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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 38 Policies Map

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

4. (1) Legally compliant No

4. (2) Sound No

4. (3) Compiles with the Duty to Cooperate Yes

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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 38: Listed Buildings**  Policy 38 as it stands is **not sound** because it is not sufficiently positive and in seeking to condense what had been several policies it has omitted a number of quite different circumstances (eg as between an application for listed building consent and a planning consent that affects the setting of listed buildings on or adjacent to the site). Several points referred to in the supporting text are not reflected in the policy. By omission the policy implies that:  i) The process does not require any form of assessment or analysis of heritage significance and impact;  ii) Retention of features of special architectural or historic interest is not a pre-requisite (thus if such features are not retained they do not need to be ‘respected’; that ‘respecting’ their former existence is all that is needed);  iii) The policies and principles behind them apply mainly (or only) to urban contexts, whereas most of the district is rural and has important rural historic character;  iv) That possibility for enhancement, repair, restoration etc is very restricted and/or not a significant consideration;  v) Historic character of both the building(s) and surroundings is not much of a consideration, contrary to NPPF.  In addition, there are infelicities of wording and phrase order that introduce ambiguities as to whether provisions apply to the development proposals or the heritage assets to be conserved or enhanced.  (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. |
| We propose replacement of Policy 38 with the following amended version (changes underlined) which includes some grammatical changes to clarify meaning. These modest additions address these matters and would bring the policy more into line with national policy and statutory obligations.  **Development Policy 38: Listed Buildings**  *Proposals for additions or alterations to, or the demolition of, a Listed Building (including partial demolition), or for development within the curtilage of, or affecting the setting of, a Listed Building must demonstrate, using best practice based on relevant national guidance, exactly what features or aspects of historic or architectural interest would be altered by the proposals and that what is proposed will:*  *i. conserve or enhance the heritage significance and setting of the listed building(s) on and adjacent to the site*  *ii. retain, respect and as appropriate restore any features of special architectural or historic interest, including, where relevant, structures and trees, the historic curtilage or context, such as burgage plots, parkland or fields and paddocks, or its value within a group and / or its setting, such as the importance of a street frontage or traditional shopfronts, designed landscapes or historic farmyards, including how the historic character of the area contributes to their significance*  *iii. through appropriate design, in accordance with* ***Core Policy 37*** *and the Design Guide Supplementary Planning Document, be sympathetic to the Listed Building(s) and its/their setting(s) in terms of siting, size, scale, height, alignment, materials and finishes (including colour and texture), architectural design, form, and character, in order to retain their special interest; and*  *iv where desirable and reasonably practical, will rectify past harm.*  *Proposals for the change of use of a Listed Building or building within its curtilage will be viewed favourably where it can be demonstrated that the new use will ensure the sustainable survival of the building in a manner appropriate to its historic character and can be accommodated without any adverse effect on the special architectural or historic interest of the building and its appearance or character.*  (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:  We believe that CPRE has a useful understanding of these issues and could  contribute meaningfully to this discussion.  This area of policy is sensitive and one to which statutory obligations apply and to which ‘great weight’ must be given. The nuances of policy wording are important and reflect a complex set of balancing criteria and considerations that need to be more fully explained to ensure the points are fully appreciated and that the wording proposed is correct (or clarify what it should be to address the issues raised). |
| ***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)

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