



Fairford Neighbourhood Development Plan Pre-examination consultation (Regulation 16 Consultation)

Fairford Town Council has prepared a Neighbourhood Development Plan. The Plan sets out a vision for the future of the town and parish and planning policies which will be used to determine planning applications locally.

Copies of the Neighbourhood Plan and supporting documents are available to view on the Cotswold District Council's website: www.cotswold.gov.uk/neighbourhoodplanning/consultations

Hard copies are also available for inspection between 9:00 and 17:00 Monday to Friday at the Council offices on Trinity Road, Cirencester, Gloucestershire, GL7 1PX.

Copies are also available for inspection at:

Fairford Community Centre
Monday – Friday 10:00 – 13:00

Fairford Library
Monday 9:30 – 17:00
Tuesday Closed
Wednesday 9:30 – 17:00
Thursday 9:30 – 19:00
Friday Closed
Saturday 9:30 – 13:00

All comments must be received by 17:00 on Tuesday 11th April 2017.

There are a number of ways to make your comments:

- Complete this form and email it to: neighbourhood.planning@cotswold.gov.uk
- Print this form and post it to: Neighbourhood Planning, Cotswold District Council, Trinity Road, Cirencester, GL7 1PX
- We will accept other comments in writing (including electronic, such as e-mail, provided that a name and address is supplied. We cannot accept anonymous comments.

All comments will be publicly available, and identifiable by name and (where applicable) organisation. Please note that any other personal information provided will be processed by Cotswold District Council in line with the Data Protection Act 1998.

How to use this form

Please complete Part A in full, in order for your representation to be taken into account at the Neighbourhood Plan examination.

Please complete Part B overleaf, identifying which paragraph your comment relates to by completing the appropriate box. Please repeat this section for subsequent comments relating to other sections of the plan.

PART A	Your Details
Full Name	David Neame
Address	Neame Sutton Limited, West Suite, Coles Yard Barn, North Lane, Clanfield, Hampshire
Postcode	PO8 0RN
Telephone	02392 597139
Email	david.neame@neamesutton.co.uk
Organisation (if applicable)	Neame Sutton Limited o/b Cygnet Investments
Position (if applicable)	Director
Date	10 April 2017

PART B

To which part of the document does your representation relate?

Paragraph Number		Policy Reference:	FN12
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support/opposition, or make other comments here:

Cygnets Investments previous objections in relation to the Pre-Submission version of the FNP remain largely unresolved by the minimal changes made to this draft Policy at the Submission stage. These representations should therefore be read alongside the attached Pre-Submission representations and accompanying appendices.

Policy Background:

The strategic policy background to these representations remains as set out in the attached Pre-Submission representations and is not therefore repeated here.

Objective of the Draft Policy FNP12 and Evidence to Support it:

It is clear that the objective to draft Policy FNP12 remains intact from the Pre-Submission consultation stage in that the policy is intended as a tool to protect the area due to its 'special landscape value' from development proposals that may otherwise be suited to a countryside location. The policy therefore continues to actively go beyond saved Policy UT.1 (which is absent from the FNP or any supporting document) on the basis of a special landscape value argument. The policy therefore purports to be landscape value based.

The evidence that underpins the draft policy is contained in the updated Landscape and Local Green Spaces Study (February 2017).

The introduction to the document confirms that (despite its updates) it has been prepared by local residents of Fairford and sets out a series of aims including to deliver economic benefits from visitors.

The evidence base as updated is still confined to a document prepared by local residents with only limited professional input (as evidenced by the minimal changes to the document between November 2016 and February 2017) from consultants RCOH Limited who are not qualified landscape architects. The document does not follow any nationally prescribed or recognised methodology for assessing landscape yet it purports to underpin a draft policy that goes well beyond the Local Plan (which in the case of saved Policy UT.1 is ignored by the FNP) and National policy.

As set out in Cygnets Investments' Pre-Submission representations it is evident that draft Policy FNP12 goes beyond national policy because the Waterpark and Lake 104 in particular has never been classified as valued landscape in the context of Paragraph 109 of the Framework.

Cotswold District Council therefore rightly does not seek to afford this area any special protection within the saved policies of the Local Plan.

The Town Council cannot therefore seek to go beyond the Local Plan and (as set out in the

attached representations) the detailed consideration of a previous Inspector without having robust and appropriate professional evidence to support the new level of protection now being imposed by draft Policy FNP12.

The updated Landscape and Local Green Space Study contains no such evidence. In fact the only evidence the Town Council is seeking to rely upon (which is largely unchanged from the November 2016 version of the document) is the suggestion that the area is well regarded by local residents and well used by the local community. This does not amount to credible evidence that the area comprises a valued landscape under the terms of Paragraph 109 of the Framework.

As set out at Paragraph 3.21 of the attached representations Neame Sutton has extensive experience of this issue and the Appeal Decision in Appendix 5 of the attached representations confirms the fact that the Town Council must have more evidence than just local regard by the community.

The Town Council has identified in its Consultation Statement (Page 22) that it has addressed Cygnet Investments' objections by making reference to the extant planning consents on the site and that there is no conflict between those developments and the draft policy. This is incorrect for the reasons set out above and in the attached Pre-Submission representations that demonstrate Cygnet Investments objection remains unresolved.

A link is then made to the Landscape and Local Green Space Study, however this document contains no reference in Section 5 to Cygnet Investments representations and it continues to include the same (with only minor modification) series of emotive comments to support the inclusion of Lake 104 within the Policy FNP12 area. No new robust and professional evidence following either nationally prescribed or recognised methodology has been introduced and as a consequence the evidence base remains (as set out above) deficient.

Delineation of the Area Covered by draft Policy FNP12:

The FNP continues to identify an extensive area to be covered by draft Policy FNP12, which as demonstrated above and through the attached representations is not founded on any credible evidence and therefore fails to meet three of the basic conditions for the FNP to be made (Conditions a), d) and e)).

On this basis the whole of the area surrounding Lake 104 should be removed from the draft Policy FNP12 designation on the basis that the Town Council has no credible evidence to support a more restrictive policy on the land that goes well beyond the scope of the saved and emerging Local Plan and national policy (Paragraph 109 of the Framework). Local community importance placed on an area is not sufficient to demonstrate that it should be treated as a valued landscape.

Even setting aside the point above the delineation of the area covered by the draft Policy remains incorrect because it continues to include the north eastern shoreline of Lake 104, which forms part of the site that benefits from an extant and implemented planning consent.

The north eastern shore area includes the provision of a leisure building and associated car parking and landscaping together with the main highway access to the wider development on Lakes 103 and 103a. This area as a minimum should be removed from the draft Policy FNP12 designation.

These changes are necessary for the FNP to meet the basic conditions and proceed to be made.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

See above representations in terms of the detail of the modifications to be made. In summary Cygnet Investments considers that either:

1. Draft Policy FNP12 should be deleted altogether; or
2. Lake 104 should be removed from the draft Policy FNP12 designation altogether.

Should Lake 104 remain within the Policy FNP12 designation this creates a fundamental conflict with national policy (Paragraph 109 of the Framework) and saved Policy UT.1 of the adopted Local Plan that is not addressed by the minimal changes the Town Council has made to its evidence base.

(Continue on separate sheet if necessary)

Please make sure any additional pages are clearly labelled/ addressed or attached.