



Public Consultation on Main Modifications to the Proposed Submission North London Waste Plan (NLWP)

Representation Form and Guidance Notes

Please save and return to feedback@nlwp.net by the end of Thursday
10th December 2020.

This form has two parts:

Part A – Personal details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Guidance notes are available at the end of the Representation Form. Please read the advice in the guidance notes on making a representation attached to the consultation before completing this response form.

Please note that any comments you make will be made publically available and attributed to your name. Please see the [Privacy Policy](#) for details of how we use your information. We are required to share your information with the Planning Inspector for the purposes of the Examination.

Part A: Personal Details:

Name: Eleri Randall

Job Title: Planning Advisor
(where applicable)

Organisation: Environment Agency
(where applicable)

Part B – Your representations

Please use a separate sheet for each representation

1. To which Main Modification does this representation relate? (one modification reference per form)

Main Modification reference: MM109 (Appendix 2: Hackney LLDC Area Profiles); MM111 (Appendix 2: Haringey Area Profiles); MM114 (Appendix 2: Waltham Forest Area Profiles); and MM115 (Appendix 2: Waltham Forest LLDC Area Profiles)

Paragraph number: Appendix 2 Area Profiles as above.

2. Do you consider the proposed Main Modification to be:

Legally compliant (Y/N): Y

Sound (Y/N): N

3. If you consider the proposed Main Modification to be unsound, please identify which test of soundness your comments relate to:

Positively prepared

Justified Effective

Consistent with national policy

4. Please give details of why you consider the proposed Main Modification is not legally compliant or is unsound. Please be as precise as possible.

Within the modified wording for the above modifications it is inferred that *because* the development uses will be 'Less Vulnerable' and this is compatible with Flood Zones 2/3 that the Sequential Test is passed. This shows an incorrect understanding of the Sequential Test as there is more to it than confirming that a proposed use is compatible with a certain flood zone. We do not expect additional work to be carried out with regards to the Sequential Test as our agreement on its application was set out within the Statement of Common Ground but this wording should be changed to show the proper understanding of the Sequential Test.

5. Please set out what change(s) you consider necessary to make the proposed Main Modifications legally compliant or sound, having regard to the test you have identified in Q3 above where this relates to soundness. You will need to say why this change will make the proposed Main Modification to the Proposed Submission NLWP 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.

The Planning Practice Guidance has information on the application of the Sequential Test for local plans, available here <https://www.gov.uk/guidance/flood-risk-and-coastal->

[change#Sequential-Test-to-Local-Plan](#). There is also a link to a flowchart with the various steps to the Sequential Test. As stated above we don't expect the ST to be redone. However, the modified wording needs to be changed to correctly reflect what the ST constitutes, as at the moment it is suggested that the ST is merely passed based on the flood zone vulnerability compatibility table.

6. Do you require notification of any of the following to your email address stated in Part A:

The publication of the inspector's recommendations following the independent examination (Y/N): Y

The adoption of the Local Plan (Y/N):Y

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