

# South Oxfordshire Local Plan 2034

## Publication Version Representation Form

**Please return by 5pm on Monday 18 February 2019 to:** Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email it to [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

This form has two parts:

**Part A** – contact details

**Part B** – your comments / participation at oral examination

### Part A

Are you responding as an: (please tick)

Agent

Business or organisation

Individual

Due to the plan-making process including an independent examination, a name and contact details are required for your comments to be considered. If you are acting on behalf of another organisation, please provide their details in column one and your company name and contact details in column two.

	1. Personal Details	2. Agent Details (if applicable)
Title	<input type="text" value="Mrs"/>	<input type="text"/>
Full Name	<input type="text" value="Helen"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="Marshall"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="CPRE OXFORDSHIRE"/>	<input type="text"/>
Address Line 1	<input type="text" value="20 High Street"/>	<input type="text"/>
Address Line 2	<input type="text"/>	<input type="text"/>
Address Line 3	<input type="text"/>	<input type="text"/>
Postal Town	<input type="text" value="Watlington"/>	<input type="text"/>
Postcode	<input type="text" value="OX49 5AF"/>	<input type="text"/>
Telephone Number	<input type="text" value="01491 612079"/>	<input type="text"/>
Email Address	<input type="text" value="campaign@cprexon.org.uk"/>	<input type="text"/>

For information on **sharing your details**: please see page 3

## Part B – Please use a separate sheet for each representation

For comments on the Local Plan, please provide the paragraph or policy to which your comments relates.

If you wish to comment on one of the evidence documents or the policies maps, please state the document title as well as the paragraph or policy reference.

Document / Policy / Paragraph:

ENV1 Landscape

Do you consider the Local Plan and supporting documents:

(1) are legally compliant

Yes

No

Don't know

(2) are sound

Yes

No

Don't know

(3) comply with the Duty to Cooperate

Yes

No

Don't know

Please provide further information in relation to the previous question. e.g. why you do or do not consider the Local Plan to be legally compliant or sound.

We are pleased to see the improvements to policy that have been made, but there remain some substantive issues. In particular, Policy ENV1 is still NOT fully consistent with **statutory duties, national and local policies**, in three respects:

- a) it does not fully reflect the statutory weight of CROW Act s85 and the statutory roles of the Chilterns Conservation Board and NW Downs AONB Partnership which includes not only their management plans but also other guidance and position statements, all of which are material considerations by virtue of s.85.
- b) in referring only to landscape and visual assessment it fails to recognise the unavoidable legal requirements for EIA screening as a 'sensitive area' for which ALL developments falling within the categories listed in Schedule 2 of the regulations must be screened irrespective of size thresholds.
- c) it does not reflect the statutory duties to have special regard to the significance of the setting of Oxford's designated heritage assets under the 1990 Planning (Listed Building and Conservation Areas) Act and great weight NPPF policies on the historic environment
- d) it does not reference the S Oxon Design Guide, which is relevant to landscape as well as wildlife and heritage (for which policies do refer to it)

(Continue on page 4 if necessary)

Please set out any modifications you consider necessary to make the Local Plan legally compliant or sound, having regard to your comments above. (NB - any non-compliance with the duty to co-operate is incapable of modification at examination).

It will be helpful if you could put forward your suggested wording of any policy or text as precisely as possible.

ENV1 para 1 4th bullet point amend to read:

*Development proposals that could affect the special qualities of an AONB (including the setting of an AONB) either individually or in combination with other developments, ~~should be accompanied by a proportionate Landscape and Visual Impact Assessment.~~ will be screened for EIA and whether or not formal EIA is required, applications will be expected to be accompanied by appropriate specialist assessments on landscape and visual effects, heritage, wildlife and other aspects of the environment as appropriate to the case. AONB management plans and supporting Guidance and Position Statements issued by the Chilterns Conservation Board and North Wessex Downs AONB Partnership will be ~~a~~ material considerations in decision making.*

ENV2 v) amend to read:

*The landscape setting of settlements ~~or the special character and landscape setting of Oxford;~~*

[NOTE: 'or' is grammatically wrong having the incorrect policy implication. But the main issue here is that the special character and landscape setting of Oxford justifies a separate sub-policy paragraph (as proposed below) because of the international importance of Oxford's skyline and setting (which does not apply to other historic settlements within or adjacent to the District) and also because it is an issue that explicitly straddles the border between the City and South Oxfordshire. This deletion should only be implemented in conjunction with its replacement by a much more explicit policy referencing the relevant heritage tests, as indicated below.]

AND - EITHER after ENV1 Para 2 OR within ENV6, insert:

*Proposals for development that affect the special character and landscape setting of Oxford will be expected to preserve and/or enhance its historic and visual significance in accordance with statutory provisions and national policy to safeguard the historic environment, especially if they are located within views of or from the City. In accordance with the guidance and tests set out in national and local policy, great weight will be given to preserving and enhancing the City's setting and developments will not be permitted that, without clear and convincing justification, would:*

*i) Harm the setting of the internationally and nationally important listed buildings, conservation areas and registered parks and gardens that form the iconic skyline of Oxford, including effects on views out from and across the city and/or on the historic character of its surrounding landscape; or*

*ii) Harm the historic landscape setting and character of Oxford*

*Oxford City Council's Heritage Plan documents and policy on the landscape setting of Oxford and views in relation to Oxford's skyline will be treated as material considerations in determining proposals to which this policy applies.*

(Continue on page 4 if necessary)

Would you like to participate at the oral part of the examination, which takes place as part of the examination process? \*

Yes  No

\* **Please note:** the inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the public hearing.

Signature:  Date:   
(this can be electronic)

### Sharing your personal details

All comments will be submitted in full to the Secretary of State alongside a submission version of the Local Plan. The Secretary of State will appoint an independent planning inspector, who will carry out an examination of the plan.

Your name, contact details and comments will also be shared with the planning inspector and a programme officer, who will act as a point of contact between the council, inspector and respondents. This means that you will be contacted by the programme officer (and where necessary the council) with updates on the Local Plan. This is required by Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004.

We have received assurance that the data passed to the planning inspector and programme officer will be kept securely and not used for any other purpose. The inspector and programme officer will retain the data up to six months after the plan has been adopted. South Oxfordshire District Council will hold the data for six years after the plan has been adopted.

Comments submitted by individuals will be published on our website alongside their name only. No other contact details will be published. Comments submitted by businesses and/or organisations will be published on our website including contact details. If you would like to know more about how we use and store your data, please visit [www.southoxon.gov.uk/dataprotection](http://www.southoxon.gov.uk/dataprotection)

### Future contact preferences

As explained in our data protection statement, in line with statutory regulations you will be contacted by the programme officer (and where necessary the council) with relevant updates on the Local Plan. South Oxfordshire and Vale of White Horse District Councils have a shared planning policy database. If you would like to be added to our database to receive updates on other planning policy consultations, please tick the relevant district box(es):

- I would like to be added to the database to receive planning policy updates for South Oxfordshire
- I would also like to be added to the database to receive planning policy updates for Vale of White Horse

**Further comment:** Please use this space to provide further comment on the relevant questions in this form. **You must state which question your comment relates to.**

**Alternative formats of this form are available on request.** Please email [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk) or call 01235 422600 (Text phone users add 18001 before you dial).

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