

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 type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input 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 new policy introduces open space, recreation standards from which new development will be required to provide in a manner which is proportionate to the scale of development. The capacity of an individual site to accommodate open space provision as listed within DHC7 will be dependent upon the scale of the development proposed. It is noted that DHC7 recognises that where the achievement of these standards is unrealistic or inappropriate within the boundaries of the site, a financial contribution will be secured through a legal agreement or Community Infrastructure Levy (CIL).

It is unclear how site-specific financial contributions, secured through S106 obligations and/or the CIL are distinguishable in this context. The concern being that there could be double

payments in circumstances where developments are liable for the CIL levy alongside specific open space/sports requirements secured through the S106 process. Greater clarity is required to demonstrate how this approach is justified and the precise mechanism through which off-site contributions will be secured.

It is also unclear as to whether an individual development will be required to make financial contributions towards all the different types of open space and built facilities, irrespective the mechanism for securing any such contributions.

The final paragraph of DHC7 confirms that in circumstances where a significant surplus in the local area, the requirements could be varied in order to provide another form of open space to help address a deficiency in an existing provision. Whilst this represents a pragmatic approach, any such provision must continue to be proportionate to the scale of development proposed. It is not for new development to resolve pre-existing issues, rather to ensure that new development provides future residents with appropriate access to quality open spaces etc. Paragraph 4.89 explains that the Council will produce a Supplementary Planning Document to provide information on how policies will be implemented. Whilst this a standard approach, any future Supplementary Planning Document should not introduce additional policy burdens which should normally be presented and examined as part of the Local Plan process.

(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.

To ensure that the delivery of open space/sports provision is both justified and effective it is considered necessary to provide greater clarity in terms of how any off-site contributions will be secured and to provide a clear distinction between site specific agreements to and the application of CIL in the delivery of this provision.

(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:

Persimmon Homes Severn Valley (PHSV) is a national housebuildercontrols 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 discussions related to the application and basis of DHC7.

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