

NORTHLEACH WITH EASTINGTON NEIGHBOURHOOD PLAN

REGULATION 14 REPORT: APRIL 2018

Purpose

1. The purpose of this report is to summarise part of the outcome of the consultation period on the Pre-Submission Northleach with Eastington Neighbourhood Plan held from February to March 2018. The report reviews the representations made by some of the statutory consultees, including the local planning authority – Cotswold District Council (CDC) – and by developers/landowners. It then makes recommendations for minor modifications to the Plan for its submission. The comments of local residents have been considered separately by the Town Council.
2. The report will be published by the Town Council as part of the Consultation Statement that will accompany the submitted Plan in due course, in line with the Neighbourhood Planning (General) Regulations 2012.

Consultation Analysis and Recommendations

3. During the consultation period there were representations made by some developers/landowners. CDC and Gloucestershire County Council (GCC) officers have made informal comments and responses have been received from Natural England, Historic England, the Environment Agency, and the National Grid.
4. The summary analysis of these comments is provided below, together with recommendations on making modifications for the final version of the plan:

Cotswold District Council

5. CDC suggests that the plan period start date should be amended. It is also suggested that paraphrasing the Basic Conditions in the Submission Plan is not desired and the actual Basic Conditions should be referenced.
6. The plan period should be updated to commence in April 2018 (as there is no need to tie this to the Local Plan period). In respect of the Basic Conditions phrasing, the precise wording is addressed in the Basic Conditions Statement. The Plan itself needs to be understood by the local community and paraphrasing it in this way better explains the intent of the conditions.
7. An update on the emerging Local Plan is provided, which was not available at the time of the publication of the Pre-Submission Plan, and amendments to accurately reflect its timetable and policy numbers should be made in the Submission Plan.

Policy NE1: Public Car Park

8. CDC raises concerns that the policy does not make sufficient provisions to offset the harm to the Conservation Area and AONB and considers that the draft Sustainability Appraisal does not adequately make the case for the social and economic benefits that the scheme will deliver. It is also suggested that the policy should require a comprehensive parking strategy and full justification of why additional parking is required and criticizes the minimum requirements sought by the policy.

9. CDC has since suggested that to provide a planning balance between the car park and heritage and landscape impact, delivery of the car park should be linked to improvements to the Market Place / Local Centre. This will avoid creating 'just a car park' with adverse impact and would be offset by benefits to the Town. The policy could require a S106 where no car parking would be allowed until there were 'consequential benefits' as improvements in the local centre, or 'to be delivered in a phased manner.' Specifically, it has proposed an additional criterion:

Development of parking on this site should only come forward as part of a comprehensive parking strategy for the town incorporating the restructure of parking provision within the market square supported by Policy NE5 and a full justification for the need for additional parking at West End.

10. The landowner, the Farmington Trust, has commented that an earlier version of the Plan that proposed a small enabling development on the land associated with the car park was much preferred. However, in discussion since, it is understood that it has confirmed the land will be made available to the Town Council for this purpose on reasonable terms and this will be made clear in its Reg 16 response in due course. The Friends of the Cotswolds that operate the Old Prison site have supported this policy and further comments from the Parking Manager at GCC have restated its support for the policy.

11. It is clear that there remains overall support for this policy as providing an important means of addressing a longstanding problem, and to realise an opportunity to make more of the tourism potential of the town. CDC's proposed solution is acceptable if it will resolve its concerns, and it is recommended that some further background information is provided as an appendix to the Plan.

Policy NE2: Primary School Expansion

12. CDC considers that the policy does not present enough evidence to show how a scheme can be satisfactorily mitigate its impact on the CA and AONB and seeks a criterion-based policy and not a site allocation policy. It advises that to avoid adding harm to this sensitive environment and maintain aspirations of the Plan, the policy may be reworded as follows:

The Neighbourhood Plan ~~allocates land~~ **supports proposals** for the expansion of **and/or improvements** to the Primary School and pre-school provision **in Northleach**. ~~at Town Row as shown on the Policies Map. Proposals will be supported.~~ **Proposals delivered at or adjacent to the existing educational facilities will be permitted where it can be demonstrated that:**

- They support the continued use of the existing school and pre-school facilities;
- Meet a local need for increased school or pre-school provision;
- Additional car parking is provided;
- Any relevant agricultural access is to be retained;
- The height, scale, massing, orientation and roof design of any education buildings minimise their visual impact on the open landscape setting of **the school area** ~~to the east and south of the site~~ and on the setting of the Northleach Conservation Area ~~to the north of the site~~;
- The layout of buildings and spaces makes provision for a ~~north-south~~ pedestrian access ~~through the site~~ to connect with ~~the access with~~ to the main school buildings; and
- They include a comprehensive landscape scheme, including new landscape buffers and boundary treatments, as required.

13. It is not considered worthwhile prolonging a debate with CDC on this matter, as it will not be convinced of any other approach. In which case, it is recommended that its suggested policy changes are made.

Policy NE3: Northleach Conservation Area & NE4: General Design Principles

14. CDC suggests that Policies NE3 and NE4 should be merged and re-worded to avoid contradictions with the new Local Plan, duplications and to give effect to the Design Statement thus:

Proposals for new development, including extensions to existing buildings, should be of the highest design standards, in accordance with the relevant policies of the Cotswold Local Plan and the Cotswold Design Code. The proposals should have specific regard to –

- Maintaining key views, particularly to the Church of St Peter and St Paul, to the town centre along West End and East End and from within the Conservation Area to the surrounding countryside
- Reflecting the key local features and development guidelines described in the Northleach Design Statement (2016)
- Retaining historic burgage plots intact or better revealing their historic significance

- Improving footpath links from the town to the countryside and within the town
- Contributing to the creation of a new green infrastructure ring around Northleach.

15. Alternatively, it suggests a number of modifications and considerations that should be considered if the policy is not merged. This includes the absence of the Eastington Conservation Area, the inclusion of the Northleach Design Code and some criteria from Policy NE4 in Policy NE3.

16. There are merits in merging the policies as suggested, without losing the important cross-reference to the Design Statement prepared for the Plan. It is therefore recommended that this change is made.

Policy NE5: Town Centre

17. CDC considers that proposals which cause substantial harm to designated heritage assets will be assessed under its existing duty to consider heritage status and including it in the policy in this way does not meet the basic conditions set out in § 134. Additionally, it considers that the policy does not acknowledge the role other town centre, and therefore does not reflect the NPPF. It also does not consider that improvements of the Market Square should rely on the implementation of parking at West End and that part of the policy requirement should be deleted, as well as requiring an appropriate location for the public toilet block.

18. The intention of the policy and how it will operate is explained in the supporting text. It is not considered that the policy is contrary to the basic conditions but the precise wording of the policy and text (as well as the Statement) may help resolve this concern.

19. The policy deliberately focuses on specific types of town centre use that are considered important to Northleach maintaining a vital and viable centre. Proposals for other types of use will be considered alongside the more general Local Plan policy. It is considered that the provision of Policy NE1 is required in order to provide opportunities for improvements.

20. Additionally, there would have to be a definition of 'an appropriate location' included in the policy text if the policy requires it to meet such criteria. The policy makes it clear that it should be relocated to support the improvements to the Market Square and therefore should in itself provide an appropriate location i.e. if it does not benefit the Market Square it would not meet the requirements of the policy. It is therefore recommended that no other amendments are made.

Policy NE6: Tourism Development

21. CDC recommends that the policy does not refer to internal alterations as it may discourage proposals. The policy does not discourage such proposals, but places emphasis on the importance of them. It is therefore recommended that no amendments are made.

Policy NE7: Local Green Spaces

22. CDC does not consider that the last paragraph of the policy needs to define the character of the Local Green Space and recommend repeating the Local Plan Policy in its place. Clearer mapping, which they can assist with, will be required for the final version as well as further background evidence to enable the spaces to retain protection that can endure the plan period, and the removal of the Pavilion and hard standing from the Meadows and King George V Playing Field.

23. It is the nature of the Local Green Spaces that make them special to the community and so it is not considered necessary to be explicit in the policy about what exactly makes them special. However, it is not necessary to confine the test to 'permanent open character' and that part of the policy should be deleted. It is also recommended that further background work is carried out and an amendment to the boundary for Meadows and King George V Playing Field is made as suggested.

Implementation

24. CDC takes note that the new car park is not included in the CIL funding projects list. It also notes that the matter is a strategic aim and that PPG recommends the negotiation on priorities for spending the neighbourhood funding element.

25. In practice, the scale of CIL charged in the Parish will be very modest, given how little development is planned or allowed by Local Plan policy. The 25% element of the total sum collected over the plan period will therefore be very small and will be unlikely to stretch to more than one project in the Parish, let alone contribute to infrastructure projects elsewhere in the District. In which case, the current list of projects should be revisited and the absence of the new car park reconsidered. No other changes to the text are necessary.

Sustainability Appraisal

26. CDC has made a number of comments on the Draft Sustainability Appraisal (SA SEA). All of those comments relate to its different judgement on the scale of a positive or negative effect and in summary consider that the negative effects have been underplayed. This summary chimes with the overall approach of the District Council to the project and its comments on the Plan itself.

27. Some of the recommended policy changes will require some changes to the final SA SEA report and will moderate the consideration of effects in any event. Otherwise, there will be no need for anything other than some minor changes to bring the report up-to-date on the policy context.

Other Consultees

28. Gloucestershire County Council – recognises that the Plan does not aim to repeat district and national policies in terms of biodiversity, but that Policy NE7 does provide some real link to biodiversity. It is recommended that no further amendments are made as it is considered that district and national policy adequately deals with the conservation and achievement of net gain for biodiversity and this Neighbourhood Plan only seeks to address the issues that are not adequately dealt with by existing national and district or county policies.

29. Natural England – makes no specific comments and only requested to be consulted again if the plan changes in such a way that it significantly affects its impact on the natural environment.

30. Historic England – commends the plan for its concentration on the protection of heritage assets, but highlights concern that there is not enough evidence to justify Policy NE1 and NE2. The changes recommended to these policies are likely to resolve these concerns.

Summary

31. In conclusion, it is considered that with a combination of minor modifications to the final submission document and some clarifications made in the other documentation (e.g. the SEA and BCS), the Plan can proceed to submission, rather than require another pre-submission consultation.