



## **Representation to the Kemble and Ewen Neighbourhood Plan Regulation 16 consultation**

Please find below comments from **Cotswold District Council** (CDC) on the Kemble with Ewen Neighbourhood Plan 2019-2031.

CDC acknowledges the work that has been put in by the authors of this NDP and commends them for their efforts.

The Council hopes that the following comments, observations and suggested amendments will assist with the progress on the plan through examination. In general these have been written to try to identify either points which in officers' opinion may not meet the Basic Conditions against which the NDP will be assessed, or where the wording used may be open to interpretation during the development management process.

We'd like to advise that Cotswold District Council is committed to a review of its Local Plan, with an aim to adopt an updated Local Plan in 2023. This review is at a very early stage, and we wouldn't wish to pre-empt evidence or the options which will need to be consulted upon in due course, but our expectation is that the overarching strategy of directing development to our principal settlements (of which Kemble village is one) will continue – further growth will need to be accommodated, and housing affordability and climate change considerations are likely to drive some other policy changes.

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**2.13** It should read Cotswolds AONB.

**3.9** Refers to the use of the highway and enforcement of road traffic regulations, recognising these are not land use policy issues, but then references community actions for the parish or district –on this particular topic, those issues are unlikely to be within the district's purview, being either County Highways or Police matters.

### **Policy KE1 Protection of Existing Community Facilities and Public Houses**

We welcome the approach taken in this policy – providing clarity on the facilities that will be covered by the current Local Plan policy. Such an approach avoids conflict between the different plans while responding to community concern and providing clarity and depth to the Development Plan.

We would encourage a clause reference in multi-part policies - whether this is numerical or alphabetical is a stylistic choice, but alphabetical 'numbering' is used in other policies that follow. This assists in referencing policy requirements when making planning determinations.

The following suggestions could we think enhance the flexibility of the policy while staying true to its purpose:

'Clause 1' - could be re-worded to ensure it is positively written, rather than seen as protective/restrictive. e.g. 'Proposals which protect and/ or enhance the community facilities listed below will be supported'

'Clause 3' - Are these the only enhancements this policy would support? What about expansion / extension of the facilities, or indeed entirely new facilities? We'd suggest the final part of this clause could be contracted to "other relevant policies applying to the area".

## **Policy KE2 Infrastructure**

"Sustainable re-use of the Tetbury/Cirencester to Kemble rail lines" This is quite an open statement and could mean almost anything from re-establishing the railway, to a path, to housing or industrial use. For the decision-maker it would be much easier if the policy was clear on what type of sustainable re-use, and dovetails with the Local Plan, and specifically Policy SA1.

To illustrate the context for this policy, Cotswold District Council recently took the decision to commission a feasibility study into an ultra-light railway from Kemble to Cirencester, following this route.

## **Policy KE3 Protecting Local Green Spaces**

We note that the Local Plan designated Local Green Spaces within Kemble (see p19), at the behest of the parish council. While important to avoid policy duplication, it may be useful to have a map showing all the Local Green Spaces to more thoroughly illustrate the context of this policy.

## **Policy KE4 Protecting Other Open Spaces**

We welcome the aspiration to protect and enhance those parcels of green space that contribute to the character of the villages, however, there is a risk the policy will be difficult to implement. The reasoned justification makes reference to grass verges, for example, as spaces that would be subject to the requirements of the policy, rather begging the question of what 'functions' such sites provide, and what alternative provision should be. The supporting text refers to "several other important open spaces" - if there are only "several" then it would be better if these were mapped to provide clarity and aid the decision-maker. The policy gives a clear definition of where it will be relevant within the context of Kemble, but for Ewen it says "Ewen village", which does not have a formal defined boundary.

## **Policy KE5 New Development within the Kemble Development Boundary**

We suggest that the documents referenced in the policy, and published as evidence at Regulation 16 should be added as formal appendices to the Plan itself.

It should be noted that the Conservation Area appraisal has not been adopted by the LPA. There is some potential for confusion as this appraisal recommends changes to the CA boundary which have not been implemented by CDC.

As a note on the reasoned justification, paragraph 5.13 references Ewen as a 'non-principal settlement' - while Ewen is not categorised as a principal settlement, the Local Plan does not itself define specific other settlements as 'non-principal'. However, Ewen would be within the scope of Policy DS3 of the Local Plan, intended to allow for the introduction of small scale residential development in smaller settlements in order to support the sustainability and vitality of those settlements in the longer term.

## **Policy KE6 Green Infrastructure**

The 'definition' that has been included for GI is a very limited one - GI can include farmland for example. It would be more consistent to use the definition in the NPPF. In addition in the

policy wording it states "The network of Green Infrastructure (GI) within the neighbourhood plan area will be protected for its recreation, open space and wildlife value." GI may also have a value in water management, crop production, carbon sequestration and beyond, all uses that justify its protection.

para 5.1.5. We welcome the explanation of why the plan has not sought to introduce ecological policies, recognises the importance of this locally but reflecting on the existing policy environment.

### **Policy KE7 Kemble and Ewen Design Code**

Given that development in the district is already subject to a detailed design code, through the Local Plan, our preferred approach is that the NDP policy specifies where the design requirements for Kemble and Ewen are different from this. A comprehensive piece of evidence reviewing design in the neighbourhood area can underpin this, but expecting such a document to be read in its entirety alongside the existing district design code creates a significant challenge in the development management process. Highlighting the key points in policy means the NDP provides a clear and consistent message to developers and decision-makers alike.

As this policy expects development to accord with the requirements of the guide, we would assume its requirements need to be proportionate and deliverable, and thus that the guide be subjected to review as part of the examination. We have added our commentary on this guide at the end of this document.

### **The individual site 'briefs**

These lead to very long wording for a policy, so we'd suggest this detail might be better included in the design guide in a separate site by site section - and then more detail, illustration and explanation could be given.

K1\_B The word suburban is used, which as we note above, can be confusing. The wording is not clear and somewhat repetitive; e.g. "... done by using a mix of stone and native tree and hedge species". Presumably this means stone boundary features, but it also mentions hedges. We suspect the challenge is that there is a lot to say and you've tried to condense it. It might be better to, as suggested above, include it in the design guide and write more.

K\_2A. These evaluations will be required as part of any planning submission, rather than waiting until the application is submitted and is being considered for determination. This would be covered by our validation checklists and is a repeat of those and our local plan policies and the NPPF and other related guidance.

K\_5. Again the word suburban is used, which can be confusing.

K\_5 this site is already subject to a planning application which may be determined before the NDP is completed.

### **Policy KE8 Kemble and Kemble Station Conservation Area**

The guide is silent on the role of visible renewable energy technologies such as solar and ASHP, and how they might be incorporated as standard on future homes.

Dealing with two similar but different policies can be problematic for DM officers and can lead to issues at appeal.

**clause c** "and for other parts of the conservation area" in should perhaps read "and from ...".

**clause d;** While the intention appears sound, the clause would benefit from rewording

### **Policy KE9 Development affecting non-designated heritage assets**

We welcome this policy, which from our perspective adds real value to the Local Plan policy

There can often be confusion about exactly which buildings are which as they may be called by different names. A map to show where all these are located would be a useful addition. The policy states - 'This is not an exhaustive list. Further non-designated heritage assets may be added in the future.' It would be better to say "identified" in the future as they may well be identified through the processing of planning applications instead of through a formal review process.

### **Policy KE10 Archaeology**

This policy is called archaeology but refers to heritage assets, which are much wider than just archaeological assets.

### **Policy KE11 Kemble and Ewen Special Landscape Area**

The first phrase is almost identical to the local plan policy - is it therefore required?

'Development within Special Landscape Areas (as shown on the Policies Map) will be permitted provided it does not have a significant detrimental impact upon the special character and key landscape qualities of the area including its tranquillity.'

Policy KE11: Within the Special Landscape Area (as defined on the Cotswold District Local Plan Policies Map) development will be supported provided it does not have a significant detrimental impact upon the special character and key landscape qualities of this area including its tranquillity.'

The supporting text is not entirely clear as to when it is referring to areas within the SLA and when to other areas.

The policy refers to "in the wider landscape" - it should clearly state whether this means areas of the NDP area that fall outside the SLA - for clarity.

Policy clause e)" Enhance landscape features which are in decline or in poor condition". We would suggest "positive" or "historic" or "valued" landscape features as some features in decline could in fact be unwelcome/intrusive.

Policy clause f) "Avoid further erosion of the landscape/farmed edge of the villages"; We'd suggest a minor rewording to be clear whether this refers to soil erosion or aesthetic 'erosion'.

### **Policy KE12 Kemble Airfield**

This policy is superfluous. Clause (i)(a) is covered by LP policy EN15; Clause (i)(b) is covered by EN1, EN2 and EN4. Clause (ii) goes beyond the Local Plan which states, "*Proposals that are likely to have significant transport implications also need to be accompanied by a Travel Plan*" (para 11.5.11).

The final clause needs to be reworded slightly. We support the starting premise, that where negative impacts are identified, they should be mitigated – albeit this expectation needs to be tempered with a 'where practicable/possible'. However, an expectation that refusals will be in order where a (unquantified) negative impact cannot be mitigated does not have regard to national policy – a minor negative impact will be insufficient to justify a refusal.

### **Glossary**

This should be updated to be more area specific, for example it refers to the Joint Core Strategy for West Northamptonshire, and provides a definition for a number of terms not used in the document

Some of the definitions in the glossary are different from those given in the NPPF - and in the main text of the NDP, for example:

NPPF definition - Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

It is important that the definition of GI fits in with that in the NPPF and the local plan or this will lead to confusion and potentially poor decision-making.

## Kemble Design Guide

As noted above in our comment on Policy KE7, the draft plan seeks to give weight to the proposals in the design guide, so it is vital these are proportionate.

p.8 refers to "New development should comply with the Cotswold Design Code in respect of style, setting, boundary, street scene, materials, architectural style and craftsmanship." - We think this is the wording from the old Local Plan. It would be great to see this reflect the wording in Local Plan policy EN2 and INF7 - the new design code is rather wider in scope than the previous one.

p.14 GPO2 - is there a GPO1?

p.18 refers to "dry wall or masonry wall." We assume this means a "drystone wall" or other forms of masonry wall.

p.18. The bullet point on boundary features is unclear. We assume this refers to drystone walls. Brick is not a commonly used walling material locally. The Cotswold Design Code already provides guidance on this point.

"At least one of the perimeter walls sides should be a low wall or low growing vegetation" - Is this justified? There could be railings all the way around or there may be instances where a higher wall is appropriate.

p.19 The statement "All new development should meet the standards in Building with Nature as set out by the Gloucestershire Wildlife Trust." reads as a policy - if it were to be a policy it should be in the main body of the NDP.

p.19. There is much reference to "urban environment" and these villages are very much set in a rural environment and that character should be retained.

p.23 Top drawing showing parking perpendicular to the building - this is particularly problematic if there are no gardens at the front of the buildings, as in the photo, cars then dominate the dwellings.

P26 (p.26. It would be appropriate to suggest other alternative means of energy generation as well to give more options e.g. ground source heat pumps, air source heat pumps etc. Fig 20) If this solar panel approach is promoted, in a sensitive setting and on the wrong building it could still be harmful.

p.28. The image of the oil tank shows it surrounded by wooden fencing, there may be safety issues with this and that should be investigated.

It might also be worth highlighting that the position of cycle storage and/or oil tanks can be critical – if in front of properties they can be overly prominent, however there are issues of how any oil delivery is achieved as well.

p.29. An example picture of bin storage with a green roof would be helpful. There are also examples where "bee walls" etc have been incorporated.

p.30 Should be Building with Nature <https://www.buildingwithnature.org.uk/about>

The use of shared space should be informed by the position of the Highways Authority – they are currently updating their manual for streets (which should be referenced.)

p.36. How does this section fit in with the guidance in GP02?

p.37. This page refers to Ewen and then the text on the next page goes back to Kemble – the pages might be better re-ordered.

KE2. It would be useful if a map could be provided which illustrates any key landmarks and views.

p.41. There is a contradiction between this para “In addition, a wide variety of verges can be seen within the area which separate residential properties from the street. Footpaths also are drawn along one side of secondary streets and some parts of main roads in Kemble and Ewen.” and para one on p.40 -“The majority of buildings in the area are tightly arranged at their core, with building lines set immediately on, or close to the rear of the pavement.” The document needs to be clear what is characteristic of which area.

p.41 "Boundary treatments should be screened with native vegetation to frame the building and improve the overall streetscape; and [...]" Positive boundary treatments such as drystone walls would not need to be screened.

p.42 We are unsure what "ashlar and dry stone in a bold style" means. The timber fencing section is rather confusing and it is not clear what is seen as acceptable and where.

Section KE07 does repeat the Cotswold Design Code to a large extent and does not really provide very much detail on what is specifically characteristic of Kemble or Ewen. More on that very local detail would be useful for designers and decision makers.

p.43. We found this selection of materials difficult to see at this scale and some were not correctly labelled.

The oolitic limestone image is unusual - we'd suggest a bonded rubble stone wall from a local cottage could be used, and perhaps an example of a dry stone boundary wall.

The ashlar image is not showing ashlar.

The rubble stonework looks like granite.

p.44. We are unclear as to whether the details and materials shown are illustrated as being characteristic or being ones that should be used in new developments. It would not be reasonable (or viable) for all new development to be roofed with natural Cotswold stone slates.

Much of this detail is already available in the Cotswold Design Code – are there any additional parish-specific features that should be emphasised?

Roof form – this should refer to Cotswold stone slates.

Thatched roof with clay pantiles – we can't see the roof in the image. Plain clay tiles are more strongly represented.

Materials – Render is not found as a roofing material.

p.45. Walls and fenestration. Form – we are unclear what point 1 means. It would be useful to specify what colour of Cotswold stone is characteristic of this area. The stone generally still has a warmth in Kemble - albeit grey tones develop through weathering.

Point 4: there should be no mortar or lime with a drystone wall. Buildings are generally bonded (mortared) rubble stone and boundary walls dry stone.

We recommend the point regarding gable ends in the 'Detail' column should be rephrased to take out the word 'façade', which is confusing in this context.

p.46. Point 2 refers to doors and stone walls – should this be garden timber doors.

Timber doors – sometimes boarded.

The use of slender framed metal casements within stone mullioned surrounds is recommended, in order to avoid thick overall framing and small pane size. This section is poorly worded in places, with some repetition, and probably needs to be more logically structured. It's not clear what is meant by "double hung sash" in the 'Detail' column. Also plastic "non-casement" windows seems to indicate plastic casements are acceptable. Oak is encouraged for lintels and posts etc, but the species is not critical in most joinery where painting is appropriate.

p.47. The image of the stone cobbles is not clear

The hedge image is showing a very tall hedge, which would often not be appropriate.

The first material image is unclear.

The cost of natural stone paving is very high and could impact on the viability of schemes, tarmac can work well in being a simple, functional material.

p.48. Not sure what the image of the paving is indicating.

p.52. A "tick list" is a useful approach. Has this list been considered alongside the key principles and key considerations within the Cotswold Design Code as there seems to be a degree of overlap? Most of these points and questions are general design issues and do not provide Kemble and Ewen specific context.

Bullet 2 – We would suggest that there aren't "squares" in Kemble and Ewen. We'd also note that it is important that new developments are "inspired" by areas of high quality design, not those that might be of poorer quality.

Bullet 3 – If there are any really important gaps towards the countryside- these should be shown on a map - views are extensively mapped in other parts of the evidence base, so perhaps these need to be drawn together.

Bullet 5 – the “prominent ridge lines” should be illustrated on a map for clarity. As well as important long distance views.

p.53. Repetition of bullet point on trees

p.56. The glossary needs further clarity. It shows features that are not local, and thus not really locally relevant and there is no explanation of what they mean. The ashlar wall is incorrect and the limestone slate does not show limestone or diminishing courses.