

Draft South London Waste Plan Main Modifications July 2022 Frequently Asked Questions (FAQ)

1. What is the South London Waste Plan?

As waste planning authorities, all London boroughs have a statutory duty to prepare a waste Local Development Plan in line with Article 28 of the Waste Framework Directive (2008). Paragraph 3 of the National Planning Policy for Waste (October 2014) also requires waste planning authorities to plan to meet their identified waste and London Plan Policy SI8 also sets targets for boroughs to meet in terms of waste management.

To satisfy these requirements the South London Waste Plan (SLWP) has been prepared. The SLWP is a Development Plan Document (DPD) that is jointly prepared by the London Boroughs of Croydon, Kington, Merton and Sutton. It has two roles:

- A. To set out the planning policies that the boroughs use to determine waste planning applications.
- B. To safeguard a range of existing waste sites for waste management purposes. These designated sites appear on the boroughs' Planning Policies Maps.

2. What stage is the South London Waste Plan at?

The draft SLWP has been consulted on twice before:

- Firstly, the Issues and Preferred Options document was consulted on between October and December 2019.
- Secondly, the draft Plan was consulted on between September and October 2020.
- In November 2020, Full Council agreed to the submission of to the Secretary of State, including delegation of authority to publish the main modifications at the appropriate time.

It was submitted to the Planning Inspectorate for Examination-in-Public (EiP) in January 2021. The Planning Inspectorate appointed two Inspectors to carry out the examination of the draft SLWP. The Inspectors role is to determine whether the draft SLWP is: (a) legally compliant; and (b) sound. The hearing sessions took place in September 2021.

After considering all the evidence and arguments that have been presented, at the end of the hearing sessions the Inspectors provided a summary of 'where we are' and gave an indication of the next steps that the Councils need to take. As with all EiPs, the Inspectors will require some modifications to the Plan in order for it to progress. This is confirmed in their [post-hearings letter](#).

3. What is the current consultation about?

The Planning Inspectors have requested we make some changes to the draft SLWP as part of the examination process. The proposed changes have been prepared, known in planning terms as **Main Modifications**, and the Councils are consulting on these changes now. We have also prepared additional (Minor) modifications as well (typographical corrections or factual updates), which are also being published as part of the consultation.

4. What can I comment on?

This consultation specifically relates to proposed Main Modifications to the draft SLWP, identified by the Inspectors as those that may be necessary to ensure the plan can be found 'sound' and that have not previously been formally consulted upon. You can comment only on the specific changes contained in the Schedule of Main Modifications.

The focus is on the Main Modifications rather than the draft SLWP because consultation and engagement has taken place before reaching this stage, as set out above.

The Planning Inspectors will only consider comments on the proposed changes in relation to 'legal compliance' and 'soundness'.

Legal compliance relates to whether the Local Plan meets legal requirements including the duty to cooperate with relevant organisations.

Soundness is defined in the [National Planning Policy Framework](#) (NPPF). It relates to the criteria summarised below:

- (a) Being positively prepared** – seeking to meet the area's need
- (b) Being justified** – being based on research having considered other reasonable alternatives
- (c) Being effective** – being able to be delivered over the plan period
- (d) Being consistent with national policy** – meeting the requirements of the National Planning Policy Framework

If you submitted comments on previous versions of the draft SLWP (during the Regulation 18 and Regulation 19 consultation stages), the Inspectors will be aware of the comments and will have been considering them as part of the examination. Therefore, this consultation is only inviting comments on the proposed changes.

4. What are Additional Modifications?

Local planning authorities can choose to make Additional Modifications (or Minor Modifications) to the plan before it is adopted. Minor Modifications are changes that do not materially affect the plan's policies and are usually made typographical corrections or factual updates.

Local Planning Authorities may include the Minor Modifications documents as part of the consultations that take place at this stage.

A schedule of the Minor Modifications is included in the consultation documents.

5. Are there any other supporting documents to be published?

Yes. The supporting documents forming part of this consultation are:

- Sustainability Appraisal (SA)
- Equalities Impact Assessment (EQiA)
- Changes to the Policies Map

The above documents have all been updated to reflect the main modifications proposed to the draft SLWP.

What happens next?

Once this consultation has concluded the Council will register all comments received and publish them on their website.

The comments (in full) relating to the Main Modifications will be submitted to the Inspectors undertaking the examination. The Inspectors will consider all the comments received on the Main Modifications and advise the Councils of the next steps.

At the end of the examination process they will present their final conclusions in a report into the examination of the Local Plan. If the report concludes that the SLAP is 'sound' with a final list of Modifications, the Council can move forward to adopt the SLWP, subject to making the Modifications identified by the Inspector.