

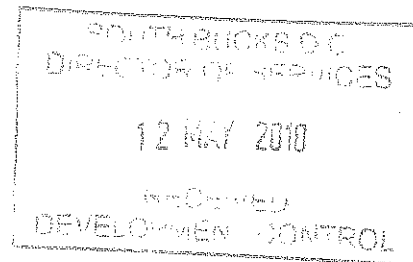
CID 42 RN 2052

Ref: 19



National
Trust

1 April 2010



Planning Policy Manager
South Bucks District Council
Capswood
Oxford Road
Denham
FREEPOST SCE9630
UB9 4BR

Dear Sir/Madam

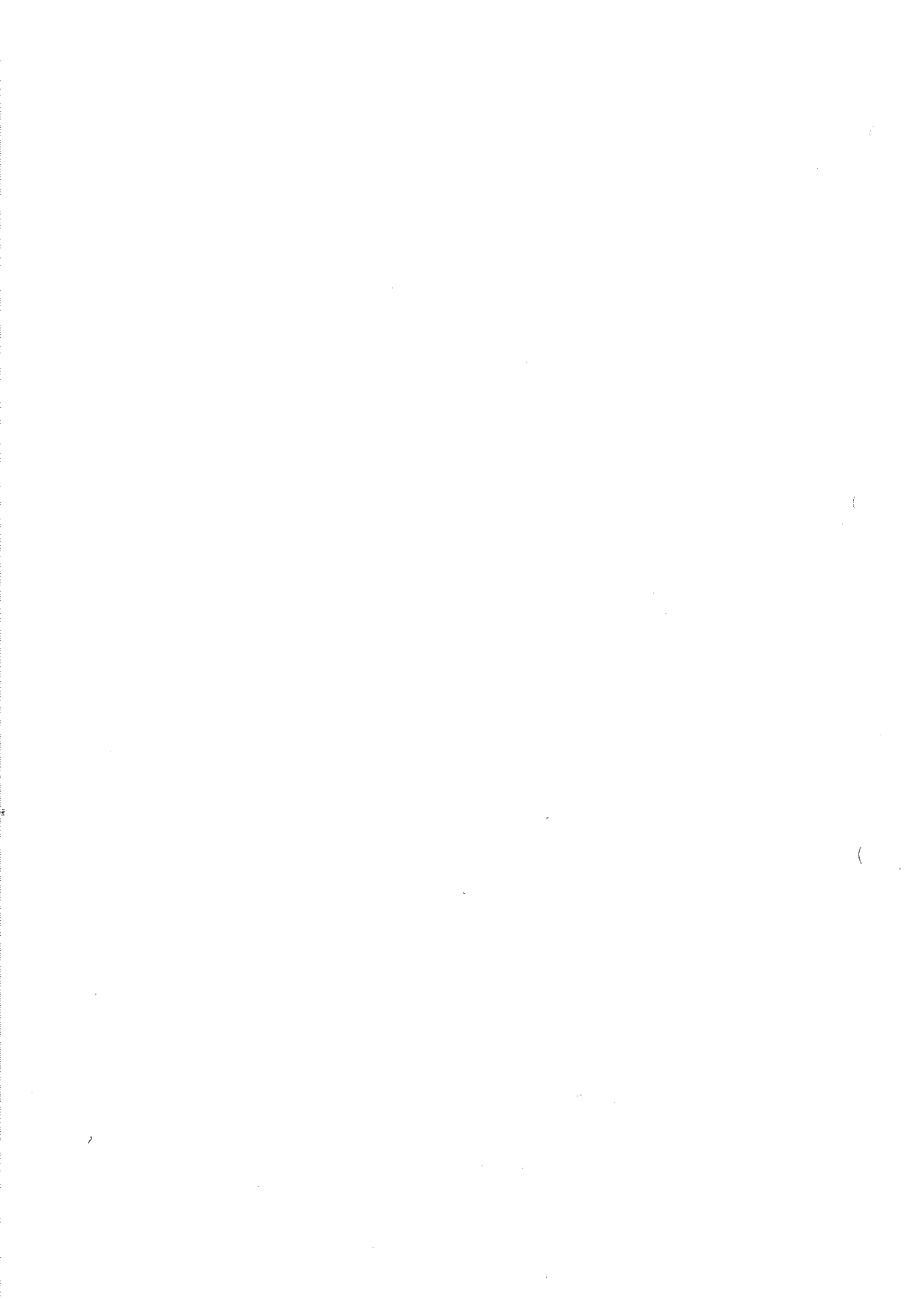
South Bucks Core Strategy.

On behalf of the National Trust please may I submit a brief representation on the Council's proposed Core Strategy.

Many thanks for your consideration of this matter.

Yours sincerely,

Michael Stubbs
National Trust Thames & Solent Region





South Bucks
District Council

**South Bucks Core Strategy
Development Plan Document (DPD)
Publication Stage Representation Form**

Ref:

(For official
use only)

Name of the DPD to which this representation relates:

South Bucks Core Strategy

Please return to South Bucks District Council, by 5pm on Wednesday 12th May 2010

By post to: Planning Policy Manager, South Bucks District Council, Capswood, Oxford Road, Denham, FREEPOST SCE9630, UB9 4BR or

By e-mail to: LDF@southbucks.gov.uk or

By fax to: 01895 837269

If you have any queries, please contact the Planning Policy Team on 01895 837200.

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*  See note below **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	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="Michael"/>	<input type="text"/>
Last Name	<input type="text" value="Stubbs"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="Land Use & Planning Advisor"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text"/>



Important: Please note that your comments and personal details will be available for public inspection and therefore cannot be treated as confidential. Please make sure that you only give information that you are happy for others to see.

Part B - Please use a separate sheet for each representation

Name or Organisation :

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

Paragraph Policy CP9 Proposals Map

4. Do you consider the DPD is :

4.(1) Legally compliant	Yes	<input type="text" value="✓"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text" value="✓"/>	No	<input type="text"/>

If you have entered No to 4.(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the DPD is unsound because it is not:

(1) Justified	<input type="text" value="n/a"/>
(2) Effective	<input type="text" value="n/a"/>
(3) Consistent with national policy	<input type="text" value="n/a"/>

6. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments.

Comments accepting the Core Policy 8 'Built Environment' is both legally compliant and sound.

The policy, rightly deals with landscapes and the natural environment. As South Bucks DC has a high concentration of Historic Parks and Gardens (in which National Trust Cliveden is Grade I) we would recommend some mention of their protection within the context of historic landscapes. Reference to 'significance' of landscapes (as derived from the new approach in PPS5) is also to be recommended and could be accommodated in this section or perhaps earlier when dealing with Core Policy 8 on Built Environment.

A possible wording could be...

The historic landscape, including archaeological sites, historic parks and gardens and ancient woodlands, will also be strongly protected, conserved and enhanced where possible, informed by the Bucks Historic Landscape Characterisation study and relevant conservation management plans as they may apply.

(Continue on a separate sheet /expand box if necessary)

7. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DPD 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 above and accepting that the consultation draft is legally compliant within the tests in paragraph 4.37 of PPS 12 and in other guidance issued.

(Continue on a separate sheet /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 change, 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.

8. If your representation is seeking a change, 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

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

(Continue on a separate sheet /expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: Date:

Thank you for your comments.

We also encourage you to complete and return the Equal Opportunities Monitoring form to help us to monitor inclusivity. The information collected on this form will not be attributed to you, as you don't have to provide your personal details.

Notification Request

Please complete the following if you wish to be notified of any of the following:

I request to be notified of

The submission of the Core Strategy for independent examination

The publication of the recommendations of any person appointed to carry out the independent examination of the Core Strategy

The adoption of the Core Strategy

Please specify the address to which the notification should be sent to if it is different from the one given in the front page.

Equal Opportunities Monitoring - Optional Section

In order to help us to find out whether we are meeting the needs of the whole community, we would be grateful if you could answer the following questions about yourself. This section will be detached from the rest of the representation form.

Age Under 18 18 - 24 25 - 44 45 - 64 65 - 79
80 +

Are you: Male Female

Ethnic Origin: to which of these groups do you consider you belong to?

White Mixed Asian or Asian British Black or Black British Chinese

Other (please state) _____

Do you have any long-standing illness or disability which limits your activities? Yes No

Are you without a permanent home? Yes No

Do you have a car or a van? Yes No

Are you registered as unemployed? Yes No

Do you provide unpaid care for another person? Yes No

Notes to Accompany Representation Form for Development Plan Documents

1. Introduction

1.1 The development plan document (DPD) is published in order for representations to be made prior to submission. The representations will be considered alongside the published DPD when submitted, which will be examined by a Planning Inspector. The Planning and Compulsory Purchase Act 2004¹ (the 2004 Act) states that the purpose of the examination is to consider whether the DPD complies with the legal requirements and is 'sound'.

- If you are seeking to make representations on the way in which the LPA has prepared the published DPD it is likely that your comments or objections will relate to a matter of legal compliance.
- If it is the actual content on which you wish to comment or object it is likely it will relate to whether the DPD is justified, effective or consistent with national policy.

2. Legal Compliance

2.1 The Inspector will first check that the DPD meets the legal requirements under s20(5)(a) of the 2004 Act before moving on to test for soundness.

You should consider the following before making a representation on legal compliance:

- The DPD in question should be within the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents it proposes to produce over a 3 year period. It will set out the key stages in the production of any DPDs which the LPA propose to bring forward for independent examination. If the DPD is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at their main offices.
- The process of community involvement for the DPD in question should be in general accordance with the LPA's Statement of Community Involvement (where one exists). The Statement of Community Involvement (SCI) is a document which sets out a LPA's strategy for involving the community in the preparation and revision of Local Development Documents (including DPDs) and the consideration of planning applications.
- The DPD should comply with the Town and Country Planning (Local Development) (England Regulations) 2004 as amended². On publication, the LPA must publish the documents prescribed in the regulations, and make them available at their principal offices and their website. The LPA must also place local advertisements and notify the DPD bodies (as set out in the regulations) and any persons who have requested to be notified.
- The LPA is required to provide a Sustainability Appraisal Report when they publish a DPD. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.

¹ View at http://www.opsi.gov.uk/ACTS/acts2004/ukpga_20040005_en_1

² View at <http://www.opsi.gov.uk/si/si2004/20042204.htm> (2004 regulations) and http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081371_en.pdf (2008 amending regulations)

- The DPD should have regard to national policy and conform generally to the Regional Spatial Strategy (RSS). The RSS sets out the region's policies in relation to the development and use of land and forms part of the development plan for LPAs. In London it is called the Spatial Development Strategy.
- The DPD must have regard to any Sustainable Community Strategy (SCS) for its area (i.e. county and district). The SCS is usually prepared by the Local Strategic Partnership which is representative of a range of interests in the LPA's area. The SCS is subject to consultation but not to an independent examination.

3. Soundness

3.1 To be sound a DPD should be:

- **Justified**

This means that the DPD should be founded on a robust and credible evidence base involving:

- Evidence of participation of the local community and others having a stake in the area
- Research/fact finding: the choices made in the plan are backed up by facts

The DPD should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The DPD should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

- **Effective**

This means the DPD should be deliverable, embracing:

- Sound infrastructure delivery planning
- Having no regulatory or national planning barriers to delivery
- Delivery partners who are signed up to it
- Coherence with the strategies of neighbouring authorities

The DPD should also be flexible and able to be monitored.

The DPD should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen.

The plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the DPD should make clear that major changes may require a formal review including public consultation.

Any measures which the LPA has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report. This report must be produced each year by all local authorities and will show whether the DPD needs amendment.

- **Consistent with national policy**

The DPD should be consistent with national policy. Where there is a departure, LPAs must provide clear and convincing reasoning to justify their approach. Conversely, you may feel the LPA should include a policy or policies which would depart from national or regional policy to some degree in order to meet a clearly identified and fully justified local need, but they have not done so. In this instance

it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national or regional policy and support your assertion with evidence.

3.2 If you think the content of a DPD is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by any national planning policy or in the Regional Spatial Strategy (or the Spatial Development Strategy in London)? If so it does not need to be included.
- Is what you are concerned with covered by any other policies in the DPD on which you are seeking to make representations or in any other DPD in the LPA's Local Development Framework (LDF). There is no need for repetition between documents in the LDF.
- If the policy is not covered elsewhere, in what way is the DPD unsound without the policy?
- If the DPD is unsound without the policy, what should the policy say?

4. General advice

4.1 If you wish to make a representation seeking a change to a DPD or part of a DPD you should make clear in what way the DPD or part of the DPD is not sound having regard to the legal compliance check and three tests set out above. You should try to support your representation by evidence showing why the DPD should be changed. It will be helpful if you also say precisely how you think the DPD should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. 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.

4.2 Where there are groups who share a common view on how they wish to see a DPD changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

4.3 Further detailed guidance on the preparation, publication and examination of DPDs is provided in *Planning Policy Statement 12: Local Spatial Planning*³ and in *The Plan Making Manual*⁴.

³ View at <http://www.communities.gov.uk/publications/planningandbuilding/pps12lsp>

⁴ View at <http://www.pas.gov.uk/pas/core/page.do?pageId=51391>