

Vale of White Horse Local Plan Part One:
Strategic Sites and Policies
Public Consultation Stage Representation Form

On behalf of: Leslie Wells

Date: 19th December 2014

PRP Consultants

Unit 2B The Tack Room, Top Barn Business Centre
Worcester Road, Holt Heath, Worcester, WR6 6NH

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1. APPENDIX 1 – DETAILS OF MATHER HOUSE & GREENSANDS SITE, EAST HENDRED

1. INTRODUCTION

1.1. PRP Consultants is instructed by Leslie Wells to make representations in respect of the Vale of White Horse Local Plan Part One.

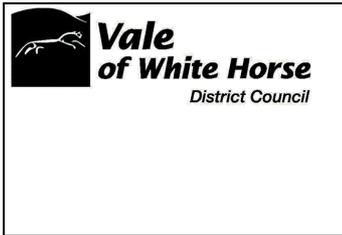
1.2. In making these representations PRP Consultants has consulted both the published Planning Advisory Service's 'Soundness Self-Assessment Checklist' of January 2013, and the National Planning Policy Framework (NPPF), particularly Paragraphs 150 – 185 on plan-making and the National Planning Policy Guidance (NPPG), particularly ID12-001-20140306 – ID12-027-20140306.

1.3. The representations contained herein relate to:

- Core Policy 1 – Presumption in Favour of Sustainable Development
- Core Policy 2 – Cooperation on Unmet Housing Need for Oxfordshire
- Core Policy 3 – Settlement Hierarchy
- Core Policy 4 – Meeting our Housing Needs
- Core Policy 5 – Housing Supply Ring-Fence
- Core Policy 15 – Spatial Strategy for South East Vale Sub-Area
- Core Policy 22 – Housing Mix
- Core Policy 23 – Housing Density
- Core Policy 24 – Affordable Housing
- Core Policy 25 – Rural Exception Sites
- Core Policy 29 – Change of Use of Existing Employment Land and Premises

1.4. There are all discussed in Section 2 – Representations.

2. REPRESENTATIONS



Vale of White Horse Local Plan Part One: Strategic Sites and Policies Publication Stage Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:

Vale of White Horse Local Plan

Response form for the Vale of White Horse strategic planning policy document, the Local Plan Part one. Please return to Planning Policy, Vale of White Horse District Council, Benson Lane, Crowmarsh, Wallingford, OX10 8ED or email planning.policy@whitehorsedc.gov.uk no later than Friday 19 December 2014 by 4.30 pm precisely.

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*

**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.*

2. Agent's Details (if applicable)

| | | |
|----------------------------------|-----------|----------------------------|
| Title | Mr | Mr |
| First Name | Leslie | Philip |
| Last Name | Wells | Rawle |
| Job Title (where relevant) | | Director |
| Organisation (where relevant) | | PRP Consultants |
| Address Line 1 | c/o Agent | Unit 2B, The Tack Room |
| Line 2 | | Top Barn Business Centre |
| Line 3 | | Worcester Road, Holt Heath |
| Line 4 | | Worcester |
| Post Code | | WR6 6NH |
| Telephone Number | | 01905 622395 |
| E-mail Address | | admin@prp-consultants.com |

Part B – Please use a separate sheet for each representation

Name or Organisation : Leslie Wells

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

Paragraph Policy Proposals Map

4. Do you consider the Local Plan is :

| | | | | |
|--|-----|--------------------------|----|---|
| 4.(1) Legally compliant | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox" value="X"/> |
| 4.(2) Sound (Positively Prepared, Effective and Justified) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox" value="X"/> |
| 4 (3) Complies with the Duty to co-operate | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

Please mark as appropriate.

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. 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 co-operate, please also use this box to set out your comments.

In part Core Policy 1 reflects the principles of the presumption in favour of sustainable development, and that it reflects in part the Planning Inspectorate's model wording of this policy. However, it does need to fully reflect this model wording.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate 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.

Core Policy 1 needs to follow the Planning Inspectorate's model wording of the presumption in favour of sustainable development policy. This being:

"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted."

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The nature of our representations is strategic and has key implications.

Signature:

Date:

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We are concerned by the nature in which this policy has been drafted. In particular the phrase that, Oxford City may not be able to accommodate the whole of its new housing requirement for the 2011 – 2031 period within its administrative boundary. Whereas, in reality, we know for a fact from Oxford City Council itself through the representations it made to the emerging Cherwell Local Plan, which is currently going through its examination, that through the published SHMA that a significant proportion of Oxford’s objectively assessed housing needs will need to be met outside of the city boundary in neighbouring areas. Oxford City’s known situation clearly needs to be taken into account in the formulation of this Plan’s strategy, which by the very way in which Core Policy 2 is worded has not been undertaken. As such a more wide-ranging review is required of the Vale of White Horses’ ability to accommodate any unmet need from neighbouring areas (most notably Oxford City), which is likely to raise fundamental questions for the whole Plan strategy.

The NPPF is very clear on this point. Paragraph 179 states that “*Local Planning Authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. Joint working should enable Local Planning Authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.*”

The wording of Core Policy 2 places an unjustified reliance on a review. A proper application of the NPPF requires that a Plan not based upon an up-to-date objective assessment of need be rejected as unsound. An unsound plan cannot be made sound through a commitment to review it in the future, and it would be a perversion of the NPPF to adopt an unsound plan on the basis that it is better than no Plan at all.

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The emerging Local Plan does not adequately meet the full objectively assessed needs of the housing market area in which the District sits, most notably the unmet need of Oxford City.

Not only will the Plan likely be found unsound on this basis, but it is also unlikely to be able to discharge the Duty to Cooperate, which the Council will appreciate, means that straight away the Plan is found unsound.

Further work clearly needs to be done, with all of the additional work outlined in Core Policy 2 needing to be undertaken prior to the Plan being submitted to the Secretary of State.

No, I do not wish to participate at the oral examination

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Signature:

[REDACTED]

Date:

19.12.14

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We agree that East Hendred should be classified in the Settlement Classifications as a Large Village.

We note that the explanatory text for Large Villages states that unallocated development will be limited to providing for local needs and to support employment, services and facilities within local communities. However, we consider that this explanatory text should remove the word 'local' and should be expanded upon to state that, Large Villages do in fact have good long-term potential for development to provide homes to help sustain, and where appropriate, enhance their services and facilities to support viable and sustainable communities in a proportionate manner.

Such an approach to Large Villages is reflected in the level of strategic housing development is proposed in them in the Western Vale Sub-Area, with the villages of Great Coxwell, Shrivenham and Stanford-in-the-Vale having some 1,100 dwellings proposed to them, which goes way beyond any form of local need. We contend that in the South East Vale Sub-Area East Hendred should be treated in a similar manner.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate 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 further explanation of the role of Larger Villages can play is required, as detailed in the comments made under Point 5 above. These Larger Villages are sustainable enough to accommodate District-wide housing growth, and the policy needs to specifically state this.

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As discussed under Core Policy 2, the housing target of 20,560 also needs to take into account the unmet need of Oxford City in particular. However, we welcome the fact that the housing target figure is expressed as being 'at least'.

Turning to the detail, there is a lack of evidence of the known commitments and also no acknowledgement that a lapse rate is being applied to this figure. A 10% lapse rate should be applied to reflect that it is unlikely all will be built for a variety of reasons. This reflects the approach supported by "Housing Land Availability" DOE, Planning and Research Paper, Roger Tym and Partners, 1995, and was also accepted in the High Court Challenge on Tetbury – the use of 10% was reasonable having regard to footnote 11 of the NPPF.

We acknowledge that Part One of the Plan relates more to strategic sites in the District, with our land interest at Mather House and Greensands being a site that can accommodate circa 50 dwellings across both sites, therefore probably not being large enough to be considered a strategic site, and therefore would fall under the supporting text which discusses development at market towns, local service centres and larger villages. East Hendred is defined as a Larger Village in the South East Vale Sub-Area. This supporting text states that *"This development must be adjacent, or well related, to the existing built area of the settlement or meet exceptional circumstances set out in the other policies of the Development Plan and deliver necessary supporting infrastructure."*

Before we discuss the point relating to development must be adjacent, or well related, to the existing built area of the settlement, we would just like to comment that 'exceptional circumstances' is the incorrect terminology to use here. No doubt the policy is drawing reference to Paragraph 55 of the NPPF, which provides examples of acceptable isolated homes in the countryside. The terminology used at Paragraph 55 is 'special circumstances' and therefore the wording of the policy should be amended so that it is consistent with National policy.

Turning back to the point relating to development must be adjacent, or well related, to the existing built area of the settlement, we would firstly like to place in record that it is encouraging to see that there is no direct reference to 'development boundaries' in Core Policy 4, as we contend such a concept is in consistent with the NPPF.

However, the references made to development having to be adjacent, or well related, to the existing built area of the settlement is also considered not to be wholly consistent with the three dimensional test of sustainability set out in the NPPF. For example, our land interest at Mather House and Greensands in East Hendred, in the case of the Greensands site comprises a predominantly brownfield site, however, unlike the Mather House site which is within the built area of the village, because it is slightly removed from the main built-up area of the village, it would not meet the provisions set out in Core Policy 4 and therefore under this policy would not be considered acceptable, even though under the three dimensional test of sustainability set out in the NPPF, the development of the site for housing would be considered sustainable development.

In a post-NPPF world there should be no policies in a Development Plan that would have the effect of undermining the requirement to "boost significantly the supply of housing". The ability of a Local Planning Authority to demonstrate a five-year supply of deliverable housing sites is a minimum requirement. It is important to avoid policies the practical effect of which would be to turn the minimum to a maximum.

If a proposal passes the three dimensional test of sustainability set out in the NPPF it should be permitted. Location is only one of the matters that feeds into an assessment of sustainability. This test therefore needs to be embodied into Core Policy 4.

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Clearly if the housing figure for the District is increased in light of the need to help meet Oxford City's unmet need then the headline figure in this policy needs to reflect this.

Clarification is required on whether a lapse rate is being applied to the known commitments figure. We suggest a 10% lapse rate figure is applied.

The three dimensional test of sustainability set out in the NPPF needs to be embodied into Core Policy 4, as opposed to the terminology of development must be adjacent, or well related, to the existing built area of settlement.

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The Council is proposing to adopt a 'ring-fence' approach to housing supply, which it says will help ensure that jobs, homes and infrastructure are provided together. The aim, it is said, to this approach being that it supports the delivery of the Local Plan Spatial Strategy to focus on development in Science Vale.

It is important to consider this in a robust fashion, so as to reduce to a minimum the risk of under-delivery. The approach being taken with the creation of a 'ring-fence' area for Science Vale, means that for the purposes of Paragraph 47 the Council can rely upon a reduced housing target figure ('policy-on') below the OAHN (objectively assessed housing need) for the remainder of the District (the area outside of the Science Vale). The majority of the Council's need (OAHN) is then contained within the 'ring-fence' area for Science Vale (on a 'policy-on' basis), which according to our interpretation of the wording contained within Core Policy 5 will have its own separate five-year housing land supply calculation. There is no specific reference in the actual policy as to whether or not the apportionments are non-transferable between the 'ring-fence' area for Science Vale and the rest of the District. The consequences of an approach that the apportionments are non-transferable is that the 'ring-fence' area has the potential to become somewhat of an 'abyss', where the Council can shift its housing need. Any non-delivery in that 'abyss' is then sealed, in the sense that the Council can disregard it when applying Paragraph 47 of the NPPF.

This approach is concerning, and becomes even more concerning if/when the 'ring-fence' area for Science Vale fails to deliver/perform to the required housing trajectories. This would mean that the OAHN for the District is not being delivered, but there is no mechanism for delivering this housing by alternative means, particularly if the policy approach in the Local Plan is that the apportionments are non-transferable between the 'ring-fence' area and the rest of the District. The net result is that this housing need is stuck in the 'ring-fence' area with the Council needing not to take on any accountability in the rest of the District.

Such an approach clearly goes against one of the underlying aims of the NPPF under Paragraph 47 of significantly boosting the supply of housing, and by identifying and updating annually a supply of specific deliverable sites sufficient to provide five years worth of housing against a District's housing requirement with the appropriate additional buffer of 5% or 20%, whichever is applicable.

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The Council's approach is considered to be contrary to National policy. The Vale of White Horses' housing need has to be calculated as one five-year housing land supply calculation. It cannot be artificially divided up to suit. On this basis the emerging Local Plan is unsound.

No, I do not wish to participate at the oral examination

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Signature:

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The promotion site at Mather House and Greensands in the village of East Hendred sits within the South East Vale Sub-Area.

In terms of the South East Vale Sub-Area, the key point to make here is that there seems to be an overreliance on strategic developments in the shape of sustainable urban extensions, particularly at Wantage, Harwell and Grove. This seems to be to the detriment of further development in the villages, notably East Hendred.

When one looks at the Western Vale Sub-Area there are comparable settlements in the settlement hierarchy (Large Villages), notably the larger villages of Great Coxwell, Shrivenham and Stanford-in-the-Vale, which are receiving an astonishing 1,100 new houses between them, yet East Hendred, which sits alongside them in settlement hierarchy (albeit in the South East Vale Sub-Area) is receiving no houses. This is a fundamental flaw in the Plan, as the explanatory text under Core Policy 3 makes it clear that the Larger Villages should only be accommodating 'local need', clearly 1,100 new houses goes way beyond local needs and is accounting for District-wide needs, a role that other Larger Villages in the District should also be undertaking, i.e. East Hendred.

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Given the way other Larger Villages are being treated in the Plan, it is very much apparent that East Hendred needs to be attributed some level of strategic growth in the Part One of the Local Plan. We therefore advance both the Mather House and Greensands sites as appropriate locations for some level of growth for East Hendred. The Mather House clearly forms part of the existing built area of the village, whereas the element of the Greensands site being proposed for housing predominantly comprises a rare brownfield site in a sustainable location, which through the proposed pedestrian and cycle linkages between the two site (Mather House and Greensands) will have direct access to the village of East Hendred and its array of services and facilities. Details of the proposed sites are contained at **Appendix 1** of these Representations.

There are therefore clear inconsistencies within the Local Plan itself between the development strategy and the settlement hierarchy, which clearly undermines the development strategy being advanced, making the Plan unsound.

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We have several concerns regarding the wording of Core Policy 22. Firstly, the findings of the SHMA should not solely be relied upon.

We are of the opinion that care needs to be taken with any planning policies that become too prescriptive in the house-types that should be delivered on a given site. We appreciate that there should be a mix of house types across a site, and this assists with the efficient and effective use of land, but an overly prescriptive policy on a number of type of housing that can be built on a site, which in part should be a commercial decision, could end-up stifling development at a time when house building is desperately required to take place in order to boost significantly the supply of housing.

On this basis, it is suggested that Core Policy 22 needs to recognise that developers of market housing will understand the local market demand better than anyone and this information will be used to determine an appropriate market housing mix for both site allocations and in the determination of planning applications.

With the levels of affordable housing required (35%) it is usually apparent that the smaller dwellings within a scheme are the affordable units (usually 2-bed properties for the shared ownership products). This provision it is believed will help to meet the requirement for smaller properties. From a viability point of view, without being so schemes would not happen in the first place, the larger properties tend to be the open market dwellings. The emerging Local Plan needs to understand and recognise this.

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The comments made under Point 5 above need to be incorporated into the policy or its supporting text.

It is also suggested that there should be a threshold at which this housing mix policy comes into play, as any specific requirements could impact on the viability of schemes. In light of the Government's recent up-dates to the Planning Practice Guidance on 28th November 2014 (Reference ID: 23b-012-20141128), this threshold should be set at over 10-units.

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Core Policy 23 needs to reflect the provisions set out in Paragraph 17 of the NPPF, which recognises that previously developed land (brownfield land) needs to be effectively used, implying that higher levels of density may be acceptable on such sites.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate 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.

Core Policy 23 need to be amended to include the provisions contained in Paragraph 17 of the NPPF in relation to effective use of previously developed land (brownfield land).

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The nature of our representations is strategic and has key implications.

Signature:

Date:

Part B – Please use a separate sheet for each representation

Name or Organisation : Leslie Wells

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

Paragraph Policy Proposals Map

4. Do you consider the Local Plan is :

| | | | | |
|--|-----|----------------------|----|--------------------------------|
| 4.(1) Legally compliant | Yes | <input type="text"/> | No | <input type="text" value="X"/> |
| 4.(2) Sound (Positively Prepared, Effective and Justified) | Yes | <input type="text"/> | No | <input type="text" value="X"/> |
| 4 (3) Complies with the Duty to co-operate | Yes | <input type="text"/> | No | <input type="text"/> |

Please mark as appropriate.

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. 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 co-operate, please also use this box to set out your comments.

Clearly in light of the very recent up-dates to the Planning Practice Guidance on 28th November 2014, Core Policy 24 needs to be up-dated to reflect these new national provisions. Reference ID: 23b-012-20141128 states that there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. The PPG states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.

The wording of Core Policy 24 needs to be less prescriptive. At present it states that “*There should be a 75:25 split for rented (either social or affordable) and intermediate housing respectively*”, which is too rigid.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate 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.

Core Policy 24 needs to be up-dated to reflect the new national provisions for affordable housing contained with ID: 23b-012-20141128 of the PPG. As such the 3 dwellings / 0.1 hectare threshold is replaced by the 10 dwelling or 1000sqm threshold.

The wording with respect to the tenure split needs to be re-worded to say: *“The final tenure mix of affordable housing on individual sites will be subject to negotiation with the Council’s starting point being a 75:25 split for rented (either social or affordable) and intermediate housing respectively.”*

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The nature of our representations is strategic and has key implications.

Signature:

19.12.14

Part B – Please use a separate sheet for each representation

Name or Organisation : Leslie Wells

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

Paragraph Policy Proposals Map

4. Do you consider the Local Plan is :

| | | | | |
|--|-----|----------------------|----|--------------------------------|
| 4.(1) Legally compliant | Yes | <input type="text"/> | No | <input type="text" value="X"/> |
| 4.(2) Sound (Positively Prepared, Effective and Justified) | Yes | <input type="text"/> | No | <input type="text" value="X"/> |
| 4 (3) Complies with the Duty to co-operate | Yes | <input type="text"/> | No | <input type="text"/> |

Please mark as appropriate.

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. 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 co-operate, please also use this box to set out your comments.

We are concerned that the policy states that housing needs assessments need to be undertaken in accordance with a methodology agreed with the District and Parish Council. We are well aware of numerous examples across the country where Parish Councils refuse to undertake such surveys or plans as an excuse for them not to have any pressure placed upon them to deliver rural exception sites.

In terms of the reference to the Green Belt and that such proposals would not undermine the purposes or visual amenities of the Oxford Green Belt; it is important to note that the NPPF under Paragraph 89 confirms that affordable housing for local community needs (which is what rural exception sites aim to provide for) are defined as exceptions to inappropriate development in the Green Belt.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate 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.

Core Policy 25 is amended to reflect the comments made at Point 5 above.

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The nature of our representations is strategic and has key implications.

Signature:

Date:

Part B – Please use a separate sheet for each representation

Name or Organisation : Leslie Wells

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

Paragraph Policy Proposals Map

4. Do you consider the Local Plan is :

| | | | | |
|--|-----|--------------------------|----|---|
| 4.(1) Legally compliant | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox" value="X"/> |
| 4.(2) Sound (Positively Prepared, Effective and Justified) | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox" value="X"/> |
| 4 (3) Complies with the Duty to co-operate | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

Please mark as appropriate.

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. 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 co-operate, please also use this box to set out your comments.

The second section of Core Policy 29, talks about applications elsewhere in the District for the change of use of land or premises that are currently, or were last, used for employment purposes needing to demonstrate that at least one of a series of criteria is met; ranging from, there is no reasonable prospect of the land or premises being used for employment purposes, to the land or premises is unsuitable for business use on grounds of amenity, environmental or highway safety issues. This policy approach is considered to be too onerous when viewed in the context of Paragraph 51 of the NPPF.

Paragraph 51 of the NPPF states that Local Planning Authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in B use classes) where there is a need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

This is a far more positive approach and the second section of Core Policy 29 needs to be re-drafted to reflect such an approach.

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate 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.

The second element of Core Policy 29 needs to be amended to reflect National policy, notably through the wording contained at Paragraph 51 of the NPPF.

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The nature of our representations is strategic and has key implications.

Signature:

Date: