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| South Black and White Logo | **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:

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

Paragraph Policy Policies Map

**ENV1**

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 **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. |
| Policy ENV1 appears not to have been prepared with due regard to **Duty to Co-operate** obligations in respect of cross-authority responsibilities and statutory agencies’ roles in respect of formulating consistent policy towards the two AONBs and the setting of Oxford’s internationally important heritage assets and skyline.  Policy ENV1 is not sufficiently **positively prepared** with regard to the emphasis needing to be given to national designations on heritage and landscape, omitting key aspects of planning positively for their conservation and enhancement.  Policy ENV1 is unlikely to be **effective** unless the parameters for decision-making and judging the planning balance are much more clearly stated    Policy ENV1 is NOT consistent with **national policy and statutory duties**:   * 1. it reflects NPPF paragraph 116, but not paragraph 115   2. 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   3. it does not reflect case law in respect of how development within the setting of AONBs can significantly affect their landscape character and quality, and visual value of their natural beauty   4. it does not reflect the statutory significance of the setting of Oxford under the 1990 Planning (Listed Building and Conservation Areas) Act and NPPF policies on the historic environment   ENV1 iii) b in particular lumps together extremely brief and utterly inadequate mentions of nationally and internationally important designated areas and assets to which great weight must be applied with general policy for non-designated areas and assets as if no special considerations apply.  (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. |
| **In ENV1 iii) amend sub paragraph b. as below**  b. the attractive landscape setting of settlements ~~or the special character and landscape setting of Oxford~~. Design must conform to the South Oxfordshire Design Guide, “made” Neighbourhood Development Plans, the Oxfordshire Historic Landscape Characterisation Project and where appropriate, by landscape, visual impact assessment ~~and AONB management plans;~~  **THESE DELETIONS NEED TO BE REPLACED BY THE FOLLOWING INSERTIONS TO MAKE POLICY SOUND AND IN ACCORDANCE WITH STATUTORY DIUTIES:**  **After ENV1 i) insert the following:**  ia) For all development proposals within the Chilterns and North Wessex Downs AONBs or affecting their settings, great weight will be given to the conservation and enhancement of their natural beauty and to facilitating public access to and enjoyment of the landscape where consistent to its conservation and enhancement. All development proposals within or affecting the setting of the AONBs will be expected to be consistent with the relevant AONB Management Plan and supporting Guidance and Position Statements issued by the Chilterns Conservation Board and NW Downs AONB Partnership including:  *The Chilterns Building Design Guide* and *Technical Notes*  The Chilterns Conservation Board’s [Position Statements on *Cumulative Impacts of Development on the Chilterns AONB*](http://www.chilternsaonb.org/uploads/Cumulative%20Impacts%20of%20Development%20on%20the%20Chilterns%20AONB%20position%20statement%20November%202017.pdf); [*Development Affecting the Setting of the Chilterns AONB* and on](http://www.chilternsaonb.org/uploads/files/ConservationBoard/PlanningDevelopment/Chilterns%20AONB%20setting%20position%20statement%20adopted%20June%202011%20(Rev%201).pdf) *Renewable Energy*  [North Wessex Downs AONB Position Statements on *Housing*](http://www.northwessexdowns.org.uk/uploads/File_Management/Publications/Position_Statements/ApprovedHousingPositionStatmentOctober2012.pdf)*;*  [*Setting*](http://www.northwessexdowns.org.uk/uploads/File_Management/Publications/Position_Statements/ApprovedPositionStatementonSettingOctober2012.pdf)*;* [*Renewable Energy*](http://www.northwessexdowns.org.uk/uploads/File_Management/Publications/Position_Statements/ApprovedRenewableEnergyPositionStatementOctober2012.pdf)*;* and [*Best practice for Equestrian Development and Land Management*.](http://www.northwessexdowns.org.uk/uploads/File_Management/Publications/Position_Statements/NWD_ShortGuideEquestrianDevelopment.pdf)  All development proposals within or affecting the setting of the AONBs will further be expected to be designed having regard for the relevant landscape, heritage and biodiversity characteristics of the relevant AONB as reflected in guidance documents and other resources published by the Chilterns Conservation Board and NW Downs AONB Partnership.  ib) 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 NPPF paragraphs 128-135, 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:   1. 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. 2. 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 /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

✓

**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:  Landscape and heritage issues – especially concerning setting can be complex and tend to be  informed by case law that in recent years has been tending to reinforce statutory obligations that can need careful consideration. The revisions proposed also raise issues of whether the SA is sound  and monitoring issues. |
| ***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)