



**South Oxfordshire Local Plan 2033**  
 Publication Version  
 Representation Form

Ref:

(For official use only)

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\***

\*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	
First Name	Colin	
Last Name	Blundel	
Job Title (where relevant)	Planning Officer	
Organisation representing (where relevant)	Chiltern Society	
Address Line 1	White Hill Centre	
Address Line 2	White Hill	
Address Line 3		
Postal Town	Chesham	
Post Code	HP5 1AG	
Telephone Number	01494 771250	
Email Address	planning@chilternsociety.org.uk	

**Sharing your details:** please see page 3



## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph

Policy

Policies Map

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

4. (1) Legally compliant

Yes

No

X

4. (2) Sound

Yes

No

X

4. (3) Complies with the Duty to Cooperate

Yes

No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

We object to Policy ENV1 because we consider that it is not legally compliant and is not sound because it is not consistent with national policy or effective.

Primary legislation in relation to AONBs is set out in the Countryside and Rights of Way Act 2000 (CROW Act). The act confers a duty on local authorities with an AONB in their area to have to have regard for the conservation of the AONB. A key part of implementing this duty is to ensure it is applied to the town and country planning system through planning policies and development management decisions. The key sections are Sections 84 and 85 as follows -

Section 84 “A local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty has power, subject to subsections (5) and (6), to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area”.

Section 85 “In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty”.

The main policy that refers to the AONB is Policy ENV1 and the main section of relevance is restricted to subsection i). We consider that this level of policy provision is inadequate given

the Council's clear duties under the CROW Act to conserve and enhance the AONB.

We would normally expect a separate policy relating to the AONB which reflects national policy in the National Planning Policy Framework (NPPF) and applies it to the local situation. This would need to set out policy in relation to all types and sizes of development and not just major development as set out in Policy ENV1.

In order to undertake their duty to conserve and enhance we consider that it is essential for local authorities to work together through the duty to co-operate and to create a shared vision for the AONB and ensure that policies are largely consistent across all the local authorities within the AONB.

At the present time there are consultations out for local plans in Wycombe, Aylesbury Vale and Dacorum, for instance. All these plans contain a separate policy in relation to the AONB and one which is much more detailed than that proposed by South Oxfordshire.

The Council are a partner in the Chilterns Conservation Board and have agreed the AONB Management Plan up to 2019. This sets out shared policies for the whole of the AONB and its implementation requires a co-ordinated and consistent approach across the AONB. The Chilterns Conservation Board has developed a 'model policy' that can be considered by local authorities. It does not appear to have been considered in this case.

Therefore, we conclude on legal compliance that the Council is not fulfilling its statutory duties under the CROW Act by providing insufficient protection for the AONB and insufficient policy to conserve and enhance a nationally important landscape.

In order to comply with national policy, the Local Plan needs to be consistent with national policies in paragraphs 115 and 116 of the NPPF.

Paragraph 115 is worded as follows -

*115. "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads".*

We consider that, in order to give great weight to conserving the landscape and scenic beauty, the plan needs to set out some criteria against which all developments in the AONB or its setting can be assessed and mechanisms for ensuring that harm is minimised and enhancements are achieved. As presently worded the policy fails to do this.

As worded, clause i) relates only to major developments. The wording does seek to reflect national policy in paragraph 116 of the NPPF by referring to exceptional circumstances and public interest. It does not define major development as it says in the footnote that a definition is included in paragraph 116 of the NPPF. It is very clear from the NPPF that major development is not defined and common practice is that it is not the same as the definition, based on size, of major developments in the development management process. For this clause to be effective the Council needs to set out how it proposes to determine what is considered to be major development in the district.

The Local Plan should also set out how it would address the bullet points in paragraph 116 of the NPPF in relation to the local economy, developing elsewhere outside the designated area and impact on the environment. Whilst the NPPF policy does not need to be repeated, we would expect the Plan to clarify how the policy would be applied in practice.

In our view, the absence of this detail, and no reference to smaller developments in the

AONB, means that the policy as drafted is not compliant with national policy.

In terms of effectiveness, we consider that the drafted policy does not give sufficient weight to the AONB and as a result the AONB would be at risk of inappropriate development. In order to be effective it needs to be redrafted and ideally a separate criteria based policy inserted.

It is unclear, for example, how housing developments would be treated any differently within and outside the AONB

We want to see a consistent approach to conserving and enhancing the AONB taken across the whole of its area and do not see it as being effective if there is a weaker level of protection in South Oxfordshire in comparison to other authorities. With pressure for development encroaching on parts of the AONB there must be an effective policy in the Local Plan.

In order to make the policy more effective it could address the following issues –

- Consistency with other Councils within the Chilterns AONB
- Clarify how housing policies are different within the AONB.
- Address cumulative impacts of a number of developments on the AONB
- Address inconsistency with heritage policies in relation to detail and the inclusion of the setting of the AONB.
- Stress that the Chilterns area is wider than the AONB and a number of developments are proposed on the fringes of the AONB where it will affect setting.
- Requirement for Landscape and Visual Impact Assessments (LVIAs) for all developments – not only those immediately adjacent to the Chilterns, but also situations where there would be impacts on views to and from the AONB.
- Definition of major development in AONB.

In conclusion, we consider that the Chilterns AONB should have a special status, so that impacts on its landscape are considered in relation to all future considerations across the spectrum of policies. To that end it is clear that the draft local plan comes nowhere near according the AONB enough emphasis and respect.

(Continue on page 4 /expand box if necessary)

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.

As clarified above, the key change that would make the policy approach to the Chilterns AONB legally compliant, consistent with national policy and effective would be to add a specific, more detailed AONB policy covering all types of development, to replace the single clause currently in Policy ENV1.

The Plan is currently inconsistent because it contains a number of heritage policies, ENV6 –

ENV10, which include a much more detailed approach to address much smaller designated assets. Whilst the Society is not against the heritage policies, we consider that more detail should be included in the Plan in relation to the nationally designated AONB.

The standard policy that has been developed by the Chilterns Conservation Board should be used as a model for developing a local policy that interprets national policy and guidance and applies it to the local circumstances in South Oxfordshire.

Examples of good practice from other LPAs in the Chilterns should be used to guide the content of the policy. By taking a consistent approach the overall approach to conserving and enhancing the AONB and its setting can be made more effective and consistent with the CROW Act duties and the NPPF.

The text could be amended to refer to cumulative impacts arising across the Chilterns.

In order to provide a more detailed approach, the Plan should make reference to the AONB Management Plan, including the special features that form the basis for the national landscape designation.

(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?

**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 Society would like to be kept informed about the Examination and will decide at that time whether the issues raised above will need to be reinforced by appearing at the Examination.

**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:

Colin Blundel

Date:

29 November 2017

## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph

Policy

STRAT1-3

Policies Map

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) Complies with the Duty to Cooperate

Yes

No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

We are concerned about the high level of growth proposed in STRAT 1-3 in South Oxfordshire over the Plan period and whether this has been sufficiently justified in terms of impacts on the AONB.

The Plan states that the Objectively Assessed Need for Housing in South Oxfordshire is 17,050 or 775 per year. On top of this it is proposed for provide an additional 3,750 homes to cater for the unmet need for Oxford. The overall figure of 20,800 is a significant increase, and given that much of the land around Oxford is Green Belt, there is bound to be increasing pressure for development within the Chilterns AONB and the adjacent areas of the Chilterns that lie just outside and in the setting of the AONB.

The plan identifies some sites within the AONB and sites on the fringe in places such as Wallingford, Crowmarsh Gifford, Goring-on-Thames and Henley- on Thames. Further sites are proposed at Nettlebed.

We suggest that the figures need to be reviewed against the lower figure of 617 per annum identified in the DCLG consultation 'Planning for the right homes in the right places: consultation proposals' and a view taken as to whether using the mid-point of the SHMA estimates is an appropriate strategy going forward. Given the national importance of both the Chilterns and North Wessex Downs AONBs it is essential that housing levels are not set

so high that additional development pressure is applied to these areas. With much of the rest of the District being in Green Belt or flood plain there are clearly significant restraints on development. Whilst there may be benefits in going beyond the committed economic growth requirement (Paragraph 4.20) this must not be at the expense of weakening the protection of the AONB and its setting.

Whilst we recognise the need for new housing and the commitment of the Government in the 2017 Budget to build 300,000 homes per year, it is important that the Plan does not lead to significant impacts on the nationally protected landscape of the Chilterns. As stated in our response in relation to Policy ENV1 we do not consider that the policy in relation to the AONB is legally compliant, consistent with national policy or effective.

Whilst the settlement hierarchy set out in Policy STRAT1 is broadly acceptable there needs to be some recognition of constraints as a result of the AONB and its setting. In these areas development needs to be restricted as far as possible so that it does not negatively impact on the character and appearance of the AONB. The plan needs to require all developments in the AONB or its setting to undertake a Landscape and Visual Impact Assessment. Where it can be demonstrated that a site is required to meet the housing numbers and would affect the AONB or its setting, consideration could be given to reducing density to allow more landscaping and mitigation measures to be incorporated.

STRAT1 as worded does not differentiate in its approach to towns and villages within the AONB and outside. We consider that the needs of the AONB and conservation of landscape and natural beauty, must be fully considered for all developments in villages such as Sonning Common, Nettlebed, Watlington and Woodcote, and not just for those areas outside the towns and villages as set out in the policy. We do not consider that treating AONB villages and towns within its setting in the same way as other towns and villages in the District is justified within the Plan.

(Continue on page 4 /expand box if necessary)

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.

The settlement hierarchy in Policy STRAT1 should be revised to clarify how developments within the AONB and its setting would be treated differently to developments in any other areas of the district. Given the nationally important designation of the AONB, it is paramount that all possible measures to avoid development in the AONB should be taken and where it is essential and justified that the design of the scheme will conserve and enhance landscape and natural beauty.

(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?

**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:

**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:

Colin Blundel

Date:

29 November 2017



## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph

5.8/5.9

Policy

H1

Policies Map

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) Complies with the Duty to Cooperate

Yes

No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

We are concerned that there appears to be a 'two-tiered' setting of overall housing numbers, viz. 20,800 vs. 22,563 and the plan is unjustified in terms of the arguments put forward for that approach. In particular, paragraphs 5.8 and 5.9 and Table 5c are unclear as to which figure the Council is proposing. That figure is not confirmed in Policy H1.

Overall housing figures are crucial in relation to the Chilterns AONB and the wider Chilterns area because they would be likely to lead to additional pressure for development within the AONB and its setting. Our assumption is that the additional 1,763 homes would be beyond the Plan period, but that is not clear.

(Continue on page 4 /expand box if necessary)

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.

Amend paragraphs 5.8 and 5.9, and Policy H1 for clarity.

(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?

**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:

**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:

Colin Blundel

Date:

29 November 2017

## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph

5.11/5.13

Policy

H3

Policies Map

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

4. (1) Legally compliant

Yes

No

4. (2) Sound

Yes

No

 X

4. (3) Complies with the Duty to Cooperate

Yes

No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

We submitted comments on the previous consultation, which we do not consider have been adequately addressed –

*It is contradictory and unsound to allocate a specific number of dwellings to a town, with the clear expectation that the NDP will provide allocations for them (in para. 5.11); but then add essentially as a footnote (5.13) that there are factors that may impact on the ability of the settlement to accommodate that number.*

*One key such factor in the case of Henley is its adjacency to the AONB, which means that adherence to national AONB policy is very likely to constrain growth, so as to avoid adverse impacts on the AONB or its setting.*

*A proper exercise therefore needs to be carried out to assess this potentially constrained capacity before a figure can be set, or else there is a real risk that the perceived need to achieve the target will lead to AONB considerations being given less weight than they should. This is a particular risk when allocations are being made through a Neighbourhood Plan, because a NDP group's focus will inevitably be on the headline number, and they are unlikely to be aware or confident enough to articulate grounds for a reduction.*

Without clarification of the approach to environmental constraints, including the AONB, we consider that the approach is not sufficiently justified and the policy is not effective.

(Continue on page 4 /expand box if necessary)

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.

As previously suggested –

*Amend Policy H3 to include as part of the Policy wording the proviso about the factors that may limit the ability to accommodate numbers: potential re-wording might be: “Having regard to an evidence-based study of the social, economic, and environmental factors that may legitimately limit the ability to accommodate this level of development (including location in or adjacent to an AONB), Neighbourhood Development Plans will seek to deliver a minimum of....” [then the individual figures for each town].*

*Also, more a matter of process – but it could be usefully referred to in the accompanying text – clear guidance must be given to NDP Groups that they must have full regard to national AONB (and other) policies in their work.*

(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?

X

**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:

**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:

Colin Blundel

Date:

29 November 2017

## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph

Policy

H4

Policies Map

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

4. (1) Legally compliant

Yes

No

4. (2) Sound

Yes

No

 X

4. (3) Complies with the Duty to Cooperate

Yes

No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

This policy allocates numbers of houses to a number of settlements either within or immediately on the edge of the AONB. The main allocations of concern to us are as follows-

Crowmarsh Gifford 110  
 Goring-on-Thames 140  
 Sonning Common 150  
 Watlington 260  
 Woodcote 160

It is unclear from the Plan whether the above figures have been derived from the 15% increase figure proposed in paragraph 5.15 and whether any consideration of impacts on the AONB has been undertaken in arriving at these figures. This needs to be clarified in the supporting text.

Our previous comments do not appear to have been addressed –

*It is inappropriate to allocate the same percentage level of growth to all larger villages, with the clear expectation that the NDP will provide allocations for them; but then add essentially as a footnote (5.26) that there are factors that may impact on the ability of the settlement to accommodate that number. This is a particular concern in relation to the AONB, where it is perverse to apply the same level of growth, irrespective of whether the village is within or*

outside the AONB.

*Unless a proper exercise is carried out to assess this potentially constrained capacity before a figure is set, there is a real risk that the perceived need to achieve the target will lead to AONB considerations being given less weight than they should. This is a particular risk when allocations are being made through a Neighbourhood Plan, because a NDP group's focus will inevitably be on the headline number, and they are unlikely to be aware or confident enough to articulate grounds for a reduction.*

*Whilst acknowledging that the circumstances in each village are different, and that a sound and policy-compliant site allocation exercise may identify more, it would be more appropriate to apply a lower starting-point figure for AONB villages. This should then be accompanied by clear guidance to NDP Groups that their work must have full regard to national AONB policy, with a requirement that all development must conserve landscape and scenic beauty, and that major development will not be permissible [since NDPs are not in a position to make a case for exceptional circumstances].*

We welcome the inclusion of a reference to the AONB in paragraph 5.27.

Our concern is that this policy is not effective in protecting the AONB because it is not clear at what stage in the process impacts on the AONB are considered. There does not appear to be any differentiation between villages within and outside the AONB. Due to the national importance of the landscape of the AONB individual Landscape and Visual Impact Assessments should be required for each village and then, if development can be demonstrated to be necessary to meet local needs the number of dwellings to be allocated can be determined. In our view a blanket approach is not effective and the policy approach needs to be amended.

It is our understanding that the specific sites will be allocated through Neighbourhood Development Plans. The Plan does not give any indication as to how these figures have been arrived at and whether impacts on the AONB have been taken into account. In our view, the impacts on the AONB should be determined up front and then those findings should inform the numbers of houses and the appropriate density. It is unclear whether this has taken place or whether each of the Neighbourhood Plan groups have undertaken a separate assessment of the AONB.

Our concern is that the numbers proposed have not been fully justified in relation to impacts on the landscape and natural beauty of the AONB.

Developments must fully consider the setting of the AONB when they are located just outside the boundary or there are significant views to and from the AONB. Such developments must be the subject of Landscape and Visual Impact Assessments and the schemes designed and landscaped to minimise impacts on the AONB.

We hope that protection of the AONB and its setting will be sufficiently covered under Policy ENV1 (with our suggested amendments), but if not impacts on the AONB and its setting should be referred to in this policy.

(Continue on page 4 /expand box if necessary)

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.

Clarification needs to be added to the Plan as to how impacts on the AONB have been addressed in determine the numbers of dwellings and the sites to be chosen.

(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?

X

**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:

**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:

Colin Blundel

Date:

29 November 2017



## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph

Policy

Policies Map

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) Complies with the Duty to Cooperate

Yes

No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

3 sites are allocated in the Plan at Nettlebed, which are entirely within the AONB -

H5 Land to the West of Priest Close, Nettlebed – 0.76ha 11 houses

H6 Joyce Grove, Nettlebed – 10.9ha 20 houses

H7 Land to the South and West of Nettlebed Service Station – 1.3ha 15 houses

Whilst we consider that there are local facilities at Nettlebed and this level of development could be assimilated into the landscape we are concerned as to whether the sites chosen would impact on the Nettlebed Commons. A site of particular concern is land west of Priest Close as it is likely that access would need to be across common land and permission may not be forthcoming.

Each of these schemes would need to be carefully designed in terms of incorporating high quality design features and significant environmental enhancements to help to conserve the landscape and natural beauty of the AONB.

Policy H6 does not contain a reference to the AONB and is therefore inconsistent with Policies H5 and H7. Greater clarification of the expected approach to the AONB in the supporting text would make the plan more effective in relation to these sites.

For all 3 policies the wording should be amended to be more positive and to read, “a scheme of an appropriate scale and form including relevant landscaping to conserve and enhance the landscape and scenic beauty of the AONB”. This would align the policy with the Council’s statutory duties under the Countryside and Rights of Way Act 2000 and paragraph 115 of the NPPF.

In this respect the policies are not considered to be effective at present in relation to the location of the sites in the AONB.

(Continue on page 4 /expand box if necessary)

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.

Greater clarification could be provided by adding a reference to the AONB to Policy H6 and the wording amended as suggested above.

(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?

X

**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:

**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:

Colin Blundel

Date:

29 November 2017

## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph

5.38

Policy

H8

Policies Map

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) Complies with the Duty to Cooperate

Yes

No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

Policy H8 sets a target of at least a 5% increase in dwelling numbers for smaller villages with Neighbourhood Plans and 5-10% where no Neighbourhood Plan exists.

Our concern is that this policy is not effective in protecting the AONB because it is not clear at what stage in the process impacts on the AONB are considered. There does not appear to be any differentiation between villages within and outside the AONB. Due to the national importance of the landscape of the AONB individual Landscape and Visual Impact Assessments should be required for each village and then, if development can be demonstrated to be necessary to meet local needs the number of dwellings to be allocated can be determined. In our view a blanket approach is not effective and the policy approach needs to be amended.

Also, it appears from the policy that villages without a Neighbourhood Plan would be penalised by having to allow for more housing. This may impact on some of the smaller AONB villages where Neighbourhood Plan groups do not exist.

Whilst the addition of paragraph 5.38 is welcomed for clarification, it does not go far enough in that it does not directly refer to conserving and enhancing the AONB. To be effective, this paragraph needs to clarify that a more stringent approach needs to be taken before development is allowed within the AONB. This difference of approach is required to meet

the requirement of paragraph 115 of the NPPF, requiring 'great weight' to be given to AONBs. We are concerned that the term "suitable sites" only seems to apply for the non-NP scenario, so there is still nothing to "direct" NP work, or allow reduction in AONB locations.

(Continue on page 4 /expand box if necessary)

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.

The policy and supporting text need to be amended to clarify that there would be a more stringent approach to housing development within AONB villages. It needs to be made clear whether the assessment of AONB impacts will be undertaken by the Council or by the Neighbourhood Plan groups.

The policy needs to ensure that in the AONB, Landscape and Visual Impact Assessment (LVIA) is accorded greater emphasis, if not given primacy over any other considerations, whether or not a NP is in place.

(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?

X

**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:

**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:

Colin Blundel

Date:

29 November 2017

## Part B – Please use a separate sheet for each representation

Name or organisation: Chiltern Society

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

Paragraph  Policy  Policies Map

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) Complies with the Duty to Cooperate Yes  No

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.

The Chiltern Society is a charitable body with 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB). Our role in the planning system is co-ordinated through a network of voluntary planning field officers and co-ordinators.

We consider that this Policy is too permissive, effectively giving unfettered support to expansion of any type of business in the countryside, however inappropriately located in terms of traffic, visual, or other impacts. It makes no reference to conserving and enhancing the AONB and it is unclear whether the approach in the AONB or its setting would be any different to elsewhere in the district.

Given that 'great weight' should be given to the AONB under paragraph 115 of the NPPF, we consider that this approach is not consistent with national policy and therefore unsound.

The Policy needs amending to ensure that only proposals which are compatible with and appropriate to a rural location in the AONB are permitted.

(Continue on page 4 /expand box if necessary)

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.

The Policy needs amending to ensure that only proposals which are compatible with and appropriate to a rural location in the AONB are permitted.

(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?

X

**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:

**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:

Colin Blundel

Date:

29 November 2017

### 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)