

**Council's UPDATED Response to Actions Required following Hearing Sessions
for
Matters 1-5 (Week One)**

Further to the discussions at the week one hearing sessions, the following actions are required. The Inspector considers these to be necessary at this stage of the examination to inform his consideration of whether the Plan is sound and/or how it could be made sound by main modifications. All additional documents will be published on the examination website and sent to participants of the matter in question.

Matter 2: Development Strategy

2.1 The Council will prepare proposed modifications to policies SA1, SA2 and SA3 and policy INF1 to clarify that the requirements for development to make contributions to infrastructure provision will only apply when they are in accordance with the CIL regulations and NPPF paragraph 204.

[Response submitted on 27th October 2017 as the Council's response to week 1 Actions – ref. ED041]

Actions 2.2 and 4.1 (combined)

Two separate, closely related, actions arose from the hearings in respect of:

- (i) Development Strategy (Action 2.2); and
- (ii) Housing Land Supply (Action 4.1).

Due to the inter-relationship between these matters, it is logical to consider them together as a comprehensive package, dealing with 2.2 and 4.1 in reverse order.

Housing Land Supply

4.1 The Council will consider the implications of its response to question 51A which indicates that the Plan could lead to a situation whereby there is less than a five year supply of deliverable housing sites from 2022 onwards, and potentially from 2019 onwards, based on the Council's calculation of the five year requirement. In so doing, consideration should be given to the appropriateness of the Plan's housing trajectory including in terms of how the requirement is shown as a flat rate; the high level of expected completions in the next few years; and how high levels of completions since 2011 are likely to contribute to meeting the overall requirement for the Plan period.

In response to this action, a comprehensive review of the Housing Land Supply (HLS) (EB046) has been produced, which includes a five year supply and trajectory as of 1st April 2017.

The HLS concludes that:

- elevated rates of housing delivery have occurred during the early part of the Local Plan period, with several years delivering significantly above the District's 420 dwelling per annum 'flat rate' housing requirement; and
- while further housing delivery surpluses are expected over the next few years, the rate of completions is expected to decrease later in the Plan period.

The continued use of a 420 dwellings per annum flat rate supply requirement (rather than applying a lower rate that reflects over-supply in previous years), would result in an inflated level of housing growth which could lead to unsustainable development.

Consistent with an approach endorsed by inspectors elsewhere¹, the Council has used a stepped approach to calculate the five year supply requirement, which takes account of past and future supply surpluses (as well as any shortfalls). Using this methodology and applying a 5% buffer, Cotswold District has a supply of specific deliverable sites amounting to 8.0 years at 1st April 2017. The HLS concludes that the District is also able to maintain a five year supply throughout the Local Plan period.

The Council estimates that, ~~at 2nd November 2017,~~ more than 10,500 dwellings ~~(up to 2nd November 2017)~~ will be delivered ~~across during~~ the Plan period. This exceeds, ~~by 125%,~~ the 8,400 dwelling housing requirement, ~~by 125% and it will for the Plan period. This~~ provides ample flexibility to deliver the full housing requirement while also significantly boosting the supply of housing.

A copy of the HLS is available on the Council's Local Plan Examination website (ED046).

Development Strategy

2.2 The Council will prepare draft modifications to policy DS2 and a new strategic policy to cover market housing in locations not covered by policies DS2 or DS3 as described in its schedule of proposed main modifications [ED024], and consider whether policy DS3 and or the reasoned justification needs to be clarified with regard to references to "small scale".

In response to Action 2.2, and taking account of the latest HLS, the Council's response comprises three discrete elements:

(1) Open market housing in locations not covered by policies DS2 or DS3

A new strategic policy is proposed to this issue. The details are set out under 'Policy DS3: Open Market Housing outside Development Boundaries Principal and Non-Principal Settlements' in the schedule of proposed main modifications.

(2) Ensuring a Five Year Housing Supply during the Plan Period ~~Managing the Delivery of Housing.~~

During the hearing session on Matter 2, the Council responded to a query asking what its approach would be in the event of a five year supply shortfall. Upon reflection, the Council proposes, as part of this comprehensive package of proposals, a policy that could be triggered if the five year supply were to drop below a certain level.

Such a policy could facilitate housing proposals in appropriate locations immediately adjacent to Development Boundaries. Should the proposal be accepted, the Council wishes to make it clear that it expects to maintain a five year supply throughout the Plan period and that housing supply is being boosted significantly through the Local Plan. The Local Plan is not, therefore,

¹ E.g. Winchester District local Plan and Gloucester, Cheltenham & Tewkesbury Joint Core Strategy

reliant on such a policy, but it should be regarded as a fall-back position in the unlikely event of the supply position approaching five years plus 5% buffer.

The details of this proposal are set out under 'Policy DS5: [Ensuring a Five Year Housing Supply during the Plan Period](#)~~Managing the Delivery of Housing~~' in the schedule of proposed main modifications.

(3) Consider whether "Small-Scale Development" needs to be clarified

Small-scale Residential Development

The Local Plan describes the term 'small scale' in paragraph 6.3.5 as follows:

"Small-scale residential development means housing which is proportionate to, and complementary with, the size and character of the settlement and its surroundings, including, for example, two bed properties. In this context, the policy applies to the provision of any new residential units through the alteration, replacement, conversion or sub-division of an existing dwelling, as well as through new-build. Any development provided through this policy, besides being proportionate in scale and appropriately designed, needs to be in keeping with the rural nature of the locality. Care should be taken that such development, which could include minor infilling, does not harm open spaces or gaps that make a positive contribution to the character of the village, including views and vistas. Careful consideration also needs to be given to the cumulative impact of new development which can, over time, subliminally erode the bucolic character of rural settlements and/ or lead to the coalescence of groups of buildings to produce a more 'urban' form."

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The Council is unable to find a formal definition of small-scale development. However, it considers the description provided in paragraph 6.3.5 explains clearly what is meant, provided some of the text is deleted (as indicated above). The 'offending' text was an erroneous inclusion in the Submission Draft and it was the cause of the resulting confusion at the examination hearing.

Appropriate Development

The term 'appropriate development' was suggested by one of the participants at the examination hearing. It is not, however, an [appropriate apposite](#) term to use in this context as it does not convey any sense of scale. It is considered to be too nebulous and [is therefore](#) not a term that should be introduced to the Local Plan in this context.

Minor Developments

The term 'minor developments' is referred to in a data.gov.uk web publication: <https://data.gov.uk/dataset/planning-applications-decisions-major-and-minor-developments-england-district-by-outcome>

This is the only reference to smaller scale development that the Council could find in any official publication. It reads as follows: "For dwellings, minor development is one where the number of dwellings to be constructed is between 1 and 9 inclusive. Where the number of dwellings to be constructed is not given in the application, a site area of less than 0.5 hectares should be used as the definition of a minor development. For all other uses, a minor development is one where the floor space to be built is less than 1,000 square metres or where the site area is less than 1 hectare. Decisions are classified as relating to a Major/Minor Development on the basis of the development covered by the application which was decided."

This helpfully refers to an upper limit of 9 dwellings or 0.5 hectares, which might be acceptable on the right site(s) in a handful of larger villages, but probably not in the majority of Cotswold villages, which are themselves small-scale and, in most cases, highly sensitive in environmental terms.

Conclusion

Retain 'Small scale residential development' ~~as is considered to be~~ the most suitable term to describe, in broad terms, what is likely to be acceptable in non-Principal Settlements. ~~Delete text, as set out above~~ However, to remove any confusion, certain text should be deleted from the reasoned justification explanatory text at paragraph 6.3.5, as follows:

"Small-scale residential development means housing which is proportionate to, and complementary with, the size and character of the settlement and its surroundings, including, for example, two bed properties. In this context, the policy applies to the provision of any new residential units through the alteration, replacement, conversion or sub-division of an existing dwelling, as well as through new build. Any development provided through this policy, besides being..."

Matter 3: Housing Requirements

3.1 The Council will consider whether modifications are needed to make it clear whether the need for additional residential care institutions is included in the overall housing requirement; whether that need ought to be quantified in the Plan; and how such development will be taken into account in monitoring progress towards meeting housing requirements.

[Response submitted on 27th October 2017 as the Council's response to week 1 Actions – ref. ED041]

3.2 The Council will consider whether the Plan ought to refer to how any unmet housing need in other parts of the Gloucestershire housing market area, and/or other adjoining districts, may be addressed in the future through a review of the Plan or other means.

[Response submitted on 27th October 2017 as the Council's response to week 1 Actions – ref. ED041]

3.3 The Council will consider whether the Plan is sufficiently clear about the number of net additional affordable homes needed in the district.

[Response submitted on 27th October 2017 as the Council's response to week 1 Actions – ref. ED041]

Matter 4: Housing Supply

The Council will consider the implications of its response to question 51A which indicates that the Plan could lead to a situation whereby there is less than a five year supply of deliverable housing sites from 2022 onwards, and potentially from 2019 onwards, based on the Council's calculation of the five year requirement. In so doing, consideration should be given to the appropriateness of the Plan's housing trajectory including in terms of how the requirement is shown as a flat rate; the high level of expected completions in the next few years; and how high levels of completions since 2011 are likely to contribute to meeting the overall requirement for the Plan period.

[This Action has been dealt with as part of a combined response to Matter 2.2 above]

For clarity, the Council has prepared proposed main modifications (ED024) to the Plan to reflect the findings of Housing Land Supply November 2017 (EB046) including in terms of completions and commitments as at 1 April 2017; planning permissions granted since 1 April 2017; windfalls; the capacity of allocated sites; the five year requirement and supply; and the housing trajectory.

Matter 5: Chesterton Strategic Site

5.1 The Council will consider whether policy S2 needs any additional criteria, or specificity about the nature of the infrastructure requirements, to be added in order to ensure that it includes sufficient detail to provide clarity about the nature of the development that is proposed².

This request is similar to one that was posed under the actions for week two (ED033 – Matter 6). In both instances, the Council was requested to consider the effectiveness of the 'S' policies (S1 to S19) with specific reference to PPG ID-12-010.

For similar reasons to those given in response to Action 6.4, the Council considers that Policy S2, in association with other policies in the Plan, is effective insofar as it provides the necessary detail and direction with regard to infrastructure requirements at the strategic site south of Chesterton.

Clause 2 is clear in pointing to the Infrastructure Delivery Plan and strategic site's Vision and Objectives (Local Plan Appendix B) to provide guidance on various infrastructure, including:

- Community facilities and culture (including Neighbourhood Centre);
- Education;
- Health care;
- Open space, sport and recreation;
- Transport and highways;
- Flood management, waste water, and a Sustainable Drainage System; and
- Water supply.

The Infrastructure Delivery Plan, together with the Vision and Objectives at Appendix B, provide ample detail on all infrastructure matters relating to the strategic site. These, together with the Plan's generic policies, are considered to provide a sufficiently comprehensive framework for guiding infrastructure requirements to support the proposed development, which is set out in the first clause of S2.

The Council, therefore, does not consider that additional criteria or further specificity needs to be added to S2 regarding the nature of the infrastructure requirements.

5.2 Development Limited will send any comments it has on Save Our Cirencester's response to question 56A regarding trip generation assumptions.

Not a Council action.

² PPG ID-12-010.