

INDEPENDENT EXAMINATION OF THE SOUTH CERNEY NEIGHBOURHOOD PLAN

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Robert Cowley
Clerk to South Cerney Parish Council

Joseph Walker
Cotswold District Council

Examination Ref: 01/AM/SCNP

Via email

12 July 2021

Dear Mr Cowley and Mr Walker

SOUTH CERNEY NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the South Cerney Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have questions for South Cerney Parish Council and Cotswold District Council, which I have set out in the Annex to this letter and request responses within **2 weeks** from the date of this letter.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area (subject to on-going government advice) during the week commencing 12 July 2021. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process (as well as respecting the current COVID-19 distancing arrangements).

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

From my initial assessment of the Plan and supporting documents, I have identified five polices (and related matters) where I require some additional information from South Cerney Parish Council and Cotswold District Council.

I have set out my questions in the Annex to this letter and would be grateful if you can seek to provide written responses by **Monday, 26 July 2021**.

I may have some additional questions following my site visit, which I will request in writing should I require any further clarification.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan. However, as I have posed some questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter and any subsequent response is placed on the Parish Council and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

Andy Mead

Examiner

ANNEX

From my initial reading of the South Cerney Neighbourhood Plan and the supporting evidence, I have the following questions for South Cerney Parish Council (SCPC) and Cotswold District Council (CDC). I have requested the submission of responses within **2 weeks** from the date of this letter (by **26 July 2021**), although earlier responses would be much appreciated.

Policy SC2 Areas of Separation

1. Question to SCPC and CDC

I note the comments by CDC about this policy. It seems to me that to achieve the balance which is sought, so that the policy generally conforms with the strategic policies of the Cotswold District Local Plan (CDLP) whilst meeting the reasons for separation set out in the text, the last sentence could be rephrased as follows: "Development within the Area of Separation should not significantly erode the separation between settlements, subject to the exceptions provided for in Policy DS4 of the Cotswold District Local Plan". I would be grateful to have comments on this suggestion from both SCPC and CDC.

Policy SC3 Encouraging Home Working and Micro Businesses

2. Question to SCPC and CDC

I am not aware of any definition of micro business development in planning guidance. If there is one, I would be grateful to be advised accordingly. (In EU terminology, micro enterprises are defined as enterprises which employ fewer than 10 persons and whose annual turnover or annual balance sheet does not exceed €2 million).

What does the micro business element of the policy offer that is not covered by Policy EC3 of the CDLP? Policy SC3 could be rephrased to support homeworking and subject to the criteria already expressed in the policy.

Comments from both SCPC and CDC would be welcome.

Policy SC6 Holiday Accommodation and Access to Lakes

3. Question to CDC

a) Does CDLP Policy EC11 presume against the development of more holiday homes around the Lakes in the Cotswold Water Park?

b) Comments from SCPC would be welcome on the policy suggested by CDC?

Policy SC7 Non-residential Visitor Facilities

4. Question to SCPC

The Plan includes section (5.10.1) on Ecology within the Cotswold Water Park but there is no consequent policy, unlike the section on Important Ecology Sites outside the Cotswold Water Park (5.10.2) which then leads to Policy SC10. Policy SC7 supports facilities which respect the residential, rural and landscape location. Therefore, should "nature conservation" be added to the first sentence of the policy, especially in view of the presence of the Cotswold Water Park SSSI¹?

¹ Site of Special Scientific Interest.

Policy SC10 Local Ecology Sites

5. Question to CDC

- a) Setting aside the issue of whether the Regionally Important Geological/Geomorphological Site (RIGS) falls within the definition of ecology and also the wording of the policy, I note there are two sites marked as 1 on Figure 5, described in the Policy as “River Churn” and in the text as “historic former water meadows”. Should they be identified as 1a and 1b and, together with LWS 2 and LWS 3, be delineated on larger scale maps in order to be used effectively in development management? If so, I would be grateful if such maps could be agreed between SCPC and CDC and submitted to me.
- b) Any other comments from SCPC and CDC on the above question would be welcome.

Question to SCPC

- c) Policy SC10 appears to cover two items: a) the protection of the Local Ecology Sites and b) general conservation and enhancement in the whole Area of the Plan by applying the final three bullet points of the policy. Is this correct?

Policy SC11 Designation of Local Green Spaces (LGS)

6. Question to SCPC

I note that the Consultation Statement records an objection at the Regulation 14 Consultation stage from the residents of Boxbush Farm to the designation of LGS 1 Boxbush Farm Fields. The response to this objection was to provide an explanation “... to allay fears and provide reassurance”. I would be pleased to know further details of the dialogue and whether the residents of Boxbush Farm were satisfied with the outcome?

Policy SC12 Local Heritage Assets

7. Question to SCPC

- a) Local Heritage Assets would include Listed Buildings and the Conservation Area. Should the heading be changed to “Non Designated Heritage Assets (NDHA)”, which would then reflect the contents of the policy?
- b) I would be grateful for any comments from CDC on the above question.

Question to CDC

- c) I note that CDC suggest that the ISIS Lakes Holiday Homes are not sufficiently old to be included as a NDHA. Does CDC accept that the others in the list within the policy may be defined as NDHAs?
- d) I would be grateful for any comments from SCPC on the above question.

Question to SCPC

- e) The Consultation Statement records that at the Regulation 14 Consultation stage, the owner of Lock House, Cirencester Road objected to the inclusion of his property as a Local Heritage Asset due to lack of consultation and the wish to do further work on or

near it. The gist of the response to this objection was to comment that consultation was facilitated by the process and to give reassurance that there is no intention to restrict his enjoyment. Furthermore, it was stated that Policy SC12 has been amended to clarify designation. Does this mean that the property was deleted from the list, or is it the entry "Lock Keepers Cottage", as implied by the photograph and subtitle in Appendix 1A? If the property was not deleted, what explanation and reassurances were given, bearing in mind that if the property became a NDHA and if operations which required planning permission were contemplated, development management under Policy EN12 of the CDLP would then apply?

- f) In any event, I would be grateful to know what amendment was made to Policy SC12?
- g) Does CDC have any comments on the issues raised in the above questions about Policy S12?