

**COTSWOLD DISTRICT LOCAL PLAN SUBMISSION DRAFT**

**ACTIONS FOLLOWING SPECIAL CABINET MEETING ON 21<sup>ST</sup> APRIL 2016**

Further to the detailed discussions and debate at the Special Cabinet Meeting, this briefing paper brings together responses to a number of outstanding queries and supports the changes incorporated in the submission draft presented to Council.

## **Question 1**

### **The risks of removing Policy DS3 - criterion (d)**

The local plan establishes a clear development strategy that directs the majority of development towards settlements that have a good range of services and facilities, availability of deliverable land and employment opportunities. These are the 17 Principal Settlements.

The purpose of Policy DS3 is to support the delivery of rural housing beyond the Principal Settlements without compromising the principle of directing development towards sustainable locations. DS3 helps to provide a local interpretation of the NPPF's 'presumption in favour of sustainable development' for the rural areas.

Policy criterion 1 (d) states:

(d) the settlement has at least two of the following:

- A shop and/or a post office
- A primary school
- Daily transport services that facilitate trips for normal employment purposes to any Principal Settlement within Cotswold District, or any comparable service centre in an adjacent local authority area.

#### ***What are the benefits of the existing policy?***

The requirement for rural housing development to be located in settlements with at least two services and/or facilities ensures that development is located in relatively sustainable rural locations. This ensures that the local plan is consistent with NPPF para 55 by avoiding new isolated homes in the countryside.

#### ***What are the risks of removing 1(d)?***

Whilst other clauses in policy DS3 largely focus on environmental matters, criterion 1(d) adds a layer of social and economic considerations that developers need to take into account. Should criterion 1(d) be deleted without any reference to services and facilities the policy would potentially permit small-scale development in all rural settlements, including farmsteads and hamlets. This is tantamount to allowing housing development in the open countryside.

At examination, the Council will need to justify how DS3 ensures residential development will be located in areas where it will enhance or maintain the vitality of rural communities (NPPF para 55).

#### ***What are the options?***

- At least 'one' rather than 'two' services or facilities;
- Include more facilities and services such as a public house, public health facility, employment site, community / village hall or public sports facilities;
- Include a new tier of rural settlements based on role and function of settlements study; and
- Focus on access to services and facilities rather than a settlement being required to have the service and facility - this will then be matters for Development Management to assess and for the developer to prove reasonable access to services and facilities as well as proving that it is the right development in the right place.

Other planning considerations in the delivery of rural homes:

- Policy H3 Affordable housing outside principal settlements. This policy already supports the delivery of affordable housing and other types of tenure (subject to viability testing); therefore, market housing is also facilitated;
- Neighbourhood Development Plans (prepared by parish/town councils) can help bring forward more homes in rural areas
- Neighbourhood Development Orders - can be used in designated neighbourhood areas to grant planning permission for development specified in an Order. They allow communities the opportunity to bring forward the type of development they wish to see in their neighbourhood areas.
- Community Right to Build Order - this is a type of development order which grants planning permission to development specified in the Order. It differs from Neighbourhood Development Orders because it can be prepared by community organisations, not just a town or parish council; and
- Local Development Orders - These are made by the district council and give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a local planning authority.

The core aim of Policy DS3 is to support small-scale sustainable development that is proportionate to, and complementary with, the size and character of rural settlements. Criterion 1(d) plays a role in helping to establish, in measurable terms, the sustainability credentials of rural settlements. It is admittedly a formulaic approach, which although providing a clear position on what constitutes a relatively 'sustainable' rural settlement, can potentially be restrictive, and may not always respond well to the complex nature of how rural communities access rural services and facilities.

In conclusion, DS3 should focus on access to services and facilities rather than a settlement being required to have specific services and facilities. It is therefore recommended that criterion (d) should be deleted and the introductory part of the policy reworded so that greater emphasis is placed on the sustainability credentials of a settlement. This offers a more flexible approach that allows settlements (including, potentially, clusters) to provide a range of services and facilities which better reflects the realities of provision in rural areas. It will be a matter for the developer to provide evidence that demonstrates there is reasonable access to services and facilities and for the development management process to make its decision based on that evidence together with site by site analysis of the appropriateness of the development proposal. This change also needs to be considered in the context of other local plan policies, especially policy H3, which permits new housing to meet local rural housing needs where there is demonstrable evidence.

**Note: please also refer to Appendix 5 - Schedule of Changes (pages 18, 19 and 20) for the revised policy.**

## **Question 2**

### **The potential to phase former reserve sites to the later stages of the plan period**

There is no direct mechanism prescribed by national planning policy or guidance to phase development to the latter stages of the plan period. Infrastructure will act as the main control of a phasing and delivery of residential development. Grampian conditions will also be used as a mechanism to ensure delivery of required infrastructure at the appropriate time. Market forces will determine whether a site is immediately deliverable (up to 5 years) /developable (6 + years) or not.

If the plan artificially alters the deliverability of a site - this would be a soundness issue and it would run contrary to local plan evidence (SHELAA<sup>1</sup>). The SHELAA takes initial high level account of infrastructure constraints of particular settlements and site locations. The site allocations work then makes a more detailed assessment, informed by the IDP and other evidence documents. The Site Allocations Evidence Paper Supplement explains that the additional sites, formerly known as reserve sites, will have to be phased towards the end of the plan period as they have not been assessed in the most recent IDP review and therefore it would be prudent not to rely on their delivery in the first five to ten years of the plan. This position will also be reflected in the updated Housing Trajectory diagram under Policy DS2.

The NPPF is very clear that local planning authorities should significantly boost the supply of housing and to do so in a timely manner (five year housing land supply). The alternative is not to allocate and therefore wait to see if the land owner/developer chose to submit a planning application outside of the plan making process.

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<sup>1</sup> SHELAA – Strategic Housing and Employment Land Availability Assessment. This document combines the housing (SHLAA) and employment (SELAA) land availability assessments into one document.

### **Question 3**

#### **Alternative Sites Moreton - M 19A and B**

##### ***Evidence of Alternative Sites in Moreton-in-Marsh***

The Site Allocations work is explained in the Evidence Paper: To Inform Non-Strategic Housing and Employment Site Allocations November 2014. The Site Allocations used those sites proposed and assessed in the SHLAA<sup>2</sup> 2013. This can be seen on the attached map (Moreton-in-Marsh All Sites) and updated by the SHLAA January 2016 SHLAA Consolidation Report (see map : Potential Residential Development Sites Moreton-in-Marsh). N.B. Larger scale versions of these maps will be available at the Council Meeting.

These maps show the location and extent of the sites put forward for housing development by the site owners. The Key shows which sites were assessed as Suitable for Development within the plan period - by the time the Site Evidence Paper was completed in November 2014 only sites M\_12A, M\_19A, M\_19B, M\_57 and M\_60 were still available.

Of these sites, the Evidence Paper Supplement has recommended that all bar M\_57 should be allocated for housing in the Reg 19 Plan. M\_57 is garden development with multiple ownership issues and, due to the uncertainty over delivery, has been not been recommended for allocation.

This approach to site selection was replicated across the District and represents a key and detailed stage of local plan preparation work. This has been completed and supports this stage of the local plan making process. Further reviews and updates to background evidence and assessments will be undertaken, where required, to support the Local Plan at examination.

It should be noted that to find further alternative sites would require a full call for sites for all 17 Principal Settlements, site assessment and review by the suite of the other evidence documents e.g. Sustainability Appraisal, Habitats Regulation Assessment, IDP, Strategic Flood Risk Assessment, Water Cycle Study, to name but a few.

##### **Evidence Documents:**

- Strategic Housing Land Availability Assessment 2012 (as updated 2013)
- Evidence Paper: November 2014 and Appendices
- Evidence Paper Supplement: To Inform Non-Strategic Housing and Employment Site Allocations April 2016.

Consideration of detailed site selection work and process is now complete. For each 17 principal settlements this included extensive evaluation of all potential, available, suitable and achievable sites. The submission draft includes all sites necessary to meet housing requirement and the need to significantly boost the supply of housing.

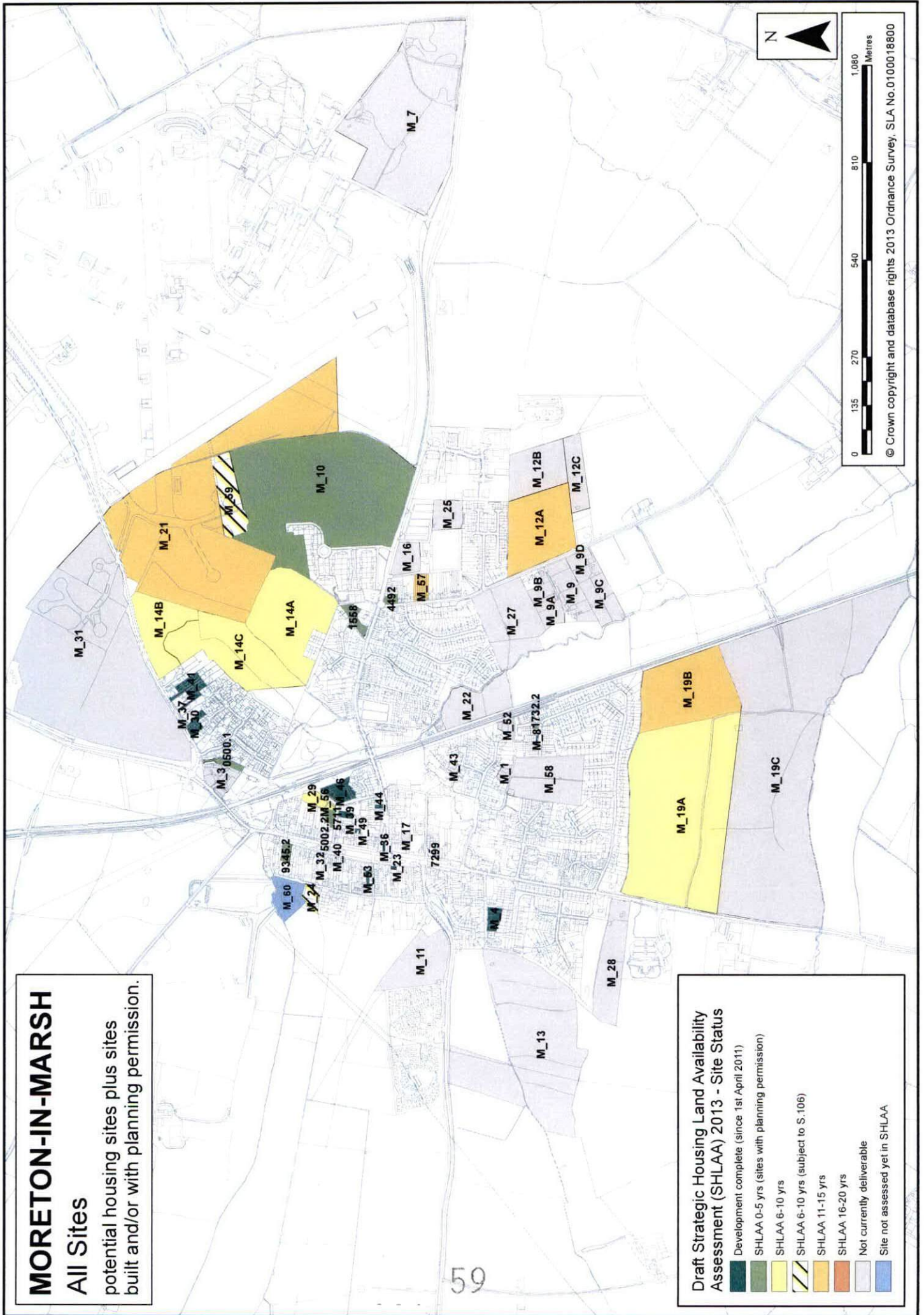
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<sup>2</sup> SHLAA – Strategic Housing Land Availability Assessment.

# MORETON-IN-MARSH

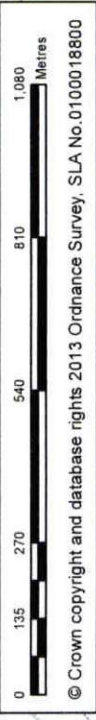
## All Sites

potential housing sites plus sites built and/or with planning permission.



### Draft Strategic Housing Land Availability Assessment (SHLAA) 2013 - Site Status

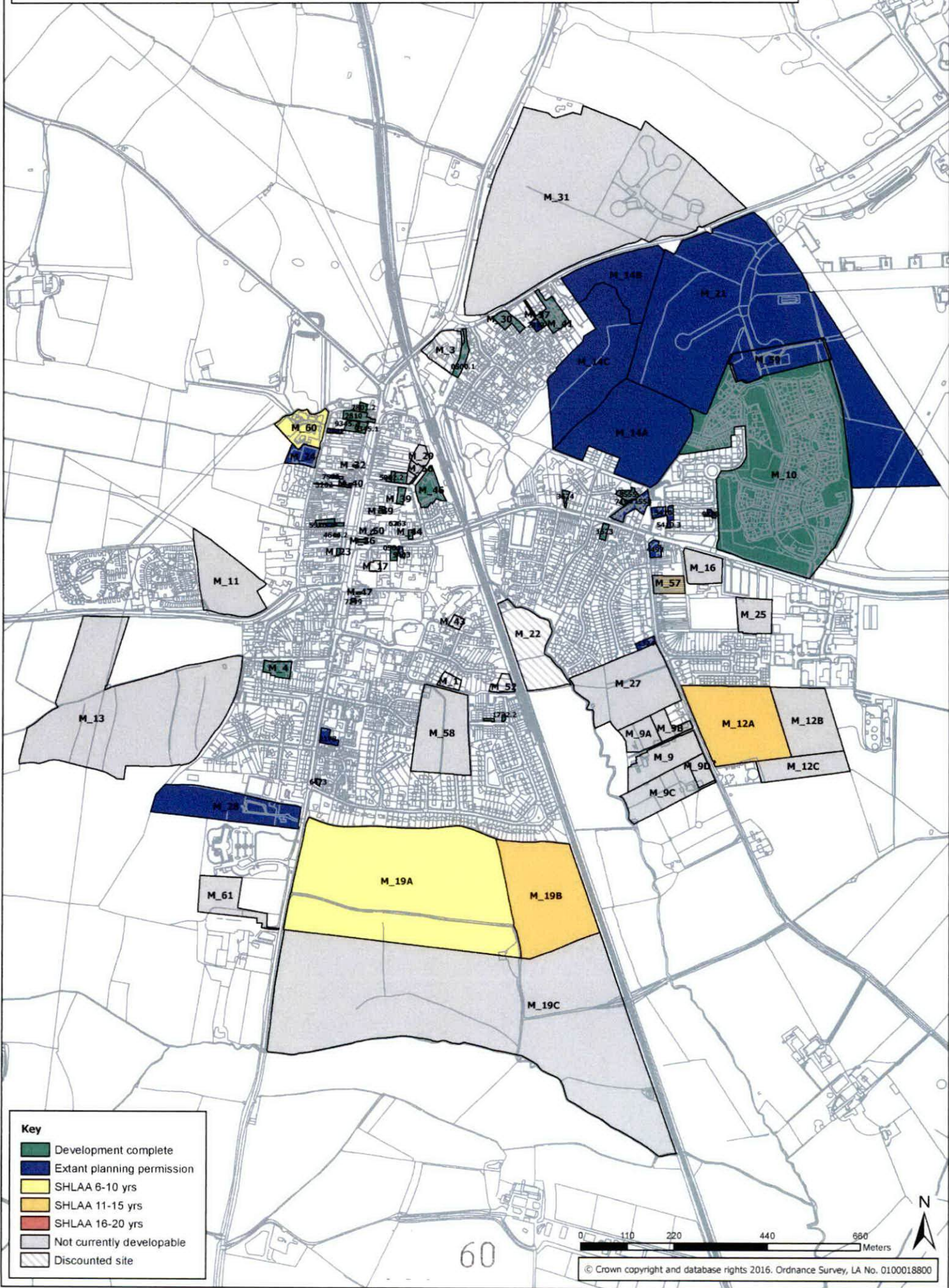
- Development complete (since 1st April 2011)
- SHLAA 0-5 yrs (sites with planning permission)
- SHLAA 6-10 yrs
- SHLAA 6-10 yrs (subject to S.106)
- SHLAA 11-15 yrs
- SHLAA 16-20 yrs
- Not currently deliverable
- Site not assessed yet in SHLAA



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# Potential Residential Development Sites - Moreton-in-Marsh



**Key**

- Development complete
- Extant planning permission
- SHLAA 6-10 yrs
- SHLAA 11-15 yrs
- SHLAA 16-20 yrs
- Not currently developable
- Discounted site

#### **Question 4**

##### **Fire Service College**

Members raised a query regarding the boundary of the special policy area and in particular whether the triangular piece of land between the development boundary, the employment allocation and the special area should be included within the special policy area. Officers have assessed and confirmed this land forms an integral part of the landscaping scheme between Moreton and the SPA and should not be developed. Furthermore the Local Plan allocates land for employment outside of the special policy area (policy EC4) as it is considered to represent the most flexible designation to promote a range of new employment uses.



## **Question 5**

### **Great Rissington Gypsy and Traveller Site**

Concerns were raised regarding the suitability of the site for Gypsy and Traveller purposes on the basis of restricted access and impact on neighbouring residential amenity. The November 2014 Advisory Panel on Gypsy and Travellers Site Allocations Assessment evidence paper recognised the restricted nature of the site and use as a residential caravan site may have amenity issues for nearby properties. The panel however recognised the site could potentially accommodate two pitches (by a single family) subject to appropriate conditions to ensure that no work activities were carried out on site due to the restricted access and potential of nuisance. Officers have visited this site together with other potential sites. These will be subject to further review through the Strategic Housing and Employment Land Allocation Assessment and Gypsy and Traveller Site Accommodation Assessment process.

(END)