your proposal to fill the space with 5-storey buildings, far higher than any surrounding buildings, and incorporating 2 floors of car parking, is far worse and will ruin the heart of the town.		
It is one of the pleasant things about this area that it is a wide, open space. It is refreshing to leave the tall buildings hemming you in everywhere else in the town centre and enter an open expanse right in the heart of Balham. Building over this area by building new tall buildings and a multi-storey car park will be		

to the detriment of Balham by losing this open space vista and chance to breathe at its heart, rather than to its advantage or improvement.

You must be aware of this given that in the Map 10.1 you actually flag the triangular area as a 'valued view and vista'. You can't have it both ways and say it's a valued view and vista, but you're going to build over it and obscure that view and vista by erecting 5-storey buildings!

You also make no mention whatsoever of the well-established trees in the area. I remember that these were of significant importance when the future site was last argued over in the early 90s. They are still important now.

A6 says: "Loss of public open space will be resisted and opportunities to create additional public open space and public realm enhancements will be supported, particularly where biodiversity and ecological improvement can also be realised."

Yet you are actively proposing to do the exact opposite by building 5-storey buildings over the only open public space in the town centre.

It is the fact that it is an open space that makes it an attractive feature of the town centre.

I do not think this is the right development for the area.

*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.*

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

<b>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)</b>			
No, I do not wish to participate in hearing session(s)		<input checked="" type="checkbox"/>	
Yes, I wish to participate in hearing session(s)		<input 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.			
<b>9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:</b>			
<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>			
<i>Please continue on a separate sheet / expand the box if necessary.</i>			
<b>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.</b>			
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>	Ms A Hetherington	Date:	19 Feb 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.