

Comment Receipt

Event Name	Pre-Submission Local Plan Consultation
Comment by	Cllr Onnalee Cubitt
Comment ID	
Response Date	03/10/13 10:47
Consultation Point	3.6 Paragraph (View)
Status	Draft
Submission Type	Web
Version	0.1

Are you responding as: A borough councillor/MP

Legally Compliant

To be 'legally compliant' the Local Plan has to be prepared in accordance with the Duty to Co-operate and legal and procedural requirements. This is required by Government Guidance.

Do you think the Local Plan is Legally Compliant? No

Sound

To be 'sound', a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government Guidance.

Do you think the Local Plan is Sound? No

Tests of Soundness

Please select which Test(s) of Soundness by ticking the relevant boxes below

<input type="checkbox"/>	Justified
<input type="checkbox"/>	Consistent with National Policy

Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

I do not believe it is possible for this Plan to enable The Borough to achieve the aims stated in this Para 3.6.

The Water Cycle Study advised we were already in breach of various regulations, both the EU Water Framework Directive (exceed by a factor of 3 times the acceptable standard) and the Common Standard for Chalk Rivers(exceed by a factor of 6 times the acceptable standard).

As per the Water Cycle Study dd March 2007.....The River Loddon significantly fails the proposed phosphorous standards at present and.....

"all future development scenarios assessed will make this failure worse". Page 23

In its conclusion on page 27 it stated "Any increase in development will compound the already very high levels of phosphorous"

Participation at the Examination in Public

After this stage, further submissions will be only at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

If your representation is seeking a change, do you consider it necessary to speak at the examination in public? Yes, I wish to participate at the oral examination

If you wish to speak at the examination in public, please outline why you consider this to be necessary.

This subject needs to be fully discussed as Officers state that the impediment to Growth has been mitigated. This is the elephant in the room. This problem has NOT been mitigated.

Data Protection Statement

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Comment Receipt

Event Name	Pre-Submission Local Plan Consultation
Comment by	Cllr Onnalee Cubitt
Comment ID	
Response Date	03/10/13 11:18
Consultation Point	Policy EM1 - Landscape Impact (View)
Status	Draft
Submission Type	Web
Version	0.1

Are you responding as: A borough councillor/MP

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- Justified
- Effective
- Consistent with National Policy

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I do not believe it is possible to achieve fulfil EM1. The Water Cycle Study advised us that we were already in breach of various regulations, both the EU Water Framework Directive (we exceed by a factor of 3 times acceptable standards) and the Common Standards for Chalk Rivers (we exceed by a factor of 6 times the acceptable standards) As Per the Water Cycle Study dd March 2007.....The River Loddon significantly fails the proposed phosphorous standards at present and:-

"all future development scenarios assessed will make this failure worse" page 23

In the conclusion on page 27 it states :-

"any increase in development will compound the already very high levels of phosphorous"

The selection of SS3.9 breaches an important Boundary.

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Comment Receipt

Event Name Pre-Submission Local Plan Consultation
Comment by Cllr Onnalee Cubitt
Comment ID
Response Date 03/10/13 11:21
Consultation Point Policy EM6 - Water Quality ([View](#))
Status Draft
Submission Type Web
Version 0.1

Are you responding as: A borough councillor/MP

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Comment Receipt

Event Name	Pre-Submission Local Plan Consultation
Comment by	Cllr Onnalee Cubitt
Comment ID	
Response Date	03/10/13 11:27
Consultation Point	Policy EM7 - Managing Flood Risk (View)
Status	Draft
Submission Type	Web
Version	0.1

Are you responding as: A borough councillor/MP

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Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

The Local Plan is NOT Consistent with National Policy.

It fails to adhere to The Sequential Test as per Para 100 and 101 of the NPPF.SS3.9 should NOT have been selected as this site scores one of the highest Flood Risk Rankings and there are other Category 1 Sites which, as per The Sequential Test, have to be selected first

Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound having regard to the test you have identified above where this relates to soundness. You will

need to say why this change 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.

Replace SS3.9 with one of the Category 1 Sites not currently selected in this Plan and yet which scores a lower ranking in The Sequential Test.

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If you wish to speak at the examination in public, please outline why you consider this to be necessary.

I should like to detail why this Plan is currently unsound as it has failed to adhere to the NPPF requirement to apply The Sequential Test as per Para 100 and 101 of the NPPF.

The application of the Exception Test as per Para 102 is "neither appropriate nor necessary" as there are other suitable, available Category 1 sites which can be selected, should have been selected, and which have a lower ranking.

I repeat, there are identified Category 1 Sites which, as per the NPPF, are:- "available sites appropriate for the proposed development in areas with a lower probability of flooding".

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Comment Receipt

Event Name	Pre-Submission Local Plan Consultation
Comment by	Cllr Onnalee Cubitt
Comment ID	
Response Date	03/10/13 11:35
Consultation Point	Policy CN8 - Transport (View)
Status	Draft
Submission Type	Web
Version	0.1

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Please give details of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible.

I do not accept that the mitigations proposed in the Transport Study can be effectively applied to enable future developments to the East and North East of the Borough to genuinely adhere to this Policy. The A33 is already at capacity. Increased developments WILL result in more traffic movement and will not be mitigated.

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need to say why this change 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.

Genuine mitigation proposed, costed and paid for up front.

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