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| **New%20Image1** | **Local Plan 2031 Part 2**  Publication Version  Representation Form | | | | | | | | **Ref:**  **(For official use only)** |  |
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| **Name of the Local Plan to which this representation relates:** | | | | | | | | Vale of White Horse Local Plan 2031 Part 2 | |
| **Please return by** **5pm on Wednesday 22 November 2017 to:** Planning Policy, Vale of White Horse District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email [planning.policy@whitehorsedc.gov.uk](mailto:planning.policy@whitehorsedc.gov.uk) | | | | | | | | | |
| 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. | | | | | | | | | |
| **Part A** | | | | | | | | | |
| 1. Personal Details\* | |  |  |  |  |  | 2. Agent’s Details (if applicable) | | |
| \*If an agent is appointed, please complete only the Title, Name and Organisation  boxes below but complete the full contact details of the agent in 2. | | | | | | | | | |
| Title | | Mrs | | |  | |  | | |
|  | | | | | | |  | | |
| First Name | | Helen | | |  | |  | | |
|  | | | | | | |  | | |
| Last Name | | Marshall | | |  | |  | | |
|  | | | | | | |  | | |
| Job Title (where relevant) | | Director | | |  | |  | | |
|  | | | | | | |  | | |
| Organisation representing | | CPRE Oxfordshire | | |  | |  | | |
| (where relevant) | | | | | | |  | | |
| Address Line 1 | | 20 High Street | | |  | |  | | |
|  | | | | | | |  | | |
| Address Line 2 | |  | | |  | |  | | |
|  | | | | | | |  | | |
| Address Line 3 | |  | | |  | |  | | |
|  | | | | | | |  | | |
| Postal Town | | Watlington | | |  | |  | | |
|  | | | | | | |  | | |
| Post Code | | OX49 5PY | | |  | |  | | |
|  | | | | | | |  | | |
| Telephone Number | | 01491 612079 | | |  | |  | | |
|  | | | | | | |  | | |
| Email Address | | director@cpreoxon.org.uk | | |  | |  | | |
| **Sharing your details**: please see page 3 | | | | | | |  | | |

**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 Policy Policies Map

Development Policy 39

4. Do you consider the Local Plan is: (*Please tick as appropriate)*

4. (1) Legally compliant Yes No

4. (2) Sound Yes **No**

4. (3) Compiles with the Duty to Cooperate Yes No

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| 5. Please provide details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. 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 Cooperate, please also use this box to set out your comments. |
| **Development Policy 39 - Archaeology and Scheduled Monuments**  Policy 39 is mostly sound, but the first and final sentences of the last paragraph do not accord with NPPF para 141 which states: *Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.fn30 However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.*  *[fn30: Copies of evidence should be deposited with the relevant Historic Environment Record, and any archives with a local museum or other public depository].*  Furthermore, as drafted, the phrase ‘in exceptional cases’ appears to mean that the whole of the rest of the paragraph only applies as an exception, but this is nowhere indicated in NPPF. Quite to the contrary, Para 141 makes recording and investigation a general requirement where, despite minimising harm, valuable evidence would nonetheless be destroyed.  As drafted, policy 39 also fails to mention the Historic Environment Record as the primary source of information about what discoveries have been made.  It makes no provision for deposition of archives which are often vital for future research, as archaeological ideas and techniques develop.  Also, publication should be in an appropriate form – ie as NPPF indicates, commensurate with the importance of the results.  Policy 39 is also unsound because as drafted and positioned within the archaeology policy it only applies these investigatory and recording provisions to monuments and sites, whereas NPPF Para 141 applies to all types of heritage asset – including listed buildings, conservation areas parks and gardens etc.  This paragraph should therefore be redrafted as indicated below and EITHER transferred to the more general provisions under Policy 36 OR included as a separate policy 40.  (Continue on page 4 /expand box if necessary) |

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| 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the matter you have identified at 5 above. (NB Please note that any non-compliance with the duty to cooperate 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. |
| Re: Policy 39 we propose the deletion of the last paragraph and a redraft as follows to be added to the end of Policy 36 OR as new policy 40:  *In exceptional cases,* *Where, in accordance with national policy, harm to or loss of significance to any heritage asset is considered to be outweighed by other material considerations, the harm should be minimised; and where nevertheless valuable evidence would be lost, such loss should be mitigated by a programme of appropriate investigations, recording and analysis. Planning permission will not be granted until this programme has been submitted to, and approved by, the local planning authority, and development should not commence until these works have been satisfactorily undertaken by an appropriately qualified organisation.* *Developers will be expected to report the results of any investigations into heritage assets occasioned by their proposals to the relevant local and county authorities and records, including the Historic Environment Record; to deposit the archive of records and finds arising from such investigations in a publicly accessible repository as a resource for future research; and to ensure that the results and analysis of findings are published in an appropriate form*.  .  At the end of each of policies 37, 38 and 39 insert:  *Provision for recording, analysing, reporting, archiving and publishing evidence arising from investigations undertaken to assess the importance of the asset or to mitigate harm arising from the loss of evidence will apply as set out in Policy 36 [or 40].*  (Continue on page 4 /expand box if necessary) |

**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 be only 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?

**Yes**, I wish to participate at the

oral examination

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| 8. If you wish to participate at the oral part of the examination, please outline why  you consider this to be necessary:  These suggested amendments are technical but important to be correctly worded for them to work properly and this may benefit from input by CPRE’s expert advisor. |
| ***Please note*** *the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the examination.* |

Signature: Date:

**Sharing your personal details**

Please be aware that, due to the process of having an Independent Examination, a name and means of contact is required for your representation to be considered. Respondent details and representations will be forwarded to the Inspector carrying out the examination of the Local Plan after the Publicity Period has ended. This data will be managed by a Programme Officer who acts as the point of contact between the council and the Inspector and respondents and the Inspector.

**Representations cannot be treated as confidential and will be published on our website alongside your name.** If you are responding as an individual rather than a company or organisation, we will not publish your contact details (email / postal address and telephone numbers) or signatures online, however the original representations are available for public viewing at our council office by prior appointment. All representations and related documents will be held by Vale of White Horse District Council for a period of 6 months after the Local Plan is adopted.

**Would you like to hear from us in the future?**

I would like to be kept informed about the progress of the Local Plan

I would like to be added to the database to receive general planning updates

Please do not contact me again

**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 contact our customer service team on 01235 422600 (Text phone users add 18001 before you dial) or email [planning.policy@whitehorsedc.gov.uk](mailto:planning.policy@whitehorsedc.gov.uk)

**Please return this form by** **5pm on Wednesday 22 November 2017 to:** Planning Policy, Vale of White Horse District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email [planning.policy@whitehorsedc.gov.uk](mailto:planning.policy@whitehorsedc.gov.uk)