



South Cerney Parish Council

South Cerney Neighbourhood Development Plan: response to the Examiner's clarification questions – South Cerney Parish Council

Policy SC2 - Areas of Separation

1. Question to SCPC and CDC

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

Response from CDC: *We welcome the proposal, although on reflection this should also include reference to policy EC3 to pick up non-residential exceptions. That point aside, the suggestion reflects that there are reasonable exceptions, articulated in the Local Plan, and clarifies that erosion of the gap is not necessarily a purely visual consideration.*

Response from South Cerney Parish Council (SCPC): *SCPC thanks the Examiner for his helpful suggestion to rephrase the final sentence of SC2 in the manner proposed.*

Policy SC3 - Encouraging Home Working and Micro Businesses

2. Question to SCPC and CDC

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

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

Comments from both SCPC and CDC would be welcome.

Response from CDC: *CDC is not aware of a working definition of microbusiness and often refers to SME (Small to Medium Enterprises). The Council agrees the policy does not further guidance that is already contained at the national and district wide level, although it is a matter that the District Council is considering through its Local Plan partial update. An area the policy could consider is design and size/layout of new dwellings and modern communications infrastructure.*

Response from SCPC: SCPC's intention in policy SC3 is to support home working, including remote working from home and very small businesses suited to operate from the home rather than needing accommodation on the Business Park. Whilst CDLP policy EC3 might include such businesses, policy SC3 further specifies the issues of particular concern to local residents, such as traffic and other adverse impacts. The reference by CDC to modern communication infrastructure is very relevant in this context. SCPC would be quite content for policy SC3 to replace the term 'micro business' with home working and small home-based business.

Policy SC6 - Holiday Accommodation and Access to Lakes

3. Question to CDC

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

CDC: No, the policy does not presume against more holiday homes; rather it sets a series of criteria which proposals will need to be in accordance with to secure permission. The Council invites the Examiner to consider Local Plan policy SP5 and in particular the supporting text which gives some commentary on holiday accommodation in the water park.

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

Response from SCPC: SC6 reflects the disaffection within the Parish that access to the commercially developed Lakes is restricted. Whilst public footpaths run alongside some Lakes, access to the water's edge is often barred by substantial wire fences, which also blight the view of the Lake. Long-standing residents recall much more liberal access to the land before gravel extraction. To better clarify the objective, SCPC proposes that the policy be retitled 'Maintain and improve public access to the Lakes within holiday accommodation developments'. (This is a separate issue to improving the local Rights of Way network set out in SC16.)

Policy SC7 - Non-residential Visitor Facilities

4. Question to SCPC

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

Response from SCPC: The Examiner's suggestion is noted, but the protection of nature and ecology (under SC10) needs to be distinguished from providing a tranquil environment for the benefit of people (under SC7). Whilst nature conservation clearly benefits from tranquillity, SC7 is intended to recognise that it is also very important to people. In the past, use of lakes around the Parish for jet skis and power boats has been detrimental to residential amenity, in contrast to use of lakes by sailing boats and unpowered craft.

Policy SC10 - Local Ecology Sites

5. Question to CDC

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

CDC: We agree it would be helpful for the specific identification of sites, delineated on larger scale maps, as suggested, and will prepare these maps and agree them with SCPC.

b) Any other comments from SCPC and CDC on the above question would be welcome.

CDC: The extent, and indeed continuing status of these sites, will be subject to periodic review. While there is value in clarifying the extent of the sites directly referenced, we would suggest that the same policy could apply to any revised or newly established site. If the policy could be couched in terms of giving protection to any LWS, with illustrative maps for the current sites, and direction as to where up to date mapping could be found, we think that could provide a usable and durable policy.

Question to SCPC

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

Response from SCPC: c) Yes, the intention of SC10 is a) to protect the specified sites, and b) to apply what is believed to be good practice to the Plan in general.

SCPC notes that the Examiner has appreciated the explanation in para 5.10.1 of the SSSI status change of the Lakes which occurred between Regulation 14 Consultation and Submission. As he concludes, no Neighbourhood Plan Policy results from this.

SCPC is happy to adopt CDC’s proposed wording changes to 5.10.2.1 to describe the sites as ‘outside the SSSIs’, rather than ‘outside the Cotswold Water Park’. Also, 5.10.2.7 to ‘..., they correspond to areas identified as Priority Habitats or SSSIs’

SCPC suggest that the Policy Title for SC10 could be changed to ‘Conservation of Local Ecology and Geology Sites’.

Please also see the attached copies of the revised maps provided by CDC.

Policy SC11 – Designation of Local green Spaces

6. Question to SCPC

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

Response from SCPC: Please see attached the email correspondence [not published]. The Examiner will see that Boxbush Farm residents misunderstood the implications of the Local Green Space designation, incorrectly inferring that it would result in public access to the whole area. They also conflated a separate issue about the maintenance of a public footpath within their land.

Policy SC12 – Local Heritage Assets

7. Question to SCPC

a) Local Heritage Assets would include Listed Buildings and the Conservation Area. Should the heading be changed to “Non Designated Heritage Assets (NDHA)”, which would then reflect the contents of the policy?

Response from SCPC: a) Yes, that would be a helpful change to the heading.

b) I would be grateful for any comments from CDC on the above question.

CDC: *We would welcome such a change, ensuring that the policy title fully reflects its content. While we appreciate the value of Plain English within the NDP, this clarification would assist with more technical reading of the NDP and development management reference. Moreover, CDC is now actively promoting the community-led identification of NDHAs, which should in time improve understanding/recognition of the concept.*

Question to CDC:

c) I note that CDC suggest that the ISIS Lakes Holiday Homes are not sufficiently old to be included as a NDHA. Does CDC accept that the others in the list within the policy may be defined as NDHAs?

CDC: *We see the identification of NDHAs as an issue that our local communities are well placed to carry out, so largely see it as a matter for their discretion so long as they work in line with national guidance, and the criteria within the Local Plan, at policy EN12. On that basis, we accept the other properties may be defined as NDHAs.*

d) I would be grateful for any comments from SCPC on the above question.

Response from SCPC: d) The Isis Lake and Spring Lake holiday homes are around 28 years old. One of the sources for this policy was ‘The Buildings of England: Gloucestershire 1: the Cotswolds’ by David Verey and Alan Brooks, which SCPC understands to be a recognised authoritative source (sometimes known as ‘the new Pevsner’). All other structures mentioned in the book within South Cerney are covered either as Designated Heritage Assets or via the list in the Neighbourhood Plan as non-designated heritage assets.

Question to SCPC

e) The Consultation Statement records that at the Regulation 14 Consultation stage, the owner of Lock House, Cirencester Road objected to the inclusion of his property as a Local Heritage Asset due to lack of consultation and the wish to do further work on or near it. The gist of the response to this objection was to comment that consultation was facilitated by the process and to give reassurance that there is no intention to restrict his enjoyment. Furthermore, it was stated that Policy SC12 has been amended to clarify designation. Does this mean that the property was deleted from the list, or is it the entry “Lock Keepers

Cottage”, as implied by the photograph and subtitle in Appendix 1A? If the property was not deleted, what explanation and reassurances were given, bearing in mind that if the property became a NDHA and if operations which required planning Cotswold District Council, Council Offices, Trinity Road, Cirencester Gloucestershire, GL7 1PX permission were contemplated, development management under Policy EN12 of the CDLP would then apply?

Response from SCPC: e) The Examiner is correct that the property known as “Lock House” is also known as “The Lock Keeper’s Cottage”. It remains on the list of non-designated locally listed heritage assets. Appendix I b shows that it meets three of the criteria set out in CDC’s Table 6:

- Historic value (as it retains the footprint of the original dwelling next to the canal lock and by the road)
- Group value (as one of the remaining features of the Thames and Severn canal, and being at the top of the flight of canal locks (now buried) in the field on the opposite side of the road)
- Landmark (as a prominent feature visible from Northmoor Lane).

As alterations have been made to the dwelling over many years, SCPC considers that it does not meet the criteria for ‘Architectural interest’.

The objection from the current owner was helpful in clarifying SCPC’s intentions in this policy, as his recent alterations have improved the appearance of the building and its site, and SCPC does not wish to unduly constrain his plans. SCPC amended the first paragraph of the policy from, ‘The external appearance and historic features of the non-designated ‘locally listed’ Heritage Assets (NDHAs) detailed in Appendix I are to be conserved and where possible enhanced in any development proposal’ to ‘The historic characteristics of the non-designated ‘locally listed’ Heritage Assets (NDHAs) detailed in Appendix I are to be conserved and where possible enhanced in any development proposal.’

Thus, the intention is for the policy to address the criteria (i.e. the characteristics/features) listed in the table for the asset. For Lock House/the Lock Keeper’s Cottage, these are the continued presence of a dwelling in this location at the side of the lock and by the road.

Please see attached is a copy of the response from SCPC to the owner [not published].

f) In any event, I would be grateful to know what amendment was made to Policy SC12?

Response from SCPC: f) Please see attached Policy SC12 from the Regulation 14 draft.

g) Does CDC have any comments on the issues raised in the above questions about Policy S12?

CDC: *We would suggest that a property that exhibits the characteristics of a NDHA, would most probably be considered as an NDHA under the Policy EN12 criteria, should it come forward as the subject of a planning determination. In that sense, Policy SC12 is not imposing a new restriction on properties, but is instead identifying them. The identification of such properties proves valuable certainty to all parties, and provides comfort to communities that their heritage is subject to protection.*