Examination-in-Public Topic Paper

Main Matter 1a:

Supplementary Statement on Procedural Requirements
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Introduction

1.1.1 Topic Paper 1 is concerned with procedural arrangements for the production of the South London Waste Plan from the perspective of 2004 Planning and Compulsory Purchase Act and its associated regulations (as amended in 2008). However, in his Main Matters, Issues and Questions (ED4), the Inspector poses further questions in relation to legal requirements, the evidence and the South London Waste Plan’s relationship to partner councils’ other DPDs.

1.1.2 This paper is a supplement to Topic Paper 1 and answers the Inspector’s questions posed in ED4.

Inspector’s Questions

1.2.1 *What is the evidence to confirm that all the above legal requirements have been met? In particular what is the evidence to demonstrate that the requirements for the following matters are met: (i) Has the DPD been prepared in accordance with the Local Development Scheme (LDS) of each Partner council; does its listing and description in the each LDS match the submission document; have the timescales set out in the LDS been met?*

This matter is covered in Paragraph 2.2 (i) of Topic Paper 1.

1.2.2 *(ii) Has regard been paid to the sustainable community strategies of the Partner councils and those of neighbouring local planning authorities and other relevant strategies?*

With regard to the Sustainable Community Strategies, this matter is covered in Paragraph 2.2 (2) (f) of Topic Paper 1.

The South London Waste Plan has also had regard to the Draft Joint Municipal Waste Management Strategy (SLWP15.4), which was the strategy of the South London Waste Partnership at the time of preparing the submission version of the South London Waste Plan. The draft strategy is referenced in Paragraphs 3.22-3.27 of the South London Waste Plan. The South London Waste Partnership has since published its Joint Municipal Waste Management Strategy (SLWP15.5). There are only minor differences between the draft and final documents with the objectives and the targets almost completely unchanged.

In order to update the South London Waste Plan to reflect the fact that the Joint Municipal Waste Management Strategy is no longer a draft document, the boroughs are proposing the following Proposed Further Changes:

| PFC4, PFC11, PFC12, PFC13 |

1.2.3 *(iii) Does the DPD comply with the Statement of Community Involvement (SCI) and have the Partner councils carried out all consultation consistent with the SCI and the relevant Regulations?*

This matter is covered in Paragraph 2.2 (3) of Topic Paper 1.
1.2.4 (iv) Has the DPD been subject to a Sustainability Appraisal and have the Partner councils provided a final report of the findings of the Appraisal?

This matter is covered in Paragraph 2.2 (5) of Topic Paper 1.

1.2.5 (v) Were any requirements for Appropriate Assessment under the Habitats Regulations met before publication of the DPD?

The boroughs published a Habitats Regulations (Appropriate Assessment) Screening Report (SLWP1.7) in December 2010, in line with Part IVA of the Conservation (Natural Habitats &c Regulations) (1994 amended 2007). In February 2011, the boroughs received a letter from Natural England (SLWP1.8) informing them Natural England agrees with the approach and methodology used in SLWP1.7 and the overall conclusion that stages two and three of the Habitats Regulations Assessment, requiring a full Appropriate Assessment in this instance and in respect of this document, is not required.

1.2.6 (vi) Has the general conformity of the DPD with the London Plan been confirmed by the Greater London Authority?

This matter is covered in Paragraph 2.3 of Topic Paper 1.

1.2.7 (vii) Does the DPD comply with all of the 2004 Regulations, as amended in 2008?

This matter is covered in Paragraph 3.1-3.11 of Topic Paper 1.

1.2.8 (viii) Specifically does it comply with the requirement regarding the publication of prescribed documents, their availability at the Partner councils’ principal offices and on an appropriate website, the placing of local advertisements and notification of the DPD bodies?

This matter is covered in Paragraph 3.2-3.5 and 3.8-3.11 of Topic Paper 1.

1.2.9 (ix) How is the Regulation 13(5) requirement to list saved Development Plan policies that will be superseded met?

A list of the saved Development Plan policies that will be superseded are shown in Table 4.3 on Page 29 of the South London Waste Plan (SLWP1.1).

However, the boroughs are proposing to make two minor amendments to this table since two of the policies listed refer to storage space in residential developments and will therefore be superseded by policies in the boroughs’ Core Strategies or Development Management DPDs rather than the South London Waste Plan. The proposed minor changes are listed below:

PPMC60 and PMC61
Conclusion

1.3.1 As a result of answering the above questions, the boroughs consider that there are no fundamental procedural shortcomings concerning the submitted document and it is legally compliant with the 2004 Act and associated Regulations (as amended in 2008).