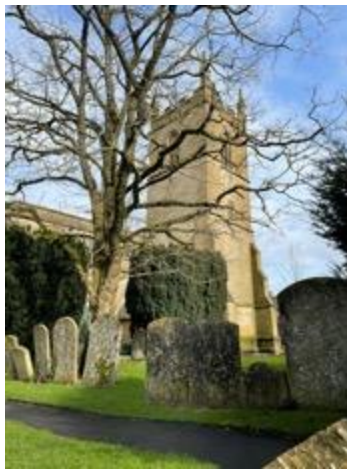


STOW ON THE WOLD & THE SWELLS

Neighbourhood  
*Plan*

2023-2031



# CONSULTATION STATEMENT

SEPTEMBER 2023



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## Introduction

This consultation statement has been prepared to fulfil the legal obligations of the Neighbourhood Planning Regulations 2012 in respect of the Stow on the Wold and Swells Neighbourhood Plan 2023-2031.

The legal basis of this statement is provided by Section 15 (2) of part 5 of the 2012 Neighbourhood Planning Regulations, which requires that a consultation statement should:

- I. Contain details of the persons and bodies who were consulted about the proposed Neighbourhood Development Plan.
- II. Explain how they were consulted.
- III. Summarise the main issues and concerns raised by the persons consulted.
- IV. Describe how those issues and concerns have been considered and where relevant addressed in the proposed Neighbourhood Development Plan.

## Neighbourhood Plan Consultation

Stow on the Wold Town Council, Swell Parish Council and the Neighbourhood Plan steering group have consulted with the local community during the course of the Plan preparation process, and the Neighbourhood Plan is based on the result of these consultations, which have included meetings, community barbecue, open days, newsletters and community surveys. Particular emphasis was placed on early community consultation to engage as wide a range of local people and interested parties as possible at the start, before any proposals were formulated. This raised the awareness of residents and businesses and ensured that their views and priorities could influence the plan from the outset.

## Original Plan

During 2011, 2012 and the first half of 2013 a Neighbourhood Plan for Stow on the Wold was consulted upon and a draft was very close to publication, when, at the suggestion of Cotswold District Council, in August 2013 the plan was put on hold pending the outcome of a number of planning applications in the town. If all of the applications were to be approved the character of the town would be entirely changed and the Neighbourhood Plan rendered obsolete prior to its publication.

## Current Plan

### Community Consultation

A public meeting was held in March 2014 to inform the community of the pressing need to produce a new Neighbourhood Plan and establish a vision of what the community wanted for the future of Stow and the Swells.

After the meeting a steering group was formed. The group designed a comprehensive questionnaire for residents which was delivered to all households and businesses during August and September 2014 asking the community's views on a number of issues including planning, housing, sports facilities, traffic and on street car parking, education, health and wellbeing. In September 2014 a community barbecue with entertainment was held in the town square, free to residents in return for completion of the questionnaire. In November 2014 a public meeting was held at Stow Primary School seeking the views of parents, teachers and the children as to how Stow should look in the future and more questionnaires were distributed. Residents were able to respond about individual issues or all issues. The number of responses received was: Environment - 115, Health, welfare and community - 136, Traffic, parking and transport - 209, Planning and housing - 140, Education - 214, and general comments - 17.

The steering group analysed responses and in April 2015 community road shows were held at three locations in Stow and one in Swell parish to update residents with results from the questionnaire. The findings of the questionnaire and other surveys identified several development proposals and infrastructure projects within the town of Stow and the villages of Swell to improve their facilities. The steering group put together a list of proposals and preferred sites to address these improvements and during 2015 those land owners whose property could possibly be involved were approached and their permission sought to include the various pieces of land in the Neighbourhood Plan.

The following typifies feedback from within the community to a number of questionnaires and housing surveys: we must address 'the lack of affordable housing', we need to 'ensure that any new affordable housing is made available in perpetuity and then only to people who can demonstrate a local connection', 'any development should conserve and enhance the character of the parishes in a way that meets

townscape and AONB guidelines'. In response to these demands during 2015 and early 2016 discussions took place with interested parties within Stow and the Swells regarding the publication of a Design Statement or Code to regulate future developments and alterations and additions to existing properties within the Neighbourhood Plan area.

The views and opinions of many residents were sought as to the content of the Design Statement. Those consulted included local architects, members of the planning committees from both of the parishes, representatives of Stow and District Civic Society, local builders and residents of Stow and the Swells. The draft Community Design Statement was published in May 2016.

In parallel with the creation of a Design Statement, during 2015 and early 2016, at the instigation of Stow Town Council and the Neighbourhood Plan Steering Group and subsequent to a number of public meetings, a committee of volunteers was formed to set up a Community Land Trust with a view to facilitating the development of truly affordable housing and other developments within the Parishes to meet the identified needs of the community.

During The Stow Cotswold Festival, in July 2015, the Neighbourhood Plan Steering Group manned a stall in the Market Square informing the community and visitors to the festival of the progress of the Neighbourhood Plan and what lay ahead before the plan could be approved and adopted. In October and November 2015 at the behest of the Neighbourhood Plan Steering Group, Gloucester Rural Community Council carried out a further Housing Needs Survey in Stow. A questionnaire was delivered to every household in Stow and the results of the survey are available on the project website.

A survey was conducted with a questionnaire delivered to every household in October 2015 seeking the residents' views on "Play and Sports Facilities in Stow". Two further roadshows to discuss the results of the Housing Needs Survey and to announce the formation of the Community Land Trust were held in February 2016. Also in February a survey of every business within 250m of Stow Market Square was conducted to evaluate the daily on-street parking requirements for the managers and staff of all the businesses. In February and March 2016 a further survey was carried out to determine the on-street parking requirements of households within 250m of the Square. The results of each of these surveys are available on the website. At the same time a survey of the residents of The Swells was conducted via "The Swell Voice" to establish the support for a children's play area in the community. Support was so sporadic that the proposal has been temporarily shelved.

During 2017 a number of drafts of the Neighbourhood Plan were issued by the Steering Group with the final draft, version number 12, being adopted together with the Community Design Statement by both Stow Town Council and Swell Parish Council on 28<sup>th</sup> September 2017.

In 2019 a group of Neighbourhood Plan champions from across the community was established, whose members were briefed on the Neighbourhood Plan so they could support the steering group and help family, friends and neighbours to understand the issues. In March 2020 community consultations were held by means of a postal survey created by Gloucestershire Rural Community Council to identify residents' concerns and what they supported in the Neighbourhood Plan. 325 households returned the postal questionnaire, a response rate of 31.4%, or 37%, if the total number of households is discounted for second homes and holiday lets. In March 2020 public drop-in days were held to consult the community about possible development sites. 170 forms were completed.

During the summer of 2020 the Steering Group followed this up with detailed surveys and face to face interviews with residents and visitors to ensure the views of more young people and businesses were gathered about sport, leisure, community facilities, green spaces, access and parking.

In May 2022 a letter was sent to all households in Stow and Swell parishes to update the community on what they had asked for and what progress had been made. This was followed by public drop-in events to seek the community's views on potential development proposals. Responses received 214.

#### **Main issues and concerns raised as a result of non statutory community consultations**

- Concern that the unique townscape and environment of the town, parish and AONB should be conserved and enhanced and not spoilt by inappropriate development.
- The need for truly affordable housing for local people.
- Concern regarding the development of too many assisted living/care units.
- The need to maintain and develop the town's economy.
- The desire for a new leisure/community centre including a youth club.
- An identified need for additional sports and leisure facilities for young e.g. adventure playground, skate/BMX Park, etc.
- A desire for a town museum.
- The critical need for more parking close to the town centre, better access to public transport and a reduction in the impact of through traffic especially HGVs.
- A desire to reconfigure the market square re-establishing it as the focal point of the town and make visiting it a more enjoyable experience for residents and tourists alike.
- A desire to achieve a balance between social, environmental and economic sustainability.
- Support for the development needed to address current threats to sustainability.
- A desire to achieve a sustainable social and economic future for Stow and the Swells.

## **Statutory Consultation**

The six-week Regulation 14 statutory consultation for Pre-Submission Draft Neighbourhood Plan took place from 6<sup>th</sup> February to 20<sup>th</sup> March 2023.

Some bodies must be consulted if a draft Neighbourhood Plan proposed development that could affect their interests. These are known as **statutory consultees** and include the county council, district council, Environment Agency, English Heritage and Natural England. These were consulted, together with neighbouring parish council, the Cotswold National Landscape Board and other agencies and authorities.

Responses were received from the following statutory consultees and land interests:

- Gloucestershire County Council
- Cotswold District Council
- Swell Parish Council
- Broadwell Parish Council
- Mangersbury Parish Council
- Oddington Parish Council
- Newlands of Stow
- Cotswold National Landscape Board
- Natural England
- Ward District Councillor Dilys Neill

The wider public must also be consulted, and residents were encouraged to participate with a letter drop to all households in the Neighbourhood Area. The consultation was further publicised with banners placed on Stocks Green in the centre of Stow and on the Shrubbery on the A436 Sheep Street, as well as posters around the Neighbourhood Area, on Council's website and social media. Four drop-in sessions were held, two in Swell parish and two in Stow. Draft plan documents were made available at the drop in sessions and at various locations in the Neighbourhood Area.



The consultation generated significant interest in the town and the surrounding rural areas, most notably in respect of its main housing development proposal to the northeast of the town. The comments highlighted the differences of opinion on the future role and function of Stow, but a large number were submitted by residents of Broadwell village using a template letter. Most do not support the proposed vision, but this runs counter to the views expressed by Stow residents and businesses earlier in the project.

The exercise has served to make such views clearer, now neighbouring settlements have had the opportunity to engage with the project in a more formal way. But it has not led to new factors of technical substance coming to light that would warrant the deletion of that proposal from the submitted Plan.

More generally, the policies have been roundly supported by most or all parties, albeit with suggested improvements to some policies and their justification. Its green infrastructure, heritage, primary residence and zero carbon buildings policies have been especially well supported. It was therefore considered that the Plan could proceed to submission and examination with some modifications made to the text and maps to improve their meaning, to make corrections and to address omissions.

## Analysis

### Analysis of responses by location and number of points made

The table below provides information on the total number of responses received to the Regulation 14 Consultation. The responses are broken down into the area the respondent indicated they lived and how many comments they made in their response. It does not indicate whether the respondent replied in a positive or negative manner.

Number of respondents - Total	305
Number of Statutory Consultee responses	10 3.20%
Number of respondents - Stow	108 35.40%
Number of respondents - Swell	18 5.90%
Number of respondents - Broadwell	67 22.00%
Number of respondents - Elsewhere/Unknown	102 33.40%

How many points were made by respondents	0 point	1 point	2 points	3 points	4 points	5 points	6 points	7 points	8 points	9 points	10 points	10+ points	
Number of respondents - Stow	3	19	13	18	16	7	13	8	6	1	0	4	108
Number of respondents - Swell	0	1	1	2	2	3	1	1	2	0	0	5	18
Number of respondents - Broadwell	0	1	4	7	7	11	6	12	14	0	3	2	67
Number of respondents - Elsewhere/Unknown	1	11	13	17	18	21	7	6	5	1	1	1	102

#### Percentage of respondents inside Neighbourhood Plan Area (Stow on the Wold and Swell Parish)

Stow on the Wold residents and Swell Parish Council residents = 41.3% of the total respondents

Broadwell residents and people from surrounding villages, as well as any anonymous respondents = 55.4% of the total respondents

### Analysis of points made by respondents

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
Pro	Pro new car park as long as it is free. Pro new car park but needs to be adequate for all new uses in the development including residents. Car park must be available before the housing is occupied. (SsNP7)	23	19	1	1	3
Pro	Pro Square café culture	7	4		1	2
Pro	Pro Design Code	5	1	2	1	1
Pro	Pro co-working spaces etc (SSNP7)	5	2			3
Pro	Pro affordable housing element	25	18		2	7
Pro	Like principal residence requirement but question enforceability. Unproven elsewhere. New conveyancing document suggested.	25	15	6	1	5
Pro	Pro development (SSNP7)/Neighbourhood Plan.	28	24	1		3
Pro	Pro ban on more old-age housing.	12	6	4	2	

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
	Should be distinction between care homes and retirement homes.					
Pro	Pro zero carbon	1			1	
Size & location of development	General feeling development is too big. Will overwhelm the town. We don't need that many houses. Where are the people going to come from? Too many affordable houses, not needed. Only 37 needed. Small developments of say 6 homes. 70% social rented is too high – would mean importing poor people to Stow. Likely to increase older residents and second homes. Question affordability and lack of social housing. Affordable should be more than 50%. Should be no market housing. Reduce size of development if Bayhill application permitted. (SSNP7)	176	50	12	38	77
Size & location of development	New development should be integrated into the community	1	1			
Size & location of development	Use existing buildings, not build more, e.g. Brio.	12	7	2		3
Size & location of development	Consider Bayhill proposal or smaller brownfield sites. (SSNP7)	18	6		6	6
Traffic	Didn't like the fact it was using the Broadwell turnoff – concerns that Broadwell would become busier from local traffic, also Donnington and Oddington. Narrow and dangerous roads. Not safe for pedestrians. No public transport. Want discussions with Tesco re access. (SSNP7)	69	10	3	38	18
Traffic	Fosseway busy enough as it is, didn't like increase in traffic. Gridlock now. 109%	160	42	10	40	68

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
	capacity according to a report. Fumes and stationary traffic. (SSNP7)					
Traffic	Estate needs two vehicle entrances. (SSNP7)	2	1		1	
AONB & environment	Not appropriate in AONB. Impact on AONB and the setting and character of Stow. Will spoil Stow's historic charm and turn it into a suburban nightmare. Site considered not suitable in Local Plan. Effects on environment. (SSNP7)	127	25	4	32	66
AONB & environment	Concerned about light pollution and dark skies. (SSNP7)	6				6
AONB & environment	Urban sprawl between Stow and Broadwell not wanted. (SSNP7)	4	2		1	1
AONB & environment	Concerned about loss of green belt, agricultural land, historic hedgerows and trees. (SSNP7)	28	6		13	9
AONB & environment	STOW13 should include rainwater capture	1	1			
AONB & environment	Against Design Code regarding "Suburban".	1			1	
AONB & environment	Concerned about impact of development on the Wells – water supply and visual impact. (SSNP7)	5	3		1	1
AONB & environment	Concerned about impact of development on wildlife. There are badgers on the field. (SSNP7)	1	1			
Infrastructure, flooding	Concerns about overloading the infrastructure, e.g. school, doctors, broadband, water, electricity. (SSNP7)	114	25	4	32	53

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
Infrastructure, flooding	Concerns about overloading the sewage system and where it was going to go to, also rainwater. (SSNP7)	60	5	0	32	23
Infrastructure, flooding	Concerns the development would exacerbate flooding in Broadwell and elsewhere. (SSNP7)	25	0	0	19	6
Infrastructure, flooding	Against cycling provision requirements because cycling is too dangerous here and the requirements are overly burdensome.	5	1	3		1
Infrastructure, flooding	Wants disabled people at heart of plan.	1				1
Level of need	No need for affordable housing in Stow as there is plenty in Moreton, Bourton, Upper Rissington, etc.	16	2		8	5
Level of need	Community facilities including car park not needed. Wrong location for community facilities. Who will pay? Charge for town centre parking and make Mangersbury Road car park free. (SSNP7)	49	17	1	10	21
Level of need	Insufficient decent employment opportunities in Stow for residents of a large development. (SSNP7)	10	2		3	5
Level of need	Lack of employees	2	1			1
Level of need	Stow is too busy already and too focussed on tourism. Stow is not a dying town. (SSNP7)	6	4			2
Parking	Concern that pedestrianisation of the Square would remove too many parking spaces. Square serves residents and surrounding villages. Provision for local residents and short stay parking needed. Free parking essential.	50	12	4	12	24

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
	Concerned about loss of town car park next to Tesco. Death knell for businesses. Local businesses should have a say.					
Parking	Overall parking strategy needed.	7	6			1
Parking	SSNP15 should apply to new business uses too (off street parking requirements).	1				1
Concern	Doubts about delivery of affordable housing and community facilities. Proposals could be altered to benefit developers. If in NP, CDC will have difficulty turning down an application for outline consent. (STOW7)	16	9	3	1	3
Concern	Anti over-zealous zero carbon and EV charging virtue signalling	3		3		
Concern	Concerned about holiday lets and second homes.	5	2	1		2
Concern	Question whether affordable housing will be locally affordable. (STOW7)	11	8			3
Other	Fosseway Farm site should be identified as a Non Designated Heritage Asset	3		3		
Other	Wants a public meeting	1	1			
Other	Object to no more homes for older people.	1	1			
Other	Views of surrounding villages have not been considered.	2			1	1
Other	Only 11% of residents responded to site consultation. (SSNP7)	6	1		5	

## Commentary and Response

The representations fall into the following main categories:

- Concerns regarding the size and location of the proposed development, including questioning the need for so many affordable homes and market housing, and questioning the affordability.
- Concerns regarding additional traffic, both on the Fosseway, and through Broadwell village.

- Concerns regarding sewage and flooding from the proposed development.
- Concerns about the effects on the AONB, landscape, and setting and character of Stow.
- Concerns about overwhelming the infrastructure.
- Concerns about loss of parking in the Square and questioning the need for a new car park in the proposed location.

A significant number of representations recognised both positive and negative aspects of the Plan. The comments highlighted the differences of opinion on the future role and function of Stow, but a significant number were submitted by residents of Broadwell village using a template letter. Most do not support the proposed vision, but this runs counter to the views expressed by Stow residents and businesses earlier in the project.

The concerns about infrastructure, traffic, sewage and flooding are recognised but are outside the scope of a Neighbourhood Plan. These issues would be dealt with by the respective authorities as statutory consultees in any planning application process.

Below is a more detailed analysis of the comments received under each Plan policy and the response.

**Please note the policy numbering format has been changed from STOW# to SSNP# as recommended by Cotswold District Council.**

### **Policy SSNP1 The Stow on the Wold Development Boundary**

Cotswold District Council (CDC) highlights that the policy duplicates Local Plan Policy DS2 and that the site allocation in policy SSNP7 should be drafted within the development boundary to meet the Basic Conditions.

It is considered that the settlement boundary includes the site allocation in policy SSNP7 but its wording remains unmodified. It is noted that many NPs that have deferred to Local Plan wording in the way suggested have been rendered out of date if the Local Plan to which they have deferred has been deemed out of date (as per NPPF §11). To avoid this it is vital that the policy wording of DS2 is replicated in the event that NPPF §14 is engaged in decision making.

#### *Changes made in response:*

Policy SSNP1, para 5.6 – The final sentence has been changed to, “The Boundary shown on the Policies Map has been modified to reflect ... the site allocation in Policy SSNP7 in accordance with Local Plan policy DS2”. Policies Map and Insets – The map showing the Development Boundary has been modified to encompass the site allocation in Policy SSNP7 in the Development Boundary.

Policy SSNP1, para 5.7 – The following new sentence has been added: “The wording of policy DS2 is repeated so that Policy SSNP1 can operate independently of DS2 if the weight attributed to that policy is undermined by an out of date Local Plan or a failure by CDC to maintain a sufficient supply of housing land.”

### **Policy SSNP2 Development in the Swells and the Countryside**

Cotswold District Council considers the distinction made in the policy to be inconsistent with Policy DS1 of the Local Plan as “The Local Plan’s development strategy actively avoids listing non-principal settlements, such matters are considered on a case-by-case basis” (our emphasis).

It is considered that the policy should remain unmodified but that some additional explanation is provided in the supporting text. It is not considered there is an inconsistency in the policy stating an observable reality in the different settlement character of the Swells that will enable a clear application of the criteria of DS1 to

proposals in each settlement – in effect resolving any uncertainty of ‘a case-by-case basis’ for applicants and CDC alike. The policy makes no attempt to alter the status of either settlement, nor sets any precedent for modifying or undermining the strategic intent or meaning of DS1.

*Changes made in response:*

Policy SSNP2, para 5.8 – The following has been added: “For clarity, the policy does not alter the ‘non-principal’ status of either settlement, nor sets any precedent for modifying or undermining the strategic intent or meaning of the Local Plan’s Development Strategy as set out in policy DS1. The purpose of the policy is to provide certainty for applicants and CDC in clarifying the types of development that are suitable in each settlement based on their settlement character.”

Policy SSNP2, para 5.9 – The following has been added (new text in bold): “...this policy rules out those proposed only under its clause (e) as being of exceptional quality, as it is considered there is no location in the countryside of the area where its immediate setting would be enhanced rather than harmed by such a proposal, **which no level of architectural quality could redeem. It does not prevent proposals coming forward seeking to benefit from other clauses in NPPF s80.**”

### Policy SSNP3 Housing Mix

CDC, Newlands of Stow and Mangersbury Parish Council advises that the policy should be modified to correct the % provisions in respect of First Homes and offer more flexibility to account for housing allocations of varying housing numbers to which the percentages are not mathematically achievable, and to take into consideration viability, changing circumstances and evidence. The Cotswolds National Landscape Board recommends that the policy proposes 50% affordable housing for housing development of five units or fewer (ideally for two units or more).

It is considered that the supporting text should explain how the policy should be interpreted and applied to clarify that the percentages specified can vary slightly to accommodate housing allocations of varying sizes and to take account of changing circumstances. It is noted that the SSNP area will not likely see a significant scale of change beyond what is planned for now, so it is important these provisions are in place. In that regard there is no indication from land interests that this housing mix will be unviable. It is also considered that no modification should be made to the overall percentage of affordable homes, as the SSNP does not present evidence to support a departure from the 40% provision of strategic policy H2 of the Local Plan, but that the mix should be modified to show: 30% First Homes, 11% other affordable home ownership tenures, 14% affordable rent and 45% social rent.

*Changes made in response:*

Policy SSNP3: Housing Mix – Clause A is amended to read:

“Within the Stow on the Wold Development Boundary proposals for residential development schemes of 6 or more dwellings will be required to deliver at least 30% of the dwellings (rounded as necessary) as First Homes made available at a minimum 50% discount and at least 15% as other affordable home tenures to be evidenced in a housing need assessment and to be delivered within the scheme. Proposals that seek to maximise opportunities for new open market and affordable homes to be made available to persons with either a local connection to the Neighbourhood Area and its immediate surroundings or persons that are defined as key workers will be especially supported.”

Policy SSNP3, para 5.11 has the following additional text: “Applicants should take into account that report and any later such evidence as circumstances may change during the plan period. Proposals with a number of dwellings that does not break down in whole units against the percentages specified in Clause A and B



may need to adjust the percentages marginally. However, applicants should accommodate the percentages specified in Clause A and B to the furthest extent possible.

Policy SSNP3, para 5.12 has the following additional text: “The policy especially favours proposals that will make provision for key workers (as defined by CDC’s adopted Affordable Housing SPD) and that can show they will appeal to, and be marketed at, local households as part of CDC’s housing allocation process.”

### **Policy SSNP4 Principal Residence**

CDC raises a number of issues with the policy, included that there is a lack of evidence supporting the policy, that Stow as a Principal Settlement should accommodate non-principal residency uses to meet the district housing needs if land were to be allocated for housing and that it would be difficult to enforce action to ensure that the policy is being adhered to. It also sets out other, non-policy approaches to address this issue and provides Council Tax data showing no increase in second homes over the last decade.

The evidence base has been reviewed and more recent Census data searched, with the SEA testing the adverse social effects of leaving the matter to the market. It is considered that this policy can be justified, and it noted that the representations received from the Cotswolds National Landscape Board and a significant number of residents of Stow were supportive of the policy and/or highlighted Second Home ownership as an issue in relation to housing availability and affordability in the town. It is known that the experience of some other LPA areas indicates that this type of policy is signalling sufficient intent to have the desired effect without enforcement action being necessary.

#### *Changes made in response:*

Policy SSNP4, para 5.17 has been amended to read:

“The Housing Needs Assessment cited 2011 Census data showing 17% of the housing stock was second homes. The 2021 Census data is not yet available but will only but is likely to show the same problem, combined with the increase in AirBnB-type listings (30-40 no. on average), in line with, or perhaps at an even greater rate, national rates in desirable rural areas like Stow and Swell. With the allocation proposal of SSNP7 creating a generational opportunity to change the town’s housing stock, and alongside the provisions of SSNP4 and SSNP5, its housing supply cannot be undermined by second home ownership.”

### **Policy SSNP5 Specialist Accommodation for Older People in Stow**

CDC and Mangersbury Parish Council suggest that the policy is reworded or expanded to aid its clarity and to ensure its definitions match those of Local Plan policy. It is agreed that the policy and supporting text should be modified to this effect.

Newlands of Stow is promoting a proposal to extend its existing facility on Evesham Road to deliver 25 additional assisted and independent living homes with a rehabilitation suite and other communal and community facilities. It therefore objects to this policy on the basis that it is unnecessarily restricting the supply of specialist accommodation in the plan period and proposes that the SSNP allocates the land at Evesham Road for this purpose.

It is considered that the policy should not be deleted and the land should not be allocated in the SSNP. The objector asserts that the policy is inconsistent with national policy and will not contribute to achieving sustainable development. The rationale for the policy is explained in its supporting text and evidenced in the Housing Needs Assessment report. Whilst national policy does encourage plans to make provision for an aging population, plan makers must also consider how such provision has already been made, especially in

the recent past in a place like Stow. It is considered reasonable for the policy to work in combination with other SSNP policies to favour the correcting of this housing stock balance as a vital part of the town's vision of a wider demographic profile of the town. It is further noted that case law has made clear that the basic conditions must be considered in the light of the SSNP as a whole, and not policy by policy. Irrespective of any merits of the proposal, a new site cannot be allocated in the SSNP at this stage without requiring another Regulation 14 consultation period; it is noted that the scheme being promoted may in any event be consistent with the policy.

*Changes made in response:*

Policy SSNP5: Specialist Accommodation for Older People in Stow – The policy has been amended to read: “Proposals for specialist accommodation for older people falling within classes C2 or C3 of the Use Class Order, including sheltered and extra-care housing, care homes and other appropriate models of accommodation for the elderly and those with particular needs, will not be permitted unless:

- they are of a small scale and are delivered as affordable housing for households with a local connection; and
- they deliver no more than a total of 40 (C2) units and/or dwellings (C3) of this type over the plan period.”

Policy SSNP5, para 5.18 has been amended to read:

“The policy is intended to slow down the supply of age-restricted housing in Stow for the plan period by confining such schemes to those of a small scale linked with the plan's affordable housing objectives and by placing a cap on their total number. Although national policy encourages planning for an increasing demand for such accommodation to meet the needs of an aging population, it does not take into account those places like Stow that already have an over-supply and where such an approach will only exacerbate the problem.”

Policy SSNP5, para 5.22 has amended to read:

“However, the town has benefited from almshouse-type schemes in its past as a means of providing genuinely low cost housing for people who have a local connection, as defined by CDC. The policy therefore provides an exception for minor schemes – defined as 9 or fewer C2 units and/or C3 dwellings of this type (per the definition of minor development in national policy). However, it requires such proposals to be only almshouse-type schemes for elderly person households relocating from within the Town or Parish or from a Parish that immediately adjoins the Neighbourhood Area. And it caps the total number units and dwellings of this type that are provided to 40 over the plan period to avoid a higher number of incremental proposals whose cumulative effect may otherwise undermine the vision of the Neighbourhood Plan.

### **Policy SSNP6: Health and Wellbeing**

CDC suggests that the policy is reworded or expanded to aid clarity. Additionally, CDC and Cotswolds National Landscape Board recommend that the policy should refer to Natural England's Green Infrastructure Framework. It is agreed that the policy and supporting text are modified to this effect.

*Changes made in response:*

Policy SSNP6 – the following has been added as a new item in the bulleted list:

“deliver on site Green Infrastructure that meets Building with Nature standards and the principles set out in Natural England's Green Infrastructure Framework as relevant to the nature, scale and location of the proposal”

Policy SSNP6 – new text (shown in bold) has been added to the fifth bullet point as follows:  
“for major housing development schemes **as defined by NPPF §177**, include publicly shared outside green, play and allotment space and sympathetic landscaping including appropriate native trees which screen the development from distant views”

### Policy SSNP7: Land North East of Stow

CDC has made a number of comments on this policy. They can be summarised:

- The SA/SEA should fully test meeting housing need elsewhere as a ‘reasonable alternative’
- More consideration should be given to a hybrid option of no scheme on this land and some affordable housing being delivered on smaller sites in the SSNP area as well as outside the SSNP area
- The evidence in support of demonstrating the scale of affordable need and the need for new homes, parking and community hub at Stow appears insufficient to support a proposal of this scale
- The hub specification in Appendix C refers to office and retail uses that are not appropriate on a non-town centre site and may generate many short trip car journeys
- The provision of the car park and community hub on the northern boundary of the site is peripheral and may undermine the goal of encouraging their use as a town centre substitute
- There is no evidence to support a scheme coming forward on the SSNP land alone, with no viability dependence on the land outside the SSNP area – the option of redesignating the SSNP area to include at least the land in Broadwell Parish should be explored as a future Local Plan is unlikely to allocate that land
- The landownership and delivery model for the public car park and community hub should be explained
- The requirement for a 20% biodiversity net gain should be evidenced
- Appendix E should incorporate the Cotswold National Landscape Board (CNLB) ‘major development checklist’ to show how the balancing of benefits and harm has been undertaken

The CNLB and a significant number of representations from residents of Stow and nearby parishes object to the policy on the basis of its location on the high wold plateau in the Cotswolds AONB. GCC recommends that the Battlefields Trust is consulted as the location of the Stow Battlefield is uncertain, and if it is located near the site, it could potentially be considered of high significance.

Swells Parish Council has significant reservations – it considers the need for the number of new homes has not been proven, it does not believe that the developer will deliver the proposed benefits and notes that the site has previously been dismissed for allocation by CDC. It supports the need for ‘genuinely’ affordable homes and suggests a smaller affordable housing only scheme on this land, with the other benefits being delivered on alternative sites.

A significant number of representations were received from residents of Broadwell Parish who expressed concern over the potential effects that the proposed development would have on the surrounding landscape and the views from Broadwell Parish. Oddington and Broadwell Parish Councils and a significant number of representations from residents of Stow and the nearby villages have expressed concern for the traffic impact that the site allocation may have on the local road network, and in particular on Fosseyway.

Oddington and Broadwell Parish Councils and a significant number of representations from residents of Stow and nearby villages raised concern that the infrastructure such as schools, health care facilities, drainage and sewerage would not be able to support the proposed additional residential housing. Mangersbury Parish

Council and a number of representations from residents of Stow and nearby villages raised concern that a new community facility is not needed as existing community facilities are underutilised.

The land promoter – Bloor Homes – has confirmed it supports the policy (and other related policies of the SSNP) and considers it will be viable to meet all of its provisions.

This policy was likely to draw most attention from the statutory bodies and the local community during the consultation period. The range and number of comments made have demonstrated this to be the case. Ultimately, however, none have identified issues that were not already known and taken into account in the decision to propose this policy. It was and remains a finely balanced decision, weighing the benefits of new homes (not just affordable), public parking/town centre public realm improvements and a new community hub on the one hand, with the adverse AONB landscape effects on the other.

Clearly, there are many local residents, including those in neighbouring villages, that are only perceiving landscape and traffic downsides of the proposal and are sceptical that any beneficial needs are real or that they will be delivered and have the desired outcome. A number – including CDC itself – have also seen the recent speculative housing proposal made recently by Bayhill on Oddington Road, which has been promoted by the developer as an antidote to the SSNP, as a better option. Some support the principles of improving public car parking capacity and/or the new hub but do not support the scale of housing development necessary for the cost of doing so to be met from private rather than public sources. But most state or imply that they would prefer the town to remain as it is. It is also noted that the vast majority of those objecting to the policy – and many of those using a template response – reside in neighbouring villages and not in Stow.

In respect of the Oddington Road proposal, it is considered this is an attempt to undermine the plan-led system by the land interest, having not secured an allocation in the draft SSNP. Had the location been considered suitable for housing and to deliver the other necessary community benefits then it may have been preferred. But it was not, precisely because of its remote location relative to the town, which ruled it out from being a practical option, and its greater exposed position within the AONB landscape and Conservation Area setting. It is considered the Town Council can make a robust case to CDC that the proposal should be refused as it does not benefit from the Local Plan Policy H3 criteria and would prejudice the making of the SSNP (as per §49/50 of the NPPF).

The position of Swells Parish Council is unfortunate as a partner in the SSNP project. Its reservations about delivery have been thought about and it is considered the need for, and value of, the benefits of the proposal have been well-evidenced by the Town Council over the last few years. Its alternative was explored during the site assessment process, as described in Appendix F of the SSNP. There appears to be no practical or viable alternative to delivering the town's vision across a range of smaller sites without significant public ownership, public funds and/or compulsory purchase, which the Parish Council recognises.

There are technical, process issues that CDC and CNLB have focused on. Essentially, they relate to the evidence base being proportionate but sufficiently robust to support this type of site allocation policy in a neighbourhood plan: are the intended upsides justified by the evidence and have the downsides being properly understood? Both bodies acknowledge the case that has been made and neither has objected to it, although they accept that they would not strike the planning balance in the same way as the Town Council. But both need greater convincing that it be successfully argued at examination, and it is agreed this effort should be made, by working with the land promoter, and with AECOM on the final SA/SEA, to provide as much as possible within the time available.

Inevitably, it remains a political judgement for the Town Council to decide if it wishes to retain this proposal in the SSNP. Its vision of a future sustainable town hinges on the proposal being retained, although a version of the plan without the proposal can proceed to examination, albeit with modifications to the vision,

objectives and some other policies. Its community engagement activities with town residents since 2018 have given it the confidence to pursue this vision and in this specific way, having preferred this site to the Oddington Road option in the 2022 survey. But such activities are rarely conclusive, and statutory consultations like that just completed tend to be used more by objectors than supporters. It remains for the Town Council to judge the likely outcome of a referendum of the SSNP with this policy retained.

In summary it is considered that the policy should be retained but modified as necessary.

*Changes made in response:*

Policy SSNP7, clause A – the words “residential-led” have been deleted from the first sentence.

Policy SSNP7, Clause A – additional text (shown in bold) has been inserted into the first bullet point as follows:

“A housing scheme of approx. 170 homes comprising approx. 100 open market homes (**of which at least 5 plots should be provided as serviced plots for self-build or custom build homes**) and approx. 70 affordable homes;”

and the bullet points have been re-ordered.

Policy SSNP7 – To correct a typographical error, clauses D to J have been renumbered C to I.

Policy SSNP7, clause C has been amended so that the first sentence reads: “The public car park scheme shall be located within the site in a way that minimises the walking distance to the town centre and that fits well with the layout of the adjoining housing and community hub schemes.”

Policy SSNP7, clause C – the following sentence has been deleted: “It shall be constructed and made available for operation prior to the first occupation of the housing scheme.”

Policy SSNP7, clause D – the following sentence has been deleted: “It shall be constructed and made available for operation prior to the first occupation of the housing scheme.”

Policy SSNP7, clause D – the following text has been added: “The building form, its noise attenuation measures and its hours of operation should be designed in a way that will protect the amenities of nearby residential properties but that will also enable the facility to be accessible and functional to meet a wider range of community needs during the daytime and evenings and on weekdays and weekends.”

Policy SSNP7, clause E – minor change referencing the Parks Estate Character Area in the Design Code.

Policy SSNP7, clause G – The first sentence has been amended to read:

“The transport strategy shall seek to discourage traffic generated by the housing, public car park and community hub schemes from travelling east on Broadwell Lane towards Broadwell village.”

Policy SSNP7, clause I – has been amended to read as follows:

“Proposals should be made in the form of a comprehensive planning application and must include:

- an illustrative masterplan that defines the land uses and sets out the key development principles for access, layout and design;
- a delivery plan setting out how the community hub and public car park schemes and supporting infrastructure will be secured and delivered, with the requirement that a planning obligation is agreed to require both schemes are delivered and available for operation before the final occupation of the housing scheme (excluding the self-build element) at the latest;

- design features that improve energy efficiency and reduce carbon dioxide emissions; and
- a proposal for how the scheme will manage any future identification of any part of the land as having heritage value as a battlefield site.”

Policy SSNP7, para 5.25 – has been amended to read as follows:

“5.25 This policy allocates land on the north-eastern edge of Stow to deliver a new building to support community and business uses and additional public car parking, together with a housing scheme that will enable the delivery of both of those benefits. It is an essential component of delivering the vision for the future success of the town as a package of measures with policies SSNP3 and SSNP4 and a concept masterplan is shown in Plan D below.”

Plan D – Land East of Fosse Way, Draft Indicative Layout (Bloor Homes) has been added on the following page.

Policy SSNP7, para 5.26 – The following sentence has been deleted: “The developer has brought forward the outline proposals to date on the basis that a planning application would be made for all the land should the Neighbourhood Plan be made with this allocation policy.”

SSNP7, para 5.27 – The following additional text has been added (new text in bold): “A small part of the site – its south-western corner – lies within the Conservation Area and **part may also lie within land defined as having heritage interest on the periphery of the site of the Battle of Stow. New evidence to determine the full extent of the battlefield came to light during the consultation on the Plan but the matter remains uncertain (see the Heritage Assessment technical report in the evidence base for more information). This may be resolved by the time a planning application is made to deliver the allocation, for which purpose clause I(4) has been added to the policy.**”

SSNP7, para 5.28 – The following additional text has been added:

“The concept plan shown in Plan D is for illustrative purposes only at this stage; there are a number of different ways in which the scheme components and on-site mitigation measures can be planned and this will be done at the planning application stage.”

SSNP7, para 5.30 – paragraph deleted and the text has been incorporated into para 5.32, see below. SSNP7, paras 5.31 and 5.32 have been renumbered 5.30 and 5.31.

SSNP7, para 5.30 – the following text has been added before the last sentence: “The Town Council is seeking to relocate from its current inadequate facility in the town centre to the building, hence its provision for some office accommodation, and at this scale it is not considered to undermine the ‘town centre first’ principle. Similarly, it is possible that the hub may include a café facility, but this would be ancillary to the main uses of the building and not a separate, standalone facility.

SSNP7, para 5.31 has been deleted and replaced with the following:

“The provision of a new public car park is another essential public benefit justifying the allocation of the land. It will enable the relocation of spaces out of the Market Square (see Policy SSNP8) to allow for public realm improvements, as well as to increase capacity for those that work in the town as well as visitors. Although utilisation data is dated, it indicated that parking capacity in the town was negligible at most times – new research has been commissioned but it is not considered that it will conclude anything other than capacity being an even greater problem. Once completed, the Town Council will endeavour to work with the District and County Councils in agreeing a parking strategy across the whole town to ensure the new capacity is operated as efficiently as possible. Its precise location will be proposed in the planning application but the policy requires that it balances securing the most convenient location to encourage walking to the town

centre with accommodating its access from Broadwell Lane in a way that fits with the grain of the final scheme layout.

Policy SSNP7, para 5.32 – new paragraph inserted to read as follows (new text shown in bold, rest of text moved from original para 5.30):

**“5.32 The housing scheme serves two purposes. Firstly, it makes the land available from its private owner for the community and car park schemes and the developer will fund the delivery of both schemes. There is no suitable public or other private land available for these purposes and no public funds to deliver them.** Secondly, although the current Local Plan requires no new housing supply from the town for the plan period, it will make an important contribution to enabling the ever-aging demographic character of the town to be arrested with a scale of new, genuine affordable housing not seen in the town for many years. The policy proposes a tenure mix that differs from the mix proposed in Policy SSNP3 in order to deliver on the community’s desire to see a significant uplift in the number of socially rented homes built in the town on this the largest scheme.”

Policy SSNP7, para 34 – new paragraph inserted to read as follows:

“5.34 The policy requires that any planning application that wishes to benefit from its support must be comprehensive in covering all of its elements and must set out precisely how and when the community and parking schemes will be delivered. This reflects the fact that the housing scheme must enable their timely delivery, leaving no prospect that it will be built out and occupied before they are secured and able to operate. This will be done through a planning obligation, which will also secure other elements of the policy, for example its affordable housing. The land interest has confirmed that this approach is reasonable and acceptable and that the project is small enough to be completed in one phase comprising all its elements. In which case, it is not considered neither necessary nor reasonable for the policy to require the delivery of those schemes any earlier than before the housing scheme is completed and occupied.”

### **Policy SSNP8: Stow Town Centre & Market Square**

CDC is supportive of the policy but suggests the Policy Map is made clearer in defining the Town Centre and Market Square. Oddington and Broadwell Parish Councils expressed concern that a reduction of space in the Market Square dedicated to vehicle parking could deter residents of nearby villages to use Stow for services which could damage the commercial viability of those services.

It is agreed that the Policy Map Town Centre Inset should be modified as it does not identify the Market Square area within the Town Centre and is mislabelled. No other modifications are considered necessary. The policy (clause g) requires that the number of vehicle parking spaces lost cannot undermine the commercial viability of the Market Square (though some additional wording to §5.39 could add further explanation). It is noted that a new public car park will be provided by policy SSNP7 which will reduce the need for town centre employees and long stay visitors to rely on parking spaces in the Market Square during the daytime.

#### *Changes made in response:*

SSNP8, para 5.39 has been amended as follows. New text is shown in bold.

“5.39 The policy also encourages the use of upper floors by refining Local Plan Policy EC8 to acknowledge the challenges of doing so in an historic environment and makes provision for the relocation of some parking spaces to the new public car park to be delivered by the allocation in Policy SSNP7. **This responds to the steer of Local Plan Policy S13 to improve the public realm of the Market Square.** Detailed proposals have not yet been drawn up, but the principle has been a feature of the community engagement activities. Many spaces are occupied by those working in the Town Centre (and having to drive from well beyond the town to

access affordable housing) and the opportunity to relocate some spaces will enable public realm improvements to reduce the effect of vehicles in this special space. **The policy requires that number of spaces to be relocated strikes the balance between securing this benefit and maintaining sufficient spaces for visitors/customers of the Market Square shops and services.**”

Policy Map and Insets – The Stow on the Wold Town Centre Inset Map has been amended to show the outline of the Market Square separately within the Town Centre outline.

### Policy SSNP9: Playing Field Facilities

Cotswold National Landscape Board supports the policy but recommends that the policy takes into account relevant guidance and standard relating to dark skies and artificial light. It is agreed that the policy and supporting text are modified to this effect.

*Changes made in response:*

Policy SSNP9, clause A – has been amended to read as follows in order to avoid ambiguity:

“A. Proposals to upgrade, extend or replace the pavilion facilities at Queen Elizabeth II Field, as shown on the Policies Map, will be supported provided that the resulting building is no larger than 150% of existing floorspace and, if a replacement, it is located on or immediately adjoining the existing building footprint and its massing and height will not undermine the open character of the Local Green Space.”

Policy SSNP, para 5.40 has been amended as follows to avoid ambiguity:

“5.40 This policy responds to a desire to improve these important community facilities on the western and eastern edges of the town respectively. The playing fields are proposed as Local Green Spaces in Policy SSNP10 but in each case it is considered possible to extend the existing building (at QEII if kept to no more than half the size again, i.e. 150% of the existing pavilion) or to erect a new building (at King Georges) without harming the open appearance or function of those spaces.

Policy SSNP9, a new paragraph, para 5.41 has been inserted as follows:

“5.41 Proposals need to comply with recognised standards on dark skies including ‘The Reduction of Obtrusive Light’ guidance note published by the Institution of Lighting Professionals and the Dark Skies Technical Advice Note published by the South Downs National Park Authority.”

Subsequent paragraphs have been renumbered.

### Policy SSNP10: Local Green Spaces

CDC supports the identification of Local Green Spaces in the Neighbourhood Plan but suggests providing additional, larger scale maps to clarify their boundaries and some additional policy wording. It is agreed that new plans be provided in the main body of the document and the policy is modified as suggested. It is noted that each Space appears clearly defined on the Policy Maps and that the current policy wording matches that of other made NPs, but both can easily be accommodated to resolve these issues.

*Changes made in response:*

Policy SSNP10 – the last sentence of the policy has been amended to read:

“Inappropriate development within a Local Green Space will only be supported in very special circumstances as defined by national policy.”



Policy SSNP10, para 5.42 (previously 5.41) – the following new sentence has been added at the end:  
“They are all owned by one or other public body.”

SSNP10 – Nine maps have been added showing each Local Green Space.

### Policy SSNP11: Stow and the Swells Design Code

CDC supports the Code and has suggested some modifications to its content and layout. It is agreed that the Code is modified as suggested, as well as to take account of modifications in relation to Policy SSNP13 (see below).

#### *Changes made in response:*

Stow and the Swells Design Code, Introduction – para 1.1 has been amended to read as follows (new text shown in bold):

“1.1 The Stow on the Wold and the Swells Design Code (“the Code”) integrates with the Cotswold Design Code (“the District Code”) that covers the whole of Cotswold District. It is intended that applicants for planning permission located in **the defined Character Areas in Stow-on-the-Wold, Lower Swell and Upper Swell** must acknowledge, understand and respond to the provisions of Code as relevant to the location, nature and scale of their proposals to comply with Policy SSNP11 of the Neighbourhood Plan and Local Plan Policy EN2 of the adopted Cotswold District Local Plan. **The District Code alone applies to proposals located elsewhere in the Neighbourhood Plan Area.**”

Stow and the Swells Design Code, Understanding, Responding to and Applying the Code – para 2.3 has been amended to read as follows (new text shown in bold):

“2.3 To aid the understanding and application of the Code, it uses the same design code numbers as the District Code but with a suffix to denote in which part of the Neighbourhood Plan Area the proposal is located. Code D9A therefore relates to Character Area A (the Stow on the Wold Conservation Area) and Code D16E to Character Area E (Lower Swell). The Code quotes, in italics, the relevant District Code text for each principle for ease of reference. It then sets the CONTEXT and CODING for each part of the Code. **The Code has not covered every part of the District Code for every Character Area and where this is the case, the District Code alone forms the guidance for development proposals. For example, the District Code sets out the principles for delivering green infrastructure (D66); the Code refines these principles in some Character Areas where this is considered helpful, but not in others.** The term “historic buildings” is used throughout to denote buildings completed before the beginning of the 20th century.”

Stow and the Swells Design Code, Character Area A, Code No D22A – The following text has been deleted:

“Many new buildings are designed in the Cotswold vernacular style and, if done correctly, this follows a great tradition...”

Stow and the Swells Design Code, Character Area A, Code No D41A – The text has been amended to read as follows (new text shown in bold):

“CONTEXT: Although there has been some rendering of walls in the Conservation Area, this does not sit well with the historic Cotswold vernacular unless it is surviving or repaired limewash.

CODING Roughcast or other rendering (other than limewash) are therefore not appropriate finishes for the Conservation Area.”

Stow and the Swells Design Code, Character Area A, Code No D45A – The text has been amended to read as follows (new text shown in bold):

“CODING Roofs of Listed Buildings should be repaired and replaced with local Cotswold stone tiles, where that is the material used in the original building. There should be no replacement of original stone tiles with

artificial stone tiles or blue slate. Blue slate is only acceptable on outbuildings and extensions to Listed Buildings on which it is already present. Roofs of **non-Listed Buildings** should be repaired or replaced **either** with Cotswold Stone tiles **(especially where it is located in the immediate setting of a Listed Building with this same material)** or **modern equivalent tiles that are of a similar quality of appearance.**"

Stow and the Swells Design Code, Character Area A, Code No D46A – The text has been amended to read as follows (new text shown in bold):

"CODING The use of thatch, clay tiles, **or pantiles or wall hanging with tiles** is not appropriate in the Conservation Area."

Stow and the Swells Design Code, Character Area A, Code No D50A – The text has been amended to read as follows (new text shown in bold):

"CONTEXT: Almost all historic buildings, including shopfronts, share a palette of **muted** colours for the painting of their windows and doors in the Conservation Area, which complement the subtle tones of the Cotswold Stone of buildings. **Stronger primary colours were more common for shopfronts in Victorian times.**

CODING The use of primary and other, non-polite colours for painting timber is not appropriate in the Conservation Area, **unless for a shopfront.**"

Stow and the Swells Design Code, Character Area A, Code No D67A – The text has been amended to read as follows (new text shown in bold):

"CODING External lighting, including of shop signs within the Conservation Area should be appropriate for the historic and AONB environment. Development proposals relating to shop fronts, even if relatively minor, should consider the Market Square and the adjacent streets and seek to emulate shop fronts which blend well with the building of which they are part and attached buildings. **"Excessive lighting of signs (such as internally illuminated signs or the use of neon) should be avoided."**

Stow and the Swells Design Code, Character Area B, Code No D9B & D10B – The second paragraph of the CONTEXT text has been replaced with the following:

"Both parts comprise strong and common suburban characteristics of their respective ages, making them very distinct from their neighbouring areas, most notably the Conservation Area, with which they share very few characteristics. However, the Park Estate adopted a material palette and building form as a modern (1950s) interpretation of the Cotswold vernacular and so there is more that binds it visually with the Conservation Area than contrasts with it, which is not true of the St Edwards Road area."

Stow and the Swells Design Code, Character Area B, Code No D22B & D25B – CONTEXT – The first paragraph has been deleted and a new sentence has been added at the end as follows:

"The St. Edwards area does not have this same character."

Stow and the Swells Design Code, Character Area B, Code No D22B & D25B – CODING – The text has been amended to read as follows:

"Proposals in the Park Estate should adopt the Cotswold vernacular style. Those in the St. Edwards area should follow the vernacular in their domestic scale and form, but may use other materials common to the area."

Stow and the Swells Design Code, Character Area C – The section title has been changed to "Character Area C: Stow on the Wold: N Edge of Town Centre"

Stow and the Swells Design Code, Character Area C – Code No D34C – the following text has been added to the end of the CONTEXT section:

“There has been some use of contemporary design and/or materials in new and altered buildings in the Character Area, in part to achieve higher standards of energy performance”

Stow and the Swells Design Code, Character Area C – Code No D34C – the CODING section text has been deleted and replaced with the following:

“Proposals for a new building or for the modification to an existing building to deliver improved energy and other sustainability performance should not be located prominently in the streetscene and should not harm any historical character of the building.”

### **Policy SSNP12: Buildings of Local Importance**

3.32 CDC advises that the policy may not have sufficient regard of the NPPF as it makes no balance with the public benefit of any proposal. It is considered that the policy wording should be modified to precisely match the wording of the NPPF as it is agreed there is some inconsistency.

*Changes made in response:*

SSNP12 – The term “Buildings of Local Importance” has been replaced by “Non-designated Heritage Assets”.

SSNP12 – The policy has been amended to read as follows:

“Proposals that may affect a non-designated heritage asset (listed in Appendix B) should take into account the significance of its heritage value and must demonstrate how any harm to, or loss of, that significance is outweighed by its benefits.”

### **Policy SSNP13: Zero Carbon Buildings**

CDC considers the policy is unreasonable in that it applies to all development and that there are conflicts with the policy and policy SSNP11 ‘Stow and the Swells Design Code’, and that the policy could be in conflict with the Conservation Areas. CDC also raises questions regarding the definition of ‘zero carbon ready’ and if there are any examples of policy clause B working in practice.

It is considered that the policy should remain unmodified. CDC is one of many LPAs that have declared a ‘climate emergency’. The development planned for in the NP will likely be the most significant for very many years to come in Stow. As Appendix D to the NP explains, requiring new homes to meet at least the highest standard of energy performance the planning system presently allows, and to show that they have actually been built to meet that standard by using a Post Occupancy Evaluation Report, is arguably the most important direct contribution the NP can make to tackling that ‘emergency’. Measuring any performance gap in a meaningful way can only be done once buildings are occupied, not just constructed. Home occupiers will be notified of this obligation at the time of purchase or rent so they will know that they must allow access to the property for an assessment to be carried out.

There is no rationale for applying the policy to only certain types of building in certain locations. There is no inherent design conflict between achieving required energy efficiency standards and the historic environment, nor even in a proposal adopting a PassivHaus or equivalent zero carbon standard. As it is, clause C does not, and for now at least, cannot require that such a standard is met, no matter how important it will be to the UK meeting its carbon reduction obligations.

Instead it seeks to encourage its use and some modifications could be made to the Design Code to reflect how and where design compromises may be possible without harming the significance of heritage assets. This accords with NPPF §206, which specifies that opportunities for new development should be sought within Conservation Areas if they enhance or better reveal their significance. Any development proposals

would need to take that into account, alongside Local Plan policy EN11 which offers further protection to the Conservation Area and its setting.

It is noted that an almost identical version of this policy has been successfully examined in three other neighbourhood plans recently in Buckinghamshire and West Oxfordshire.

*Changes made in response:*

Policy SSNP13, Clause A – has been amended to read as follows:

“A. All development proposals should be ‘zero carbon ready’ by design as relevant to their nature, scale and location by design so that they will minimise the amount of energy needed to heat and cool buildings by way of their through landform, layout, building orientation, massing and landscaping.”

Policy SSNP13, paras 5.49 and 5.50 (previously 5.48 and 5.49) have been amended and combined to read as follows:

“5.49 This policy is in five parts, the combination of which is intended to deliver the type of step change required by §152-154 of the NPPF in making ‘radical reductions’ in carbon emissions. Much of its focus is on delivering on the energy performance standards required of all new developments in the area to encourage and thereby incentivise the use of the Passivhaus or equivalent standard of building design. Achieving this level of performance will make a significant contribution to mitigating climate change that the Neighbourhood Plan can deliver.”

Policy SSNP13, para 5.51 has been amended and a new para 5.52 has been inserted as follows:

“5.51 Clauses B and C are intended to operate together in a way that incentivises the use of the Passivhaus Planning Package (PHPP) or equivalent design methodology. Firstly, clause B seeks to tackle a longstanding problem of constructed buildings not meeting the energy performance standard proposed by the builder, which only becomes obvious once the building is occupied. Without a check and balance in the approval system there is currently no means of correcting these failures that are resulting in higher energy bills for occupants and under-performance on meeting carbon reduction targets.

5.52 It therefore requires the developer of a consented housing development scheme of any size to ensure that they have made provision with future occupants to be able to enter properties after the first year of occupation, or thereabouts, to carry out a Post-Occupancy Evaluation (POE), including actual metered energy use, and to submit a report to the local planning authority. It will be implemented by attaching a planning condition to this effect, which will only be discharged once the report has been submitted and any recommended actions to rectify any performance gap with the design stage assessment are carried out by the developer. Although it is accepted that this will increase the post-application resource of CDC, it has declared a climate emergency and this will be one of the most effective ways of this ambition being acted upon. Further guidance on the purpose and operation of clause B is contained in Appendix D of this document.”

Policy SSNP13, clause 5.53 (previously 5.52) has been amended to read as follows:

“5.53 Secondly, clause C encourages all new buildings, no matter what their intended use or size, to adopt the Passivhaus Planning Package (PHPP) or equivalent design methodology where it is feasible to do so. It is accepted that there may be some factors that make its use unfeasible, for example, the topography and orientation of the site. The policy will also ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Passivhaus certified schemes will not fail in this way and they are therefore exempted from the POE provision of clause B as they cannot fail in that way. Until such standards can be required by planning policy it is hoped that this exemption will be an effective incentive, especially as the build costs of doing so are now only just above those of conventional buildings.”

### **Policy SSNP14: Walking & Cycling in the Town and Parish**

GCC highlights that new proposed development sites, particularly in the Policy SSNP7 proposal, must have suitable safe and appropriate access from the site to the minor highway network to the south for active travel users. The GCC also suggests that it may be beneficial for the Neighbourhood Plan to consider strategic multi-modal connections, such as e-bikes and cycle access to Kingham Rail Station and the National Cycle Network. It is agreed that the policy be modified to include GCC's suggestions.

*Changes made in response:*

SSNP14 – the following words have been added to the policy: “to the extent the route lies within the Neighbourhood Area”

SSNP14, para 5.60 (previously 5.59) – The following text has been added:

“The policy offers encouragement to realising that goal to the extent that the route lies within the Neighbourhood Area. Strategic multi-modal connections would also be supported, such as provisions for cycle access to Kingham Rail Station and the National Cycle Network.”

### **Policy SSNP15: Vehicle Parking**

No comments of substance were made on this policy.

### **Policy SSNP16: Digital Infrastructure**

CDC's representation sets out that the policy is inconsistent with national policy and Local Plan policy EN5. The Parish Councils obtained clarification from CDC as to how the policy is inconsistent with national policy and Local Plan policy EN5 and agreed the policy should be modified in line with that, and also in accordance with CNLB's recommendations.

The policy is in accordance with NPPF § 114 which states that ‘Advanced high quality and reliable communications infrastructure is essential for economic growth and well-being’ and sets out that proposals should not cause substantial harm to the Cotswolds AONB. As per NPPF paragraph 202 if a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal which the policy is in support of, and it is considered the policy should be modified to make that clear.

Additionally, proposals will need to take Local Plan policy EN5 into account which states that ‘the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight’. The representation from the CNLB supports the policy in principle but suggested that the policy required new digital infrastructure to be sensitively located and designed to avoid and minimise potential adverse effects on the natural beauty of the Cotswolds.

*Changes made in response:*

Policy SSNP16 has been reworded to read as follows:

“The public benefit of improving access to digital communication infrastructure in the area will be significant weight in the planning balance of proposals that may cause harm to designated heritage assets or to the special landscape and scenic beauty of the Area of Outstanding Natural Beauty. Proposals are required to be sensitively located and designed in order to avoid or minimise potential adverse effects on the natural beauty of the Cotswolds National Landscape, including its landscape and scenic beauty.”

SSNP16, para 5.663 (previously 5.62) has been reworded to read as follows:

“This policy seeks to encourage the provision of new digital communications infrastructure that will drive technological advancements necessary to support new businesses and homes. This infrastructure includes the installation of new transmitters, antennas, junction boxes and satellite dishes. Creative industries, office space and commerce rely on high speed, reliable connectivity but this is difficult in much of this rural area. It is acknowledged that many such works may be permitted development but where they are not then the policy requires that significant weight is attached to the public benefit of having access to this infrastructure when weighed against any harm to heritage and landscape in the planning balance of each proposal.”

Appendix 1:  
Poster and banner used for Regulation 14 consultation publicity



**HAVE YOUR SAY**

**NEIGHBOURHOOD PLAN**  
**REGULATION 14**  
**PUBLIC CONSULTATION**

**6 FEBRUARY – 20 MARCH 2023**

**DON'T MISS YOUR OPPORTUNITY TO COMMENT**  
**CLOSING DATE 20<sup>TH</sup> MARCH**

VIEW DRAFT PLAN AT  
[stowonthewold-tc.gov.uk/neighbourhoodplan](http://stowonthewold-tc.gov.uk/neighbourhoodplan)

Printed copies available to view:  
Stow Town Council office | Stow Library | Swell Village Hall

Drop-in sessions
Tues 21 <sup>st</sup> February – St Edward's Hall, 2.00pm-8.00pm
Wed 22 <sup>nd</sup> February – Swell Village Hall, 11.30am-1.00pm
Sat 25 <sup>th</sup> February – Swell Village Hall, 2.00pm-5.00pm
Sat 4 <sup>th</sup> March – Stow Social Club, 10.30am-5.00pm



**PUBLIC CONSULTATION**

Have your say on the draft Neighbourhood Plan  
[www.stowonthewold-tc.gov.uk/neighbourhood-plan/](http://www.stowonthewold-tc.gov.uk/neighbourhood-plan/)  
Drop-in sessions available – see posters and website

**Consultation open from 6<sup>th</sup> February to 20<sup>th</sup> March 2023**