

## FW: Regulation 19 representations on the City's Local Plan 2040

Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

Tue 6/18/2024 11:35 AM

To: Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

📎 1 attachments (136 KB)

Model Representation Form for Local Plans John Griffiths CC.docx;

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**From:** Griffiths, John [REDACTED]

**Sent:** Monday, June 17, 2024 9:06 PM

**To:** Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

**Subject:** RE: Regulation 19 representations on the City's Local Plan 2040

**With apologies – I have reattached the representations with Form A now completed.**

Dear Sir/Madam,

At the Culture, Heritage and Libraries (CHL) Committee meeting of 20 May 2024, the Members agreed to establish a small working group to consider whether there were any representations that the Committee wished to make in relation to those aspects of the Local Plan 2040 dealing with Culture and Heritage.

The Working Group proposed a schedule of potential representations. This was discussed in a meeting of Members of the committee who were available on 24 May 2024, along with Assistant Planning Director, Rob McNicol, who subsequently commented on our proposed modifications.

We were advised and accepted that there is a procedural challenge in submitting collective views in the capacity of a Committee outside of a formal meeting. We could be perceived to be contravening a decision of our parent body, ie the Court, which has already been consulted on and approved the draft Local Plan.

However, it was also confirmed that it was still open to any Member of the Court to submit representations through the formal process in our capacity as ward councillors. It is on that basis that these are attached in expectation that the issues which individual Members of the Working Group have identified in this submission will have to be addressed through the ongoing review process. And that as a Committee, CHL can continue to have dialogue with planning officers on aspects of the relevant Chapters and Policies of the Local Plan knowing that these have been logged by individual ward Members.


Thank you

**John Griffiths**

Councillor for Castle Baynard Ward  
[REDACTED]



## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	<b>Ref: Reg 19</b>  <b>(For official use only)</b>
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**Name of the Local Plan to which this representation relates:**

City Plan 2040

**Please return to City of London Corporation BY 17:00PM 17 June 2024** emailing to: [planningpolicyconsultations@cityoflondon.gov.uk](mailto:planningpolicyconsultations@cityoflondon.gov.uk)

Please note that all representations will be made public on our website in line with the Town and Country Planning (Local Planning)(England) Regulations 2012. This will include the name of the person and, where relevant, the organisation making the representation. All other personal information will remain confidential and managed in line with the City Corporation's privacy notice.

For more information on how we collect and process personal information, and your rights in relation to that information, please refer to the Environment Department's privacy notice available at [Environment Department Privacy Notice \(cityoflondon.gov.uk\)](http://cityoflondon.gov.uk) and the City Corporation's privacy notice available at [www.cityoflondon.gov.uk/privacy](http://www.cityoflondon.gov.uk/privacy)). Please also see our Statement of Representations Procedure available at: [City Plan 2040 - City of London](http://City Plan 2040 - City of London).

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This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

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### Part A

1. Personal Details\*

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title

Cllr

First Name

John

Last Name

Griffiths

Job Title

Common Councillor for Castle  
Baynard Ward

(where relevant)

Organisation

City of London Corporation

(where relevant)

Address Line 1

██████████

Line 2

Guildhall

Line 3

London

Line 4

Post Code

██████████

Telephone  
Number

██████████

E-mail Address

██

(where relevant)

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

Name or Organisation: **Cllr. John Griffiths**

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

I very much support the economic, social and environmental objectives set out in the Strategic Priorities in the new Plan. I particularly welcome the focus on creating new and enhanced culture attractions, delivering new inclusive open spaces and enhancing the City's public realm for everyone; celebrating and protecting the City's unique heritage assets. I also welcome the recognition of the need for new public space and the focus on sustainability. However the definition of culture is very hard to define as recognised in the Cultural Planning Framework Report which forms part of the evidence base of the plan. This document refers to the Cultural Ecosystem of the City of London which comprises its **Cultural Infrastructure** and **Cultural Contributors**. Cultural Infrastructure is the spaces and assets of cultural production, consumption, including community and open spaces and heritage. Cultural Contributors are other elements and uses such as retail, restaurants and hotels that contribute to a sense of place or support cultural use and I consider that in order to be effective and justified by the evidence the plan should explain and use these terms.

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.

In Economic Objective 1.2 bullet point 6 should be amended to read as follows:

*Enhancing and adding to the City's existing Cultural Ecosystem comprising both Cultural Infrastructure and Cultural Contributors.*

**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:

How culture is treated in the plan is of fundamental significance to the local plan objectives and is complex as recognised by the evidence base.

**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.

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

Name or Organisation: **Cllr. John Griffiths**

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

I very much support the Spatial Strategy in general and the reference to the Cultural Planning Framework in Spatial Strategy 2.1.5. in particular. However I am concerned that this part of the spatial strategy is not effective as its reference to culture is vague and too narrow in its reference to Focal Areas. As explained above I consider that the plan should use the descriptions of Cultural Infrastructure, and Cultural Contributors and explain what these are using the descriptors in the Cultural Planning Framework which comprises the evidence base for the Spatial Strategy. I also consider that the Spatial Strategy should recognize that other additions and enhancements to the cultural ecosystem beyond those identified in the focal areas will be encouraged.

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.

Spatial Strategy 2.1.5 should be amended to read as follows:

*Cultural Infrastructure and Cultural Contributors will be enhanced and added to across the City. Focal areas for Cultural Infrastructure and Cultural Contributors have been identified in the Cultural Planning Framework (CPF), informed by the existing cultural character of different parts of the City and the potential for each area to contribute to the ongoing transformation of the city into a vibrant destination through securing enhancements to existing, and additions to, Cultural Infrastructure and Cultural Contributors. The forthcoming changes, opportunities and priorities of the focal areas identified in the Cultural Planning framework are not exhaustive and other appropriate additions and enhancements will be encouraged.*

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

How culture is treated in the plan is of fundamental significance to the local plan objectives and complex as recognised by the evidence base

**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.

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

Name or Organisation: **Cllr. John Griffiths**

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

Paragraph	<input type="text"/>	Policy	Strategic Policy S6 Culture and Visitors	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is:

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

I very much support the objectives of the Strategic Policy for culture and visitors but consider that the policy is unclear in its reference to what is meant by culture and therefore unsound and ineffective. I consider that the descriptors of Cultural Infrastructure and Cultural Contributors and what those terms encompass which are set out in the Cultural Planning Framework should be used in the Policy and the Reasoned Justification. The Cultural Planning Framework recognises, quite rightly, the difficulties of defining what is meant by culture but does in fact manage to capture all the component parts of what is understood by use of the word culture very well and having undertaken that difficult exercise successfully in my view these descriptors should be used in the plan and the Reasoned Justification.

The reasoned justification in 7.1.0 is muddled as to what is meant by culture and only refers in part to the description of Cultural Infrastructure used in the Cultural Planning Framework (i.e referring to the consumption and production elements but not the other elements of community, open spaces and heritage). I am concerned that the policy will be difficult to apply for development management purposes and clarity is critical if the objectives of the plan for the enhancement and additions to the City's culture, with which I wholly agree, are not made completely clear.



The reasoned justification says that the definition of culture is broad and inclusive. It states that it exists in the buildings and heritage of the City's institutions and the streets and informal spaces. This is unhelpful as it seems to indicate that everything is of cultural significance. The RJ then goes on to distinguish arts facilities from cultural facilities and distinguishes these facilities from leisure and recreation. The two comments are inconsistent and indicates that this flows from the lack of clarity in the policy and what is meant by use of the word culture. To be sound and effective the Policy and the Reasoned Justification need to be crystal clear as to what is meant by culture, given the recognition that it is difficult to define as a concept but that the evidence base has managed to achieve that definition. Presently neither the policy nor the RJ are clear.

I consider that the Policy and the RJ should use the definitions in the Cultural Planning Framework namely that culture comprises the component parts of cultural production, consumption, community, open spaces and heritage and that these should be used consistently across the plan recognizing that what is meant by culture is difficult to define but that the terms used in the Cultural Planning Framework is the best means of doing so. It should also cross-reference to the other policies in the plan that concern open spaces and heritage so as to ensure that the reader understands the full panoply of policies that govern these important these aspects of planning.

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.

#### *Strategic Policy S6: Culture and Visitors*

*The City Corporation will maintain and enhance the City of London's cultural infrastructure and cultural contributors. This includes Cultural Infrastructure where culture is consumed and produced; experienced within communities; enjoyed through open spaces and appreciated through heritage, ~~leisure and recreation offer~~, and visitor experiences ~~and infrastructure~~, and Cultural Contributors including the City's evening and weekend economies to position the Square Mile as a key cultural ~~and leisure~~ destination, by:*

*1. Encouraging ~~cultural~~ placemaking and creating vibrant and inclusive places that contribute to the experience of living, working and visiting the City while addressing the needs and aspirations of the City's communities;*

*2. Developing a wide range of cultural infrastructure and cultural contributors, ~~leisure and recreation facilities~~ across the City that offer unique experiences at different times of the day and week, in line with the Culture Planning Framework (CPF), and that supports the City's role as a visitor destination;*

*3. Protecting and enhancing existing areas of cultural infrastructure that are significant including ~~cultural~~ buildings and facilities where culture is consumed and produced and/or used for ~~leisure and recreation purposes facilities~~, particularly where they provide an anchor for the regeneration of cultural infrastructure regeneration or where a continuing need exists and ensuring there*

is no overall loss of cultural infrastructure or cultural contributors facilities or diversity in the City;

4. Providing accessible and inclusive ~~cultural contributors infrastructure and facilities~~ that complement cultural infrastructure, ~~leisure and recreation uses in the City~~;

5. Placing heritage as part of the City's Cultural Infrastructure at the heart of ~~cultural~~ placemaking, seeking opportunities to embed heritage ~~in the City's~~ cultural infrastructure offer and by creating spaces and experiences that celebrate the City's rich history, culture and community;

6. Supporting the development of creative industries and encouraging appropriate workplace and digital infrastructure to facilitate their development;

7. Allowing hotel development where it supports the primary business or cultural infrastructure role of the City;

8. Enabling a vibrant evening and night-time economy especially in areas of night-time activity and around cultural infrastructure including ~~and~~ tourist attractions where public transport such as the night tube and night buses are available, ensuring that users are well serviced with safe and convenient night-time transport;

9. Maintaining the City's Cultural Infrastructure including its existing artworks, statues, memorials and culturally significant items and pursuing opportunities to commission new high quality artworks in appropriate locations ensuring they protect and enhance the local character are accessible and inclusively designed and contribute towards enriching the public realm;

10. Maintaining and enhancing the city's open spaces and public realm as part of the City's Cultural Infrastructure to accommodate ~~cultural~~ events and activities that are inclusive and accessible to all City communities and which promote and celebrate all aspects of the City's cultural infrastructure including its rich heritage ~~and culture~~;

11. Encouraging the temporary use of vacant buildings for cultural infrastructure including ~~for~~ creative ~~and cultural~~ activities and for cultural contributors.

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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)

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How culture is treated in the plan is of fundamental significance to the objectives of the local plan and what is meant by culture is complex as recognised by the evidence base

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

Name or Organisation: **Cllr. John Griffiths**

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="" type="checkbox"/>	No	<input type="checkbox"/>
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Please tick as appropriate

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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.

I very much support the objectives of this policy but for the reasons already stated under policy S6 we do not consider that the references to culture are sufficiently precise and that this renders this policy unsound as it is unjustified and ineffective. I am also concerned that the policy is limited to facilities and use whereas cultural infrastructure covers all aspect of culture including aspect of culture which may be more conceptual e.g heritage legacy, customs and conventions and belief systems.

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.

Policy CV1: Protection of Existing ~~Visitor, Arts and~~ Cultural Infrastructure ~~Facilities~~

1. The City Corporation will resist the loss of existing cultural infrastructure ~~visitor, arts, and cultural facilities~~, unless:

a. Replacement cultural infrastructure facilities of at least equivalent quality ~~is are~~ provided on-site or within the vicinity which meet the needs of the City's communities; or

b. The infrastructure affected use can be delivered from other infrastructure facilities without leading to or increasing any shortfall in provision and it has been demonstrated that there is no demand for ~~another~~ similar infrastructure use on the site; or

c. Where cultural infrastructure is located in premises, it has been demonstrated that there is no realistic prospect of ~~those~~ premises being used for a similar purpose in the foreseeable future.

2. Proposals resulting in the loss of ~~visitor, arts and~~ cultural infrastructure facilities must be accompanied by evidence of the lack of need for ~~that infrastructure in that location~~ ~~ose facilities~~. Loss of infrastructure facilities will only be permitted where this would facilitate the overall enhancement of cultural infrastructure ~~visitor, arts or cultural provision~~ within the vicinity or where it has been demonstrated that the existing ~~facility~~ cultural infrastructure, whether it be in premises or elsewhere has been actively marketed for its current use or an alternative ~~visitor, arts or~~ cultural infrastructure use at reasonable terms for such a use.

**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.

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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:

How culture is treated in the plan is of fundamental significance to the local plan objectives and what is meant by culture is complex as recognised by the evidence base.

**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.

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

Name or Organisation: **Cllr. John Griffiths**

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

I very much support the objectives of this policy but for the reasons already stated under policy S6 and CV1 we do not consider that the references to culture are sufficiently precise and as a result the policy is not sound as it is not effective or justified. This policy actually refers to the City's Planning Cultural Framework and yet the definitions of culture in that framework have not been followed.

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.

*Policy CV2: Provision of ~~Arts,~~ Cultural infrastructure e and Leisure Facilities*

*The City Corporation will seek opportunities to provide new- cultural infrastructure arts, cultural and leisure facilities that offers unique experiences at different times of the day and week and attracts significant numbers of visitors into the City by:*

- 1. Requiring major developments to submit Culture and Vibrancy Plans setting out how their development will culturally enrich the Cultural Infrastructure of the Square Mile, informed by the City Corporation's Cultural Planning Framework (CPF);*
- 2. Requiring large scale development proposals of 10,000 sqm or more in size to make provision on-site for cultural infrastructure and cultural contributors~~arts, culture or leisure facilities~~;*
- 3. Requiring major developments below 10,000 sqm in size to make provision for cultural infrastructure and cultural contributors ~~arts, culture or leisure facilities~~ of a scale commensurate with the size of the development, or to provide off-site provision or contributions towards cultural infrastructure and its facilitation through other ~~owards arts, culture and leisure facilities and~~ infrastructure. On-site provision will be preferred, with off-site provision only being appropriate where a specific project has been identified through partnership working.*
- 4. Encouraging the provision of cultural infrastructure ~~arts, culture and leisure facilities~~ in historic buildings and spaces where this would contribute to the enjoyment, appreciation and understanding of the City's heritage in a way that is inclusive, welcoming and accessible for all.*

**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.

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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:

How culture is treated in the plan is of fundamental significance to the local plan's objectives and what is meant by the word culture is complex as recognised by the evidence base.

*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.*

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

Name or Organisation: **Cllr. John Griffiths**

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="" type="checkbox"/>	No	<input type="checkbox"/>
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I very much support the objectives of this policy to ensure appropriate visitor facilities in relation to new cultural infrastructure but for the reasons already stated under policy S6 and CV1 and 2 I do not consider that the references to culture are sufficiently precise. I also consider that the first paragraph of the policy is unclear as to what type of development the policy is intended to apply to. It refers to visitor facilities for new cultural development. Is the policy only directed to facilities for visitors when permission is being sought for new cultural infrastructure or when permission is being sought for other types of development when there is already new cultural development close by. We assume that it is the former not the latter and have suggested amendments on that basis. In any event the policy needs to be clear as to which type of development it applies to.

(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.

*Policy CV3: Provision of Visitor Facilities*

*Where new cultural infrastructure is being provided, ~~t~~The provision of facilities that meet the needs of visitors ~~in new cultural development and~~ in nearby open spaces and the public realm will be ~~rencouraged~~, required including:*

- 1. Seating and tables;*
- 2. Structures and landscaping to enable children's play and provide facilities for school groups;*
- 3. Suitable shelter from weather conditions;*
- 4. Well-designed public convenience provision, including changing places toilets, accessible to all users;*
- 5. Well-designed signage, wayfinding and links to visitor facilities and destinations;*
- 6. Temporary pop-up art installations, galleries and spaces in appropriate locations;*
- 7. Performance spaces and animation of key routes where appropriate.*

**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.

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

Name or Organisation: **Cllr. John Griffiths**

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

Paragraph	<input type="text"/>	Policy	Chapter 11 Policy HE1 Managing Change to the Historic Environment	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is:

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

As recognised by the description of cultural infrastructure in the Cultural Planning Framework the City's heritage is of fundamental importance to the Cultural Infrastructure of the City and makes a critical contribution to its world class status as a place to live, work and visit and as an international destination.

I do not consider that policy HE1.2 accords with the heritage section of the NPPF and in particular paragraphs 199 to 202. In particular:

- The policy does not differentiate between substantial harm and less than substantial harm to a designated heritage asset;
- The policy does not differentiate between the different grades of designated assets;
- The policy does not differentiate between the different circumstances where substantial harm may be justified as between different grades of designated asset
- The policy dilutes the test to be applied in circumstances where there is substantial harm which requires that permission can only be granted exceptionally, that substantial weight is to be given to the harm which can

only be outweighed by substantial public benefit or where specific criteria is satisfied.

- There is no need for this policy as the NPPF is clear on the approach to the grant of permission for designated assets in circumstances where there is both substantial harm or less than substantial harm.
- The policy is therefore not justified or effective and inconsistent with the NPPF and therefore unsound.

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.

This part of the policy should be deleted

**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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How heritage is treated in the plan is of fundamental significance to the cultural infrastructure of the City and complex as recognised by the evidence base.

It is critical that the City's heritage is properly protected in accordance with national policy.

**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.

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

Name or Organisation: **Cllr. John Griffiths**

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

The reference to cultural provision in S26.2.b is too vague and the policy is therefore not effective and therefore not sound.

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.

The words *Cultural Infrastructure and Cultural Contributors* should be substituted for *Cultural 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:

**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.