

COTSWOLD DISTRICT COUNCIL

COUNCIL MEETING

17<sup>TH</sup> MAY 2016

Present:

Councillor Mark F Annett - Chairman  
Councillor Julian Beale Vice-Chairman

Councillors -

SI Andrews	SG Hirst
Miss AML Beccle	RC Hughes
AW Berry	RL Hughes
T Cheung	Mrs. SL Jepson
Sue Coakley	Juliet Layton
Alison Coggins	MGE MacKenzie-Charrington
PCB Coleman	Jim Parsons
RW Dutton	NJW Parsons
Jenny Forde (until 2.20 p.m.)	SDE Parsons
David Fowles	NP Robbins
C Hancock	Tina Stevenson
JA Harris	Lynden Stowe
Maggie Heaven	R Theodoulou (until 12.25 p.m.)
Jenny Hincks (until 12.25 p.m.)	LR Wilkins

Apologies:

AR Brassington	M Harris
BS Dare	RG Keeling

CL.60 DECLARATIONS OF INTEREST

(1) Declarations by Members

There were no declarations of interest by Members.

(2) Declarations by Officers

There were no declarations of interest by Officers.

CL.61 MINUTES

**RESOLVED that the Minutes of the Meeting of the Council held on 23<sup>rd</sup> February 2016 be approved as a correct record.**

**Record of Voting - for 29, against 0, abstentions 1, absent 4.**

**CL.62 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE**

(i) Filming/Recording of Proceedings - the Chairman explained that the Council had received notification from a member of the public that he intended to film the Council Meeting, and stated that, accordingly, the Council would make its own audio recording of the proceedings.

(ii) Formal Questions - the Chairman referred to the high number of formal questions that had been received, and the Constitutional time limit of 15 minutes for each set of questions, Public and Member. The Chairman stated that, in order to maximise the time for supplementary questions to be posed and answered, he would follow the usual practice of 'taking as read' the original questions and responses (as these had been circulated to all Members, and the questioners, in advance of the Meeting). The Chairman asked questioners to focus on the supplementary question to be posed, rather than seek to provide further context by way of a preamble. The Chairman added that, while he had the discretion to extend the time period, this could not be open-ended, and he needed to have regard to the other business to be dealt with at the Meeting. While acknowledging that the issues raised within the questions were important, particularly the Chesterton proposals for which there was a good public attendance, the Chairman could not ignore that there was also a full agenda with a key business item.

(iii) Annual Council Meeting - the Chairman explained that, if the Meeting had not concluded by 12.30 p.m., it was his intention to adjourn to allow the Annual Meeting of the Council to take place. This Meeting would then be re-convened, following a break for lunch.

(iv) Sir Barry Norton - the Leader of the Council explained that Sir Barry Norton, the former Leader of West Oxfordshire District Council, had stood down from that Council at the elections held on 5<sup>th</sup> May 2016. The Leader wished to place on record his thanks and gratitude to Sir Barry, who had been involved in the joint working initiative between Cotswold and West Oxfordshire District Councils from the outset, and had been instrumental in the success of that initiative. The Leader commented on Sir Barry's commitment to West Oxfordshire District Council, and to local government and rural communities as a whole, and he concluded by stating that he would be writing to Sir Barry to thank him for his work.

There were no announcements from the Head of Paid Service.

**CL.63 PUBLIC QUESTIONS**

In accordance with Council Procedure Rule 10, questions had been submitted, and responses provided, as follows:-

(1) From Mr. P Moylan of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The latest updated version of the Objectively Assessed Housing Needs is at least the fifth reiteration of the numbers in as many years. It is written by Neil McDonald who turns out these reports based on a standard template for local authorities across different parts of the UK including Kent, Essex, Norfolk and Gloucestershire. He uses a very basic methodology and the numeric outcomes depend on comparatively few variables. Small adjustments can produce significantly different housing needs targets.

Such simplicity suits vested interests, whether it is top down revisions from government or criticisms from developers. Mr. McDonald himself acknowledges the subjectivity of some of his assumptions, admits concerns about data accuracy and differences between forecasting agencies over vital base data. As is the case with his other reports, there is hardly any local context and no mention of the nature of the Cotswold District which has many idiosyncrasies, for example a noticeable north/south divide in many material matters; nor is there any acknowledgement of the individual settlements and their general and housing specific differences. For example, Cirencester has seen a sustained period of above average housing growth, has a large ageing population with particular needs and a propensity to attract to it people who will work elsewhere which itself belies sustainability. Such a mechanical approach to determining housing figures for the Cotswolds, against an exceptional circumstance of the AONB taking up 85% of the land, has led to Cirencester being allocated an unprecedented number of new homes.

Would the Council please explain why a proper verification of the latest OAN and supporting evidence should not take place to overcome the impression that the OAN figures have been too much taken at face value without proper rigour and, in thus doing, overcome the suspicion of Cirencester being wrongly allocated too many houses?

#### Response from Councillor NJW Parsons

*It is a requirement of national planning practice guidance (PPG) that the OAN is kept up-to-date to take account of the latest demographic projections and other relevant data.*

*Neil McDonald is an acknowledged expert in this field and his reports have been considered sound by planning inspectors, including at the recent Stroud Local Plan examination.*

*PPG (revised 6<sup>th</sup> March 2014) Methodology: Assessing Housing Need states: "What methodological approach should be used? Establishing future need for housing is not an exact science. No single approach will provide a definitive answer. Plan makers should ... look to rely predominantly on secondary data (e.g. Census, national surveys) to inform their assessment which are identified within the guidance." [Paragraph: 014 Reference ID: 2a-014-20140306]. A recent advisory visit to CDC by a Planning Inspector found no problems with the methodology or assumptions applied by Neil McDonald in the latest review of the Cotswold District OAN.*

*PPG (revised 6<sup>th</sup> March 2014) states: "Can local planning authorities apply constraints to the assessment of development needs? The assessment of development needs is an objective assessment of need based on facts and unbiased evidence [my emphasis]. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. However, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans." [Paragraph: 004 Reference ID: 2a-004-20140306].*

*The Local Plan has produced what the Council considers to be a sustainable strategy that will deliver future development needs taking account of all relevant evidence (including the OAN, environmental constraints, availability of suitable land, etc.).*

*The examination will provide the formal process for verifying the Local Plan and supporting evidence by examining the soundness and legal compliance of the submitted Plan. A key test of 'soundness' is consistency with national policy. In other words, the Plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework (NPPF) and associated guidance (PPG). Failure to follow national policy on such a fundamental element of the Local Plan's evidence base as future housing needs would put the Local Plan at serious risk of being deemed unsound at examination.*

By way of a supplementary question, Mr. Moylan asked the following:-

Councillor Parsons does not agree with our criticism that Neil McDonald's OAN report completely ignores the exceptional nature of the Cotswolds and the consequent huge housing burden on Cirencester. It appears that in his mind absolute adherence to national policy guidelines as evinced in the Local Plan is paramount and transcends local exceptional factors. Surely the role of effective planning is to recognise when slavish compliance with general policies and over simplistic methodologies needs to be put aside and common sense applied so that a planning mistake on the scale of Chesterton can be avoided. In what way would he disagree with that?

In response, Councillor NJW Parsons thanked Mr. Moylan for his supplementary question and stated that his recommendation was to bring in a Local Plan which complied with Government policy and Planning practice guidance.

Note:

Councillor NJW Parsons declared an 'other' interest in this issue because a member of Mr. Moylan's family worked for the same firm as Councillor Parsons.

(2) From Mr. T Golics of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The people of Cirencester who attended the various events organised by the developer were told that they were working in accordance with the Local Plan timetable in a spirit of community co-operation. Many members of the public were surprised at the submission of the BDL outline application in January and wonder why this happened so soon. In particular, the question to be asked is what the Council are going to do about objections that the application would be premature of the outcome of the on-going local plan and that Section 70(2) of the Town and Country Planning 1990 and Section 386 of the Planning and Compulsory Purchase Act 2004 apply and that the current adopted development plan, policy 19, inhibits development on greenfield land outside defined boundaries?'

Response from Councillor NJW Parsons

*The application has been advertised as a departure from the extant Local Plan to reflect the fact that application proposes development beyond the Development Boundary.*

*Where a development of this scale and strategic importance accords with an emerging local plan's development strategy, it is not unusual for an application to be submitted before the plan has been finalised. In such cases, the application would be considered, taking into account all material considerations, including the emerging Local Plan. Section 70(2) of the Town and Country Planning 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 essentially state that applications should be made in accordance with the development plan unless material considerations indicate otherwise [my emphasis].*

*The emerging Cotswold District Local Plan has reached the Draft Submission stage. In other words, the Council has essentially determined the strategy that will be submitted for examination later this year. The evidence underpinning the emerging Plan demonstrates that the application site is pivotal to the delivery of the Local Plan's development strategy to 2031. The proposed development could only be considered premature if it fundamentally undermined the Council's agreed Development Strategy for the period 2011-2031, and it clearly does not do this.*

*While the majority of the extant Local Plan's policies are still relevant, Policy 19 does not fall into that category because it fails to accord with the NPPF. Several appeal decisions have already reached this conclusion; including, for example APP/F1610/A/14/2228762 (Land to the east of Broad Marston Road, Mickleton). Paragraphs 15 and 16 of that decision read as follows: "...the policy (19) is time-expired, conforms to a superseded strategy, fails to reflect the advice in the Framework (NPPF) in severely restricting rather than significantly boosting the supply of housing and conflicts with the emerging strategy... The 'legal' suggestion that policy 19 (or some of it) remains 'up-to-date' because elements chime with the Core Principles or other advice in the Framework is, I think, flawed."*

By way of a supplementary question, Mr. Golics asked the following:-

Most people are confused by which takes precedence between the Local Plan and the Bathurst application as regards timing. There is concern that the Bathurst application will be determined before the Local Plan is approved. Can you clarify this?

In response, Councillor NJW Parsons thanked Mr. Golics for his supplementary question and reminded the Meeting that the Bathurst application was a development management issue. The Council and the Applicant had reached an agreement in relation to the processing of the application, which was currently running in parallel with the Local Plan timetable. Councillor Parsons stated that it was not unusual for an application for development to be determined in advance of a Local Plan, and he concluded by explaining that the emerging Local Plan would carry more weight once it had been through the examination process.

- (3) From Dr. D James of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The Local Plan Regulation 18 document published for public consultation in January 2015 omitted fundamental information on the Agricultural Land Classification grading of the Chesterton site - information that had been in the document when approved by the Cabinet in December 2014. The words

“much of it Grade 2” were missing from an otherwise identical paragraph. The Cabinet Member for Forward Planning is authorised to make minor amendments to the Regulation 19 Submission Draft Cotswold Local Plan. The re-insertion of those 5 missing words, “much of it Grade 2”, would be a minor amendment. Will he ensure those 5 words, “much of it Grade 2”, are put back into the document and remain there when it is submitted for the formal inspection?’

Response from Councillor NJW Parsons:-

*At the time of the December 2014 Cabinet Meeting, there were a number of outstanding matters - e.g. gypsy and travellers sites, green space proposals, explanatory text for the settlements, confirmation of housing numbers, etc. Responses to the draft document were also still being received, including comments from the Council’s consultants. As a result, I was given delegated authority to approve any outstanding matters and, in essence, the final consultation document. I dealt with the issues at a Decision-Making Meeting on 23<sup>rd</sup> December 2014.*

*A leaflet, issued by the Council around the same time, and linked to the then forthcoming consultation, entitled ‘Future Growth of Cirencester’ stated, within the section headed ‘Why develop south of Chesterton?’, as follows:-*

*Some people have correctly pointed out that part of the site is on grade 2 agricultural land and this is a consideration which has been taken into account. However, this loss amounts to just 0.63% of the total in the District and this is considered to be outweighed by the benefits of providing homes, jobs, services and facilities to meet future needs.*

*The above text is consistent with the omission of the specific wording from the consultation document, in that when weighed against other considerations, the agricultural land classification was not regarded as significant. As the assessment on which the classification had been based had been made on dated, rather than current guidelines, I felt that the inclusion of the words ‘much of it grade 2’ could be open to challenge and, as they did not appear to add any weight to the narrative or the policy, I agreed that they should be omitted.*

*More generally, I would point out that the Local Plan is an iterative process and that the Reg 18 consultation stage was informal and not policy-defining. In addition, and having regard to a number of appeal decisions, agricultural land classification does not appear to be a key issue for Inspectors.*

*I would also wish to reinforce the comment made in my response to a previous question from you, i.e. given (i) that the assessment on which the original classification had been based had been made on dated, rather than current, guidelines; (ii) the conflicts between some of the earlier evidence-base documents and the more recent agricultural classification work; and (iii) the level of public interest; then, as part of the process of reviewing the Environmental Statement linked to the current planning application, the Council will be obtaining an external opinion on the validation of the soil testing methodology.*

*In accordance with Planning legislation, the Council has commissioned a sustainability appraisal (SA) of the Local Plan. The purpose of SA is to help the Council assess how the plan will contribute to the achievement of*

*sustainable development. Iterations of the SA - published at key stages throughout the Local Plan process - have consistently acknowledged the existence of grade 2 agricultural land (and other constraints) to the south of Chesterton as well as other potential development sites around Cirencester. This is an important part of the planning 'balance': weighing up the pros and cons of various options for delivering a sustainable development strategy. Notwithstanding the existence of grade 2 agricultural land, the Chesterton site has performed well compared with other options in sustainability terms and is clearly capable of delivering the development needed over the Plan period.*

*In the circumstances, I see no reason to revise the current wording.*

By way of a supplementary question, Dr. James asked the following:-

Councillor Parsons states in his reply to my question that the Council 'will be obtaining an external opinion on the validation of the soil testing methodology'. After spending my professional career working in the public sector in the agronomic sciences, the only expert opinion on this matter will come from soil scientists and/or agronomists working in the public sector, e.g. DEFRA, and not by qualified professionals working for private organisations who may well have a vested interest in this matter. Will Councillor Parsons ensure that the expert opinion sought is also an independent one?

In response, Councillor NJW Parsons thanked Dr. James for his supplementary question and stated that he would ensure that an independent expert was appointed.

(4) From Mr. M Pratley of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The Objectively Assessed Need (OAN) figure has been increased by a further 800. Given that the Chesterton strategic site is, in your terms, ring-fenced at 2,350 and so presumably cannot be allocated any more houses, where in the district will these extra 800 dwellings be located? Please specify sites and numbers.'

Response from Councillor NJW Parsons

*This is made clear in the Reg.19 Draft Submission Plan at Table 1 within paragraph 6.17 (Housing Requirement and Land Supply 2011-2031) and in each of the sections dealing with the 17 Principal Settlements. It should also be understood that the proposed housing requirement over the Plan period is a minimum target, not a ceiling.*

By way of a supplementary question, Mr. Pratley asked the following:-

We are slightly confused by the answer given, because you have not told us where the 800 will be located.

We are also concerned that you state 'that the requirement is a minimum target, not a ceiling'. This is very worrying. What do you mean by that?

In response, Councillor NJW Parsons thanked Mr. Pratley for his supplementary question and explained that the National Planning Policy Framework (NPPF) stated

that an OAN figure was to be obtained. Planning Advisory Service guidance further stated that it was a minimum figure, which should be taken as a starting point - and he was unable to change this. Councillor Parsons stated that details of the location of the additional 800 units had been included in the circulated report and that further additional sites were now being put forward as part of the Reg. 19 consultation.

(5) From Mrs. F Uzzell of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The Bathurst application for 2,350 houses at Chesterton Farm is a departure from the Local Plan 2001-2011, which currently forms the adopted development plan for the Cotswold District. Given the extraordinary size of this application and the immense impact it would have on Cirencester, will the full Council be formally debating the issue in the chamber, or will it be left to the members of the Planning Committee to shoulder the burden of this controversial decision?'

Response from Councillor NJW Parsons

*I would draw your attention to my detailed response to the question submitted by Mr. Golics re. Prematurity and, in particular, the fact that the application has been advertised as a departure from the extant Local Plan to reflect the fact that application proposes development beyond the Development Boundary.*

*There is no legal or Constitutional requirement for the application to be determined by the full Council - the Planning and Licensing Committee is the decision-making body and the intention is for the application to be referred to a Special Meeting of that Committee.*

By way of a supplementary question, Mrs. Uzzell asked the following:-

There may not be a legal or Constitutional requirement for the application to be determined by the full Council, but what reasons would you give for not opening this to the wider group of elected Councillors?

In response, Councillor NJW Parsons thanked Mrs. Uzzell for her supplementary question and explained that the procedure for dealing with planning applications was detailed in the Council's Constitution. Councillor Parsons considered Members of the Planning and Licensing Committee to be capable of dealing with the application.

(6) From Mr. J Nicholas of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'Please state the number of houses in, and populations of, both Cirencester and the Cotswold District in 1974 when the Cotswold District Council came into existence (If 1974 figures are not available please use the 1971 census figures).

For 2031, at the end of the 2011-2031 Local Plan, please estimate the planned number of houses and population of both Cirencester and the Cotswold District, and for the proposed strategic site.'

Response from Councillor NJW Parsons



*We do not hold any data for 1974 or, indeed, the 1971 Census. However, this information should be available through the Office for National Statistics (ONS).*

*The planned number of houses for Cirencester and the District are set out in the Reg.19 Draft Submission Plan (at Table 1 within paragraph 6.17 (Housing Requirement and Land Supply 2011-2031)). The future population will depend on household sizes, vacancy rates and various demographic factors, all of which are potentially subject to change over time.*

By way of a supplementary question, Mr. Nicholas asked the following:-

I am very surprised to hear that the Council does not hold this essential planning data. For your information, the population of Cirencester in 1971 was 13,040; in 2011, it was 19,076; and at the end of the 2011-2031 Local Plan is likely to reach 28,000.

However, in this unique and historic market town, there is increasing traffic congestion and pollution; town centre roads cannot be widened without destruction of historic buildings; parking provision is inadequate; sewers overflow after heavy rain; and medical and social provision is overloaded.

But the Reg. 19 Local Plan still proposes 2,350 new homes in Cirencester, 85.5% out of the District total.

Where in Government regulations does it state that such a high proportion of new homes should be allocated to just one town, more than doubling its size during the lifetime of the Council?

In response, Councillor NJW Parsons thanked Mr. Nicholas for his supplementary question and referred to his written response to Mr. Nicholas' original question, where he had addressed the issue of future population. Councillor Parsons explained that the Local Plan dealt with housing requirements, and that there was no specific Government regulation to address the point raised by Mr. Nicholas. Councillor Parsons concluded by stating that it was for the Local Planning Authority to interpret the National Planning Policy Framework and to ensure that it was applied across the District.

(7) From Mr. T Golics of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'Whatever the scale of the Bathurst development that is approved, it is likely to be very large and will bring sweeping change and potentially harmful impacts to Cirencester's cultural and social scene and physical landscape. It will also be implemented over a period of 10-15 years with on-going disruption. The community requires assurances and guarantees on promises made and conditions applied. It is to be expected that carefully prepared S106 agreements and other appropriate contributions will compensate the community. It is important that such agreements not only have "teeth" but are enduring, so avoiding examples elsewhere where these agreements lapse or otherwise not carried out. Does the Council intend to install any special measures to negotiate, manage and monitor such agreements and what degree of community involvement does it envisage?'

Response from Councillor NJW Parsons

*Due to the scale of the development and the length of time it will take to be completed, the Council has given consideration to the issue of monitoring and compliance. This could be achieved through the Section 106 Agreement and will be explored fully when negotiations on such Agreement are taking place.*

*The Council recognises the important role that the public can play in reporting breaches of planning conditions to the Enforcement Team; and such involvement is welcomed.*

*There is no community involvement in negotiating Section 106 Agreements other than through the Town/Parish Council.*

Mr. Golics stated that he did not wish to pose a supplementary question on this occasion.

(8) From Mr. P Moylan to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'We know that local planning authorities can secure an additional form of compensation, separate from and additional to the funds for the infrastructure upgrades required to mitigate the effects of a development's size.

Cirencester is in a unique and disadvantaged situation of being in the Cotswolds but not protected by the AONB status. It is therefore being expected to take a disproportionate number of houses - as evidenced by research on other similar sized towns. Because of this predicament, the exceptional scale of the development and the historic and cultural qualities of the town, is it not reasonable to expect additional compensation and that the uplift in the value of the land from farmland to residential makes such compensation both affordable for the applicant and deserved by the community?'

#### Response from Councillor NJW Parsons

*The obligations set out in a Section 106 Agreement must meet the tests set out in the Community Infrastructure Levy Regulations 2010 and policy tests within the National Planning Policy Framework. The obligations must therefore be necessary to make the development acceptable in planning terms, be directly related to the development, and fairly and reasonably related in scale and kind. There is no provision within the legislation to secure "additional compensation" which does not meet these tests.*

By way of a supplementary question, Mr. Moylan asked the following:-

Most people find the claims of benefits to the town made by the developer to be 'twaddle'. Unfounded claims about jobs, infrastructure that is a pre-condition not a beneficial outcome, and highways changes that look like making things worse not better. Our question asked whether there are grounds for getting the developer, who is going to make a huge windfall profit, to provide additional compensation to mitigate the effects of this huge development. What reasons are there not to pursue this?

In response, Councillor NJW Parsons thanked Mr. Moylan for his supplementary question and referred to his written response to Mr. Moylan's original question, where he had stated that the Section 106 Agreement requirements would ensure there

would be a substantial amount of community advantage from the development as part of the planning process. Councillor Parsons explained that community advantage accruing from a development was a matter for local representatives, and that the County, District and Town Councils would work with the developer to seek to achieve what was required.

Note:

Councillor NJW Parsons declared an 'other' interest in this issue because a member of Mr. Moylan's family worked for the same firm as Councillor Parsons.

(9) From Mr. M Pratley of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'We noted that the Civic Society in their submission have stated that the development is for too many houses on too little residential land; the land now being available to build on being reduced to 57-60 hectares. They point out and provide figures for misleading comparisons of housing densities in central Cirencester used as precedents to justify the density of the development's central area. Taking this, along with the experience of Kingshill Meadow where residents believe densities are too high, open space limited and a feeling of overall oppressiveness and the objections to four-storey buildings as not being in the Cotswolds vernacular, does the Council agree that the number of dwellings planned for the development should be reduced and explain how consideration of this will be dealt with?'

Response from Councillor NJW Parsons

*The Council has been aware of the constraints of the Chesterton strategic site and these have been factored in throughout the process. Mixed densities add variety and visual interest to development schemes, which is often lacking in more homogenous developments built several decades ago. The densities originally envisaged for the Chesterton site were gross densities in the knowledge that significant open spaces, community hub, etc., would form an integral part of this mixed use proposal.*

*The heights as shown on the heights parameter plan are maximum heights and they do not imply that all buildings in those locations would be of that height. The scale and design of buildings would be considered at the Reserved Matters stage.*

*At the moment, during the consideration of the outline planning application thus far, there is no evidence to indicate that the number of houses at the site must be reduced.*

Mr. Pratley stated that he did not wish to pose a supplementary question on this occasion.

(10) From Mr. D Roberts of Cirencester to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The indicative design and site layout at the Chesterton farm development is distinguished by a large swathe of green space on the southern side. It is suspected that this arrangement is a case of trying to make a virtue out of necessity. For a number of reasons, some of which have arisen during the emergence of the plans, e.g. gas pipeline safety margins, the space

unavoidably lost to building has increased and thus the space for dwellings has reduced to 57 hectares. The logical response to this situation would be to reduce the dwellings number, otherwise densities will inescapably increase to unacceptable levels and above the density benchmarks taken as precedents around other parts of the town. Moreover, the location of this open space on the southern side borders on open farmland and limits the value of such open space to fewer residents than it would benefit if there is either or both of more flexibility and more open space for the benefit of all. Surely the Council will accept that this unusual set of circumstances requires the design and site layout to be modified including a lessening of the number of dwellings and explain how it will take this on board?’

#### Response from Councillor NJW Parsons

*The Council has been aware of the constraints of the Chesterton strategic site and these have been factored in throughout the process. Mixed densities add variety and visual interest to development schemes, which is often lacking in more homogenous developments built several decades ago. The densities originally envisaged for the Chesterton site were gross densities in the knowledge that significant open spaces, community hub, etc., would form an integral part of this mixed use proposal.*

*The heights as shown on the heights parameter plan are maximum heights and they do not imply that all buildings in those locations would be of that height. The scale and design of buildings would be considered at the Reserved Matters stage.*

*The amount of green space (including play areas) is being considered as part of the outline planning application and the Council is keen to see that all dwellings are within a short walking distance of open space/play areas.*

*At the moment, during the consideration of the outline planning application thus far, there is no evidence to indicate that the number of houses at the site must be reduced.*

By way of a supplementary question, Mr. Roberts asked the following:-

We note that Councillor Parsons has given the same answer to Question 9 on densities and Question 10 on green space.

To briefly recap, with a lot of space that can't be built on at the far edge of the site, and a desire to see that all dwellings are within a short walking distance of open space, surely the number of houses must be reduced otherwise it will lead to unacceptable densities or taller dwellings. Are you trying to fit a quart into a pint pot?

In response, Councillor NJW Parsons thanked Mr. Roberts for his supplementary question and stated that the intention was not ‘to fit a quart into a pint pot’. Councillor Parsons explained that this issue was a development control matter, but he gave an assurance that the Council would not wish to create anything but an excellent development.

(11) From Mrs. E Pomeroy of Moreton-in-Marsh to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'I read with interest in the Minutes from a recent CDC Cabinet meeting (held at 5.06pm on 21st April 2016) that, following an 'informal' meeting with a Planning Inspector, it is proposed that additional sites should now be recommended for development within the emerging local plan, currently at draft stage - Site M\_12A - land at Evenlode Road, Moreton-in-Marsh; and Sites M\_19A and M\_19B - land south-east of Fossey Avenue, Moreton-in-Marsh. This is in direct conflict with the current draft local plan, also

attached to the meeting minutes, from which the extract below (highlighted in yellow) clearly indicates that Moreton-in-Marsh should have an allocation of 21 houses (on site M\_60) up to 2031. Section 8.156 of the Local Plan clearly states that due to the high number of houses already brought forward for development in Moreton-in-Marsh, the recommendation is that, with the exception of M\_60, no further sites should be allocated for housing development in Moreton-in-Marsh. In addition, the proposed Settlement Strategy for Moreton-in-Marsh (also highlighted in yellow below) clearly states that an overall total of 840 dwellings is proposed and, taking into account houses already built, and consented, that only site M\_60 (21 dwellings) should now be included.

I would like to ask:

1. How, why, when and where this informal meeting, and the subsequent decision to recommend the inclusion of sites M\_12A, M\_19A and M\_19B in the Local Plan (in addition to the previously-allocated site M\_60), took place? And were there discussions with any commercial businesses (e.g. Property Developers) that had an influence on this new 'informal' decision? Did any public consultation take place before this new recommendation was put forward?
2. Please share with me the identity of the relevant Planning Inspector, and their contact details, so that I may contact them directly to ask the same question.
3. Can you disclose any further planned CDC discussions about these sites, and how you marry the two seemingly opposite views of CDC now held within the Local Plan about future development in Moreton-in-Marsh?
4. How and why has CDC moved from a position (stated below) that "no further sites should be allocated for housing development in Moreton for the Plan period" to allowing three more very large development sites back into the Local Plan to be brought forward with seemingly no public consultation at all, simply an 'informal' meeting with a Planning Inspector?
5. Can the Council share with the public exactly how much public funds has been spent on carrying out the site assessment work (referred to in point 8.156 below) which led to the recommendation currently in the Local Plan, and why the view of CDC is now for this recommendation to be ignored?

**Extracts from the current Draft Local Plan (attached to papers from CDC Cabinet meeting held on 21/04/16):**

**8.156**

Given the high number of outstanding planning permissions, and taking account of environmental constraints, the Preferred Development Strategy (PDS May 2013) proposed an overall total of up to 520 dwellings for Moreton over the period April 2011 to March 2031. This level of house building will help to address the relatively high need for affordable housing in the Moreton-in-Marsh area, as well as help to sustain existing facilities and maintain the town's strategic importance to the District as an employment and service centre. Completions and planning permissions (to 30th September 2014) are expected to deliver 819 dwellings, far exceeding the scale of development envisaged in the PDS. Further potential sites have been considered through the Strategic Housing Land Availability Assessment (SHLAA 2014) and a detailed site allocation assessment, and site M\_60 (capacity 21 dwellings) has been identified as suitable for development in this plan period. The site assessment work recommended that, with the exception of M\_60, no further sites should be allocated for housing development in Moreton for the Plan period.

### **Settlement Strategy 12**

#### **PROPOSED STRATEGY FOR MORETON-IN-MARSH**

An overall total of 840 dwellings is proposed over the period April 2011 to March 2031, including housing built to date and outstanding permissions. The town will assimilate new housing and employment development into areas where there will be the least impact on the AONB. The following site is proposed for allocation for housing development:

*M\_60 Former Hospital site (capacity 21 dwellings)*

Existing uses at Cotswold Business Park/Village and Fosseyway Industrial Estate will be protected.

The following site is allocated for B1 class employment uses, subject to a high standard of design and layout, and the mitigation of any impact on the local and strategic road network:

*Site MOR\_E6 Fire Service College B (Site area 7.13 hectares)*

Proposals for development at the Fire Services College (FSC) site (excluding MOR\_E6) that enable the expansion of the College's activities, and/or the establishment of other businesses related to the emergency services sector, will be supported in principle. Any proposal should include enabling access to the College's sport and leisure facilities for local residents. The site (to be defined through a master planning process) will be the focus of a 'special policy' in the full draft Local Plan to help facilitate and guide the appropriate development of the site that is sensitive to environmental constraints and also the long term needs of the FSC.

Up to 600m<sup>2</sup> net of comparison floorspace and 150m<sup>2</sup> net convenience retailing should be permitted. In addition, opportunities to maintain the position of Moreton-in-Marsh as a 'town centre' in the District's retail hierarchy will be promoted.'

Councillor NJW Parsons confirmed that a written response would be provided.

(12) From Councillor J Martin of Moreton-in-Marsh to Councillor NJW Parsons, Deputy Leader of the Council and Cabinet Member for Forward Planning

'The last minute site locations of site 19A & B to the Cotswold District Council Local Plan give rise to confusion.

We seek clarification of your eleventh hour update to the proposed site allocations for the Cotswold Local Plan Submission Draft Reg 19 April 2016.

For clarification, Moreton Town Council strongly objects to the allocation of sites 19A and B.

In the 2014 SHLAA the site was identified as capable of delivering 150 houses.

The SHLAA of 2012 recommends delivery of approx. 360 houses.

It is clear, through public declaration and consultation, that the developers Spitfire are looking to develop the site. Through information available at the public workshops being held recently, it is clear that the sketch proposals, after apparent consultations with CDC officers, takes up just over one-third of the allocated land comprising M\_19A & B and in Sptifire's masterplan sketches there are clearly designs to add further houses to M\_19A & B as part of a larger scheme.

CDC's allocation of only 150 houses would appear misleading for sites M19\_A and M19\_B, which clearly have capacity for in excess of 360 houses.

What will CDC do to ensure that these proposed additional sites are for the number you claim and will not increase with pressure from developers or decisions by inspectors?'

Councillor NJW Parsons confirmed that a written response would be provided. He explained that the Town Council had been advised that the purpose of the consultation was to attract such comments.

Note:

Questions (11) and (12) above were received subsequent to the agenda despatch and, therefore, after the deadline by which answers could be guaranteed either in advance of, or at, the Council Meeting.

CL.64 MEMBER QUESTIONS

In accordance with Council Procedure Rule 11, questions had been submitted, and responses provided, as follows:-

(1) From Councillor NP Robbins to Councillor Lynden Stowe, Leader of the Council

'In the light of the brave examples of the Prime Minister and the Chancellor publishing summaries of their annual tax returns, could the Leader who, we understand, owns a number of companies, tell us when he is going to follow suit?'

Response from Councillor Stowe

*I have no intention of doing so.*

By way of a supplementary question, Councillor Robbins asked the following:-

I thank Councillor Stowe for his concise answer.

Are we now entitled to believe that none of the companies with which he is associated has any connections with off-shore tax havens?

In response, Councillor Stowe stated that he had no connections with off-shore tax havens whatsoever.

(2) From Councillor NP Robbins to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities

'The performance report presented on April 21st announced that the consultation carried out in Quarter 3 2015 about improving the bank recycling network has been analysed. We are now in Quarter 2 2016.

How much more time will elapse before the administration acts to arrest the drop in recycling rates?'

Response from Councillor Coakley

*Following the bring bank review, we will be issuing communications in the coming weeks and putting signage up at sites to advertise the changes taking place. Whilst the provision of additional banks will help encourage recycling, this is just one initiative this Council is using to boost recycling. I would remind Councillor Robbins of the very successful Food Waste Campaign we ran last autumn, which saw an estimated 20% of food waste diverted from the residual waste stream.*

*We are also working with the Joint Waste Committee to identify and deliver further recycling initiatives in 2016.*

By way of a supplementary question, Councillor Robbins asked the following:-

I thank the Councillor for her, as usual, well-informed answer.

Would she please explain why it takes at least twelve months from the preparation of the consultation, which prefigured the administration's recycling plans, to the adoption of its findings? Is this efficient?

In response, Councillor Coakley explained that the consultation, which had involved both Councillors and communities, had been modified to incorporate other requirements and had therefore taken longer than originally envisaged. However, other measures had been introduced in the meantime and, as a result, an increase of over 20% in food recycling had been achieved, and Councillor Coakley concluded by thanking residents for their efforts in that respect.

(3) From Councillor AR Brassington to Councillor Sue Coakley, Cabinet Member for Health, Environment and Communities



'Recently Stroud District Council announced that it is Carbon Neutral in terms of emissions associated with its operations. The Council originally set a target date of 2030 to reach its goal of becoming carbon neutral and have reached it a full fifteen years early.

In terms of actions, they developed a Carbon Management Plan in 2009 which focused on mitigation measures which were intended to reduce emissions while other Council programmes, used innovative approaches to reducing flooding which helped the District to adapt to climate change.

Will Cotswold District Council follow their example and consider developing their own plan and thus become carbon neutral by 2030 or earlier?'

Response from Councillor Coakley

*The Council has a proven track record in terms of climate change and carbon management. As a Council, many years ago we signed up to the 'Nottingham Declaration', and approved our own Climate Change and Carbon Management Plan in 2009 (created as part of the Council's participation in the Carbon Trust's LA Carbon Management Programme). With that, we agreed targets for an overall reduction in carbon emissions.*

*Since that time, we have undertaken various schemes - lighting upgrades/controls; pool cover; voltage optimisation equipment; pipe lagging; loft insulation; automated meter readers; building energy management systems; plus the LED lights recently referred to in response to a different question.*

*The 'clean and green' theme has consistently featured within the Council's Priorities, including in the most recent agreed Corporate Strategy, which provides an on-going commitment to look for improvements and strategies which are practicable and implementable.*

*I would be very interested to learn how Stroud District Council have achieved their success, and have asked one of our officers to review the work Stroud have done and the operations they have included in this target. I will be happy to report back to Members on this and make appropriate recommendations, once we have fully considered the implications.*

Note:

There was no supplementary question as Councillor Brassington was not present at the Meeting.

(4) From Councillor JA Harris to Councillor Lynden Stowe, Leader of the Council

'What mandate does the Leader of the Council have from the public to begin the process for creating a Unitary Authority with West Oxon District Council?'

Response from Councillor Stowe

*No public mandate is required at this stage. However, should any unitary proposal come forward in the future, this would be subject to Member consideration followed by a public/stakeholder consultation.*

*For background information, I would draw attention to the Briefing Note published in February 2016, and the Cabinet papers of 21<sup>st</sup> April 2016.*

Councillor Harris stated that he had first heard that ‘Coxit’ was being explored in February 2016, which came as a surprise to many. He repeated his assertion that Councillor Stowe did not have a mandate to begin the process, commented that there had not yet been an opportunity for this issue to be discussed by the Council, and expressed concern that it had been considered only by Members of the Cabinet.

By way of a supplementary question, Councillor Harris asked the following:-

If this progresses, will residents be able to have a say by way of a referendum?

In response, Councillor Stowe reiterated that, to date, no decisions had been taken in respect of the Unitary Authority proposal. He reminded the Council that studies into such a proposal were currently taking place, and he referred to the lengthy discussions at the Cabinet Meeting on 21<sup>st</sup> April 2016, when a sum of up to £25,000 had been allocated to facilitate the studies (Minute CAB.98 referred). Councillor Stowe re-stated that indications were the cost of such studies would be substantially less £10,000 and he reminded the Council that the Cabinet was always conscious of sums expended in respect of consultants, as well as of the savings that had accrued to date, and would continue to accrue, through joint working ventures and similar discussions regarding such joint working arrangements. The Leader explained that the initial phase would constitute talking through the suggestion to see if there was any support for it; and if the outcome was that it was worth pursuing, the matter would be referred to the Council for a decision, when the consultation process could be discussed. The Leader stated that he was not aware of a referendum having been held anywhere else in the country in relation to such a proposal and he considered that the advantages and disadvantages of the proposal would be too difficult to explain through a referendum process. The Leader added that the initial studies could highlight other measures, which could be pursued at some time in the future.

(5) From Councillor JA Harris to Councillor Lynden Stowe, Leader of the Council

In the interests of transparency, would the Leader please release dates and details of all of the meetings, phone calls and discussions he has had with respect to the possible formation of a Unitary Authority?’

Response from Councillor Stowe

*I have a note of the following meetings:-*

<b>Date (2016)</b>	<b>Venue</b>	<b>Meeting</b>
11 <sup>th</sup> January	Trinity Road, Cirencester	Meeting with Leader of West Oxfordshire DC
22 <sup>nd</sup> February	West Oxfordshire DC Offices, Witney	Meeting with Oxfordshire District Leaders, and Leader of South Northants DC
23 <sup>rd</sup> February	Trinity Road, Cirencester	Meeting with CDC Conservative Group
4 <sup>th</sup> March	Trinity Road, Cirencester	Meeting with MP

10 <sup>th</sup> March	Gloucester Business Park	Meeting with NHS
11 <sup>th</sup> March	Trinity Road, Cirencester	Meeting with Police and Crime Commissioner
24 <sup>th</sup> March	Offices of South Oxfordshire/Vale of White Horse DCs (Milton)	Meeting with Oxfordshire District Leaders, and Leader of South Northants DC
21 <sup>st</sup> April	Trinity Road, Cirencester	Cabinet (study funding approval)
22 <sup>nd</sup> April	Cheltenham BC Offices	Meeting with Gloucestershire District Leaders
12 <sup>th</sup> May	Banbury	Meeting with Oxfordshire District Leaders, and Leader of South Northants DC, and representatives of consultants

*I have had numerous phone calls/discussions, with a variety of Councillors, Officers, other stakeholders and media representatives - including yourself. However, in general, I do not keep a record of phone calls.*

Councillor Harris commented that he found the answer from the Leader to be interesting, noting that there had been few meetings before the decision had been taken. Councillor Harris contended that the feeling within Gloucestershire was that it was a 'done deal' and that, therefore, a feasibility study was not needed. Councillor Harris contended that no external organisation, including the Police, NHS Gloucestershire and the Fire Service, wished to see the break-up of the County of Gloucestershire as they believed that would have an adverse effect on public services.

By way of a supplementary question, Councillor Harris asked the following:-

What do you see coming out of the feasibility study given comments made so far and will you act on that outcome, even if it is a negative report?

In response, Councillor Stowe stated that he would act in accordance with a negative report, if that should be the outcome of the feasibility study. Councillor Stowe reiterated that there had not been any secrecy around the proposal, apart from at the time of the initial suggestion. He stated that any proposal put forward in the future would have to be transparent, but he did not consider that stage had been reached yet. Councillor Stowe explained that he had expected objections to be raised in respect of the proposal by Gloucestershire County Council and the Fire Service, and that he could understand the positions which were being adopted by NHS Gloucestershire and the Police. He respected those positions, which were being looked at by the consultants. Councillor Stowe also stated that he had been contacted by only a few people wishing to make their views on the proposal known to him and he concluded by commenting that, whilst there was interest in the proposal from the Press, there appeared to be a low level of public interest.

#### CL.65 PETITIONS

No petitions had been received.

#### CL.66 SUBMISSION DRAFT COTSWOLD DISTRICT LOCAL PLAN REG. 19

The Deputy Leader of the Council and Cabinet Member for Forward Planning introduced this item.

The Strategic Director introduced the Head of Planning and Strategic Housing, and members of the Forward Planning team.

The Council was requested to consider approval of the Submission Draft Cotswold District Local Plan, which had been considered by the Cabinet at its Special Meeting held on 21<sup>st</sup> April 2016. The Deputy Leader thanked the staff in the Forward Planning team for their work in reaching the current position with the emerging Local Plan and amplified various aspects of the circulated report, including in relation to the increased housing requirement of 8,400); advice from the Planning Inspector following an informal visit to consider the emerging Local Plan and evidence base; and the recent decision by the Government to arrange for Royal Assent to be sought for the Planning and Housing Act 2016 (which had previously been widely anticipated to happen during the autumn of 2016). In relation to the final issue, the Deputy Leader contended that there would not be any point in putting the submission of the emerging Local Plan on hold to await receipt of the detail of the new legislation as it was not yet in print, and he commented that the Local Plan was broadly compliant in principle.

The Deputy Leader then reminded the Council of the recommendations put forward by the Cabinet, together with four additional recommendations which had come forward following subsequent debates, as set out below:-

- (f) that the considered opinion of the Council is that the housing requirement does not justify an uplift to assist with meeting the affordable housing need;
- (g) the deletion of two sentences in the fourth and fifth line of paragraph 6.1.2 which were not considered to add to that paragraph;
- (h) the amendment of Policy H1 in Appendix 1 by the inclusion of additional wording following Counsel's advice;
- (i) the amendment of the housing allocation for Kemble on page 26 of Appendix 5 to refer to 36 dwellings, instead of 12.

The Deputy Leader also drew attention to the 'Key Risks' and 'Equalities Impact Assessment' sections of the circulated report; the Regulation 19 Submission Draft Local Plan which had been considered by the Cabinet at its Special Meeting held on 21<sup>st</sup> April 2016 (and attached at Appendix 1 to the Agenda for that Meeting); responses to the concerns raised by the Cabinet, including in respect of the additional sites suggested for inclusion in the emerging Local Plan; and responses received in relation to the two Reg. 18 consultations.

The Council was then requested to consider the issues detailed at Appendix 6 to the circulated report.

Arising thereon:

- (i) Removal of Criterion D relating to Policy DS3 - it had been concluded that removal of this criterion would enable the focus to be put onto access to services and facilities, with developers being required to demonstrate that access was available.

(ii) The Potential to Phase Former Reserve Sites to the Later Stages of the Plan Process - it was suggested that sufficient infrastructure should be provided prior to development taking place and that, for example, the issue of sub-standard drainage could be addressed through the imposition of a Grampian-style Condition.

(iii) Alternative Sites Moreton - M 19A and B - it was reported that, if the Council did not promote these sites through the Local Plan, it was likely they would be put forward by a developer.

(iv) Fire Service College - it had been suggested that the employment land allocation at the Fire Service College, Moreton-in-Marsh should not be included in the 'special area' thereby allowing such land to be developed without the need for the rest of the 'special area' to be developed at the same time. A further suggestion was that the triangle of land between the Development Boundary for the town, the employment allocation and the 'special area' should be retained as a 'buffer' between the Fire Service College and development to the east thereof.

(v) Great Rissington Gypsy and Traveller Site - it was confirmed that, although restricted, access could be obtained to that site.

In response to a question from a Member, it was reported that consideration would be given to the establishment of a cross-party Working Group to monitor development of the Chesterton strategic development site subject to the outcome of the planning application relating to that site, as had been suggested at the Special Meeting of the Cabinet on 21<sup>st</sup> April 2016 (Minute CAB.106(xi) referred).

The Ward Members for Moreton East and West expressed their concern over the proposed inclusion of Sites M\_19A and B, referring to the levels of development recently experienced by the town. The Ward Members contended that such development would have an adverse impact on the southern gateway to the town and that any further development should be restricted to the eastern side of the town, preferably on a 'brown field', rather than a 'green field' site. The Ward Members further contended that Section 106 Agreement contributions from recent developments had not delivered infrastructure improvements (and they questioned how such issues could be mitigated against), and that the developer was likely to seek a development comprising 600 additional dwellings on Sites M\_19 A, B and C. In that context, it was reported that Site M\_19C was not proposed in the Local Plan as a potential development site, and that 119 dwellings had been proposed in respect of Sites M\_19A and B. The Ward Member for Moreton East expressed support for the inclusion of Site M\_12A which, he contended, could accommodate up to 68 dwellings. A letter of objection had been submitted on behalf of the Town Council. The Deputy Leader, however, explained that it would not be appropriate for the District Council to accept individual representations at this stage, but that they should be made in response to the proposed Reg. 19 consultation at the appropriate time.

A Member commented that Fairford had experienced a dramatic increase in the number of new dwellings over the past eighteen months, and he sought an assurance from the Deputy Leader that, if the additional site in Fairford was included in the Local Plan, the town would not be required to accept any further development during the Plan period. In response, the Deputy Leader explained that the Local Plan and a demonstrable five-year supply of housing land would put the Council in a better position to resist off-plan development proposals.

In response to the comments relating to Sites M\_19A and B, the Deputy Leader stated that it should not be assumed that any development would be unsightly, and

that the purpose of the Reg. 19 consultation was to address housing numbers, rather than aesthetics, which would be addressed by the Planning and Licensing Committee during its determination of any future planning applications.

Another Member commented that other market towns were also being overwhelmed by developments, and questioned where the Moreton East and West Ward Members would suggest that any capacity lost from sites in Moreton-in-Marsh should be accommodated.

The Deputy Leader referred to page 28 of Appendix 5, and reminded the Council that infrastructure improvements would be necessary in Moreton-in-Marsh before any sites could be brought forward for development.

In response to a question from a Member, it was reported that Policy H3 had been drafted to address the issue of affordable housing development on 'exception' sites.

A Member congratulated the Forward Planning team on the changes suggested to the wording of Policy DS3. However, the Member expressed concern over the potential loss of two-bedroom cottages in settlements because of extensions to such buildings and then which were often not then being 'replaced' by similar dwellings.

A Member commented that no reference to financial contributions towards the cost of flood alleviation works had been included in Question 2 of Appendix 6 and the Deputy Leader undertook to revise the wording, as appropriate. In response to a question from a Member, it was reported that, despite a perception that no improvements had been made to infrastructure through financial contributions from planning approvals over the past three years, a sum of £3m had been allocated to improving education.

The Council then considered Appendix 5 to the circulated report on a page-by-page basis.

Arising thereon:

(i) In response to a question from a Member, it was reported that, two days before the Special Meeting of the Cabinet held on 21<sup>st</sup> April 2016, the Council had been advised that it should not hold back the 'reserve' sites identified as such action could have an adverse impact on the robustness of the Local Plan and could leave those sites open to speculative applications from developers. The advice given had been accepted and the sites had been included in the Local Plan, as suggested. It was confirmed that the Council could, with 'windfalls', accommodate 9,200 dwellings taking account of the additional sites brought forward. The previous Objectively-assessed Need (OAN) figure of 7,600 had increased to 8,400 in response to updated Office of National Statistics projections, economic projections and other relevant data.

(ii) It was noted that the Local Plan was not proposing any further development sites in Siddington, and that the 312 dwellings identified in the Strategic Land Availability Assessment (SHLAA) 2012 had not been allocated for deliverability reasons.

(iii) Some Members expressed the view that drainage associated with a development comprising 88 dwellings in Siddington Parish (adjacent to the built-up area of Cirencester) would be of benefit to development on the proposed Chesterton strategic site. Those Members therefore considered that Siddington should be included in the development strategy.

Note:

*At this juncture, the Meeting was adjourned to allow time for the issue raised at paragraph (iii) above to be considered. On reconvening, it was reported that the site had gone through the SHLAA process but not the Local Plan Site Allocation process because the coalescence of Cirencester with Siddington village had been considered to be of paramount importance.*

- (iv) It was suggested that, for consistency, the wording of Clause 2 on page 3 of Appendix 5 should be amended to read 'in excess of 27 hectares'.

A Member commented that consideration should be given to increasing the amount of land allocated for employment use in the Local Plan because of the need to make provision for 'local' employment. Another Member suggested that the Council should be more proactive in this respect and consider purchasing land which could then be used for employment. The Member questioned the figures quoted in the Local Plan in relation to the number of people who worked from home.

In response, it was reported that the assessment of need for employment land had been based on historic evidence and that the number of people working from home was likely to continue to increase as the roll-out of faster broadband progressed.

The Deputy Leader undertook to consider a suggestion that the penultimate sentence of the revised paragraph 6.1.2 should become the second sentence of that paragraph.

In response to a question from a Member, it was reported that Policy INF5 addressed the issue of parking provision associated with development and that it was difficult to anticipate demand for parking associated with employment uses due to the different types of uses covered by that Use Class.

- (v) A Member expressed support for the extra wording which had been suggested for inclusion in paragraph 7.3.4.4, relating to the amount of development permitted in Moreton-in-Marsh.

- (vi) The Moreton East and West Ward Members expressed concern over the additional paragraph suggested for inclusion following paragraph 7.3.4.7. The Members suggested that consideration be given to the allocation of Sites M\_19A and B and that a strategic view should be taken if those sites were to be developed as a whole to ensure that 'proper' benefits accrued to the town through such development.

In response to that latter point, the Deputy Leader explained that layout was a development control issue. The Deputy Leader commented that it was essential for the Town Council to become engaged with applications and to work with developers to achieve the best possible benefits from developments.

Another Member commented that the last sentence of the suggested paragraph did not provide sufficient assurance that there would be adequate flood alleviation measures for Moreton-in-Marsh.

- (v) The Moreton East Ward Member expressed support for the inclusion of Site MOR\_E11 which would assist the Local Plan at the examination stage. However, the Ward Member referred to the constraints on that site and suggested that any development of the site should be subject to road improvements.

In response, the Deputy Leader suggested that this issue should be addressed through comments on the forthcoming Reg. 19 consultation.

(vi) It was noted that the allocation for Kemble under SA1 had been amended to 36 dwellings.

In response to a question from a Member, it was reported that the infrastructure projects relating specifically to Cirencester, and listed in Policy SA1, should be transferred to Policy S1 (Cirencester Town).

The Deputy Leader undertook to check if the development allowed on appeal at Broadway Farm, Down Ampney had been included in the allocation for that settlement.

Note:

*At this juncture, the Meeting was adjourned in order for the Annual Meeting of the Council to take place.*

**CL.67 SUBMISSION DRAFT COTSWOLD DISTRICT LOCAL PLAN REG. 19  
(CONTINUED)**

The Council then considered the working draft of the Reg. 19 submission, which had been circulated previously as part of the agenda for the Special Meeting of the Cabinet held on 21<sup>st</sup> April 2016. Consideration of that document was on a chapter-by-chapter basis.

Arising thereon:

(i) Chapter 7 - Delivering the Strategy

It was confirmed that the allocation of 28 dwellings for Down Ampney was in addition to any development which had already been granted planning permission.

A Member drew attention to the recently-published recommendations of the Gloucestershire County Council A429 Task Group. Another Member commented that such Group had expressed support for the infrastructure improvements proposed through the Chesterton strategic development. The Member welcomed the suggested improvements to the A429/A433 junction near Kemble, which had not been considered by the Task Group.

The Kemble Ward Member reminded the Council that the feasibility of creating a light railway between Kemble Station and the edge of the Chesterton strategic site was currently under investigation.

In response to a question from a Member, it was reported that the current debate relating to car parking provision in Cirencester was being considered in parallel with the Local Plan, although that debate was currently ahead of the Local Plan debate.

In response to a question from The Rissingtons Ward Member, it was reported that Policy S14 related to the entire employment site at Upper Rissington.

(ii) Chapter 8 - Housing to Meet Local Needs



In response to a question relating to the delivery of affordable housing, it was reported that specialist advice indicated that a requirement for up to 40% of dwellings in a development to be affordable was likely to be more viable, and therefore more acceptable to developers, than a requirement for up to 50%. The latter would be likely to result in the Council becoming involved in costly, and potentially unfruitful, negotiations with developers. It was further reported that the issue of viability was a specific requirement of the NPPF.

(iii) Chapter 9 - Economy, Including Retail and Tourism

It was suggested that the wording of Policy EC6(a) should be amended to refer to buildings which were 'sound and substantial'. In response, the Deputy Leader contended that the wording, as drafted, was clear.

(iv) Chapter 12 - Infrastructure Improvements

In response to a question from a Member, it was reported that infrastructure improvements constituted a 'shopping list', which was subject to the Section 106 Agreement or Community Infrastructure Levy (CIL) process, and that the requirement for support should be commensurate with the application being considered. It was noted that financial contributions in sums of £700,000 and £3m respectively had been received from developments in Moreton-in-Marsh in relation to highway and education infrastructure improvements.

Concern was expressed regarding the requirement that such contributions should be returned to developers if they were not spent within the specified deadline. In response, the Deputy Leader explained that it was important for Ward Members to continue to lobby for such monies to be spent, and he requested that any instances where they were not should be brought to his attention.

A Member commented that paragraph 12.1.4 should be amended to include reference to broadband, telecommunications, and gas and electricity supplies.

In response to a further question from a Member, it was explained that a report on the CIL charging schedule would be submitted to a future Meeting of the Cabinet and would be submitted for examination at the same time as the Local Plan.

(v) Chapter 13 - Other - Spatial Issues

The Ward Member for South Cerney Village welcomed the inclusion of 'Cotswold Water Park' in the Local Plan, and reminded the Council that the name was now a recognised brand.

(vi) In response to a question relating to references to the Local Enterprise Partnership (LEP), it was reported that the LEP was accorded a higher level of status than the Council, which had been addressed through the Council's duty to co-operate.

The Council then debated the Submission Draft Cotswold District Local Plan Reg. 19. The Leader of the Council reminded the Council that, in 2009, Government thinking had been that responsibility for housing should sit with local government but that, since then, it had become more centralised. The Leader contended there had been a lack of leadership from the Government in respect of infrastructure improvement projects and he commented that a rural district such as Cotswold did not have many

strategic projects which could deliver infrastructure improvements which could benefit the local community for a twenty-year period. The Leader reiterated that 80% of the Cotswold District was in the Area of Outstanding Natural Beauty and commented that, as a result, development had a disproportionate impact on settlements. Notwithstanding that, the Council was proposing an increase in housing stock of 22% during the Local Plan period, and the Leader sought support for the Plan from the Council. In conclusion, he suggested that, if the Council did not support the Local Plan, the default position would have a much greater impact.

The Leader of the Liberal Democrat Group explained that, while his Group would engage positively with the Local Plan process, it would not support the recommendations which were before the Council at this Meeting. He thanked Officers for their work on the Local Plan, but expressed the view that it conflicted with the 'proper' course of action; the initial consultations had been poor; no response had been given to the Reg. 18 consultation; the process had been narrow minded; there was a need for two or three strategic development sites across the District; and the Council had not been given sufficient opportunities to debate the Chesterton strategic site. He highlighted some good aspects from within the Local Plan, including the policies relating to rural settlements and the Cotswold Water Park, and he concluded by contending that the Council had ridden roughshod over the wishes of local communities.

In response, the Deputy Leader contended that the Local Plan had been adequately promoted and advertised at every stage, and that the Reg. 18 consultation responses had been available in the public domain since April 2016.

Some other Members stated that they would not be supporting the recommendations, for reasons relating to the inclusion of Sites M\_19A and B; the lack of a 'fall-back' position in light of strong representations from the local community against the Chesterton strategic site; the failure of the Council to consider an alternative strategic site at Kemble; and the recent requirement to accommodate an additional 800 dwellings.

A number of Members expressed support for the recommendations. Those Members considered the suggestion of an alternative strategic site at Kemble to be highly speculative, and that failure to adopt a Local Plan would open up the process to further speculative development. The Members suggested that a lot more work would be necessary before the Local Plan could be adopted, and they urged the Council to take the wider view which, they contended, took precedence over 'local' issues.

A Proposition, that the recommendations be approved, was duly Seconded.

**RESOLVED that:**

- (a) the conclusions arising from the report 'Updated Estimate of the Objectively Assessed Housing Needs of Cotswold District (March 2016) and other related evidence, be accepted;**
- (b) the Submission Draft Cotswold District Local Plan (attached at Appendix 1 to the report circulated to the Cabinet), as amended, be approved for the purpose of formally consulting, for a statutory period of six weeks in**

accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as the version proposed for submission to the Secretary of State for examination (subject to Resolutions (c) and (d) below);

(c) the Deputy Leader of the Council and Cabinet Member for Forward Planning be authorised to approve outstanding matters, including minor amendments, prior to the start of the public consultation period;

(d) the Cabinet be authorised to approve outstanding matters, including minor amendments, prior to submission of the Local Plan to the Secretary of State for examination;

(e) subject to there being no significant issues raised during the six-week period, the Submission Draft Cotswold District Local Plan be formally submitted to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulation 2012, including any minor amendments;

(f) the considered opinion of the Council is that the housing requirement does not justify an uplift to assist with meeting the need for affordable housing;

(g) two sentences in the fourth and fifth line of paragraph 6.1.2 be deleted, as suggested, as they are not considered to add to that paragraph;

(h) Policy H1 in Appendix 1 be amended by the inclusion of additional wording following Counsel's advice;

(i) the housing allocation for Kemble on page 26 of Appendix 5 be amended to refer to 36 dwellings, instead of 12.

**Record of Voting - for 19, against 7, abstentions 1, absent 7.**

CL.68 ANY OTHER ISSUES ARISING FROM THE CABINET

There were no other issues arising from the Cabinet.

CL.69 ISSUES/REPORTS ARISING FROM OVERVIEW AND SCRUTINY AND/OR AUDIT

There were no issues/reports arising from Overview and Scrutiny and/or Audit.

CL.70 SEALING OF DOCUMENTS

**RESOLVED** that the Common Seal of the Council be affixed to all contracts, conveyances and any other documents necessary for carrying into effect all resolutions passed by the Council.

**Record of Voting - for 27, against 0, abstentions 0, absent 7.**

CL.71 OTHER BUSINESS

There was no other business that was urgent.

The Meeting commenced at 10.00 a.m., adjourned between 11.50 a.m. and 12.05 p.m., and again between 12.25 p.m. and 1.45 p.m., and closed at 3.05 p.m.

Chairman

(END)