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|  | **South Oxfordshire Local Plan 2033**  Publication Version  Representation Form | | | | | | | | **Ref:**  **(For official use only)** | |  | |
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| **Name of the Local Plan to which this representation relates:** | | | | | | | | South Oxfordshire Local Plan 2033 | | |
| **Please return by** **5pm on Thursday 30 November 2017 to:** Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.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: CPRE

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

Paragraph Policy Policies Map

**SUSTAINABILITY APPRAISAL AND**

**CHAPTER 12 MONITORING & REVIEW**

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

4. (1) Legally compliant Yes

4. (2) Sound **NO**

4. (3) Complies 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. |
| We are presenting our concerns about the Sustainability Appraisal and Implementation, Monitoring and Review together because they should be closely interlinked to be sound and effective but are not.  **The Sustainability Appraisal**  The **Sustainability Appraisal** does not comply with the SEA Regulations in that it does NOT predict the actual likely overall effects on the environment as required under Regulation 12(3) and Schedule 2, especially in respect of:   * landscape quality or character; * dark skies and light pollution; * loss of tranquillity * loss of species and habitats (or habitat creation); * historic landscape and character; * loss of or harm to heritage assets and their settings; * loss of archaeological sites and the implications for local resources to access and curate resultant materials.   Nor does it set out or review policies for what practical measures are proposed to “*prevent, reduce and as fully as possible offset”* the actual on-the-ground effects of development on such environmental assets and characteristics.  All these factors that contribute to peoples’ quality of life are both predictable and capable of being monitored to a reasonably good degree. There are also means by which harm could be remedied reduced or offset where unforeseen effects arise.  This is exacerbated by the monitoring framework in Chapter 12, where the monitoring measures for the Development Management Policies also make next to no reference to actual changes to the environment, only decision-making procedures, with no provision to remedy reduce or offset unforeseen impacts on the ground.  As such the Plan is not compliant with Regulation 17(1) of the SEA Regulations (SI 2004 No. 1633) which requires that:  *The responsible authority shall monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action.*  **Chapter 12 Monitoring and Review**  CPRE welcomes this chapter in principle and agrees wholeheartedly that: ‘Monitoring the performance of the Development Plan is essential to assess its effectiveness’ (para 12.1). We believe, however, that as drafted the plan falls far short of being sound or effective, and does not reflect a balance between the three core strands of sustainable development as set out in paragraph 7 of the NPPF. The aspiration needs to be supported by an explicit Policy and far more effective and real-world indicators and targets.  The monitoring process must address real-world changes in the District not just decision-making procedures. Furthermore such a policy needs to commit to complete transparency and SODC should commit to producing an annual report on progress against targets which is widely accessible, understandable and discussed. It is inevitable that some of the targets will not be achieved. There must also be a clear mechanism to identify actions needed to achieve the targets or, if it is deemed sensible, to review the targets.  We believe there are a number of essential indicators currently missing and outline these below. In particular, there must be a mechanism for calling a halt to premature development if the expectation of job growth far in excess of historical trends is not fulfilled.  (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. |
| A The Plan requires an explicit Policy to commit to an annual review on progress, against the indicators (or targets) outlined, as follows:  ***[MON1] The Council will monitor delivery of the plan objectives and the effectiveness of policies on an annual basis to ensure that***   * ***the Council is fully informed of the progress of development in the area and of provisions safeguarding the environment and social well-being;*** * ***the Council will address effectively any shortcomings, problems or unforeseen issues that may emerge.***   ***To this end the Council will each year collate data on the progress of development environmental protection and social well-being and publish a review highlighting progress and any problems or shortfalls in delivery, against the indicators and targets listed in the monitoring framework. This includes reviewing the environmental effects of implementing the plan to identify any unforeseen adverse effects at an early stage. The indicators and targets will themselves be reviewed every 5 years for effectiveness.***  ***If issues or problems of delivery emerge through monitoring, the Council will***   * ***implement measures to ensure that housing, employment and infrastructure needs are met during the plan period;*** * ***undertake appropriate remedial action to address any social or public health and well-being issues*** * ***undertake appropriate remedial action to address environmental effects that are unforeseen or are not being effectively addressed;*** * ***consider whether a full or partial review of the plan is necessary, and if so take the necessary measures to implement such a review, including measures to curtail premature development if the current expectation of job growth and/or population increases far in excess of historical trends is not fulfilled.***   B GENERAL MONITORING of the Plan and of the use of natural resources should be expanded to include:   1. An annual review of people in employment (numbers and also categories eg FT/PT, by sector) 2. A review of traffic across the District and measures taken to ameliorate. 3. Progress on Infrastructure (linked here to the Oxfordshire Infrastructure Strategy). 4. A review on progress with reduction of water consumption.   In terms of ENVIRONMENTAL MONITORING AND INDICATORS, the Plan exhibits no effective linkage between the SA/SEA requirement for environmental monitoring, the actual kinds of change most likely to arise from development and the crucial SEA requirement that monitoring should be aimed at *identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action*  A key flaw in the proposed monitoring measures is that the table does not have a column that links the indicators/targets to specific policies, or a list of policies that shows how they will be monitored.  It is also the case that some indicators and targets are likely to be completely ineffective in monitoring real change arising from implementation of the plan because:   * they are not focussed on the key issues, OR * they only monitor decision-making not actual change, OR * they are largely irrelevant to the real issues and drivers of change OR * they are absent.   This is especially evident in the proposed monitoring indicators for the environment which are weak or lacking in relation to:   * + - landscape – none;     - dark skies and light pollution - none;     - the historic environment – ineffectual as almost entirely concerned with ‘at risk’ issues that are very seldom affected by development, frequently addressed by other unrelated solutions and entirely unrepresentative of the pressures that DO arise from development.   We therefore propose the addition of the following indicators/targets [please note that these will need reformatting to match the format of the indicators and targets table]:  ***Overall environment: number of applications approved contrary to external and/or internal technical advice***  ***Landscape, Green Belt, Heritage and Dark Skies:***   * ***AONB: number of applications passed contrary to advice of AONB Partnership/Board; number of applications affecting AONB that are Schedule 2 development under EIA regulations and number of screening opinions issued; number of applications classed as ‘major development’ in AONB and proportion approved;*** * ***General Landscape: area over which development-based land-use change would lead to alteration of a) landscape character type boundaries and b) historic landscape character (HLC) types; extent of change to or loss of pre-19th century HLC types*** * ***Dark Skies: number of dark skies designations (discovery sites, areas, communities etc) recognised within or partly within the Council’s area; changes to CPRE dark skies qualitative mapping; extent of light pollution reduction measures introduced on roads and housing areas; number of dark skies community events; astronomers’ monitoring of visibility of key star clusters on clear nights*** * ***Green Belt: number of applications approved that trigger the test of ‘very special circumstances’; number of cases where the test of ‘very special circumstances’ relates to so-called ‘fall-back’ positions arising from permitted development proposals or potential options*** * ***Conservation Areas: number of Conservation Areas and proportion with up-to-date appraisals; number of CA applications that enhance a CA; number of applications that detract from CA character or result in loss of open space that contributes to character; number of cases affecting the setting of a CA by developing countryside immediately bordering historic settlement.*** * ***Listed Buildings and locally listed buildings: number of listed building consent applications involving loss of fabric and/or character not offset by beneficial changes; number of applications notifiable to Historic England and amenity societies; number of applications involving harm only justifiable on basis of being clearly outweighed by substantial public benefits; number of applications in which setting issues are an adverse material consideration;*** * ***Registered Parks and Gardens: number of applications involving loss of fabric and/or character not offset by beneficial changes; number of applications notifiable to Historic England and amenity society;*** * ***Scheduled Monuments and archaeology: number of applications requiring Scheduled Monument Consent for loss of fabric; number of applications requiring desk studies, field evaluation/survey and full investigation; number of excavations over 20m2*** * ***Recording and Investigation: number of applications involving recording and investigation according to heritage asset type; volume of storage space in public repositories required for investigation archives; number of investigations published (by type of publication)***   We note that the proposed Indicators and targets for Wildlife, Water resources, Air quality, Climate change/ energy etc are somewhat better, but we believe that much more effective monitoring measures of these and other environmental issues are also required, especially in relation to critical issues such as the ongoing extinction of the Districts rare fauna and flora. We strongly urge that the Council obtains expert advice on what measures already exist or could be developed to capture the effects of the changes to the environment arising from the development planned. |

**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

✓

**No**, I do not wish to participate at the

oral examition

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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:  CPRE represents the views of its members across the District, is well-informed on the issues and would very much wish to contribute to any related discussion. |
| ***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 South Oxfordshire 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@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)

**Please return this form by** **5pm on Thursday 30 November 2017 to:** Planning Policy, South Oxfordshire District Council, 135 Eastern Avenue, Milton Park, Milton, Abingdon, OX14 4SB or email [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk)