



Part B - Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph(s) Policy **SC 1 Back Garden Land Supplementary Policy** Figure/Site

4. Do you Consider the Local Plan is:

(Please tick as appropriate)

i) Legally Compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
ii) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
iii) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We are extremely concerned that draft policy SC 8 on Garden Land development in last summer’s consultation version of the Local Plan has not been carried forward into this round of consultation.

We have examined the schedule of Regulation 18 responses and cannot find any justification for this deletion.

While the officer comments against the submission by respondent 2273 says, “A ‘presumption’ was not generally supported”, this is misleading as the majority of respondents commenting on options “a” or “b” supported option “a”. Option “a” proposed the introduction of a general policy presumption against new development on back garden land.

The introduction of a presumption against garden land development in the Local Plan is consistent with the guidance provided by both the NPPF and the London Plan.

Paragraph 53 of the NPPF invites planning authorities to bring forward policies to resist development of residential gardens.

Paragraph 3.34 of the London Plan supports policies in Local Plans which contain a presumption against development on back-gardens. The London Plan also states, “Such a presumption has been taken into account in setting the Plan’s housing targets”. A similar statement is contained in paragraph 48 of the NPPF.



We are further concerned by the insertion of the following addition to draft Policy SC 1 in this consultation, where the reference to small sites could invite garden land developments:

b. Supporting proposals for new development and conversions on other sites, including small sites, in the context of the presumption in favour of sustainable development;

An additional concern is that according to Table SC 1.1 nearly 20 percent of the borough’s housing growth will be delivered on small sites.

It therefore seems highly likely that there will be increased pressure to develop back garden sites during the life of the Local Plan.

6. Please set out what modification (s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. *(NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).* You will need to say why this 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.

Reintroduce a policy expressing a presumption against back garden development and to amplify this with local supplementary planning guidance.

Such a policy should both reflect and be in conformity with the NPPF and the London Plan

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, 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 only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, 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

Yes, I wish to participate at the oral examination

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



To explain the negative consequences of the policy wording as proposed.

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.

9. Signature:

Date: