

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

Name or Organisation:

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

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="checked" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="checked" type="checkbox"/>	No	<input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="checked" type="checkbox"/>	No	<input type="checkbox"/>

Please tick 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.

This criteria-based approach is supported as a matter of principle as it can provide a framework which sets out the overarching objective to achieve high quality places and recognises that good design is a key component of achieving sustainable patterns of development. Notwithstanding this, there are number of areas of concern which question how justified and effective specific components of the criteria are.

Criteria 4 requires that development will not cause the loss of, or damage to, “any open space” which is important to the character of the settlement. This is ambiguous and represents a subjective analysis which is difficult to quantify and creates uncertainty as to how adherence

to this criteria can be achieved. It is not explained how such open space is determined to be important to the character of the settlement.

There is similar concern with criteria 5 and the reference to "*locally valued habitat*" which lacks any definition or clarity as to how such habitats are classified as "locally valued". Any proposal for development on site with known ecological constraints will be subject to detailed surveys to determine the presence and variety of habitats on the site. Such information, based on established survey techniques should be the primary focus in determining what habitats have "value" with appropriate protection, enhancements and mitigation measures identified as part of a comprehensive strategy for biodiversity on individual sites.

Criteria 6 refers to any natural or built features on a site that are '*worthy of retention*' should be incorporated into the scheme. Once again there is a lack of clarity as to what constitutes features that are 'worthy' of retention and who determines whether or not this is the case. It creates uncertainty and introduces vagueness into the policy requirements which could potentially undermine the effectiveness of this policy.

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

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each 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.

Whilst HC1 may be considered sound, we believe that in the interests of clarity and effectiveness, it should be amended to reflect the points made above.

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

**Please note** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Persimmon Homes Severn Valley (PHSV) is a national housebuilder and controls land identified within the Pre-Submission local Plan identified as proposed allocations, these being: 1) Land south of Wickwar Road, Kingswood (**PS38**), and 2) Cam North West (Land west of Draycott), working alongside Robert Hitchins Ltd (**PS24**). PHSV is therefore well placed to contribute to the Examination and debate as to the effectiveness of Policy HC1.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

9. Signature:



Date:

21.07.21