

Cotswold District Council's response to Actions Required following Hearing Sessions for Matters 6-8 (Week Two)

Matter 6: Proposals in South Cotswold Sub Area

6.1 To take account of the latest highway capacity assessment¹, the Council will prepare a proposed main modification to policy SA1 to delete the proposed A433 junction improvement in Tetbury.

Modification made. Please refer to the Main Modifications Schedule (ED024).

6.2 The Council will prepare proposed main modifications to policies S1 and S4-S19 (as necessary) to clarify how the proposed infrastructure projects in the Principal Settlements are expected to be delivered in a manner that is in accordance with the CIL regulations and NPPF paragraph 204. This would be instead of deleting all references to those infrastructure projects as previously suggested by the Council in its matter 1 hearing statement, and would be in addition to the proposed modifications to policies SA1-SA3 and INF1 that the Council agreed to prepare during week 1 of the hearing.

The Council proposes the following amendment to Chapter 7 of the Local Plan.

“7.0.12 The strategic infrastructure required in each sub area is set out in policies SA1, SA2 and SA3. The policies for each individual settlement are numbered S1 -S19 and are located in the relevant sub area section. They identify specific land allocations, including housing and employment as well as local non-strategic infrastructure. The land allocations, development boundary and other land use planning designations are shown on the inset map for each settlement.

7.0.13 The non-strategic infrastructure items referred to above were identified during engagement and consultation with local communities. Whilst these items are not critical or essential to delivery of the Local Plan, many may be regarded as contributing to local place-making. On this basis, it is reasonable to anticipate that the delivery of non-strategic infrastructure should normally be funded from the local apportionment of CIL revenue (which can only be spent on infrastructure provision). Alternative or supplementary funding routes may be available and could be pursued providing national policy and legislative rules governing the imposition of planning obligations are satisfied. It follows from this that parish and/or town councils could in the first instance consider managing the implementation process, using their CIL apportionment to procure delivery. Including the items in Neighbourhood Plans would also assist in the delivery process as a “made” Neighbourhood Plan will increase the CIL apportionment from 15% to 25%.”

By way of an example the Council proposes to insert the following text in to policies S4 to S19.

¹ ED028

Example settlement policy modification:**Policy S4
DOWN AMPNEY****Housing****Allocated housing development sites:**

- DA_2 Dukes Field (10 dwellings **net**)
- DA_5A Buildings at Rooktree Farm (8 dwellings **net**)
- DA_8 Land at Broadleaze (10 dwellings **net**) **[MM046]**

Non-Strategic (Local) Infrastructure

~~Once contributions to delivery of infrastructure required in the South Cotswolds Sub Area (Policy SA1) have been made, development proposals will, subject to viability, be expected to help deliver or make appropriate contributions towards Delivery of the following non-strategic infrastructure items will be funded from local CIL revenue apportionment unless regulatory requirements governing the imposition of planning obligations can be met:~~

- a. Provision of allotments;
- b. etc;
- c. etc

Modifications have been included in the Main Modifications Schedule (ED024).

6.3 The Council will prepare proposed main modifications to policies S1, S3B, S3F and/or the reasoned justification to (a) clearly set out the proposed approach to off-street car parking provision in Cirencester town centre including in terms of whether the overall number of spaces is to be maintained or increased (and if the latter to give some indication of the extent); and (b) clarify whether the development of the proposed mixed use sites is dependent on the delivery of the proposed decked car park on the Waterloo site (CIR_E14).

- (1) Section 7.1.1.3 has been fully revamped to:
 - a. Clarify the proposed approach to off-street car parking provision.
 - b. Clarify how redevelopment of existing surface level car parks and other elements of the town centre strategy is expected to be implemented following the delivery of decked parking.
 - c. Distinguish between matters of policy and strategy.
 - d. Bring the contents of this section up-to-date.
- (2) The details of the amendments are set out in the schedule of Main Modifications [ED024].
- (3) A consequential amendment is proposed to delete Minor Modification MM025 from paragraph 7.1.1.6 on the basis that the text sits more appropriately in the Town Centre section.

The detailed text for (1) and (2) above are set out in the schedule of Main Modifications [ED024].

In summary, the main changes are as follows:

- (a) A single policy is proposed, rather than a series of sub-policies, and it is broken down into three parts:

- A presumption favouring, in principle, development that is consistent with the newly-conceived Cirencester Town Centre Strategy (essentially former Policy S3);
 - Retailing and other Main Town Centre Uses (essentially former policy clauses S3A1, S3A3 and S3A4);
 - Car Parking (essentially former policy clauses S3A2 and S3F1).
- (b) The majority of the sub-policies (S3A to S3F) have been re-formatted into a Cirencester Town Centre Strategy.
- (c) New paragraphs inserted in the Town Centre Strategy to provide guidance on the historic environment (1 and 2) and retailing priority at the Brewery and Forum car parks, with the possibility of a public transport interchange on part of the latter.
- (d) New introductory paragraphs (7.1.1.3.3 and 4) to better explain the broader context for the town centre strategy.
- (e) New paragraphs (7.1.1.3.6 to 11; 7.1.1.3.13 to 17; and 7.1.1.3.20) setting out:
- cross reference to heritage in section 7.1.1.1;
 - background to parking capacity issues;
 - the logical sequence to 'unlocking' other sites after decking has increased parking capacity;
 - the balance between protecting heritage assets and implementing measures aimed at regenerating the town centre;
 - the existing car parks and their capacities;
 - further explanation of likely suitability/ desirability of redeveloping 'surplus' car parks in the future; and
 - the desirability of considering traffic management measures after decking has been implemented.

6.4 The Council will consider whether policies S1, S3A-S3F, and S4-S19 include sufficient detail to provide clarity about the scale and nature of the developments that are proposed on the allocated sites, including the mixed use sites in Cirencester town centre and various housing allocations (particularly those in sensitive locations having regard to heritage assets and rural landscapes) such that they will be effective².

Nature of development – approach taken by the Council

The site allocation elements of policies S1 and S4 – S19 essentially indicate the nature of development proposed (e.g. residential; mixed use; employment) and the anticipated scale of development considered to be appropriate for each site³. The boundaries for each of the site allocations are illustrated on the Policies Map insets.

The site allocation process has been based on a wide range of evidence including the SHELAA [EB006] and the site allocations evidence [EB002]. The resulting allocations, underpinned by an extensive evidence base, are considered to be sustainable and deliverable.

Policies S3A – S3F (Cirencester Town Centre) do not include site-specific allocations and, in any event, are subject to substantial amendments which are intended to be published as a Main Modification.

² PPG ID-12-010.

³ i.e. the number of units or, in the case of employment allocations, the amount of hectares

Scale of development – approach taken by the Council

In establishing the number of housing units anticipated on allocated sites, a standard *Density Multiplier Assumption*⁴ has been applied as a starting point. However, the multiplier is a crude tool that does not take account of constraints. Analysis of the constraints evidence base (e.g. flood risk, listed buildings, landscape impact) has had the effect of reducing, sometimes significantly, the indicative number of units considered to be acceptable.

A good example of where the Council has lowered the number of units to give a realistic, site capacity is the proposed allocation of 17 dwellings at site N_14B - Land adjoining East End and Nostle Road, Northleach. If the standard Density Multiplier Assumption were to be applied across the site, it would produce a notional capacity of 52 houses. However, development here was considered to provide an opportunity to improve the eastern gateway to the town within the context of a strong green infrastructure. This could only be delivered through the delivery of a much lower density development.

The SHELAA [EB006] provides commentaries on the various constraints and these were taken into consideration, along with other evidence, as part of the site allocation process [EB002a and EB002b].

An example of what site-specific detail might be included

The Council has considered, as an example, the allocation site K_1B - Land between Windmill Road and A429, Kemble. The types of issues and constraints that a detailed policy might need to address in this location are as follows:

- The reduction of the gap between the village and listed Clayfurlong Farm and potential impact on the setting of the latter.
- The wider landscape impacts, including those affecting this approach to Kemble.
- The need for a high quality of built and landscape design in this sensitive location.
- The potential loss of frontage hedgerow to create an access and associated visibility splays (an access through Clayfurlong Grove could address this issue).
- The site's lack of a defined northern boundary will require the establishment of a new robust landscape framework.
- Further archaeological work may lead to additional constraints being identified.

The approach to policy wording for sites in the Local Plan

The Council's approach towards the wording of site allocation policies and reasoned justification has been influenced by several overarching factors, including the following:

- Sites have only been allocated where development is considered to be sustainable and deliverable.
- The level of environmental, heritage and other constraints directly affecting potential development sites in the District.
- The resulting amount of development proposed for each allocation is considered to be suitable and deliverable/ developable.

In considering the inclusion of additional criteria and justification that seek to cover material, site-specific constraints, the Council is unconvinced that such an approach would be appropriate for various reasons, including the following:

- The Local Plan contains a full suite of DM policies and it is not necessary to repeat them in site allocation policies. Planning applications will be determined in accordance with relevant policies in the Plan, which should be considered

⁴ EB006, para 2.42

together, unless material considerations indicate otherwise (as repeated in footers throughout the document).

- The prevalence of environmental and heritage constraints throughout the District means that a long list of guidance principles, applicable to most sites, would be repeated ad nauseam in site-specific policies.
- There is the risk that emphasising certain constraints/ issues in site-specific policies could risk underplaying others that are not mentioned (including any that might come forward during the application process).
- Circumstances can change over time and matters that might appear unimportant at the time of policy development could become critical years later when an application is determined.
- There is, in any event, a wide range of information available to guide applicants on the types of issues that need to be addressed through the development management policies, general planning guidance and pre-application advice.
- Constraints are most appropriately addressed in detail through the development management process.

Conclusion

For the above reasons, it is considered that site allocation policies, in association with other policies in the Plan, are effective insofar as they provide the necessary detail and clarity to guide developments in those locations.

However, in order to further clarify the Council's approach to this matter, it is suggested that the following text is added to the Local Plan at para 7.0.1 as a Main Modification:

As part of the site allocation process, various constraints and issues (including flood risk, archaeology, landscape, form, scale and access) have been taken fully into account. In some instances, these considerations have resulted in fewer units or smaller areas being proposed for development than might otherwise have been anticipated. Further high level guidance on such considerations, and possible means by which they might be addressed, are included in the Local Plan evidence base, particularly the Strategic Housing and Economic Land Availability Assessment.

6.5 Following discussion with the Royal Agricultural University, Campden BRI, and the Fire Service College, the Council will prepare proposed main modifications to policy EC4 to ensure that it provides an effective framework to consider development proposals within the three Special Policy Areas that will support the continued operation and growth of the businesses in a manner that is consistent with other policies in the Plan and national planning policy.

The Council sent a briefing note on Monday 6th November to representatives of the Royal Agricultural University, Campden BRI and the Fire Services College. ~~At 10th November 2017~~ The Council received responses from Mr. Maxwell (GL Hearn) on behalf of the Fire Services College, Mr. Fong on behalf of the Royal Agricultural University and Mr. Goldsmith on behalf of Campden BRI. All three participants presented suggested changes to the Council's proposed modification. ~~has not received commentary from the relevant parties on this proposed modification.~~

Mr. Maxwell proposed the following alterations:

- **Fire Services College, Moreton-in-Marsh.** At this site, proposals for development of operational fire, rescue and emergency responders training facilities, and associated infrastructure, and ancillary development will be permitted. Where previously developed land at the FSC site is surplus to the FSC existing and future requirements, then development proposals for alternative land

uses will be determined in accordance with the presumption in favour of sustainable development.

The Council does not agree with the inclusion of the second sentence because it is at odds with the purpose of the special policy area. The effect of this wording is to give support to alternative uses, potentially unrelated uses such as residential, that could potentially extend across the entire special policy area.

The Council also received a response from Mr. Paul Fong on behalf of the Agricultural University (see below). Much like the wording proposed by Mr. Maxwell, the Council is concerned that the proposed wording would give support, for example, to residential development which "support[ed] continued operations and growth". This would be contrary to the spirit of the policy, which is seeking to support associated uses only.

- **Royal Agricultural University, Cirencester.** At this site, development that will directly support the continued operation and growth of the University in a manner that is consistent with other policies in the Plan and national planning policy will be permitted.

Finally, Mr. Goldsmith proposed the following alterations:

- **Campden BRI, Chipping Campden.** At this site, proposals for new laboratories research and operational accommodation, administration and office space, business space, conference, training facilities, staff and visitor facilities (including accommodation), ancillary development, and associated infrastructure to facilitate and support the use of the site as a food testing and research establishment, will be permitted.

The Council supports the inclusion of the additional text and modifications. The Council is confident that reference to staff and visitor facilities would incorporate accommodation, but, in the interests of clarity, the inclusion of the text is supported.

In its consideration of modifications to Policy EC4, the Council has taken account of the issues raised by participants to date. The Council understands the principle concerns are as follows:

- The RAU requests additional flexibility in the policy to **support enabling development** and that the **policy should include all RAU land holdings**; and
- Campden BRI believe that there may be elements of a masterplan strategy which will support its long term business strategy, but which may not be "directly associated" with the current business operations. It therefore suggests including the Phrase **", or required to support,"** into clause 1.

Principally, both the RAU and Campden BRI request additional flexibility in the policy to support their business needs. The Council, in its consideration of the issues raised, needs to balance its support for future business plans and aspirations but doing so in a way that will not have a detrimental impact on the wider Local Plan's aims and objectives.

The Council recognises further detail is required to clarify the types of uses that would be appropriate at the three special policy area locations.

Policy EC4 Special Policy Areas

1. ~~Development that is directly associated with the business operations of existing users~~
The Special Policy Areas (defined on the Policies Map) will be master-planned and development implemented on a comprehensive basis at the following locations:

- **Royal Agricultural University, Cirencester.** At this site, proposals for the

expansion of the existing University campus, including associated development for educational, training, business and research development, student accommodation and other operational floorspace required for the existing lawful use of the site, will be permitted.

- **Campden BRI, Chipping Campden.** At this site, proposals for new laboratories research and operational accommodation, administration and office space, business space, conference, training facilities, staff and visitor facilities (including accommodation), ancillary development, and associated infrastructure to facilitate and support the use of the site as a food testing and research establishment, will be permitted.
- **Fire Services College, Moreton-in-Marsh.** At this site, proposals for development of operational fire, rescue and emergency responders training facilities, and associated infrastructure, and ancillary development, will be permitted.

6.6 The Council will prepare proposed main modifications to policy SP2 (Cotswold Airport) to ensure that it provides an effective framework to consider (a) proposals for development directly related to the continued operation of the airport, both through the change of use of existing buildings and through the erection of new buildings; (b) proposals for the change of use of existing buildings that are currently in uses that are directly related to the operation of the airport; (c) proposals for the change of use existing buildings that are currently in uses that are not directly related to the operation of the airport; and (d) proposals for the erection of new buildings for uses that are not directly related to the operation of the airport.

- (1) The following amendments are proposed to Policy SP2: (a) a single clause is now focussed on uses of existing buildings being compatible with the use of the land as an aerodrome; (b) the second clause relating to employment uses has been deleted as it duplicates Policy EC3.
- (2) A consequential amendment is proposed to supporting text at paragraph 12.2.8 and a further amendment is made to refer to the General Aviation Strategy at paragraph 12.2.5.
- (3) A new Policies Map Inset has been produced to indicate those areas at Cotswold Airport where the amended Policy applies.

The details of these amendments are set out in the schedule of Main Modifications [ED024].

6.7 Following discussion with Kemble and Ewen Parish Council and Kemble Community Garden representatives, the Council will prepare a written statement to demonstrate how 12 dwellings could be built, or not, on allocated site K2/LGS7 whilst retaining an area of Local Green Space that continues to meet the criteria set out in NPPF paragraph 77.

Since the Matter 6b hearing session on Tuesday 17 October, the District Council has engaged with the Parish Council and members of the local community in Kemble. This engagement has resulted in both councils agreeing a Statement of Common Ground (Appendix One). The statement demonstrates how the revised boundaries can justify the delivery of up to 8 dwellings on site K_2a whilst retaining an area of Local Green Space that continues to meet the criteria set out in NPPF paragraph 77.

The Council in its role as land owner has also engaged extensively with the local

community and there is agreement that, subject to housing development at K_2a, the Local Green Space (LGS7a) will be gifted to the Parish Council. This will help to secure the long-term use of the site for the benefit of local residents.

Matter 7: Proposals in Mid Cotswold Sub Area

7.1 The Council confirmed that it proposes a main modification to policy S11 to delete the proposed housing allocation B_32 in Bourton-on-the-Water. The Council will prepare a proposed main modification to include a new policy for site B_32 for its use or redevelopment for retail purposes. In so doing the Council will consider whether the proposed policy could help to ensure that future retail uses of the site are of a type that enhances the Key Centre role and reduces the need for local residents to travel to other towns to purchase comparison goods. The Council will also consider whether any further evidence is needed to justify such a policy having regard to the sequential approach set out in the NPPF.

The Council has taken the opportunity to review its proposed modification to replace the housing allocation on the former Co-Op site B_32 in Policy S11 Bourton on the Water, with a new clause for its use or redevelopment for retail purposes. The Council now considers that allocation of the site for retail use would be inconsistent with the site allocation process [as detailed in FPQ14] and that retail use of the site is already established and it can be maintained and enhanced without the need for allocation.

The Cotswold Retail Study Update 2016 [EB041] advises that for all other centres apart from Cirencester, any surplus need is either very small or has been subsequently met, therefore there is no additional retail floor-space target to allocate at Bourton on the Water (para 8.4).

It is recognised that there is an opportunity for the redevelopment and re-use of the Countrywide Stores and former Co-op site for retail and leisure uses, to maintain the position of Bourton-on-the-Water in the retail hierarchy and stem the amount of shopping trips outside of the village. It is considered that the continued lawful use of the site can be maintained and enhanced through the development management process, without the need to allocate, and set a precedent outside of the site allocation process.

Allocation of the site could be something to consider within a Neighbourhood Plan.

Additional text for this site is suggested at para. 7.2.2.5 and set out in the schedule of Main Modifications [ED024].

Matter 8: Proposals in North Cotswold Sub Area

8.1 The Council will prepare proposed main modifications to policy EC4 which relates to three Special Policy Areas, two of which are in the North Cotswold Sub Area – see action point under matter 6.

Please refer to answer provided under question 6.5.

8.2 The Council will prepare a proposed main modification to policy S18 to delete employment allocation MOR_E11. The Council will amend the Policies Map to delete that designation and adjust the development boundary to correspond to housing allocation M_12A.

The amendment to delete the allocation has been added to the schedule of Main Modifications [ED024], with additional reference to delete the allocation and adjust the development boundary in the list of modifications to the Policies Map.

8.3 The Council will prepare a short factual statement in response to the summary table submitted by Spitfire at the start of the hearing session that lists the dates of site assessments carried out during the plan making process.

See table at Appendix 2 (page 23)

8.4 The Council will prepare a short factual statement clarifying if/how future population growth arising from development proposals included in adopted or emerging local plans for neighbouring districts was taken into account when assessing infrastructure requirements in Cotswold District. DH

The Council has not expressly taken population growth arising from implementation of adopted or emerging local plans of neighbouring districts into account in its infrastructure planning. It has nevertheless responded to any "cross border" issues that have been brought to its attention by those authorities and others besides through the duty to co-operate and specifically the IDP consultation process.

National Planning Policy Framework/Planning Practice Guidance (NPPF/PPG)

Whilst the NPPF makes frequent reference to infrastructure planning it does not expressly require population growth arising from adjoining Local Plan proposals to be taken into account in the preparation of infrastructure evidence to support preparation of a Local Plan. The NPPF requires LPAs to take account of the infrastructure requirements that will arise in their area as a result of their Local Plan proposals, and to "take account of the need for strategic infrastructure including nationally significant infrastructure within their areas" (para 162). Strategic infrastructure is not synonymous with population growth.

In preparing its Local Plan the Council has made a judgement that it is reasonable to assume that neighbouring authorities have planned adequately to mitigate the infrastructure impacts of their own growth requirements. If all LPAs in preparing their Local Plans adequately conform with the NPPF in terms of infrastructure planning and are found sound, there should not be any under-provision of infrastructure. Where there are identified cross-border infrastructure concerns these should emerge as part of the Duty to Co-operate process and be dealt with accordingly. No such issues have arisen.

The evidence used to underpin the Plan should also be proportionate having regard to NPPF paragraph 158 which states that:

'Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area'

In the respect of cross boundary population growth's influence on infrastructure planning in accordance with the presumption of regularity it is reasonable to assume that infrastructure service providers plan accordingly across administrative boundary (where such boundaries are relevant) and would raise concerns through the IDP and/or Local Plan consultation process. No such concerns have been raised in the present case.

Duty to Co-operate (DtC)

The Council is under a duty to co-operate with neighbouring authorities. A primary reason for introduction of the DtC is to cover the gap in formal strategic-level planning following abolition of Regional Spatial Strategies. Of the ten LPAs surrounding Cotswold District, only Wychavon District Council has raised an issue about cross-boundary or strategic infrastructure during the course of the Plan's development. This relates to lorry routing in the Vale of Evesham, and is addressed by policy INF7.

Infrastructure Delivery Plan IDP

The IDP was commissioned in 2012 by the six Gloucestershire LPAs using the same consultancy (Arup). Its methodology is common to all IDPs prepared across the County. None of the Gloucestershire IDPs have taken account of cross-boundary population growth in assessing infrastructure requirements, although the common nature of the approach means that there would be an appreciation of any cross-boundary issues affecting the districts within the County.

The IDP acknowledges cross-boundary infrastructure issues where they have been explicitly raised by infrastructure providers during its preparation. Examples of this include the popularity of Chipping Campden Secondary School for children resident in the southern parts of Wychavon District. Also the IDP takes account of the need for strategic infrastructure, specifically the A417 "missing link" which is expected to be a centrally funded solution by DfT.

It is to be noted that both Stroud District Local Plan and the Joint Core Strategy (JCS) have been through the Examination process and found sound on infrastructure planning grounds (based on the same methodology and rigour of consultation). In respect of infrastructure planning, the recently published Inspector's report on the JCS (October 2017) concludes that "subject to the identified modifications, I conclude that appropriate, evidence-based provisions for delivering suitable infrastructure have been made, and that this part of the Plan is sound".

APPENDIX ONE: Statement of Common Ground between Cotswold District Council and Kemble and Ewen Parish Council

Cotswold Local Plan Examination

Draft Statement of Common Ground on Matter 6

Kemble Housing Allocation K2 and Local Green Space Designation

LGS7

Between Cotswold District Council and Kemble Parish Council

1. The Kemble Community Gardens site was considered as part of Matter 6b (Allocated Sites & Infrastructure Requirements – South Cotswolds Sub Area) hearing on 17 October 2017.
2. Following discussion with Kemble and Ewen Parish Council and Kemble Community Garden representatives at the hearing, the Inspector requested the District Council prepare a written statement to demonstrate how 12 dwellings could be built, or not, on allocated site K2/LGS7 whilst retaining an area of Local Green Space that continues to meet the criteria set out in NPPF paragraph 77.
3. The Council, as landowner of the site, has been holding discussions with Kemble and Ewen Parish Council and the Railway Terrace group, headed by Luke Sherlock and Kemble Community Gardens, headed by Lester Napper since 2015 regarding the proposed joint allocation of K_2 for housing and Local Green Space in the Local Plan 2011 - 2031. These discussions have been ongoing over the past two years with the intention of securing a permanent area of Local Green Space for the community of Kemble and releasing capital for the Council. As landowner, the Council are in the position to gift the land to Kemble and Ewen Parish Council, but are also under the duty to ensure that assets within the Council's control are used to benefit the wider District community.
4. The Council, in its role as the Local Planning Authority, supported Kemble and Ewen Parish Council to undertake and complete a Local Green Space toolkit in July 2014. The toolkit identified site K_2, Kemble Community Garden as a potential Local Green Space.
5. This position statement provides the clarity and agreement needed to ensure that both the allocation of housing and Local Green Space are successfully incorporated in the local Plan 2011 – 2031. Therefore, meeting the local community's desire to retain an important Local Green Space for Kemble and Ewen and providing an opportunity to deliver housing that helps to meet district and local needs (as identified by the Parish Council).
6. There is common ground and agreement on the following points:
 - a) The housing allocation (site K_2a) see Appendix One will be allocated for up to 8 residential dwellings. An indicative layout is provided for illustrative purposes and to assist the Inspector in his consideration of whether development can be effectively achieved on the site. It is provided, as way of an example, without prejudice to any future planning application;

- b) Housing development will be set against the southern and eastern boundaries overlooking the Local Green Space to the north. This will ensure existing allotments to the west are retained.
- c) The site is centrally located in the village and offers a suitable location to deliver small scale development in a sustainable location.
- d) The housing allocation (K_2a) has been reduced significantly in size, ensuring the Local Green Space designation remains the key feature of the wider site.
- e) The proposed layout of the two sites LGS7a and K_2a (Appendix One) offers a balanced approach to delivering housing for the local community and securing what is currently an informal community open space. As explained in further detail below, the proposed residential site allocation does not undermine the “demonstrably special” qualities supporting the LGS designation⁵ and ensures existing community uses are not compromised.
 - i. **Recreation Value:** The revised site allocation and LGS designation would not compromise the ability of local children to use the site for informal play. Access to the existing allotments along the western edge of the site would continue; and dog walkers and those using the site to exercise will continue to have space to do so.
 - ii. **Tranquillity:** The residential allocation is located to the southern edge of the site and immediately adjacent to residential properties in Old Manor Gardens. This approach helps to minimise the impact residential development will have on the tranquillity of the site. The reduced scale of development at K_2a, and the requirement to ensure development takes account of the positive contribution the LGS makes to the character of the wider site, will help to ensure tranquillity (as well as other important qualities) remains. Development facing the LGS site also provides the opportunity for increased surveillance of the site which helps to create a safe and enjoyable environment.
 - iii. **Wildlife:** The revised site allocation would not compromise the key wildlife elements of the site, including the two small ponds, the wooded areas and the Railway Terrace, which acts as a wildlife corridor. These elements will be retained and there exists opportunities for additional features and habitats to be created.
- f) Development will have regard to the special qualities of the Local Green Space, through its design and layout including the trees and ponds. The Council has updated the Reason Justification text (see Appendix Two) to ensure development takes account of the positive contribution the LGS makes to the

⁵ Recreational Value, Tranquillity and Wildlife. (EB051b)

character of the wider area, which includes mitigating any impacts on existing trees.

- g) Any open space resulting from the proposal, including SUD's drainage ponds, would be transferred to the ownership of the Parish Council.
 - h) It is the intention of all parties to provide housing that helps to meet local needs identified by the Parish Council thereby enhancing the provision within the village and help retain local people in the area. A detailed proposal will be worked up in consultation with the Parish Council. Housing options to be considered including self-build option and community housing scheme.
7. The Council, as landowner, is committed to transfer land identified as LGS7a in Appendix One to the Parish Council as a freehold transfer, for the benefit of Local Green Space for the community. This provides further reassurance that the community will have continued use of the site.

CONCLUSION

8. This statement confirms that the three parties are in agreement on the proposed residential site allocation and the Local Green Space designation as presented in Appendix One. There is also agreement on the proposed Main Modification to Local Plan paragraph 7.1.4.7 shown at Appendix 3.

Agreed by

Christine Gore

Cotswold District Council

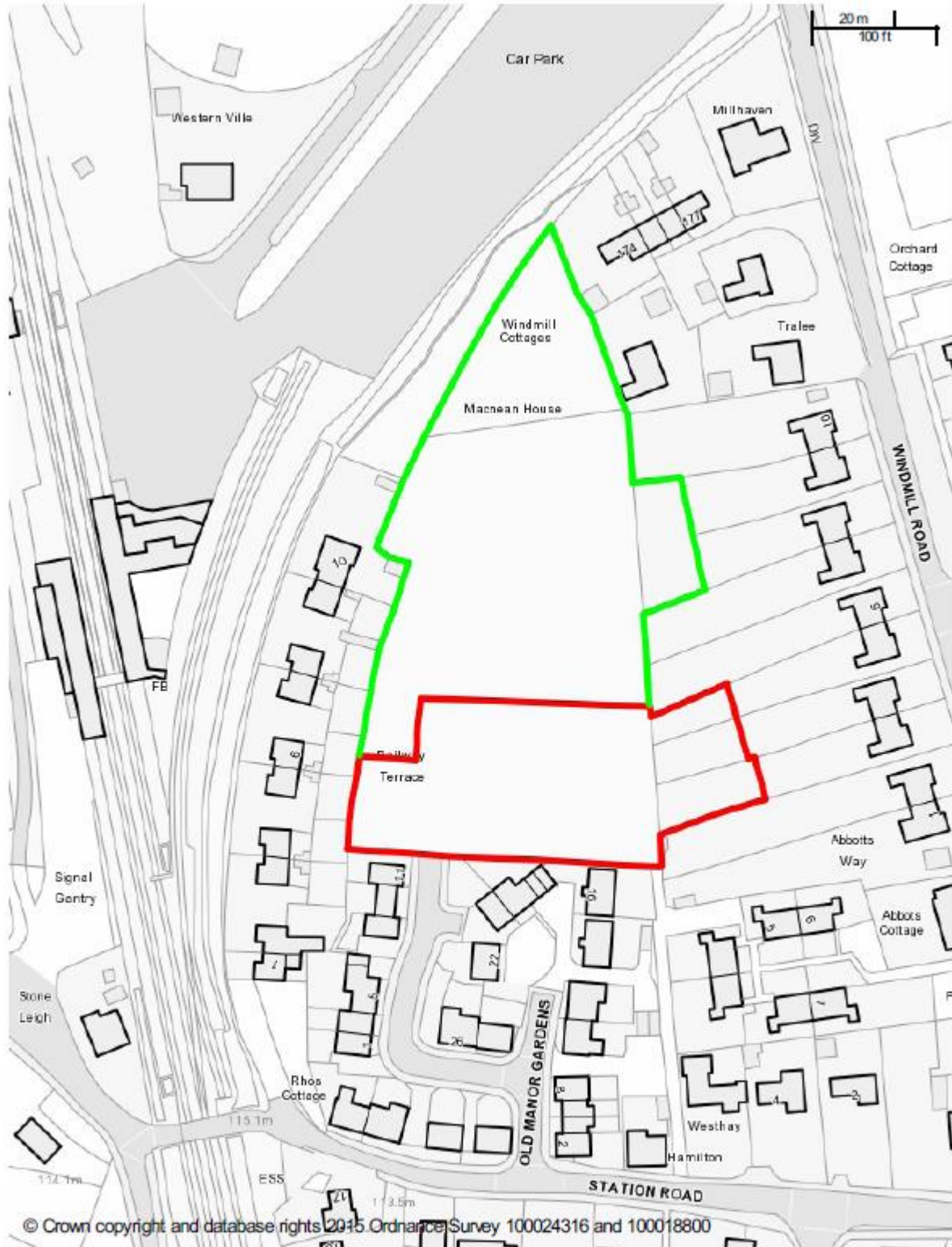
Christine Cushway

Cotswold District Council (Land Owner)

Roger Pettit

Kemble and Ewen Parish Council

APPENDIX ONE: Map showing extent of LGS 7 and K_2a - Main Modification

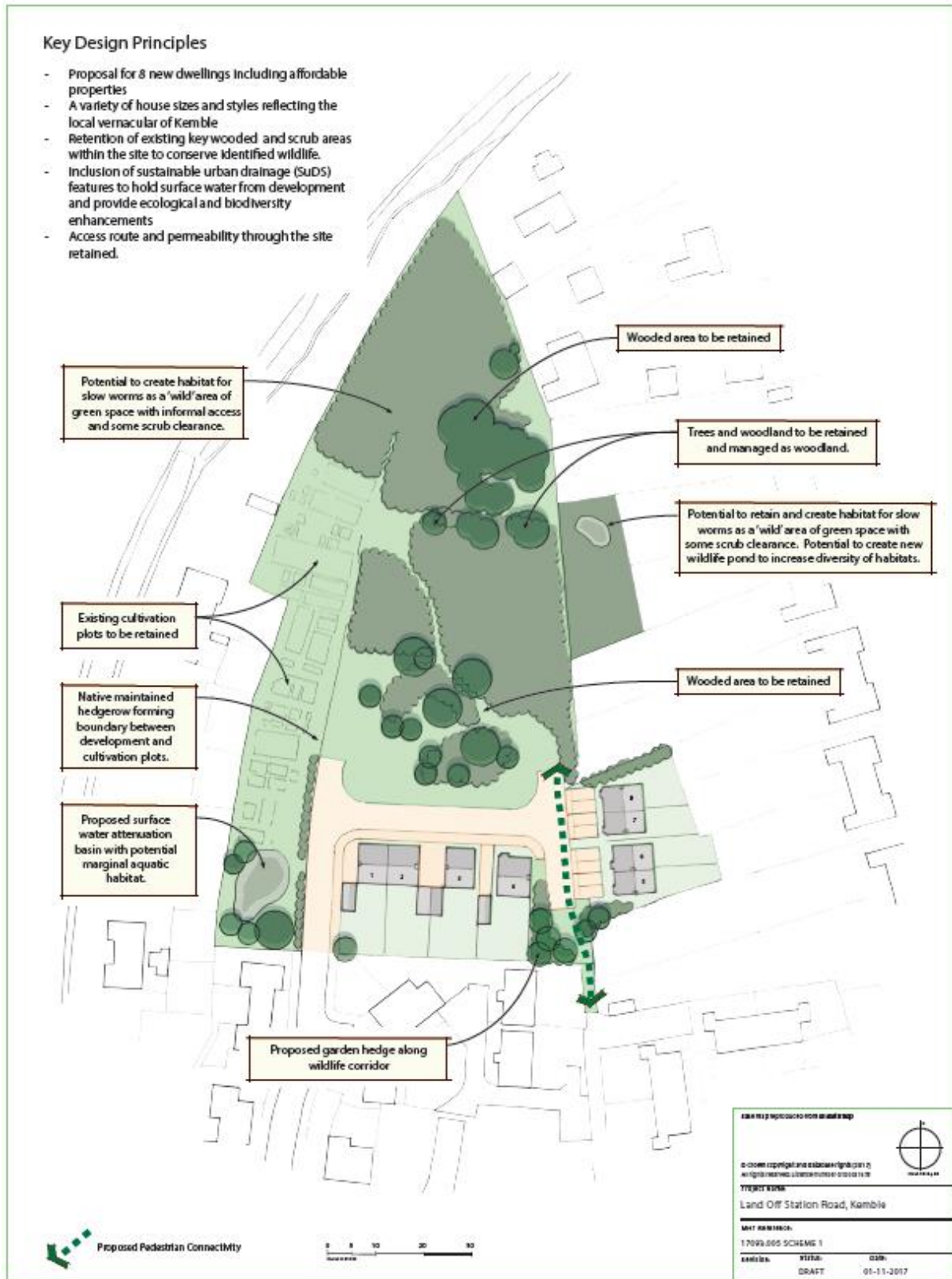


Kemble
Sites K2 and LGS7

Scale: 1:1250
Printed on: 3/11/2017 at 6:08 AM



APPENDIX TWO: Indicative site layout



Illustrative Layout Proposals - Scheme 1 Station Road, Kemble
17093.005 Land Off Station road, Kemble



APPENDIX THREE: Main modifications to Reasoned Justification text supporting Policy S6: Kemble

7.1.4.7 Significant archaeological deposits have been found in the southern half of K_2a. Further assessment and evaluation will be required before any planning proposal can be approved. Proposals on site K_2a will be expected to ensure development takes account of the positive contribution the Local Green Space makes to the character of the wider site, including mitigating any potential impacts on natural features, such as trees. In accordance with the Design Code, Appendix D, proposals will need to be carefully proportioned and new buildings should not dominate their surroundings. Proposals will need to complement the existing landscape and sit comfortably within the setting of the Local Green Space, for example the height of buildings should provide a gentle transition from the open Local Green Space to existing residential dwellings that border the site. Applicants will also be required to investigate opportunities to locate Sustainable Urban Drainage, in accordance with Policy EN14, in the southwest part of the site.

APPENDIX FOUR: Relevant Correspondence

There is agreement between the District Council and the Parish Council.

The Council has also received correspondence and/or held meetings with individual members of the local community since Matter 6b hearing session on Tuesday 17th October, including:

- Catherine Williams;
- Holly and John Willis;
- Holly Soffe;
- Jenny Elton;
- Lister Napper (on behalf of the Railway terrace Group);
- Luke Shaw (on behalf of the Residence of the Railway Terrace);
- Nicky Baber (participant at hearing session on behalf of the Kemble Community Gardens);
- Sara Lawlor (Kemble Community Gardens).
- Louise and Ben Kinnaird

Copies of the above correspondence can be provided to the Inspector if required.

Christine Gore

From: Christine Gore
Sent: 10 November 2017 11:07
To: James Brain
Subject: RE: Cotswold examination Draft SofCG (KEMBLE)

Dear James,

I confirm that I have reviewed the Draft Statement Of Common Ground (Kemble) and am content to agree it.

Regards,

Christine Gore
 Strategic Director
 Cotswold District Council
 01285 623605
christine.gore@cotswold.gov.uk
www.cotswold.gov.uk

Christine Cushway

From: Christine Cushway
Sent: 09 November 2017 13:24
To: James Brain
Subject: Statement of Common Ground - Kemble

Dear James,

I confirm that as the Strategic Property Manager for the Land owner, CDC, that I am happy with the attached SOCG, plan and the additional wording below.

Proposals on site K_2a will be expected to ensure development takes account of the positive contribution the Local Green Space makes to the character of the wider site, including mitigating any potential impacts on natural features, such as trees. In accordance with the Design Code, Appendix D, proposals will need to be carefully proportioned and new buildings should not dominate their surroundings. Proposals will need to complement the existing landscape and sit comfortably within the setting of the Local Green Space, for example the height of buildings should provide a gentle transition from the open Local Green Space to existing residential dwellings that border the site. Applicants will also be required to investigate opportunities to locate Sustainable Urban Drainage, in accordance with Policy EN14, in the south west part of the site.

Kind regards

Christine

Christine Cushway

Strategic Property Manager
Cotswold, West Oxfordshire and Forest of Dean District Council's

Direct Dial: 01285 623241

www.cotswold.gov.uk
www.westoxon.gov.uk
www.fdean.gov.uk

Roger Pettit

From: Roger Pettit [mailto:Rogerpettit@hotmail.co.uk]
Sent: 09 November 2017 12:52
To: James Brain; Christine Cushway
Cc: 'Luke Sherlock (luke.sherlock24@gmail.com)'; 'Lester Napper (napper1@yahoo.co.uk)'; 'NICOLA BABER'; Tony Berry
Subject: Re: Alterations to the Cotswold Local Plan Examination Draft Statement of Common Ground on Matter 6 Kemble Housing Allocation K2 and Local Green Space Designation LGS7 Between Cotswold District Council and Kemble Parish Council

Dear James

Thank you for your email.

On behalf of the Parish Council I am pleased to confirm agreement with the draft Statement of Common Ground with the addition of this amendment.

Sincere thanks to both you and Christine for your further consideration.

Best regards

Roger Pettit

Chairman

Kemble and Ewen Parish Council

Luke Sherlock

From: Luke Sherlock [mailto:luke.sherlock24@gmail.com]
Sent: 09 November 2017 15:17
To: James Brain; Christine Cushway; Roger Pettit; Tony Berry; Lester Napper
Subject: Re: Alterations to the Cotswold Local Plan Examination Draft Statement of Common Ground on Matter 6 Kemble Housing Allocation K2 and Local Green Space Designation LGS7 Between Cotswold District Council and Kemble Parish Council

Dear James and Christine,

I have put a message together agreeing to the statement of common ground. I hope this message is acceptable. James please could this message also be submitted to the inspector as a comment. I know you said they would be included in the appendix or a separate document.. Please find it bellow:

Thanks again to you both,

Luke Sherlock

Dear James Brain and Christine Cushway,

Thank you for taking the time to listen to the community's concerns with the Local Plan and the proposed minor modification of the division of the land at Station road known as K_2 into K_2A and LGS7. This has been through comprehensive correspondence and meetings. The previous suggestions made by the Cotswold District Council saw a small part of the site being

given as local green space. In the community's opinion; the area of land given was not the central part of the site or the area used predominantly by the community.

Christine Cushway and her team have worked hard; they have been willing to listen and have proactively adapted plans to fit with the community and put the Local Green Space at paramount consideration, when considering the development to be placed on K_2A (the development area). This compromise has been kindly supported by our district councillor Tony Berry, who has aided in creating an alternative solution for the community that works for everyone. We would like to make it clear we are grateful for your support and willingness to adapt to the community's needs. An additional thanks needs to be made to Roger Pettit, who has worked very hard in sharing the community's voice and working proactively with the Cotswold District Council.

As the boundary line for development has important and well-established trees in the central area near the proposed road, any alteration to the proposed layout could have a huge adverse effect upon the local space and how the community use the site. We have had promises by the Cotswold District Council that they will seek to retain the large tree in the development area (central part of the site). Any loss of the trees in this area that would make up the local green space would also change the feel of the open space and the important screening it provides for the residents of the Railway Terrace from encroaching new build properties. Christine Cushway and her team gave reassurances that they will look at ways to try and save the trees or mitigate against any losses. Roger Pettit and Christine Cushway were happy for the inclusion of the following wording: 'Any development will seek to retain as many of the existing trees to the north of the site as possible and in particular the large ash tree, however should this not be feasible due to infrastructure or health and safety issues then the provision of suitable mature trees will be provided to mitigate and enhance the wildlife area and to provide screening.' Forward planning thought that the inclusion of this suggested wording was too prescriptive and that the Local Plan contains a suite of policies that provide a comprehensive framework to covers issues such this raised in our suggestion.

If this is the case and the wording of the statement of common ground makes it clear that the development '*will be set against the southern and eastern boundaries overlooking the Local Green Space to the north.*' along with '*[the] development takes account of the positive contribution the Local Green Space makes to the character of the wider site, including mitigating any potential impacts on natural features, such as trees... and new buildings should not dominate their surroundings. Proposals will need to complement the existing landscape and sit comfortably within the setting of the Local Green Space, for example the height of buildings should provide a gentle transition from the open Local Green Space to existing residential dwellings that border the site.*'

I feel that the community has the correct safeguards in place to protect the Local Green Space and the conservation area to the west of the site (the Railway Terrace). Plus Christine's agreement to meet with the Railway Terrace residents to discuss looking at certain trees of important value to us and the layout of the development on the southern and eastern parts of the site. This is something we are grateful for. I must commend her determination to seek a result best for all parties. Although, we would rather see the whole space retained as local green space; I feel this is the best situation of trying to meet two objectives i) Local Green Space, ii) Housing.

On behalf of the residents of the Railway Terrace, I am pleased to confirm agreement with the draft Statement of Common Ground with the addition of the amendments. I feel that many of our concerns now are more appropriate at the next stage. At this point we would hope to continue the productive and transparent relationship with the Cotswold District Council.

Yours sincerely,

Luke Sherlock

On behalf of the Residence of the Railway Terrace

Kemble Community Gardens

The Council Received comments from Sara Lawlor on behalf of the Kemble Community Gardens at 16:02 on Friday 10th November 2017.

KCG comments are in response to various paragraphs within the statement.

Comments received 10/11/2017 at 16:02

Para 3:

We fully commend and appreciate the council's efforts to recognise the importance of keeping more of KCG as a green space than initially planned. With a green space for the village fully recognised and secured, we would hope to be able to create a vibrant community space which would play a role in holding the community together and be a sanctuary for dwindling wildlife. This would be an invaluable asset for the village for now and for future generations. We would like the agreement to contain a clause stating that the land could not be sold by future PCs for development.

We fully understand that the District Council are the land owner and are under duty to ensure their assets benefit the wider community. However, the benefit to the wider community in terms of monetary gain from the sale of the land would be in the region of pounds and pence per household. We do not believe that the financial benefit to the wider District community outweighs the risk of harm at the loss of even part of the K2 site to housing. We would like to work with the council to maximise the economic potential of the site and to enable them to see other more diverse ways of utilising the land rather than simply for housing. Whilst the CDC is making an effort to keep the planning team separate from the estate management team, the reality is that the CDC as an umbrella organisation, has a conflict of interest in being both the landowner and the planning body in this case.

We would like to point out that residents of Railway Terrace, represented by Luke Sherlock have had their views heard and taken into account, whereas, residents of Windmill Road, Old Manor Gardens and other parts of the village were not included in the meeting last week where the new map showing eight dwellings was drawn up. There is a vital need for others' views to be taken into account, as well as wider consultation. This could easily and quickly be led by the parish council through already established meetings, email and social media.

Para 5:

As previously stated, it was strongly felt there was a lack of clarity and transparency in the survey conducted by the parish council and therefore the KCG committee made extensive efforts to gauge the opinion of the community through questionnaires and testimony. Results demonstrated an overwhelming wish to protect the KCG site in its entirety as a vital breathing space in the heart of the village. As stated before, surveys showed that over 200 residents favoured the development of K1 B rather than K2 for housing.

Para 6:

We are concerned that the layout is "indicative" and for "illustrative" purposes. This is alluding to the fluid nature of the boundaries and thus providing us and the inspector with NO reassurance that more land could not be used for development than appears to be allocated in the drawing now. Our concern

is that the loss of the allocated space to the South is that of several active allotments as well as the orchard. The allotment space is essential for the income it brings in which helps us with essential expenditure and maintenance of the site. It also provides the very purpose of the site which is for the villagers to be able to have allotment sites to grow their own produce. Having an allotment acts as a lifeline to some members of the community. The loss of existing established allotment space would mean providing allotment space elsewhere on the site however this would be compensatory as opposed to encouraging new members of the community to engage in this activity. As the village is rapidly growing, there is a need for more allotments to be available. We comment on the loss of woodland, orchard and habitat below.

Para: 6(e)(i):

Recreational value would be compromised. As previously stated, the CDCs own survey indicated a lack of green space in Kemble There would be a need to replace lost allotments on other parts of the site, losing wildlife habitat in order to do this. There would not be enough space to create new allotments for newcomers. This would prevent new members of the community from having an allotment. **Not only this but as the village is expanding and will continue to do so in the future, why would we seek to reduce the size of the greenspace for wildlife, recreation and dog walking when lack of green space is already an issue?**

Para 6(e)(ii)

The tranquillity of the site would be greatly disturbed by any development. Although we appreciate the council's offer to build less houses than previously planned, even the building of eight houses would encroach considerably onto the site. The woodland setting would be impacted as well as the wildlife which contributes considerably to the tranquillity of the site, particularly the bird life. The construction phase by its nature, for its duration, would have a serious impact on tranquillity and the use of the site. Having residents living directly on the site would most certainly have an impact on the tranquillity, not to mention cars being driven on site, and the playing of music, TV and the use of household appliances. Half this site was already lost in the building of Old Manor Gardens and we feel that the remaining half is a vital green space which should not be compromised by further development.

Para 6(e)(iv):

The key wildlife elements would be compromised and there would be less space for wildlife. The loss of mature veteran trees would have a serious impact on bird, bat and insect life on the site. Despite the CDC's effort to satisfy the need to develop the land and to preserve green space, there is a conflict between development and wildlife. The very nature of the NPPF policies is to preserve natural habitat. The KCG plays a vital role in the wildlife corridor through the East of the site which is where the CDCs own survey has identified a need for preservation. The destruction of habitat would most certainly affect the wildlife on site. The east side is where we have created an orchard including heritage varieties of apple trees planted among veteran fruit trees.

Para 6(g):

The nature of the site would be altered and its character damaged. This is a modest site and already half of it has been lost to development by the building of Old Manor Gardens. The loss of more of the site would have an irrevocable effect on remaining wildlife. This is the only site rich in wildlife in the centre of the village. We understand that mitigation does not necessarily save the existing established trees. Mitigation simply means if trees are removed they would be replaced/compensated in some other way. We know from experience of other local developments that despite the promises of developers to save trees this has not been the case.

Para 6(h):

Housing that meets local needs is necessary, of course, but the benefit would be outweighed by the negative impact on the green space. The site meets all the criteria for a green space and the application was the best CDC received. The eight houses could easily be built on land owned by the farm, who have stated a willingness to develop land for housing. It is obvious that development on other sites will take place anyway, so surely the eight houses could easily be absorbed by those developments and could easily meet local need. Developing the other sites would not result in the loss of land that is rich in wildlife and used by the community.

Conclusion:

Without prejudice to the views above, should the inspector decide that the designated areas be earmarked for development, it is essential that this statement of Common Ground includes the registration of the land as an asset of community value, giving the community the option to purchase the land. This would release the council of its duty to ensure the asset benefits the wider community and would keep it under local ownership.

If the inspector decides that development should go ahead, we believe the housing numbers should be reduced to 6 and that the development should take place on the cultivated land only to the south of the site in order to preserve the sensitive wildlife corridor to the East and the orchard, and all of the woodland habitat.

Lister Napper

From: Lester Napper
Sent: 08 November 2017 13:23
To: Christine Cushway
Cc: Roger Pettit; Tony Berry; Luke Sherlock; Sara Lawlor
Subject: Kemble 20

Dear Christine

I'm writing to you to comment about the points from the 3rd Nov meeting.

Obviously as the Treasurer and an allotment holder for the Kemble Community Gardens Group I would rather that no building take place on the site. However, the reduced size and compact nature of the area proposed for development will now make the KCG viable in it's main aims expressed in the Green Space designation document; for allotments, conservation and as an open space for villagers to access. Also important is the fact that the bulk of the site will then be given to the parish. The insecurity of the current situation has prevented the KCG group from developing the site to fully achieve their aims but now if the proposed scheme agreed at the meeting and with subsequent adjustments comes about then things will be resolved and Gardens can go forward. As a result, and after consultation with some of the allotment holders who also agree, I give my full support to the scheme agreed at the meeting and the few changes made in recent emails.

Best wishes

Lester Napper

APPENDIX TWO

Month/Year	Document	Proposed Dwellings	SHLAA Site Size (ha)	Indicative density @ 65% NDA	Reference (Written Statements)	WS Matter 1 Appendix 3 Map Ref.	Comments	Cotswold District Council Comments
October 2010	SHLAA (CDC)	M_19a/b/c 1298 (M_19/a/b/c:432)	43.36 (M_19a/b: 18.70)	46	Matter 8 Q130 (pg 9)	1503A		
October 2012	SHLAA Review (CDC)	M_19a: 150 M_19b: 211 M_19c: not assessed	M_19a: 14.06 M_19b: 4.64 M_19c: 24.66	30	Matter 8 Q130 (pg 10)	1502A	M_19A site extends south of hedgerow	M_19C not included in the site submitted to the SHLAA process by the site representatives – Robinson and Hall
May 2013	Preferred Development Strategy (CDC)	M_19a: 150 M_19b: 211 M_19c: not assessed	M_19a: 14.06 M_19b: 4.64 M_19c: 24.66	30	Matter 1 Q3 (pg 8)	1502A		No site allocations were proposed in this version of the plan except the Strategic Site at Chesterton
May 2014	SHLAA Review (CDC)	M_19a: 113 M_19b: 37 M_19c: not assessed	M_19a: 14.06 M_19b: 4.64 M_19c: 24.66	12	Matter 8 Q130 (pg 10)	1501A	Numbers reduced in light of SHLAA panel assessment	M_19C was assessed – classed as ‘not currently developable’. See p77 of May 2014 SHLAA
October 2014	Study of Land Surrounding Key Settlements (White)	M_19a: 113 M_19b: 37 M_19c: not assessed	M_19a: 14.06 M_19b: 4.64 M_19c: 24.66	12	Matter 8 Q130 (pg 10)	1501A	M_19A site appraised on SHLAA 2014 site boundary	
November 2014	Evidence Paper to Inform Non-Strategic Housing and Employment Site Allocations (CDC)	M_19a: 113 M_19b: 37 M_19c: not assessed	M_19a: 10.11 M_19b: 4.64 M_19c: 31.61	15	Matter 1 Q3 (pg 9)	No Map	M_19A site adjusted to north of hedgerow	M_19C not considered in the Site Allocations Methodology, due to its classification as ‘not currently developable’ in the SHLAA. Discussed under Matter 1. See EB002a for Methodology.
January 2016	SHELAA Consolidated Report (CDC)	M_19a: 113 M_19b: 37 M_19c: not assessed	M_19a: 10.11 M_19b: 4.64 M_19c: 31.61	15	Matter 8 Q130 (pg 10)	No Map		M_19C assessed as ‘not currently developable’ see p 75 of EB006
April 2016	Evidence Paper to Inform Non-Strategic Housing and Employment Site Allocations (CDC)	M_19a: 91 M_19b: 28 M_19c: not assessed	M_19a: 10.11 M_19b: 4.64 M_19c: 31.61	12	Matter 1 Q3 (pg 9)	1500A	Numbers reduced for both SHLAA M_19A and M_19B	M_19C not considered in the Site Allocations Methodology, due to its classification as ‘not currently developable’ in the SHELAA. Discussed under Matter 1. See EB007 for Methodology.

NB an updated version of the SHELAA, September 2017 has been published ref ED012a page 69-70