

# COTSWOLD DISTRICT COUNCIL AUTHORITY MONITORING REPORT

July 2017



COTSWOLD  
DISTRICT COUNCIL

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# 1. Introduction

## **Background**

- 1.1. There have been significant changes in legislation and guidance relating to planning under the current government. Prominent are the:
  - Introduction of the National Planning Policy Framework (NPPF);
  - Introduction of the Duty to Co-operate;
  - Abolition of Regional Spatial Strategies and Structure Plans;
  - Introduction of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations); and
  - Introduction of the Localism Act 2011.
- 1.2. Taken together these changes significantly affect how monitoring of planning performance should be reported. Part 8 of the Regulations fundamentally changes the previous Annual Monitoring regime, removing the requirement to report by 31 December each year and making the new Authorities Monitoring Report a simpler process.
- 1.3. The changes introduced within the Localism Act 2011 mean that the content of an Authorities Monitoring Report is no longer prescribed by government, nor is there a requirement to submit the document to the Secretary of State.
- 1.4. These changes offer an opportunity to restructure the monitoring report to provide a simpler view of the work undertaken by the planning service at Cotswold District Council and to reflect on the effectiveness of the policies adopted.

## **What is the Authority Monitoring Report?**

- 1.5. Part 8 of the Regulations stipulate that the purpose of this document is to:
  - Monitor the preparation of Cotswold District Council's development plan against timetables in the Local Development Scheme (Section 2);
  - Report actions taken under the Duty to Co-operate (Section 3);
  - Assess the extent to which existing planning policies are being implemented (Section 4);
  - Report on Community Infrastructure Levy (CIL) receipts and expenditure (Section 5); and
  - Provide details of any Neighbourhood Development Orders or Neighbourhood Development Plans (Section 7).
- 1.6. In addition to the requirements of Part 8 of the Regulations, this report also provides a land supply position statement for both housing and employment land. This is set out in Section 6.
- 1.7. This report covers the period April 2015 to March 2016.

## 2. Local Development Scheme Progress

### **Local Development Scheme**

- 2.1. The Local Development Scheme (LDS) is the project programme for the preparation of the development plan. It sets out the milestones or key stages in the development plan preparation process, including stages of public consultation. The current LDS has recently been updated and was approved by Full Council on 13 June 2017. Cotswold District Council is programmed to submit the Submission Draft Cotswold District Local Plan on the 7<sup>th</sup> July 2017 for Examination in Public.
- 2.2. The 2017 LDS focuses on production of the Cotswold District emerging Cotswold District Local Plan, which is a development plan for the Cotswold District local planning authority area for the period 2011 to 2031. Once adopted, the Local Plan will provide the vision and a framework for the future development of the District, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. The Local Plan will also be a critical tool in guiding decisions about individual development proposals, as the Local Plan (together with any neighbourhood plans that have been made) will be the starting-point for considering whether planning applications can be approved.
- 2.3. The timetable for the emerging Cotswold District Local Plan and a report on progress to date is set out on the following page.

### **The emerging Cotswold District Local Plan (2011 – 2031)**

- 2.4. The emerging Local Plan sets out the identified need for housing, employment and supporting infrastructure across the area up until 2031. In addition, it sets out a spatial strategy for the distribution of new development as well as identifying site allocations to help meet the development needs, based on an assessment of consultation and evidence based work carried out to date.
- 2.5. The emerging Local Plan is programmed to be formally submitted to the Secretary of State on the 23 June 2017 following publication of the Submission Draft Local Plan (June 2016) and subsequent Focussed Changes made to the Submission Draft Local Plan in January 2017. These two publications fulfilled the Council's requirement to consult on whether the plan complies with the necessary legal requirements to be considered sound.
- 2.6. A sound plan is one that meets the required housing, employment and infrastructure needs given constraints, is the most appropriate strategy for the area, is able to be delivered over its time period, and importantly is consistent with national planning policy. Representations on these issues made during the publication period were considered and acted on appropriately, which led to minor changes in the document before submission.
- 2.7. As outlined, the Submission Draft Local Plan was published for consideration by interested parties and stakeholders between 27 June and 8 August 2016. Approximately 1,300 responses were received. Several Focussed Changes were made to Submission Draft Local Plan and these were formally consulted on between 16 January and 27 February 2017, attracting 220 responses.

- 2.8. A consultation response report was published alongside the Submission document which summarises all of the responses we received and how these were fed in to the preparation of the Submission Local Plan. This report and all of the responses are available to view on the Council's website.
- 2.9. The timetable for the emerging Local Plan programme is provided in the table below:

STAGE	PERIOD
Formal Publication of the Submission Draft	27 June – 8 August 2017
Focussed Changes to the Submission Draft	16 January – 27 February 2017
Submission to the Secretary of State	7 July 2017
Examination Period	2017 – date to be confirmed by Planning Inspectorate
Adoption	Dependent on Examination process

### 3. Duty to Co-Operate

- 3.1. Local authorities are required to address strategic issues relevant to their areas through the Duty to Co-operate contained in section 33A of the Planning and Compulsory Purchase Act 2004 (as inserted by section 110 of the Localism Act (2011)) and further described in the NPPF.
- 3.2. The Duty to Co-operate:
- Relates to strategic planning matters where these entail:
    - Sustainable development or the use of land that would have a significant impact on at least two local planning areas;
    - Where the development or the use is a county matter or would have a significant impact upon a county matter;
  - Relates to the preparation of development plan or other local development documents, and activities that prepare the way for that preparation including activities in support of those activities;
  - Requires that councils and public bodies engage constructively, actively and on an ongoing basis in any process by which the activities in point one are undertaken;
  - Requires councils to consider joint approaches to plan making; and
  - Empowers the Inspector at the Examination in Public of the development plan to examine whether the Local Planning Authority has complied with the Duty to Co-operate.
- 3.3. Paragraph 156 of the NPPF sets out the strategic issues where co-operation might be appropriate. Paragraph 178 – 181 of the NPPF provides policy on 'planning strategically across local boundaries', and highlights the importance of joint working on areas of common interest. The emphasis is on working collaboratively with other bodies to ensure that strategic priorities across boundaries are properly co-ordinated. Evidence will be required to demonstrate having successfully cooperated on issues with cross boundary impacts.
- 3.4. It should be noted that the Duty to Co-operate is not synonymous with public consultation on

development plan preparation. The Duty is essentially about public-sector bodies working together. The Council's approach to public consultation is set out in the Council's Statement of Community Involvement (SCI).

- 3.5. The Duty to Co-operate requires joint working with neighbouring local authorities and other prescribed bodies. It requires Local Planning Authorities to:
  - Engage constructively, actively and on an ongoing basis with these authorities and bodies to develop strategic policies;
  - Set out planning policies to address issues which arise from the process of meeting the Duty; and
  - Consider joint approaches to plan making.
- 3.6. For further information on the Council's Duty to Co-operate and the cooperation between neighbouring authorities and prescribed bodies, please see the Council's Duty to Cooperate Statement published in July 2017 – published on the Council's website.
- 3.7. All Gloucestershire local authorities have signed up to a Memorandum of Understanding and a Duty to Cooperate schedule; both were reviewed in June 2017. The purpose of these documents are to identify those strategic issues which extend beyond administrative boundaries and where co-operation is needed, define the processes for taking forward these issues and to document outcomes delivered.

## 4. General Monitoring

- 4.1. Targets were not set in relation to monitoring the majority of policies in the adopted Cotswold District Local Plan (2001-2011). This is because preparation of that plan started before the Local Development Framework system which introduced the requirement to prepare an Annual Monitoring Report. Nevertheless, in the previous AMR some targets were included in relation to housing, business development & town centres and environmental quality. It should be noted that some of these targets may now be out of date in respect of the emerging Local Plan, changes in the evidence base and the introduction of the NPPF in March 2012.
- 4.2. Reference was also made in the previous AMR to monitoring targets from the Gloucestershire Structure Plan Second Review and the draft Regional Spatial Strategy for the South West (RSS). The Government revoked the RSS and Structure Plans in May 2013, therefore monitoring of these plans is no longer relevant.

### **Emerging Local Plan Monitoring**

- 4.3. The Council will use the monitoring reports, as well as all necessary evidence sources including demographic and economic data and forecasts, to review the appropriate level of new homes and employment land to be delivered.

### **Housing Land Supply**

- 4.4. This housing land supply statement covers the period 31 March 2016 to 1 April 2021. It highlights those sites included within Cotswold District's housing land supply which are subject to assumed build out rates.

- 4.5. Paragraph 47 of the NPPF requires local authorities to 'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land'.
- 4.6. The supply data represents housing data collated as of 31 March 2016 with the delivery of site allocations informed by trajectory work undertaken for the Submission Draft Local Plan, as set out in the Housing Implementation Strategy.

#### **NPPF Buffer**

- 4.7. To determine whether Cotswold District should add a 5% or 20% buffer to its requirement, it is necessary to analyse past trends against requirements to establish whether there has been 'persistent under delivery'.
- 4.8. The Council publishes an annual review of its housing land supply to ensure it has a supply of specific deliverable sites sufficient to provide five years' worth of housing against the Submission Draft Local Plan housing requirements.
- 4.9. The five year housing land supply statement<sup>1</sup>, last published in May 2016, identifies there have been 2,385 dwellings completed over the past five years, which equates to a 285 dwelling surplus above the emerging Local Plan 5 year housing requirement of 2,100 new dwellings.
- 4.10. The statement concludes, based on delivery rates so far, a 5% buffer should continue to be applied to the supply calculation.

#### **Delivery Shortfall**

- 4.11. In addition to the buffer, the five-year requirement needs to take account of any shortfall during the plan period to date. Currently the Council is demonstrating an oversupply. If the Council were to show a shortfall this would be added it to the five-year requirement rather than spreading it across the remaining plan period. This approach is commonly referred to as the 'Sedgefield' method.

#### **Sources of Housing Supply**

- 4.12. The components that make up the Council's five year housing land supply include:
- Sites with extant planning with consent for housing at 1 April 2016;
  - SHELAA sites (within development boundaries) without planning consent that are considered

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<sup>1</sup> <http://www.cotswold.gov.uk/media/1410231/5-Year-Supply-Report-May-2016.pdf>

deliverable within five years from April 2016; and

- A windfall assumption that makes an allowance for delivery from small unidentified sites; and
- An allowance for the extant permissions that will lapse in the next three years.

4.13. Once the Local Plan is adopted, the supply will also include housing allocations that are deliverable within the next five years. Furthermore, the supply will also include sites on Stage 2 of the Council's Brownfield Register, which will by default have 'Permission in Principle'.

### **Housing Delivery**

4.14. The distribution of housing delivery over time has been informed, in the first instance, by contacting agents and developers as part of routine annual monitoring of planning consents. In addition, information regarding potential build out rates has been further informed from the SHELAA panel, information provided through the Council's 'call for sites', developer meetings undertaken to inform evidence base, development briefs, masterplanning, and planning officer information.

4.15. Each planning permission is assessed to ensure that only new dwellings that are realistically deliverable within the next five years are counted within the five year housing land supply and within the housing trajectory for the Local Plan. Furthermore, larger sites (10 or more dwellings) have undergone intense scrutiny against the available, suitable and achievable criteria to ensure that only those dwellings that will be completed in five years are included in the five year housing land supply. In addition, checks have been made on all SHLAA sites included within the 5 year supply to ensure they are deliverable.

4.16. Further evidence has also been assembled that considers the delivery rates of large sites. This demonstrates that sites within Cotswold District are generally delivered within five years of initially gaining planning permission.

4.17. The Council has looked in detail at dwelling completions since 2007 to provide detailed evidence of the District's annual average number of dwelling completions that are 'windfalls'. Windfall sites are dwellings that are expected to come from sites that are not allocated in the Local Plan and, in line with the criteria set out in the NPPF, they cannot be on garden land. This historic analysis supported the inclusion of a 80 dwelling windfall allowance in the five year housing land supply (May 2016) and the Local Plan housing trajectory.

4.18. Similar to windfalls, the Council has also assembled evidence to demonstrate the average number of dwellings with planning permission that lapse each year. An average is taken from historic data, which deducted 15 dwellings annually from the first three years of the five year housing land supply and the Local Plan housing trajectory.

4.19. Further information on housing deliverability is provided within the Council's Five Year Housing Land Supply Report (May 2016), the consolidated SHELAA (January 2016) and the Housing Implementation Strategy (June 2016).

## **5. Community Infrastructure Levy Update**

5.1. The Community Infrastructure Levy (CIL) is a planning charge on new housing, residential extensions  
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over 100m2 (gross internal area) and retail development over 100m2 (gross internal area) that can be used by Local Authorities to help deliver infrastructure to support the development of their area.

- 5.2. The Council has produced a Draft Charging Schedule for the proposed introduction of CIL. This sets out the level of CIL charge which is considered to be viable in different parts of the District. To support the implementation of the Local Plan the Council is also reviewing projects identified in the Infrastructure Delivery Plan to establish priorities and how they are going to be funded and delivered.
- 5.3. Consultation took place on the Draft Charging Schedule and accompanying documents between 31 October 2016 and Monday 28 November 2016. Before the Charging Schedule can be adopted by the Council it must be subject to an Examination in Public. The Examination in Public is scheduled to take place in autumn 2017.
- 5.4. Once adopted, the amount of money collected through CIL, the infrastructure projects that have been funded through CIL and how much CIL money has been spent will be reported in this section of the Authority Monitoring Report.

## 6. Land Supply Position

### Position Statement

- 6.1. The Submission Draft (as amended by Focussed Changes and Minor Modifications) will be submitted to the Secretary of State for independent examination in July 2017. The Council instructed Neil McDonald to independently and objectively assess the Council's housing needs. The report *The Objectively Assessed Housing Needs of Cotswold District* (December 2016) recommends that 8,400 dwellings best represents the objectively assessed need (OAN) for housing in Cotswold District between 2011 and 2031. This sets an annual requirement of 420 dwellings.
- 6.2. The Submission Draft Local Plan identifies sufficient land to provide 8,400 new dwelling over the plan period. Details on the sources of the ongoing supply are provided in the Housing Implementation Strategy (June 2017).

### Five Year Housing Land Supply

- 6.3. Against the Submission Draft Local Plan housing requirement, Cotswold District Council can demonstrate 7.5 years' worth of specific and deliverable land for housing. When applying the 5% buffer Cotswold District can evidence it has a five year supply of housing.

Identification of Housing Shortfall or Surplus			
A	Housing Requirement 2011 - 2031		8,400
B	Net completions 2011 - 2016		2,385
C	Residual requirement to 2031	A - B	6,015
D	LP years passed	2011 to 2016	5
E	Requirement for LP years passed	(A / 20) x 5	2,100
F	Over supply or shortfall to April 2016	B - E	+285

		Buffers			
			0%	5%	20%
G	Annual requirement	A / 20	420		
H	5-year requirement and buffers	G x 5	2,100	<b>105</b>	420
I	5-year requirement including buffers	(G x 5) + buffer	2,100	<b>2,205</b>	2,520
J	5-year requirement + buffers + shortfall (if applicable)	(G x 5) + buffer + F <sup>2</sup>	2,100	<b>2,205</b>	2,520
K	Percentage of 5-year supply	3,323 (supply) ÷ J	158%	151%	132%
<b>L</b>	<b>Number of years of supply</b>		<b>7.9</b>	<b>7.5</b>	<b>6.6</b>

- 6.4. The Council is programmed to published an update to the 2016 SHELAA, the residential land availability monitor and five year housing land supply to a base date of 1<sup>st</sup> April 2017 in July/August 2017.

### Employment Land Supply

- 6.5. The Regional Strategy for the South West (RSS) and the Gloucestershire structure plan (Second Review) were legally revoked on the 20 May 2013. As such employment requirements for Cotswold District will no longer be measured against these plans.
- 6.6. The Submission Draft Local Plan establishes a requirement of 27ha of employment land across the District over the plan period 2011 to 2031.
- 6.7. The current employment land supply position (1 April 2016) is outlined below:

Supply	Area (ha)
Completions 1 April 2011 to 31 March 2016	-4.04
Commitments at 1 April 2016	+8.89
2016 Allocations as proposed in Cotswold Local Plan Reg 19 Submission Draft Regulation 19	27.61
<b>Total B Class supply 2011 to 2031</b>	<b>32.46</b>

- 6.8. For further information regarding employment land within Cotswold District please refer the Employment Land Availability Report (published April 2016) and Economy and Employment Land Update Cotswold District Council (Published in April 2016).
- 6.9. The Council acknowledges the importance of job creation and looks to assist and promote employment land for the creation jobs. The Council is currently drafting a Business Implementation Plan that will establish the key priorities to support the delivery of the Local Plan's spatial economic strategy. The report is designed to reinforce the evidence and intelligence on the locations spatial and sectoral strengths and has been informed by meaningful engagement with stakeholders including businesses, GFirst, landowners and their delivery agents. Importantly, the report demonstrates the sound and confident deliverability of the

<sup>2</sup> Although the Council is demonstrating an oversupply, it has not sought to subtract the oversupply from the 5 year housing requirement. A figure of zero has been applied.

Submitted Cotswold Local Plan economic policies and its complementary relationship with the Gloucestershire Strategic Economic Plan 2014. The report also recommends broader interventions for the District Council to consider in supporting and promoting the Cotswold economy and its businesses.

## 7. Cotswold District Neighbourhood Planning Update (May 2017)

### Town and Parish Councils Preparing Neighbourhood Plans

- 7.1 There are 11 Town and Parish Councils in Cotswold District that are at various stages of preparing their Neighbourhood Plans. The Lechlade-upon-Thames Neighbourhood Plan is the first and only made Neighbourhood Plan within Cotswold District so far. The Fairford Neighbourhood Plan is currently being examined. Subject to a successful outcome from the examination and the Neighbourhood Plan passing a referendum, the Fairford Neighbourhood Plan is expected to be made later in 2017. A summary of the various stages each Neighbourhood Plan is at is provided below.

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**Blockley:** Recently designated as a neighbourhood area

Blockley submitted a request to be designated as a neighbourhood area in January 2017. Under the 2016 Regulations, they were able to be immediately designated.

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**Chipping Campden:** Post pre-submission

Chipping Campden carried out a pre-submission consultation this year – but without first subjecting this for an SEA screening. While there are issues with the plan that really should be resolved prior to submission, the initial view from AECOM is that the Plan will not require an SEA. A key part of their work is a locally specific design code, to supplement the District Design Code.

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**Ebrington:** Designated as a neighbourhood area

Ebrington's Neighbourhood Plan has to some extent been on pause but following discussions in January they have renewed their commitment to developing a Neighbourhood Plan.

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**Fairford:** Examination underway

Fairford Town Council has submitted the Neighbourhood Development Plan to Cotswold District Council. The Plan will be examined independently to ensure that it meets the conditions laid out in the Localism Act and other relevant regulations.

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**Kemble and Ewen:** Designated as a neighbourhood area

In September 2015, Kemble and Ewen Parish Council approached the Council to have their parish area designated as a Neighbourhood Area, the first formal step in developing a Neighbourhood Plan. Following the statutory consultation period, the Council designated this area on 28 October 2015. The Parish Council are about to consult local residents to determine priorities.

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**Lechlade-on-Thames:** Plan made (adopted) in November 2016 (visit Lechlade-on-Thames NDP page)

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**Northleach:** Designated neighbourhood area and proposing site allocations

Northleach was considering site allocations to provide local infrastructure. Given the landscape sensitivities, they are now also considering enabling policies. We anticipate a pre-submission consultation will commence in before the end of 2017.

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**Somerford Keynes:** Post pre-submission

Somerford Keynes consulted on their pre-submission draft in early summer 2016. They have since met with Cotswold District Council to discuss comments with a view to moving their plan forward to a submission draft later this year.

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**South Cerney:** The steering group have recently consulted, via questionnaire, to identify local community priorities – local event held following. Please view the map of the area and the submission below.

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**Stow-on-the-Wold and the Swells:** Designated neighbourhood area  
Stow-on-the-Wold and the Swells continue to work on a Neighbourhood Plan. They have established a community land trust, which they hope will become a vehicle for the development of a number of small sites around the town.

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**Tetbury and Tetbury Upton:** Submission stage  
Tetbury and Tetbury Upton have submitted their final draft plan, which is subject to six week consultation prior to examination.

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## **Other Settlements**

- 7.2 A number of other settlements have considered, or are considering, preparing a Neighbourhood Plan. Based on conversations with Gloucestershire Rural Community Council (GRCC), the settlements that could come forward in future are:
- Upper Rissington (initial meeting, embryonic steering group);
  - Coates;
  - Preston (Prepared CDS, contemplating Neighbourhood Development Plan); and
  - Moreton-in-Marsh (no current intention expressed to create a Neighbourhood Plan but the Town Council have a new chair. An outline of a proposed Neighbourhood Area has previously been submitted).