
Report to Cotswold District Council

by William Fieldhouse BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Date: 5th June 2018

Planning and Compulsory Purchase Act 2004
(as amended)
Section 20

Report on the Examination of the Cotswold District Local Plan 2011-2031

The Plan was submitted for examination on 7 July 2017

The examination hearings were held between 10 October and 22 November 2017

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Abbreviations Used in this Report

The Act	Planning and Compulsory Purchase Act 2004 (as amended)
AONB	Cotswolds Area of Outstanding Natural Beauty
CIL	Community Infrastructure Levy
The Council	Cotswold District Council
DCLG	Department for Communities and Local Government
HMA	Gloucestershire Housing Market Area
HRA	Habitat Regulations Assessment
LDS	Local Development Scheme
LEP	Gfirst Local Enterprise Partnership
MM	Main Modification
NPPF	National Planning Policy Framework
OAN	Objectively assessed need (for housing)
ONS	Office for National Statistics
The Plan	The Cotswold District Local Plan 2011-2031 incorporating Focussed Changes and Minor Modifications July 2017 [SD007]
PPG	Planning Practice Guidance
The Regulations	Town and Country Planning (Local Planning) (England) Regulations 2012
SCI	Statement of Community Involvement 2014
SHELAA	Strategic Housing and Economic Land Availability Assessment
SHMA	Strategic Housing Market Assessment
UCO	Town and Country Planning (Use Classes) Order 1987 (as amended)
VA	Cotswold District Whole Plan and Community Infrastructure Levy Viability Assessment, April 2016

Non-Technical Summary

This report concludes that the Cotswold District Local Plan 2011-2031 ("the Plan") provides an appropriate basis for the planning of the district, provided that a number of main modifications are made to it. Cotswold District Council has specifically requested me to recommend any main modifications necessary to enable the Plan to be adopted.

The main modifications all concern matters that were considered through the examination process and most were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. They were subject to public consultation over a six week period, and are recommended after my consideration of representations made about them and the findings of the sustainability appraisal. In light of that, I have made some amendments to the modifications but none of these significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that have been undertaken.

The main modifications can be summarised as follows:

- Update the housing supply information for completions, commitments, windfalls and certain allocations to reflect the latest evidence relating to 1 April 2017.
- Reduce the number of dwellings expected to be built on the Chesterton strategic site during the plan period from 2,350 to 1,800.
- Reduce the overall number of dwellings expected to be built in the district during the plan period from 9,822 to 9,614.
- Amend the way in which the five year requirement is calculated throughout the rest of the plan period so that it takes account of the number of dwellings built since 2011. As a result, reduce the current five year requirement from 2,205 dwellings to 1,959 dwellings (including a 5% buffer). This represents a residual annual requirement of 392 dwellings per year from 1 April 2017.
- Reduce the current five year supply from 3,323 to 2,959 dwellings to take account of the latest evidence about whether sites are deliverable. This represents around 7.6 years supply against the current residual five year requirement of 1,959.
- Include reference to a need for an additional 157 affordable homes per year, and an explanation of how and where affordable housing is expected to be provided and the extent to which this is likely to meet needs overall and in particular locations.
- Additional policy DS4 to control the building of open market housing outside settlements.
- Amend policy H7 and reasoned justification to reflect up to date evidence about the need for and supply of sites for gypsy and traveller accommodation.
- Delete two proposed employment sites, and update the overall supply of employment land to 24 hectares on allocated sites and 14 hectares on sites with planning permission.
- Amend the policies relating to the Special Policy Areas at the Royal Agricultural University, Campden Building Research Institute, and Fire Service College so that they clarify the particular types of development that

- will be permitted to allow those institutions to consolidate and grow.
- Modify policy S2 relating to Cotswold Airport so that it provides an effective framework to ensure that employment development can take place on the site provided that it is compatible with its continued use as an airport.
 - Amend policy EC5 so that it effectively supports the diversification of agricultural businesses.
 - Comprehensively redraft policies S3 and S3A-F so that the Plan sets out a clear strategy and effective approach to the development and enhancement of Cirencester town centre including through the provision of an additional 350 off-street parking spaces.
 - Modify policies EN4, EN5 and EN6 so that they provide effective protection of the countryside including the Cotswolds Area of Outstanding Natural Beauty and Special Landscape Areas.
 - Delete the Local Green Space designation relating to Blockley Allotments.

Introduction

General Matters

1. This report contains my assessment of the *Cotswold District Local Plan 2011-2031* in terms of Section 20(5) of the *Planning and Compulsory Purchase Act 2004* (as amended) ("the Act"). It considers first whether the Plan's preparation has complied with the duty to cooperate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether other legal requirements have been complied with, and whether the Plan is sound in terms of it being positively prepared, justified, effective, and consistent with national policy¹.
2. *Cotswold District Council* ("the Council") published a *Focussed Changes Addendum to the Submission Draft Local Plan* in January 2017². As those focussed changes do not alter the overall strategy, were subject to the same process of publicity and opportunity to make representations as at regulation 19 stage, and sustainability appraisal and Habitat Regulations Assessment ("HRA") were carried out, I have treated them as part of "the Plan" to be examined. In so doing, I have taken account of the representations made about the focussed changes in the same way as I have those made in response to the *Submission Draft Local Plan* when it was published for consultation in June 2016. The starting point for the examination is the assumption that the Council considers that the *Submission Draft Local Plan incorporating the Focussed Changes and Minor Modifications*³ is sound.
3. The Plan was prepared in parallel with the *Cotswold District Council Community Infrastructure Levy Draft Charging Schedule*⁴ and I was appointed by the Council to independently examine that document. I have taken account of all relevant evidence submitted as part of the Community Infrastructure Levy ("CIL") examination in reaching my conclusions about the Plan. My findings and recommendations about the CIL charging schedule are set out in a separate report.
4. During the examination, the Government consulted on changes to national planning policy and associated guidance⁵. However, the Government's proposed transitional arrangements for plans currently subject to examination are to continue to apply policies in the existing National Planning Policy Framework ("NPPF"). I have assessed the soundness of the Plan on that basis.

Main Modifications

5. In accordance with section 20(7C) of the Act, the Council requested that I recommend any modifications needed to make the Plan sound and legally compliant and thus capable of being adopted. These main modifications are identified in bold in this report [**MM**] and set out in the Appendix.

¹ *The National Planning Policy Framework* (Communities and Local Government, March 2012) ("NPPF") paragraph 182.

² SD004.

³ SD007.

⁴ EB070.

⁵ *Planning for the right homes in the right places: consultation proposals* (Communities and Local Government, 14 September 2017) and *National Planning Policy Framework: Draft Text for Consultation* (Ministry of Housing, Communities and Local Government, March 2018).

6. The main modifications are necessary for soundness and/or legal compliance and all relate to matters that were discussed at the examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out sustainability appraisal and this schedule has been subject to public consultation for six weeks between 19 February and 4 April 2018⁶. I have taken account of the consultation responses in coming to my conclusions in this report and as a result I have made some amendments to the detailed wording of the main modifications. These amendments do not significantly alter the content of the modifications as published for consultation or undermine the participatory processes and sustainability appraisal that has been undertaken.

The Policies Map

7. The Council must maintain an adopted policies map that illustrates geographically the application of the policies in the adopted development plan⁷. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the A4 map of the whole district included near the beginning of the Plan; 18 inset maps included in section 7 relating to Cirencester, Cirencester town centre, and 16 other settlements; map 1 of Local Green Space in Church Westcote (Appendix A); maps 1 to 5 of sites for gypsy and traveller accommodation (Appendix C); and maps 1 to 14 of established employment sites (Appendix E).
8. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the main modifications to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
9. The changes to the policies map were published for consultation alongside the main modifications. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed.

Assessment of the Duty to Cooperate, and other Legal Requirements

The Duty to Cooperate

10. Section 20(5)(c) of the Act requires that I consider whether the Council complied with the duty imposed on it by section 33A of the Act during the preparation of the Plan – the duty to cooperate in relation to the preparation of a local development document so far as relating to a strategic matter⁸.

⁶ ED081b.

⁷ *The Town and Country Planning (Local Planning) (England) Regulations 2012* ("the Regulations") regulation 9.

⁸ "Strategic matters" are defined in section 33A(4) of the Act and include sustainable development or use of land that has or would have a significant impact in at least two planning areas or, in a two-tier area, is, or would have a significant impact on, a county matter.

11. Cotswold District is a rural area that is located in close proximity to a number of urban areas notably Cheltenham and Gloucester to the west and Swindon to the south east, with Oxford, Bath, Bristol, Birmingham and Coventry slightly further away. Several A roads, and two railway lines, cross the district linking towns and villages within it to the surrounding urban areas and elsewhere. In 2011, almost 14,000 residents, out of a total population of 84,000, travelled out of the district to work, whilst around 16,000 people commuted in. A significant number of residents travel to surrounding urban areas to shop and access higher level services, and the district forms part of the wider Gloucestershire housing market area ("HMA").
12. Around 80% of the district is within the Cotswolds Area of Outstanding Natural Beauty ("AONB"), a designation that extends into the rural parts of a number of adjoining authorities as do a number of other key green infrastructure features including the Cotswold Water Park, the River Thames, the Thames and Severn Canal and some former railway lines. The majority of the district drains south east to the River Thames with some areas in the west draining towards the Severn. Parts of the district are particularly at risk of fluvial flooding, including in the south close to the Thames and Water Park, and certain areas within settlements including Cirencester and Bourton-on-the-Water.
13. The district is within the county of Gloucestershire, and adjoins three other counties and a total of ten other local authority areas. In addition to the prescribed bodies specified under the duty to cooperate, the Gfirst Local Enterprise Partnership ("LEP") and the Gloucestershire Nature Partnership undertake strategic activities of relevance to Cotswold district.
14. In light of the above, it is clear that there are numerous organisations with which the Council needed to work cooperatively and effectively throughout the preparation of the Plan in order to ensure that strategic matters are properly addressed. Such matters include the protection and enhancement of the AONB, green infrastructure and heritage assets; flood risk management; protecting water resources and supply; meeting the housing needs of all sections of society; delivering economic growth; safeguarding, improving and providing new transport and other infrastructure; and addressing a number of other specific cross boundary issues including the Gloucester and Cheltenham Green Belt (which extends into the district), Cotswold Airport (formerly Kemble Airfield), Cotswold Water Park, and the former Cheltenham to Stratford-upon-Avon railway line.
15. The Council's *Duty to Cooperate Statement of Compliance* dated July 2017⁹ describes how it has worked with the numerous organisations throughout the preparation of the Plan, including early on in agreeing strategic issues of shared interest; evidence-gathering and analysis; and around the various stages of public consultation that have taken place since 2007. Mechanisms have included the use of regular meetings of established groups involving both senior officers and elected councillors; topic-specific meetings and discussions; and the preparation of memorandums of understanding and statements of common ground in addition to formal consultation processes.

⁹ SD012.

16. It is clear that a number of the strategic issues have not always been straightforward to resolve, and there are a limited number that were still outstanding that I have considered during the examination. However, the duty to cooperate is not a duty to agree on every strategic issue¹⁰, and I am satisfied that the Council has actively sought to work cooperatively and positively with all of the relevant organisations throughout the preparation of the Plan and that, subject to the modifications that I recommend, all of the key strategic issues are effectively addressed. It is clear from the written evidence, and what I heard during the examination hearings, that none of the relevant local authorities or prescribed bodies considers that the Council has failed to comply with the duty.
17. Overall, therefore, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to cooperate has been met.

Other Legal Requirements

18. Section 20(5)(a) of the Act requires me to consider whether the requirements of sections 19 and 24(1), and regulations under section 17(7) and any regulations under section 36 have been complied with. My findings in relation to these, and all other relevant legal requirements, are summarised in the paragraphs below.
19. The content and timing of the Plan is as set out in the *Local Development Scheme* updated in June 2017¹¹. The Council began work several years ago to replace the existing *Cotswold District Local Plan 2001-2011* that had been adopted in 2006. The Council consulted on core strategy issues and options at various times during the period 2007 to 2011; on its preferred development strategy in May 2013; site allocations in January 2015; and development management policies in November 2015. The Submission Draft Local Plan was published for consultation in June 2016 and Focussed Changes in January 2017.
20. Whilst most statutory consultees and many other organisations appear to have engaged successfully with the Council during the preparation of the Plan, a number of local residents, parish and town councils, and interest groups have expressed significant concerns about the effectiveness of the public consultation. These include claims that the Council failed to raise public awareness of important proposals early in the plan process; lack of clear information about the various stages of plan preparation; confusion about how representations would be taken into account and which would be submitted to the examination; inadequate opportunities for public meetings; limited and poor quality drop-in events; lack of direct notification to households living next to allocated sites; failure to use social media and the Council website effectively to disseminate information; lack of responsiveness to the strongly held views of the local community and evidence provided; and a failure to assess the effectiveness of consultation carried out throughout the process.
21. However, this dissatisfaction does not in itself mean that the Council failed to make genuine attempts to effectively consult and engage. Furthermore, there

¹⁰ PPG ID-9-021.

¹¹ SD010.

- is no substantive evidence to lead me to conclude that the Council has failed to comply with the relevant legislation, national policy and guidance, or its own *Statement of Community Involvement* ("SCI") which was first adopted in 2007 and then updated in 2010, 2012 and 2014¹². A *Statement of Consultation* report was published in June 2017¹³, and I am satisfied that the consultation that has been carried out throughout the preparation of the Plan has been compliant with the approach set out in the SCI having regard to the requirements of the 2004 Act and 2012 Regulations along with national policy and guidance¹⁴.
22. That said, the plan-led system is intended to empower local people to shape their surroundings, and meaningful engagement with neighbourhoods, local organisations and business is essential¹⁵. I would, therefore, encourage the Council to give careful consideration to the clearly heartfelt concerns of some local residents and interest groups, and to keep its SCI under review with the aim of ensuring that all practical steps are undertaken in the future to effectively engage with local communities, individuals and all other interested parties on future reviews of the Plan.
 23. The Council carried out an *Equalities Impact Assessment*¹⁶ to inform the preparation of the Plan. I will consider, where relevant, how the Plan's policies and proposals are likely to affect different sections of the community, including persons with "protected characteristics" as defined in section 149(7) of the *Equality Act 2010*, in subsequent sections of this report as part of my assessment of the tests of soundness as set out in the NPPF and will recommend main modifications where necessary.
 24. A *Sustainability Appraisal Report* was published in January 2017 and updated during the examination to appraise the proposed main modifications¹⁷. I am satisfied that the sustainability appraisal that has been carried out throughout the process of preparing the Plan, as required by section 19(5) of the Act, has complied with the requirements of the European Directive on strategic environmental assessment and relevant national policy and guidance¹⁸.
 25. A *Habitats Regulations Appropriate Assessment Report* was published in April 2017 and updated at the proposed modifications stage¹⁹. In summary, the conclusion of the HRA is that the Plan, including in combination with other plans and projects, will not lead to adverse effects on the integrity of protected sites²⁰. Natural England agree with these findings, and there is no substantive evidence to lead me to a different conclusion.
 26. The Plan includes policies designed to secure that the development and use of land in the district contribute to the mitigation of, and adaptation to, climate change as required by section 19(1A) of the Act. These include the development strategy and other policies which focus development on

¹² SD001.

¹³ SD009.

¹⁴ NPPF paragraph 17, 1st bullet point; paragraph 155; and paragraph 157, 3rd bullet point; and PPG ID-12-003 and ID-12-017.

¹⁵ NPPF paragraphs 17 and 155.

¹⁶ SD016.

¹⁷ SD005 and ED82a.

¹⁸ NPPF paragraph 165 and PPG ID-11.

¹⁹ SD006 and ED82b.

²⁰ Six Special Areas of Conservation (SACs), one Special Protection Area (SPA), and one Ramsar site lie within 15km of the District boundary; two of these lie adjacent to or slightly within Cotswold District.

Cirencester and Principal Settlements thereby reducing the need to travel; sections D59 to D62 of the Design Code; policies EN1(c), EN8 and INF7 relating to habitats, biodiversity and green infrastructure; policies EN14 and INF8 on managing flood risk and water infrastructure; policy INF3 aimed at achieving sustainable transport; and policy INF10 relating to renewable and low carbon energy.

Conclusion on the Duty to Cooperate and other Legal Requirements

27. I therefore conclude that the Plan complies with all legal requirements.

Assessment of Soundness

Main Issues

28. Taking account of all the representations, written evidence, and the discussions that took place at the examination hearings I have identified a number of main issues upon which the soundness of the Plan depends. These are based on the matters, issues and questions published in August 2017, although these have been adapted somewhat in light of the responses made during the examination. Under these headings, my report deals with the main matters of soundness, rather than responding to all points made by representors.
29. I deal firstly with the issue of whether the amount of new housing that the Plan aims to accommodate in the district is justified, before turning to consider the development strategy. This is because the justification for the latter is, to some extent, dependent on the former. Following those considerations, I look at housing supply and various other main issues.

Is the Plan's housing requirement justified, and will it ensure that objectively assessed needs are met in the district between 2011 and 2031 having appropriate regard to needs in the wider Gloucestershire housing market area?

Housing Market Area

30. Based on analysis of house moves and commuting patterns, it is clear that for the purpose of plan-making, it is reasonable to treat Cotswold district as part of a larger functional housing market area that comprises the county of Gloucestershire²¹. Local plans for the other parts of the HMA are at various stages of preparation. The objectively assessed need for housing ("OAN") across the county has been calculated on a consistent basis, and all other local planning authorities are committed to ensuring that their local plan meets their own needs in ways that do not require any assistance from Cotswold district. This is agreed under the statutory duty to cooperate²².
31. Thus, whilst in the future the Council will need to continue to work closely with other local planning authorities in Gloucestershire and indeed other surrounding authorities in order to ensure that objectively assessed housing needs can be met in appropriate locations, there is no good reason why the Plan should be delayed to allow further consideration of needs outside the

²¹ *Objectively Assessed Housing Needs of Cotswold District* (NMSS, December 2016) [EB009] section 2.

²² SD012.

district at the present time.

Objectively Assessed Need for Housing in Cotswold District

32. The Plan aims to meet in full an objectively assessed need ("OAN") for 8,400 net additional dwellings in the district between 2011 and 2031; this represents an average of 420 new homes per year. The Council's main evidence to justify this estimate of need is set out in an updated strategic housing market assessment published in April 2016 ("SHMA 2016") and a needs assessment published in December 2016 ("OAN report 2016")²³.

Demographic Starting Point

33. The Council's calculation of OAN takes as its starting point the latest household projections published by the Department for Communities and Local Government ("DCLG"). The 2014-based DCLG household projections indicate that the number of households in the district would increase by 5,900 between 2011 and 2031²⁴. Whilst national guidance advises that these projections may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends, any changes need to be clearly explained and justified on the basis of established sources of robust evidence²⁵.
34. So what is the justification for an OAN that is some 2,500 dwellings, or around 40%, above the demographic starting point?

Evidence about Population Change

35. The 2015 and 2016 mid-year estimates of population published by the Office for National Statistics indicate that a modest upward adjustment to the 2014-based household projections, as made by the Council, is appropriate.
36. Unexplained discrepancies between the population of the district identified in the 2001 and 2011 censuses ("unattributable population change" or "UPC") were taken into account by the Council by adopting a middle scenario that has the effect of reducing the projected population growth assumed in the 2014-based household projections by 471 people over the plan period (minus 5%). Such an approach is not unreasonable given that it is highly unlikely that UPC can be attributed wholly to either errors in census population estimates or alternatively errors in estimates in the components of change. That said, a more positive approach, that I am advised would be consistent with the approach taken elsewhere in the HMA, would be to make a lower or no adjustment for UPC. This would, however, make only a modest difference to the OAN over the plan period.

Household Formation Rates

37. The 2014-based household projections continue to show relatively low rates of household formation amongst the younger age groups, notably 25-34 year olds, in the district. However, this is a national trend that started many years

²³ *Strategic Housing Market Assessment Further Update* (HDH, April 2016) [EB016] and *Objectively Assessed Housing Needs of Cotswold District* (NMSS, December 2016) [EB009].

²⁴ ED008 Q1.

²⁵ PPG ID-2a-015 and 017.

ago (before the 2008 economic recession) and there is a range of social and economic factors that are likely to have contributed towards its cause, not just the cost and availability of housing²⁶. Furthermore, the evidence indicates that more recent influences on household formation, including the recession and worsening affordability, have had less of an impact on formation rates in the district than elsewhere in the HMA²⁷. Whilst it may be desirable for more young people to be able to form independent households, there is little evidence that demonstrates that the relatively long-term trend is likely to be reversed to any significant degree in the district in the foreseeable future. This conclusion is consistent with that which has been reached in relation to the local plans in other parts of Gloucestershire meaning that there is consistency across the HMA.

Market Signals

38. Most of the market signals referred to in national guidance clearly show that demand for homes in the district is extremely strong, which is not surprising given the exceptionally high quality of the natural and built environment and its relatively accessible location in the country in relation to large urban areas. House prices and rents are significantly higher and have risen faster in recent years than national and regional averages. The ratio of median incomes to house prices has risen over the last decade and is now around 1:13 making the district one of the least affordable parts of the country. Whilst evidence does not show particularly high or worsening levels of overcrowding and concealed households, this is likely to be at least partially explained by the fact that younger people who have been unable to afford a house locally have moved to other parts of the county or further afield.
39. Based on national guidance, and to be consistent with the approach taken in other parts of the HMA, a significant upward adjustment to the demographic starting point of at least 10% would be justified to reflect market signals.
40. However, even if an upward adjustment of 10-20% were made to reflect market forces, and UPC was ignored entirely, it would still not explain the increase from 5,900 households to 8,400 households that the Plan assumes. The Council's explanation relates to the way in which it expects the district's economy to perform and the implications that will have for the number of people wishing to live there.

Employment Growth and Net Migration to the District

41. The economy of the district has performed well since 1991 and the Plan assumes that this will continue and that additional jobs will continue to be created over the plan period albeit at a more modest rate. I consider these economic and job growth assumptions later in this report, but in summary I conclude that they are justified.
42. A relatively strong economy is likely to at least partially explain why, whereas in 2001 there was net out-commuting to surrounding areas, there is now net in-commuting to the district as well as high levels of self employment.
43. Past economic performance is reflected in the 2014-based household

²⁶ EB009 paragraphs 4.15-4.19.

²⁷ EB009 paragraph 4.25.

projections. Therefore, as the economic assumptions made in the Plan are somewhat lower than past economic trends, this could suggest that an upward adjustment to the demographic starting point is not justified. However, the shift in commuting patterns, along with the market signals that I have already described, suggest that net in-migration into the district may have been greater had more homes been available to purchase or rent. This would be because more people may have moved into the district to live closer to their place of work, as well as fewer people moving away from the district.

44. In order to facilitate this in the future, the OAN assumes that in-migration to the district will increase substantially compared to that indicated by the 2014-based household projections, and indeed compared to longer-term trends. Estimating the size of the population needed to achieve a balance with the number of jobs expected to be based in the district involves making assumptions about matters such as economic activity rates, levels of unemployment, commuting patterns, and the age at which people continue to work. Different assumptions would undoubtedly lead to an apparent need for a greater (or smaller) population, but I am satisfied that those used by the Council are justified being based on proportionate evidence, sensitivity testing and analysis of trends in the district and wider HMA²⁸.
45. Furthermore, the consequence of adopting the approach that seeks to ensure that all additional jobs created in the district can be taken by local residents is to substantially increase the estimate of OAN above the demographic starting point and indeed above that which would be suggested by making upward adjustments to reflect market signals and UPC. The effect of the 40% upward adjustment would be to allow for greater levels of net in-migration than in the past, and potentially for higher rates of household formation amongst younger age groups.

Needs of Particular Groups in Society

46. The needs of particular groups in society, including students and the elderly, have been taken into account in establishing the OAN, and there is nothing to suggest that any of these are inadequately reflected in the 2014-based household projections. However, to ensure that the Plan is justified and effective, the reasoned justification needs to make it clear that the OAN includes households living in sheltered and extracare housing, but not those in residential care homes [MM02]. I deal with whether the Plan includes justified and effective policies to help ensure that all such needs are met later in this report.

Affordable Housing

47. I conclude later in this report that there is likely to be a need for at least an additional 157 affordable homes per year between 2015 and 2031. Due to the methodology used to calculate this figure, which is in line with that recommended in national guidance²⁹, there is no simple way of relating this to the DCLG 2014-based projections. However, there is no substantive evidence to indicate that the need for affordable homes is additional to the overall OAN, and as this takes account of considerations including the needs of particular

²⁸ EB009 sections 8, 9 and 10.

²⁹ PPG ID-2a-022 to 029.

groups and concealed households I do not consider this would be so. That said, I will return to the matter of whether the Plan is likely to deliver the number of affordable homes required to meet identified needs, and if not whether increasing the total housing requirement for the district above the OAN would be desirable³⁰.

Second Homes and Vacancies

48. Whilst demand for second and holiday homes does not in itself represent a housing need, it does reduce the proportion of the housing stock that is available to meet the OAN, particularly in an area like Cotswold district where demand for such accommodation is high. It is, therefore, necessary to increase the OAN (or overall housing requirement) to include a reasonable allowance for second and holiday homes, as well as for a certain proportion of the housing stock being vacant at any particular time.
49. The OAN report 2016 makes an adjustment of 6.55% based on Council tax data, whereas paragraph 2.0.10 of the Plan refers to 9.3% of dwellings in the district being second homes, vacant, or buildings with short-term occupation used by visitors based on the 2011 census. Whilst there are financial incentives to register second homes with the Council, these are not as great as they once were and it is possible that some people do not register for whatever reason.
50. It would be prudent, therefore, to use the higher figure from the census, notwithstanding that there may be technical reasons why this does not correspond precisely with the definition of vacant, second and holiday homes. This would increase the OAN from 8,100 referred to in the OAN report 2016 to approximately 8,400 which is the figure referred to in paragraph 6.1.1 of the Plan³¹.

Conclusion on OAN

51. Establishing future housing need is not an exact science. In preparing the Plan the Council has followed the methodology set out in national guidance and I am satisfied, for the reasons set out above, that the changes made to the latest national household projections are based on established sources of robust evidence³². The OAN of 8,400 dwellings for the plan period 2011 to 2031 is, therefore, justified.

Housing Requirement for the Plan Period 2011 to 2031

52. I turn now to consider whether there is any necessity for the minimum housing requirement figure set out in the Plan to be any greater or lesser than the identified OAN.

Environmental Constraints

53. Around 80% of the district is in the AONB and a further 6% is identified as Special Landscape Area; significant parts of most of the Principal Settlements are designated heritage assets; and land in the south east part of the district

³⁰ PPG ID-2a-029.

³¹ Neil McDonald oral evidence for the Council at hearing session on 11 October 2017.

³² PPG ID-2a-005 and 014-017.

is within the Cotswold Water Park which is important for nature conservation. Despite these environmental constraints, the Plan aims to meet in full the OAN in the district. I consider later in this report the overall development strategy and whether the sites allocated to provide housing supply are justified. In summary, however, I agree that the significant environmental constraints that undoubtedly exist do not prevent the OAN being met during the plan period.

Unmet Need from Outside the Plan Area

54. I have already concluded that it is not necessary for the Plan to accommodate needs that cannot be met in other parts of the HMA or indeed other adjoining districts. That said, the OAN for the district does include a substantial allowance for increased net in-migration for economic reasons.

Delivering Affordable Housing

55. I consider the scale of need for additional affordable homes, and the policies in the Plan that are intended to help meet that need, later in this report. It is relevant to note here, however, that the Plan is likely to deliver around 100 affordable homes per year between 2015 and 2031, and that this is well below the identified need for 157 affordable homes per year over that period.
56. Given the requirements of policy H2, the greater the number of market homes that are built on sites of over 10 dwellings (or 6 dwellings in rural areas), the greater would be the number of affordable homes that would also likely to be delivered. Whilst the market in the district may be sufficiently strong to mean that adopting such an approach would be effective in driving up supply, a balance has to be struck in order to achieve sustainable development having regard to the high quality of the built and natural environment and the need to avoid long distance commuting. As the OAN assumes a population increase sufficient to fill all of the additional jobs expected to be created in the district, increasing the housing requirement further would be likely to lead to net out commuting and therefore longer journeys by private motor vehicles.
57. As the OAN already includes an uplift of 40% to the demographic starting point (5,900 households), and the identified supply (around 9,600 dwellings) includes a further substantial buffer above the OAN (another 20%), the Plan is likely to deliver significantly more affordable homes than would be the case based on simply responding to the 2014-based household projections. Therefore, I consider that a balanced and justified approach has been taken in terms of setting a minimum housing requirement that takes account of the need to deliver affordable housing.

Conclusion on Housing Requirement for the Plan Period 2011 to 2031

58. For the reasons set out above, the housing requirement of 8,400 dwellings referred to in policy DS1 is justified, consistent with national policy and positively prepared.
59. However, in order to ensure that the Plan can be effectively implemented and monitored, the reasoned justification needs to be modified to explain how the housing requirement was calculated with reference to the wider housing market area, the demographic starting point (DCLG 2014-based household projections), and the adjustments made including to take account of expected

economic and job growth and increased net in-migration [**MM02**].

60. I deal with the issue of whether the Plan is likely to ensure that an adequate supply of housing land will be available over the plan period later in this report.

Is the Development Strategy justified and likely to be effective in ensuring that development needs in the district can be met in a way that contributes to the achievement of sustainable development?

Introduction

61. The development strategy is set out in policies DS1, DS2 and DS3 and illustrated on a diagrammatic map in section 2 of the Plan. This reflects the particular geography and character of the district and seeks to ensure that objectively assessed development needs are met primarily in a number of defined Principal Settlements in a manner which protects the high quality of the built and natural environment. In order to be consistent with national policy³³, which requires local plans to indicate broad locations for strategic development to be illustrated on a Key Diagram, the title of the map should be amended and the broad locations where development will be focussed should be referred to as Principal Settlements to be consistent with the policies in the Plan [**MM01**].

Principal Settlements

62. Cirencester is by the far the largest settlement in the district, and accommodates around a quarter of the district's population, a third of the jobs, and a good range of shops, services, and community facilities that are used by residents of the town and surrounding area. The town also contains historic sites and other tourist attractions that draw a significant number of visitors throughout the year.
63. There are a number of small to medium-sized settlements, which act as market towns or local service centres, that are distributed throughout the district. These are Tetbury, South Cerney, Fairford and Lechlade-on-Thames to the south of Cirencester; Northleach, Bourton-on-the-Water, and Stow-on-the-Wold in the central part of the district; and Moreton-in-Marsh and Chipping Campden in the north. There are around 150 smaller villages and hamlets scattered throughout the countryside.
64. The development strategy seeks to focus development on Cirencester and the other nine main service centres mentioned above, all of which are included in the retail hierarchy defined in the Plan, along with a limited number of other identified settlements: Kemble and Down Ampney in the south; Andoversford and Upper Rissington in the central area; and Blockley, Willersey and Mickleton in the north. These other Principal Settlements were selected, following analysis of over 30 towns and villages, on the basis that they provide a reasonable range of local facilities and/or significant development opportunities due to the availability of suitably located developable land.
65. In total, therefore, there are 17 towns and villages that are identified as

³³ NPPF paragraph 157.

Principal Settlements in policy DS1 and on the key diagram and policies map. It is clear from the significant amount of evidence and analysis that has been carried out over several years that most of the Principal Settlements identified in the Plan are the most accessible locations by private car and public transport and where existing shops, services, facilities and jobs are located³⁴. It is, therefore, entirely consistent with national core planning principles to focus development on those locations in order to achieve sustainable development³⁵. This is confirmed by the findings of the sustainability appraisal that has been carried out throughout the plan-making process and was used to identify advantages and disadvantages of a range of alternative development strategy options³⁶.

66. The size, nature and function of each of the Principal Settlements vary considerably. Whilst some local plans may have sought to reflect this through, for example, categorising them into some form of hierarchy, this is not required by national policy and I do not consider it essential to make the Plan sound. Key features of each of the Principal Settlements are set out in the reasoned justification for policies S1 and S4 to S19, and their particular nature and capacity to accommodate development is reflected in the allocations and other policies relating to each, including policy EC7 which sets a retail hierarchy.
67. Whilst there may be a limited number of other settlements (for example Siddington) that are of comparable size and with similar types of local services to some of the smaller Principal Settlements, this does not mean that those that are identified in the Plan are not justified or indeed that others need to be included in policy DS1 for it to be sound. It is clear that the Council has adopted a rational approach to selecting the Principal Settlements and that they provide an appropriate focus for achieving sustainable development; what is critical is that collectively they have sufficient capacity to meet development needs in appropriate locations. It is also relevant that policy DS3 allows for certain development in all other settlements in the district, an issue I will turn to later in my consideration of this matter.
68. Based on completions since 2011, outstanding planning permissions at 1 April 2017 (with a lapse rate allowance), and allocations in the Plan, the distribution of new housing development between Principal Settlements is likely to be as follows over the plan period³⁷. This does not include dwellings on windfalls sites that will come forward in the Principal Settlements, nor does it include dwellings that have been and will be built in Non Principal Settlements or elsewhere in the district.

<i>Principal Settlements</i>	<i>Dwellings 2011-31</i>
<i>South Sub Area</i>	
• Cirencester (including 1,800 at Chesterton)	2,866
• Down Ampney	76
• Fairford	536
• Kemble	90

³⁴ The Council's evidence to justify the development strategy is summarised in Topic Paper 1 published in April 2017 [EB010], and includes the Role and Functions of Settlements Study 2012 [EB001].

³⁵ NPPF paragraph 17.

³⁶ SD005 section 3.3.1 identifies 9 development strategy options for the district that were considered early in the plan-making process that were later narrowed down to three then the preferred option.

³⁷ Figures are based on the main modifications described in the housing supply section of this report.

• <i>Lechlade</i>	124
• <i>South Cerney</i>	172
• <i>Tetbury</i>	888
<i>Mid Sub Area</i>	
• <i>Andoversford</i>	96
• <i>Bourton-on-the-Water</i>	363
• <i>Northleach</i>	101
• <i>Stow-on-the-Wold</i>	235
• <i>Upper Rissington</i>	401
<i>North Sub Area</i>	
• <i>Blockley</i>	60
• <i>Chipping Campden</i>	193
• <i>Mickleton</i>	257
• <i>Moreton-in-Marsh</i>	1,095
• <i>Willersey</i>	144

69. This indicates that the South Sub Area, which includes Cirencester and six other Principal Settlements, is likely to accommodate around 61% of new housing over the plan period; the central area around 16%; and the northern area 23%. In other words, whilst there is a focus on Cirencester, there is also a reasonable spread across the district that is broadly reflective of the number, size and nature of the settlements in each of the sub areas.
70. Even taking into account the strategic site proposed at Cirencester, the town would be the focus for a little over one third of all housing development in the district over the plan period. This would not be greatly out of proportion to the existing numbers of residents and jobs in the town, and would reflect the its clearly dominant role as the main service centre in the district.
71. The larger settlements of Tetbury, Bourton-on-the-Water, and Moreton-in-Marsh, all of which contain key centres in the retail hierarchy, would all accommodate a significant amount of housing development over the plan period. However, heritage assets, the nature of the surrounding landscape, and other environmental considerations mean that development opportunities are limited in and around certain settlements including Lechlade-on-Thames, Stow-on-the-Wold and Chipping Campden.
72. The amount of development that the Plan identifies in the Principal Settlements is largely determined by completions and commitments, and the availability of what the Council considers to be suitable development land which is a matter that I will consider later in this report along with other housing need and land supply issues.
73. In a number of the Principal Settlements, the high levels of housing completions since 2011 and outstanding commitments mean that the amount of additional development land that will come forward through allocations and windfalls is likely to be limited, particularly where there are environmental constraints. However, national planning policy aims to ensure that objectively assessed needs are met in the relevant housing market area, and sets out core planning principles and policies intended to ensure that locations and sites brought forward for development contribute to the attainment of

sustainable development. The choice of Principal Settlements, and the broad distribution of development between them, is consistent with that approach and reflects key local considerations about the different roles and functions of settlements across the district and the development constraints and opportunities that exist in each. The general approach which seeks to meet housing needs in the district as a whole, rather than on a settlement by settlement or even sub area basis, is therefore justified. I consider the implications of this for affordable housing provision later in this report.

Strategic Scale Development at Cirencester

Background

74. A proposed strategic extension to Cirencester was considered for inclusion in the existing local plan in the early 2000s but not taken forward as it was not required in order to meet development needs identified at that time. As work progressed to review the existing local plan, the option of strategic scale development at Cirencester was given further consideration as one of the potentially reasonable alternative ways to accommodate longer term development needs in the district. Such an approach is consistent with national policy³⁸.
75. Strategic scale development at Cirencester was specifically included in the second issues and options consultation in 2010³⁹. Broad locations around the town to accommodate such development, and within these four strategic sites and combinations of them, were then assessed including through the sustainability appraisal and "points of the compass analysis"⁴⁰. The proposed site south of Chesterton was then included in the preferred development strategy in 2013⁴¹ and subsequent versions of the Plan.
76. Whilst some representors have suggested that locations in other parts of the district should be considered for strategic scale development (including Cotswold Airport), there is no substantive evidence before me to indicate that such an approach would be a reasonable alternative to focussing on Cirencester having regard to national policy and local geography.

Options for Strategic Scale Development at Cirencester

77. It is clear from the sustainability appraisal, and other evidence and analysis before me, that there are a number of significant constraints around Cirencester including the AONB (to the north and west); the need to avoid coalescence of settlements; heritage assets; areas of biodiversity value; areas at risk of flooding; and high quality agricultural land. I agree that development of the other three areas around Cirencester that were assessed by the Council would be less appropriate alternatives to the Chesterton proposal included in the Plan for the following main reasons.
78. Development of land east of Kingshill Lane, particularly if combined with land to the west of Kingshill Lane, would lead to the coalescence of Cirencester and the village of Preston, and be likely to harm the setting of Preston

³⁸ NPPF paragraph 52.

³⁹ NS006.

⁴⁰ SD005 section 3.4.2 and Points of the Compass Appraisal [SD005c].

⁴¹ NS011.

conservation area.

79. Development of land at Hare Bushes would be likely to harm the setting of the historic core of Cirencester and habitats of biodiversity value within the site.
80. The Worm's Farm area is remote from Cirencester town centre meaning that future occupants would be heavily dependent on the use of private motor vehicles and/or the provision of additional infrastructure improvements compared to alternatives. Development would be likely to harm archaeological interests and the landscape of the River Churn Corridor, and lead to the coalescence of Cirencester and the Duke of Gloucester Barracks.
81. Developing parts of some of the four areas around Cirencester identified by the Council, or indeed other sites in the vicinity of the town put forward by representors, could in combination provide at least as many homes as are expected to be accommodated on the Chesterton site. Such an approach is a potentially reasonable alternative to that proposed in the Plan. However, numerous combinations of sites around the town were considered by the Council who ultimately decided that none of these would be preferable. I agree with that conclusion for the following reasons.
82. Development of a number of medium-sized sites would not provide the opportunity to create a cohesive and integrated high quality urban extension that follows the principles of garden cities as envisaged by national policy. Rather, it would be more likely to lead to the creation of a scattering of housing estates around the town that would cause harm to the setting of the town and surrounding landscape in a number of locations.
83. Furthermore, focussing a significant amount of development on Cirencester is a key part of the overall development strategy for the district that reflects the environmental constraints elsewhere and the scale and nature of other settlements. The level of growth that is needed at Cirencester will require significant infrastructure improvements including community facilities; education; health care; open space, sport and recreation; transport and highways; flood management; waste water disposal; and water supply. The development of a number of medium-sized sites around the town would make securing funding for and coordinating the delivery of such infrastructure significantly more difficult to achieve than through the development of one strategic site. Focussing development on one large site is, therefore, justified.

Strategic Site south of Chesterton, Cirencester

84. The Chesterton site was chosen by the Council on the basis that it was suitably located, the least constrained, in one ownership, available for development, and considered capable of delivering the necessary type and quantity of development and supporting infrastructure during the plan period. I consider whether this is justified later in this report.

Identification and Assessment of Broad Locations and Non-Strategic Sites based on Principal Settlements

85. In parallel with consideration of various development strategy options during the preparation of the Plan, the Council considered a wide range of potential broad locations and development sites through the sustainability appraisal and

the strategic housing and employment land availability assessment ("SHELAA").

86. Opportunities and constraints around all of the Principal Settlements were identified in the sustainability appraisal on a systematic basis through a "points of the compass analysis"⁴². This divided all of the land surrounding all of the Principal Settlements (and Siddington) into broad locations based on physical features and analysing the value of each of these areas in terms of agricultural land; AONB; biodiversity⁴³; flood risk⁴⁴; groundwater; and heritage assets⁴⁵. This provided a strategic context for, and analysis to inform, the selection of specific development sites.
87. The site selection process involved first identifying and undertaking preliminary assessments of a long list of potential development sites through the SHELAA; carrying out more detailed assessments, sustainability appraisal, and consultation; and then assessing sites against a number of specific criteria relating to relevant social, economic and environmental issues and community feedback. The approach taken is comprehensively documented⁴⁶, and is broadly consistent with national guidance⁴⁷. That said, the process adopted by the Council has led to two broad areas of concern which I will now comment on briefly.
88. Some representors putting forward alternative sites for development consider that they were not thoroughly assessed by the Council on a comparable basis to others. In some cases this may have been because they were subject to preliminary assessment, but not then carried forward for more detailed assessment as they were not considered developable as defined in national policy. In other cases, there were sites that were promoted shortly before or after the regulation 18 consultation in January 2015 by which time the Council was satisfied that it had identified sufficient preferred and reserve sites such that no further options were needed in order to meet identified development needs. There is no substantive evidence that I have seen to lead me to conclude that the Council was unaware of any broad locations or sites that would be clearly preferable to those that are proposed for development in the Plan.
89. On the other hand some representors, including local residents and town and parish councils, consider that additional sites were added late in the process, including after the regulation 18 consultation, contrary to their wishes. The explanation for this is that, following that consultation early in 2015, it became apparent that a limited amount of additional development land needed to be identified in the Plan to ensure that housing needs could be met. A number of reserve sites that had been previously identified in the SHELAA process were therefore included as allocations in the submitted Plan following more detailed assessments.

⁴² SD005c.

⁴³ UK Biodiversity Action Plan Priority Habitats, Sites of Special Scientific Interest ("SSSI"), and SSSI impact risk zones.

⁴⁴ Flood Zones 2 and 3, and surface water flood zones.

⁴⁵ Conservation Areas, Listed Buildings, Scheduled Monuments, and Register of Historic Parks and Gardens of Special Historic Interest in England.

⁴⁶ *Evidence Paper: To Inform Non-Strategic Housing and Employment Site Allocations 2014* [EB002a] and *Supplement 2016* [EB007]; and *Topic Paper 5: Non-Strategic Sites Matrix of Stages 2017* [EB013].

⁴⁷ PPG ID-3.

90. Overall, the Council has taken a reasonable and pragmatic approach to selecting sites for allocation in the Plan. The Council continues to carry out the SHELAA process, and I note that a call for sites campaign was carried out in mid 2016 and a SHELAA review published in September 2017. Such work will no doubt be used to inform future reviews of the Plan⁴⁸.
91. I am, therefore, satisfied that a robust and proportionate assessment of land availability has been carried out to inform the Plan. I consider whether the sites allocated in the Plan are developable or deliverable as defined in national policy later in this report when I look at housing land supply.

Development Boundaries

92. Each of the Principal Settlements has development boundaries around it defined on the Policies Map⁴⁹. This provides a clear framework to ensure that various policies in the Plan can be effectively applied. Provided that there are sufficient opportunities available within those development boundaries, this will allow development needs to be met in locations that are accessible to jobs, services and facilities and at the same time protect the landscape setting of towns and villages as well as the wider countryside. As well as development of the allocated sites, policy DS2 allows in principle development within Principal Settlements.
93. Policy DS3 allows small scale residential development in Non Principal Settlements provided that a number of criteria are met. As these settlements are not defined in the Plan, the policy applies to any sites that could reasonably be considered to be in any village or hamlet in the district. "Small scale" is not defined in the Plan, and I agree that it would be ineffective to set a threshold as what may be an appropriate number of houses in one location may be excessive in another. What is important is that proposals comply with the stated criteria which should ensure that the vitality of the local community is supported, and that development is proportionate in scale to and complements the form and character of the settlement having regard to cumulative impacts with other developments. In order to ensure that policy DS3 is effective, paragraph 6.3.5 should be amended to delete reference to "two bed properties" and the "alteration, replacement, conversion or sub-division of an existing dwelling" as this could be misinterpreted as being a definition of "small scale residential development" [MM05].
94. Policies DS2 and DS3 are generally permissive of certain development within settlements. Other policies in the Plan provide a framework for the consideration of certain forms of development outside settlements, including affordable housing on rural exceptions sites, housing for rural workers, the conversion of rural buildings, and development to support the rural economy. However, the submitted Plan is silent on the approach to market housing outside settlements meaning that it will not be effective in safeguarding the countryside from such development for which there is considerable demand in the district. This deficiency can be rectified by the inclusion of an additional policy (DS4) which states that market housing outside Principal and Non Principal Settlements will not be permitted unless it is in accordance with other

⁴⁸ EB007 paragraph 2.3.

⁴⁹ *Topic Paper 2: Development Boundaries* [EB011] includes the criteria used to define the boundaries around the Principal Settlements.

policies in the Plan that expressly deal with residential development in such locations [**MM06**].

95. Subject to the modifications that I have described, the policies relating to development within and outside development boundaries are consistent with national planning policy which recognises the intrinsic character and beauty of the countryside, steers new housing to where it will enhance or maintain rural communities, and promotes sustainable transport and the efficient use of resources⁵⁰.
96. During the examination, the Council suggested that an additional policy be included in the Plan (DS5) to allow residential development outside but adjoining the development boundaries of Principal Settlements if the annual monitoring report showed that there was less than 5.5 year's supply of deliverable housing sites. However, due to my conclusions on housing requirements and supply I do not consider that such a policy is necessary in order to make the Plan sound. National policy is clear that local plans should be reviewed every five years, and it is likely that a more than adequate supply of housing land will be available well into the 2020s. If for some unforeseen reason the Chesterton strategic site became unavailable for development, the most appropriate action would be to carry out an early review of the Plan, rather than to attempt to rectify the situation through a planning application-led approach to development around any of the 17 Principal Settlements.

Infrastructure Requirements

Background

97. The Plan is supported by a highway capacity assessment⁵¹ and an Infrastructure Delivery Plan ("IDP")⁵² which sets out infrastructure that the Council considers necessary to support the development of allocated sites and the windfall development that is also expected to take place in accordance with relevant policies. Further work was carried out during the examination to ensure that the highway capacity assessment and IDP took appropriate account of the significant amount of development that is proposed in adopted and emerging plans in surrounding areas⁵³. This shows that, whilst each of the individual proposals in those adjoining plans was not explicitly factored in to the assessment of infrastructure requirements in the district, appropriate assumptions were made about population and traffic growth in the context of the spatial distribution of development in the district and surrounding areas and evidence about vehicle movements at peak times.
98. The IDP and related work was prepared in close cooperation with Gloucestershire County Council, responsible for much of the strategic infrastructure in the district, and other infrastructure providers, and none have raised significant concerns about its conclusions or the infrastructure proposals in the Plan. I am, therefore, satisfied that the Plan is supported by appropriate and proportionate evidence about the need for, and provision of, infrastructure in connection with the development proposed having regard to the wider geographical context.

⁵⁰ NPPF paragraphs 17 and section 4.

⁵¹ EB061 and EB062.

⁵² EB059.

⁵³ CDC revised response to action point 15.1 dated 12 January 2018 [ED075 and ED075a].

Infrastructure Required to Support Development Proposed in the Plan

99. Policy S2 identifies on- and off-site infrastructure for the strategic site proposed at Cirencester that the developer will be required to provide. However, as the rest of the development proposed will take place in numerous towns and villages, the Plan divides the district into three sub areas with the intention of providing an efficient and cost effective approach to infrastructure delivery⁵⁴. Policies SA1, SA2 and SA3 include infrastructure projects that development in each sub area will be expected to contribute towards. They relate to education, transport, healthcare and flood risk management, and each is considered necessary to support delivery of development in that area based on the IDP.
100. However, an assessment undertaken by the Council during the examination⁵⁵ concluded that, whilst some of the infrastructure projects would be likely to meet the necessary tests for financial contributions through planning obligations⁵⁶, some would not. Furthermore, some of the projects are expected to be funded by CIL. Modifications are therefore required to policies SA1, SA2 and SA3, and to policy INF1 which provides the overall framework for infrastructure, to ensure that they are effective and consistent with national policy and relevant legislation [**MM09**, **MM20**, **MM22** and **MM54**].
101. The latest highways capacity assessment indicates that improvements are not required to the A433/B4014 junction in Tetbury in order to support development proposed in the Plan. Its inclusion in policy SA1 is therefore not justified and it should be deleted [**MM09**].

Locally Important Infrastructure

102. Policies S4 to S19 include generally small scale infrastructure projects in individual Principal Settlements that were identified through local community engagement during the preparation of the Plan. It is unlikely that the need for most of these projects could be demonstrated to arise from development proposed in the Plan. The relevant policies therefore need to be modified to delete the reference to development being expected to help deliver or make contributions towards those projects as this is not justified and would be inconsistent with national policy [**MM16**]. As the projects relate to the development and use of land, it is appropriate for them to be included in the Plan, and the reasoned justification should explain why they are proposed and the potential means of delivery [**MM08**].

Conclusion on the Development Strategy

103. I therefore conclude that, subject to the main modifications described above, the development strategy set out in the Plan is justified and likely to be effective in ensuring that development needs in the district can be met in a way that contributes to the achievement of sustainable development.

Is the approach taken in the Plan justified and consistent with national policy relating to Neighbourhood Plans?

⁵⁴ The Plan paragraphs 7.0.2, 7.0.3 and 11.1.10.

⁵⁵ Note by Arup dated 14 August 2017 (Appendix to CDC matter 2 statement).

⁵⁶ *Community Infrastructure Levy Regulations 2010* (as amended) regulations 122 and 123, and NPPF paragraph 204.

104. There are a number of neighbourhood plans at various stages of preparation in the district. The Lechlade-on-Thames Neighbourhood Plan was "made" in November 2016; the Tetbury and Tetbury Upton Neighbourhood Plan and Fairford Neighbourhood Plan were subject to examination in 2017; the Chipping Campden Neighbourhood Plan is expected to be subject to examination in 2018; and a number of other neighbourhood plans are at various earlier stages of preparation.
105. Even though there may be some aspirations set out in the neighbourhood plans for Lechlade and Tetbury that are not fully addressed through the Plan, there are no significant inconsistencies between the Plan and those documents that I have been made aware of. Some of the other neighbourhood plans are not yet sufficiently developed to determine whether they are likely to be in general conformity and align with the strategic priorities in the Plan.
106. The Fairford Neighbourhood Plan seeks to deliver at least as much housing development as the Plan, but proposes a quite different approach to accommodating that in the town. The two housing allocations in the Plan are shown as being outside the neighbourhood plan development boundary and therefore not suitable for development, and a greenfield site on the northern edge of the town is allocated instead. However, the recent examination concluded that the Fairford Neighbourhood Plan did not meet the basic conditions test, mainly because of concerns about the suitability of that allocation (which is outside the development boundary in the Plan). Fairford Town Council are intending to carry out further work and submit a Neighbourhood Plan for examination again in 2018 supported by further evidence. It is expected to adopt a similar approach to accommodating housing development in the town.
107. The Chipping Campden Neighbourhood Plan is expected to exclude the housing sites allocated in the Plan from the development boundary of the town, and seek to accommodate new housing through "organic growth". It is assumed that this could deliver 10 dwellings per year meaning that, having regard to completions and current commitments, over 200 dwellings would be provided in the town between 2011 and 2031. However, as the Plan already assumes that windfalls will make a significant contribution towards the supply of new homes, the neighbourhood plan approach is highly unlikely to ensure the level of growth expected by the Plan in Chipping Campden will be delivered.
108. It is entirely consistent with national policy for local plans to in effect delegate to neighbourhood plans the task of identifying locations to accommodate housing development. Indeed, local planning authorities should avoid duplicating planning processes for non-strategic policies where a neighbourhood plan is in preparation⁵⁷. However, local plans have to ensure that objectively assessed needs for housing in the housing market area will be met in full, and therefore if the Plan itself does not identify sites and broad locations there has to be a good prospect that neighbourhood plans will do so in a timely fashion and, importantly, not promote less development than set out in the Plan or undermine its strategic policies⁵⁸.
109. In light of the uncertainties that currently exist with regard to whether the

⁵⁷ NPPF paragraph 185.

⁵⁸ NPPF paragraph 184.

neighbourhood plans for Fairford and Chipping Campden (and others at earlier stages of preparation) will be in general conformity with the strategic policies of the Plan, meet the basic conditions, and pass a referendum, I am satisfied that the approach taken in the Plan is justified and consistent with national policy. Of course, should a neighbourhood plan come into force after the Plan is adopted, the policies that it contains would take precedence over existing non-strategic policies in the Plan for that neighbourhood where they are in conflict⁵⁹.

110. I consider whether the specific allocations in the Plan, including those in Fairford and Chipping Campden, are justified later in this report.

Conclusion on Neighbourhood Plans

111. I therefore conclude that the approach taken in the Plan is justified and consistent with national policy relating to neighbourhood plans.

Does the Plan identify an adequate supply of housing land and contain sound policies to ensure that it will be effective in meeting housing requirements in a timely manner?

Introduction

112. Policy DS1 states that sufficient land will be allocated which, together with commitments, will deliver at least 8,400 dwellings over the plan period 2011-2031. Table 1 refers to 2,385 dwellings having been completed in the period 2011 to 2016; there being extant planning permissions at 1 April 2016 for 3,367 dwellings; a strategic site delivering 2,350 dwellings and new land allocations delivering 760 dwellings. An allowance of 960 dwellings is also made for dwellings being built on windfall sites not identified in the Plan between 2019 and 2031 (80 dwellings per year). In total the Plan assumes that sufficient land will be available to accommodate 9,822 new dwellings between 2011 and 2031.

113. During the examination, up to date information became available relating to completions, outstanding planning permissions, and the capacity and/or availability of allocated sites as at 1 April 2017⁶⁰. In order to be effective and justified, the Plan should be modified to reflect this latest information (rather than the position as at 1 April 2016). This is reflected in the main modifications that I set out below.

Completions

114. Between 2011 and 2017, 3,176 net additional dwellings were built in the district. In order for the Plan to be effective and justified, Table 1 should be modified accordingly [**MM04**], and policy DS1 should include reference to completions since 2011 contributing to meeting the housing requirement [**MM03**].

Extant Planning Permissions

115. On 1 April 2017, there were outstanding planning permissions for a total of

⁵⁹ NPPF paragraph 185.

⁶⁰ *Housing Land Supply November 2017* [ED046].

2,903 dwellings in the district. All sites with permission for 10 or more dwellings have been assessed in terms of availability and expected timing of delivery informed by discussions with landowners and/or developers along with evidence about historic delivery rates on sites of more than 10 dwellings in the district since 2006. Delivery on sites of under 10 dwellings has been adjusted to take account of historic lapse rate information. Based on this analysis, 2,870 dwellings are expected to be delivered on sites with an extant planning permission on 1 April 2017 during the plan period. Of these, 2,503 are expected to be delivered within 5 years (ie by 31 March 2022). These assumptions are justified by the available evidence, and are consistent with national policy⁶¹. In order for the Plan to be effective and justified, Tables 1 and 2 should be modified accordingly [**MM04**].

Windfalls

116. Between 2011 and 2017, an annual average of 95 net additional dwellings were delivered in the district on a variety of windfall sites in terms of size, previous use and location. These only include sites that were not allocated in the existing local plan, had not been identified in the SHELAA, and were not residential gardens. Only a very limited number of those windfalls were on sites that received planning permission as a result of the Council being unable to demonstrate a five year supply of deliverable housing land⁶². Policies DS2 and DS3 (as modified) allow for windfall development in Principal and Non Principal Developments, and other policies in the Plan allow for a limited amount of housing development elsewhere in certain circumstances. It is also likely that some residential development will take place under permitted development rights, including through the conversion of agricultural and other buildings. Given this context, and the nature of the local economy and strength of the housing market in the district, it is likely that the rate of windfall development experienced in recent years will continue for the foreseeable future.
117. I am, therefore, satisfied that there is compelling evidence that 95 dwellings per year have consistently become available on windfall sites in the district and that similar numbers are likely to continue to come forward and provide a reliable source of supply⁶³. In order to avoid double counting with sites that have outstanding planning permission as at 1 April 2017, the full allowance should not apply for the next three years. However, it is the case that some dwellings are likely to be built on windfall sites that receive planning permission in the next three years. Based on analysis of how quickly planning permissions are implemented in the district, it is reasonable to assume that 21 dwellings will be built on windfall sites in 2017/18, 52 in 2018/2019, and 73 in 2019/20 giving a total of 146 for the three year period⁶⁴. The figures increase each year simply because more planning permissions will have been granted for windfalls as time goes by from 1 April 2017.
118. The Plan should, therefore, be modified to amend the total windfall allowance from 960 dwellings between 2019 and 2031 to 1,191 dwellings between 2017

⁶¹ NPPF footnote 11.

⁶² ED046 paragraphs 3.22 to 3.26.

⁶³ NPPF paragraph 48.

⁶⁴ ED046 paragraphs 3.48 to 3.50.

and 2031⁶⁵ [**MM04**].

Other Non-Allocated Sites

119. Table 2 includes 27 dwellings that were expected to be built between 2016 and 2021 on sites within development boundaries identified in the SHELAA. However, to avoid double counting with sites with planning permission as at 1 April 2017 and with windfall assumptions, Table 2 should be modified to exclude reference to 27 dwellings on such sites [**MM04**].

120. The Council's latest evidence identifies 343 dwellings on sites that received planning permission between 1 April and 2 November 2017⁶⁶. However, the inclusion of these in the identified supply is not justified as the Plan sets out the position at 1 April 2017 and to include some elements of supply after that date would present an incomplete picture and potentially involved double counting, for example with windfall assumptions.

Housing Allocations

121. Policies S1 and S4 to S19 propose that specific allocated sites (all of which are designated on the policies map) be developed for housing. For each site, the relevant policy includes the number of dwellings that are expected to be built in the plan period. This allows the total supply from the allocations to be calculated, and also gives an indication of the scale and density of development that is likely to be acceptable on each site having regard to its particular nature and surroundings.

122. Evidence has become available during the examination, including information from landowners and developers, about the likely scale and timing of development on some of the allocated sites. I set out below my assessment of whether the inclusion of certain sites as allocations in the Plan, and the expected number of dwellings that are expected to be delivered on them, is justified having regard to this latest evidence as well as representations made about them.

123. No substantive evidence has been provided to indicate that any of the sites that I do not mention below are not developable or that the number of dwellings assumed in the Plan is unrealistic. Therefore, given that I have found that the methodology used by the Council to select sites is sound, I consider all of those allocations to be justified.

124. None of the housing allocations proposed in policies S1 and S4 to S19 are assumed to contribute to the five year supply as at 1 April 2017.

Cirencester

125. The latest evidence indicates that redevelopment of the Austin Road flats is unlikely to lead to any significant net increase in the number of dwellings on the site and therefore allocation C_39 should be deleted from policy S1 [**MM11**].

126. Policy S1 proposes that the Memorial Hospital site (C_97) is suitable for mixed

⁶⁵ $21 + 52 + 73 + (11 \times 95) = 1,191$.

⁶⁶ ED046 paragraphs 4.37 to 4.45.

use development that includes 11 dwellings. The site comprises a non designated heritage asset and a car park, and any mixed use development scheme would be subject to various policies aimed at preserving or enhancing the historic environment and achieving high quality design including EN2 and EN12. The Council's latest evidence indicates that 9 dwellings could be satisfactorily accommodated on the site and I agree that the policy should be modified accordingly to ensure that it is effective in delivering development whilst protecting the environment [**MM11**].

Fairford

127. The site allocated at Milton Farm (F_35B) is not currently available for development as it is used for the agricultural business. Whilst the owner indicated to the Council earlier in the year that it would be released in the medium term, more recent information is that at the present time this is not their intention. However, there is recently built housing to the north and the south, and there do not appear to be any insurmountable physical obstacles to providing access either via the existing farm buildings or from the development to the south even though the latter would entail use of a ransom strip. The site is in a suitable location for development, and it is quite possible that the landowner's intentions could change again over the next ten years or so. I therefore consider there to be a reasonable prospect of 49 dwellings being built on the site by 2031.

128. Land to the rear of Faulkner Close (F_44) lies between 20th century housing, Horcott industrial estate, one of the water park lakes, and open countryside. The need to provide adequate separation distances from adjoining dwellings and businesses as well as from existing trees and the lake, and ensure that development of the site does not significantly harm the character and appearance of the area, means that the site is unlikely to be able to satisfactorily accommodate 28 dwellings as proposed in the Plan. The Council now considers that the expected capacity should be reduced to 12 dwellings, and I agree that would be reasonable [**MM11**].

Kemble

129. Policy S6 proposes that 12 dwellings be built on land at Station Road (K_2) subject to securing the long term protection of the community gardens (LGS7) in the context of policy EN3. The policies map designates the approximately triangular-shaped site, which is largely surrounded by houses, as "mixed housing and Local Green Space allocation". However, the Plan is not clear how 12 dwellings could be built on the site whilst ensuring the long term protection and use of the land as a community garden, and it is therefore unlikely to be effective in this regard. The whole site is clearly well used and highly valued by the local community as it provides allotments, space for social activities and informal recreation, tranquillity and areas for wildlife. The site is owned by the Council and a feasibility study undertaken during the examination of the Plan shows that up to 8 houses could be built on the southern part of the site (adjoining existing dwellings on Old Manor Gardens) whilst allowing the remainder to be handed over to Kemble and Ewen Parish Council on a formal basis thereby securing its Local Green Space function on a permanent basis.

130. The District Council, Parish Council, and local community have worked

together closely to come to agreement on how best to divide the site between the two uses, although it is clear that many residents feel strongly that no part of the site should be built upon. However, the site is suitably located for housing development, it is owned by the Council and therefore available, and there is a reasonable prospect that it could be viably developed during the plan period. Whilst the site backs onto surrounding residential properties, there is no reason why a development of up to 8 dwellings could not be designed in a way that safeguarded the living conditions of existing residents. The proposal in the Plan to use part of the site to provide new homes is, therefore, justified and consistent with national policy. To ensure that the Plan is effective in facilitating a modest-sized development whilst also ensuring the majority of the land is safeguarded for use as a community garden in the long term, policy S6 needs to be modified to refer to up to 8 dwellings on K_2; additional text needs to be added to explain how that development can be achieved in a way which is complementary to the adjoining Local Green Space; and the last sentence of paragraph 10.2.2.3 needs to be deleted [**MM17** and **MM18**]. The policies map should be amended to show the two separate policy designations based on the plan provided during the examination⁶⁷.

131. The site referred to as "land between Windmill Road and A429" (K_1B) could perhaps be more accurately described as "land between Clayfurlong Grove and the A429". It is part of a field on the edge of Kemble and is visually prominent both when leaving and approaching the village along the main road which is lined with mature trees and other vegetation along the site frontage. A group of listed buildings at Clayfurlong Farm lies a short distance to the north. Clearly, development of this sensitive site has the potential to harm the rural setting both of the village and the nearby listed buildings, particularly if access were to be provided to the A429 (rather than from the existing housing estate to the west) as this would almost certainly lead to the loss of mature vegetation and significantly alter the existing rural street scene. However, a significant gap would be retained between the site and Clayfurlong Farm, and provided that the access arrangements were appropriate and the design, layout and landscaping were of high quality, 13 dwellings could be accommodated with less than substantial harm being caused to the setting of the village and listed buildings.
132. Land north west of Kemble Primary School (K_5) is a small field within the Kemble conservation area. Whilst close to the historic core, it is located on a narrow country lane with open land to the north, east and west meaning that it contributes positively to the rural setting of the village. However, as it is well located in relation to the built up area and enclosed by mature trees and development to the south, it would be possible for a high quality development of 11 dwellings to cause less than substantial harm to the character and appearance of the conservation area and the setting of the village.
133. In the case of both of the above allocations, whilst I attach great weight to the conservation of heritage assets, the less than substantial harm that would be caused by development of appropriate quality would be outweighed by the public benefits arising from the provision of new homes in reasonably

⁶⁷ Map showing extent of LGS7 and K_2A appended to Statement of Common Ground between Cotswold District Council and Kemble and Ewen Parish Council included in the Council's response to week two action points [ED059].

accessible locations in the village. I therefore consider the allocations to be justified.

Lechlade-on-Thames

134. Land west of Orchard Close (L_18B) is located to the rear of existing properties on the A417 and to the east of a nearly complete housing development from which vehicular access is available. Part of the site and the likely access route is at risk of flooding, but no objections have been raised by the agencies with relevant statutory responsibilities to the erection of 9 dwellings on the site and there is no substantive evidence that this could not be achieved in a satisfactory way before the end of the plan period.
135. Part of the site south of Butler's Court (L_19) is in flood zone 3, and given its prominent location on the western approach to the town there is a need to ensure a high quality well landscaped development. The Council considers that, in order to achieve this and accommodate development on the higher part of the site, the anticipated capacity should be reduced to 6 dwellings. However, given the size of the site it is not unrealistic to assume that a well designed scheme comprising 9 dwellings, as proposed in the Plan, could be accommodated. A main modification is not, therefore, required.
136. In total, 124 dwellings could be built in Lechlade-on-Thames during the plan period with additional homes likely to be provided on windfall sites in the town. Whilst this would be unlikely to ensure that all of the housing needs of the town could be met locally, that is not an objective of the development strategy which, for reasons set out elsewhere in this report, I have found to be justified.
137. Paragraph 7.1.5.6 incorrectly refers to sites L_18B and L_19 being within groundwater source protection zone 1. In order to ensure that the Plan is justified and effective, this needs to be deleted [**MM19**].
138. The infrastructure proposals set out in policy S7 do not include improvements to Lechlade Cricket Club, and no mechanisms are proposed in the Plan to require development in the town to contribute to such a scheme. Whilst the club is clearly in need of investment, and this would help to deliver the objectives of the neighbourhood plan and policy INF2, the lack of specific support in the Plan does not mean that it is unsound.

Tetbury

139. The former Matbro site (T_24B) is now expected to continue to be used for employment purposes and is unlikely to be available or suitable for residential development meaning that its allocation for 9 dwellings is not justified. Policy S9 needs to be modified accordingly [**MM11**].

Bourton-on-the-Water

140. The Countrywide Stores site (B_32) is allocated for 32 dwellings in the Plan. However, the landowner has recently advised that it is to be reused and/or redeveloped for retail uses, and is not therefore available for residential development. Policy 11 should therefore be modified to delete the housing allocation [**MM11**].

Northleach

141. Based on the latest information, the land north west of Hammond Drive and Midwinter Road is no longer expected to be available for development during the plan period and therefore allocation N_13B should be deleted [MM11].

Stow-on-the-Wold

142. The only allocated site, Stow Agricultural Services (S_8A), was recently granted planning permission for residential development. The site's contribution towards the Plan's housing land supply is included in the total for sites with planning permission as at 1 April 2017 and therefore, to avoid double counting, the allocation should be deleted [MM11].

Blockley

143. Part of the allocated site at The Limes, Station Road (BK_14A) now has planning permission for two dwellings; these are included in the contribution to supply assumed to come from sites with permission as at 1 April 2017. The capacity of the remaining part of the allocation is expected to be 9 dwellings and policy S15 needs to be modified accordingly [MM11].

Chipping Campden

144. Parts of two adjoining fields to the rear of houses and allotments on the east side of Aston Road are allocated for a total of 114 dwellings (CC_23B and CC_23C). Part of this land now has planning permission for 40 dwellings, and the Council expects the remaining area to accommodate a further 36 dwellings giving a total of 76 (rather than 114). As the land rises away from the existing line of dwellings along Aston Road, the proposed development would be likely to be clearly visible in the AONB landscape when seen from various public vantage points in and around the town. However, the relatively low number of dwellings now assumed to be accommodated on the site means that there should be the opportunity to create a low density, well landscaped, high quality development. This would limit the harm that would be caused to the AONB landscape and setting of the town.
145. There is up to date, expert evidence to indicate that the agricultural land is grade 3b, although this is disputed by local residents and the Town Council who consider it to be high quality based on their own expert evidence. However, development needs cannot be met in the district without building on agricultural land, and only limited harm would be caused by the loss of a limited amount in this location, even if it is high quality. The land is currently used by ground nesting birds meaning that appropriate mitigation measures would have to be included in any detailed scheme that is brought forward. The site is suitably located, currently available, and the benefits from the contribution towards meeting the district's housing needs would outweigh the limited environmental harm that may be caused by a high quality development. The allocation of the sites in the Plan is therefore justified and consistent with national planning policy, although the capacity should be referred to as 36 dwellings to reflect the latest evidence [MM11].

146. Most of the land at Barrels Pitch and north of Cherry Trees to the east of Aston Road (CC_40A) now has planning permission and the remaining area, whilst suitable for housing, is unlikely to be large enough to accommodate five or more dwellings. The allocation should, therefore, be deleted [MM11].

Moreton-in-Marsh

147. Land at Evenlode Road (M_12A) is assumed in the Plan to be able to accommodate 68 dwellings, although the Council now considers 63 to be more appropriate. Given the need to accommodate a public footpath that runs diagonally across the centre of the site in an appropriate layout, and for landscaping to provide a visual screen between the development and the nearby highways depot and open countryside, this seems reasonable and policy S18 should be modified accordingly in order to be justified [MM11]. Evenlode Road is heavily used for on street parking which means that vehicles can only pass in one direction for much of its length, and local residents encounter safety problems using the junction with London Road. Clearly, the provision of over 60 additional homes would increase the amount of traffic using Evenlode Road and that junction, particularly given that the town centre and other local facilities are some distance away. However, the Council and local highway authority are satisfied that safe and suitable access can be provided and there is no substantive evidence to demonstrate that this would not be so. Overall, I am satisfied that the site is in a suitable location, available, and could be developed in a way that would cause only limited harm which would be outweighed by the benefits that would arise from the provision of over 60 new homes.

148. Land south of Fosseway Avenue (M_19A and M_19B) is assumed in the Plan to be capable of accommodating a total of 119 dwellings, although this is not a limit and a well designed scheme may well be able to accommodate a greater number. The agricultural land is on the southern edge of the town on the eastern side of the A429 in an area designated as a special landscape subject to policy EN6. Whilst it is outside the AONB, development on the site would be seen in long distance views from elevated land in the AONB to the west. A considerable amount of development to the south of the historic core of the town has already taken place over the last 50 years or so, and the proposal would continue this outward expansion further along the A429. Provided that development was appropriately designed and landscaped, it would cause only limited harm to the setting of the town and surrounding rural landscape when seen from the main road or from further away in the AONB. Detailed schemes would have to address a number of issues including flood risk and ecology, but there are no insurmountable obstacles to development that I have been made aware of.

149. The site is in a suitable location, available and could be developed in a manner that causes only limited environmental harm. This would be outweighed by the social and economic benefits that the provision of over 100 additional new homes would provide. As additional land is not needed to meet identified housing requirements in the plan period there is no need for me to consider the merits of extending the site further to the south.

Willersey

150. Land north of the B4632 and east of Willersey Industrial Estate

(W_7A/WIL_E1C) is allocated as a mixed use site that is expected to accommodate 49 dwellings and 1.97 hectares of employment land (B1, B2 and/or B8 uses). To the south of the site is 20th century housing development beyond which is the historic core of the village designated as a conservation area, and to the north and east lies open countryside. Neither the site nor the adjoining open land is within the AONB which is to the south of the B4632. As the site is essentially flat and low lying, development would not be particularly prominent in the wider landscape. Whilst it may be seen from some distant vantage points in the AONB, and in certain views towards the AONB, this would be in the context of the adjoining industrial estate and 20th century housing. I am satisfied, therefore, that a well designed and landscaped development would have a minimal impact on the setting of the village and the surrounding rural landscape.

151. Whilst care would need to be taken to ensure that the mix of proposed uses were appropriately accommodated on the site having regard to the need to achieve a good standard of amenity for future residents, there is no particular reason why this should not be possible to achieve. The proposal would deliver substantial social and economic benefits by building on the success of the adjoining, modest-sized industrial estate whilst also providing a significant number of new homes. This would enhance the role of the village as a Principal Settlement and help to meet the identified development needs of the district. The site is in a suitable location, available, and capable of being developed in an acceptable manner meaning that its allocation in the Plan is justified.

Strategic site, south of Chesterton, Cirencester

Background

152. I have already concluded in my consideration of the development strategy that the inclusion in the Plan of one large strategic site at Cirencester is justified and consistent with national policy. Furthermore, I have also concluded that the potential alternatives to the strategic site south of Chesterton would be likely to cause significant harm. I turn now to consider whether, in that context, policy S2 is justified.
153. Policy S2(1) allocates a 120 hectare strategic site south of Chesterton, Cirencester for a sustainable, high quality, mixed use development including up to 2,350 dwellings (up to 40% of which would be affordable) and 9.1 hectares of employment land. Policy S2(2) sets out infrastructure and other requirements, and policy S2(3) states that the site will be masterplanned and implemented on a comprehensive basis. Appendix B sets out a vision and objectives for how the development would look and function.
154. An outline planning application for the scale and mix of uses proposed in policy S2 was made in 2016 supported by an extensive amount of technical material and an indicative layout and phasing plan. Much of this information was submitted to the examination. It is not my role to consider the merits of that particular scheme, but clearly the application and supporting material are relevant to my consideration of whether the site is capable of being developed in an acceptable and timely manner.

Likely economic, social and environmental effects of development of the

strategic site south of Chesterton

155. Development of such a scale over a period of 12 years or so would clearly have an impact on a town the size of Cirencester. However, for the reasons set out above and in other parts of this report, such development is necessary to meet the identified need for more homes. Additional people and traffic in the town, including in the historic centre, will have some impact on its overall character but provided that necessary improvements to car parking facilities and infrastructure were made this should not cause significant harm and would be likely to enhance the vitality and viability of the town centre.
156. The Chesterton site lies adjacent to mainly 20th century housing development on the southern edge of Cirencester. It is outside the AONB and reasonably well contained by existing vegetation, meaning that a well-designed and landscaped development would have a minimal impact on the wider rural landscape and setting of the town.
157. Development would affect the setting of the scheduled monument that is partially within the site, and the listed buildings on and close to the site. However, the harm would be likely to be less than substantial provided that the design, layout and landscaping were all of appropriate quality.
158. Whilst there are reports that the farmland is particularly productive, and the Council's earlier evidence indicated that a large part of the site was grade 2 agricultural land, more recent detailed evidence shows that over 90% of the land is not best and most versatile. Meeting housing needs in the district will inevitably entail the loss of some agricultural land, and development of this site would help to avoid development on higher quality land elsewhere. That said, development of 120 hectares of farmland would cause some economic and environmental harm due to the loss of part of a finite resource.
159. Whilst parts of the site are around 1.5 kilometres from the town centre, other parts are nearly 3 kilometres away. However, such distances are not particularly great for development on the edge of an urban area. Provided that appropriate public transport, pedestrian and cycle routes were provided within the site, and improvements were made as necessary elsewhere, the site would be reasonably accessible by sustainable transport modes.
160. Detailed work has been undertaken by experts to assess the impacts of traffic likely to be generated by the proposal on the existing road network and to identify specific infrastructure projects and other mitigation measures. Furthermore, these projects and measures have been costed and the viability of development assessed accordingly. Whilst I understand the concerns of local residents, and recognise that there may be localised impacts that exacerbate existing congestion problems, the Council, local highway authority, and Highways England are all satisfied that the residual cumulative impacts on the transport network would be less than severe⁶⁸. There is no substantive evidence before me to lead me to a different conclusion meaning that I consider that the proposal would be consistent with national planning policy relating to the transport effects of development.
161. Air quality is generally good in the district compared to some parts of the UK.

⁶⁸ NPPF paragraph 32.

Whilst there are two Air Quality Management Areas in the district, both are over 10 kilometres from the site. The effects of additional traffic likely to be generated by development of the site on air quality have been assessed in a manner that is proportionate and consistent with national planning policy. This assessment shows that development of the site would be unlikely to have an unacceptable effect on air quality. Furthermore, there is no substantive evidence to indicate that the site is unsuitably located in relation to air quality hot spots, or that its development would be likely to have greater air quality impacts than would be the case if development took place elsewhere.

162. Some local residents would be affected by a change in outlook from their houses and gardens, and many would be by traffic, noise and potentially other forms of disturbance during the construction period which would last for many years. However, different parts of the large site would be developed at different times, and construction activities could be controlled by standard and well-established procedures that have been used effectively throughout the country for many years.
163. The detailed infrastructure requirements relating to education, health care, community facilities, and foul and surface water drainage, and precisely how they would be met, would have to be determined as part of any detailed development scheme. Policy S2 and other policies in the Plan provide an effective framework to ensure that could be achieved.
164. There are a number of physical constraints within the site, including a high pressure gas pipeline and other utilities infrastructure, and an area of historic landfill, that would have to be taken into account in the design and layout of the proposed development. The Council, having liaised with statutory consultees and other relevant organisations, is satisfied that there are no insurmountable obstacles to development and there is no substantive evidence to the contrary.
165. Policy S2, the Chesterton Vision and Objectives included as Appendix B, and various other policies in the Plan provide an effective framework to ensure that the design, layout, landscaping and access arrangements for the site are all of an appropriate quality such that development of the scale and type proposed could be achieved in a satisfactory manner.

Conclusion on the likely economic, social and environmental effects of development of the strategic site south of Chesterton

166. Overall, the totality of the residual harm that would be likely to be caused by the proposed development, provided that it was appropriately designed and mitigated, would be outweighed by the significant public benefits that the proposal would bring. Those benefits would include the substantial contribution towards meeting the identified need for market and affordable housing in a relatively accessible location in the district; the provision of 9 hectares of employment development and a new neighbourhood centre; and a significantly reduced need to develop in more environmentally sensitive locations in the district.
167. I am, therefore, satisfied that the strategic site south of Chesterton proposed in policy S2 is in a suitable location for housing development and that there is a reasonable prospect that it is available and could be developed during the

plan period in a satisfactory manner having regard to the likely social, economic and environmental effects and mitigation measures required by the Plan. The allocation of the site in the Plan is, therefore, justified.

Is there a reasonable prospect of the Chesterton site delivering the number of dwellings assumed in the Plan by 2031?

168. I consider now whether there is a reasonable prospect⁶⁹ that 2,350 dwellings will be completed on the site by 2031 and, if not, what a more realistic assumption would be. This requires consideration of (a) when development of the site is likely to start, and (b) once development is underway, how many dwellings are likely to be completed each year.

When is development of the Chesterton site likely to start?

169. Outline planning permission is dependent on the finalisation of a section 106 agreement containing numerous planning obligations which is unlikely to be before the end of 2018. In parallel with the preparation of those obligations, work can continue on preparing information to discharge any pre-reserved matters application conditions, and develop detailed proposals in consultation with the Council and key stakeholders.

170. It is likely that part of the eastern side of the site ("phase 1a") could be developed with access from Somerford Road without requiring any major off site infrastructure provision other than a new foul water sewer from the site to the Shorncote sewage treatment works that is likely to be in place by autumn 2018. There is evidence of interest from housebuilders, and it is possible that detailed planning permission could be in place in time for development of this area to start around the middle of 2019. Whilst there is no certainty that this timetable for phase 1a will be achieved, I am satisfied that there is a reasonable prospect that it could be.

171. The Plan assumes that development on the main part of the site could start early in 2020. Representatives for the site owner clarified during the examination that this represents a best case scenario⁷⁰. Given the significant amount of work that still needs to be completed by numerous different bodies before development on the main part of the site gets underway, the inter-dependencies that exist between key events that need to occur, and the need for various approvals including of details required by planning conditions and for infrastructure projects, I consider it likely that there will be some slippage in the timetable. In order to ensure that the Plan is not based on unrealistic expectations about the timing of development on the strategic site, which is critical to meeting housing needs in the latter years of the plan period, it would be more appropriate to assume that development on the main part of the site will not start until 2021.

How many dwellings are likely to be built each year on the Chesterton site?

⁶⁹ NPPF footnote 12.

⁷⁰ Oral evidence from Mr Jackson and Mr Linnell at the hearing session on 12 October 2017.

172. Once development on the main part of the site is properly underway, the Plan assumes that delivery rates would step up over the first three years then average 229 dwellings each year between 2023 and 2031⁷¹. The Council and site owner consider that this could be achieved by there being four separate outlets each on average delivering 40 market homes and 17 affordable homes per year. The owner suggests that specialist forms of residential accommodation could also be provided on the site, for example for students and the elderly, and that discussions have taken place with the Royal Agricultural University and others regarding this.
173. There are no examples of large strategic sites having been delivered at such a rate for a sustained period in the district or elsewhere in the Gloucestershire housing market area in recent decades. The two recently completed Kingshill sites on the east of Cirencester did deliver a total of nearly 350 dwellings in 2011/12, but that was an exceptional one-year peak.
174. A number of strategic sites in Oxfordshire have delivered over 200 dwellings per year⁷², and further evidence and analysis is available of strategic scale development elsewhere in the country over a number of years⁷³. This shows an average delivery rate of 161 dwellings per year on the sites of over 2,000 dwellings that were analysed. Whilst the rates varied, only 4 of the sites had a delivery rate of over 200 dwellings per year. Output of open market homes from each sales outlet on large sites tends to be in the range of 30-35 dwellings per year⁷⁴.
175. The local housing market is strong, and when sites in the district receive planning permission they invariably get completed in a timely fashion⁷⁵. Land prices are in the top 25% nationally, and the viability appraisal for the site factors in above-average build costs which is indicative that a high quality scheme would be delivered. None of the analysed sites of over 2,000 dwellings elsewhere in the country included as high a proportion of affordable homes than the 30% that has been shown to be viable on the Chesterton site. These factors suggest that a successful strategic site in the district could deliver above the average rate achieved on such sites elsewhere in the country.
176. However, although the local housing market is strong, it is of limited size. Whilst the number of completions in recent years has been largely determined by the availability of sites with planning permission, the average annual build rate in Cirencester over the last five years has been under 150 dwellings. So sustaining an average of around 230 per year for 9 years would represent a significant increase (over 50%) in market activity in the town. Whilst there are expressions of interest from 3 housebuilders, marketing of the site has not yet commenced and therefore there is no certainty that there would be such a high level of interest to ensure that 4 housebuilders would be willing to operate together consistently for a sustained period.

Conclusion on whether there is a reasonable prospect that the Chesterton site would deliver the number of dwellings assumed in the Plan by 2031

⁷¹ *Housing Land Supply Report* Appendix 3, CDC November 2017 [ED046].

⁷² *Chesterton Delivery Strategy Statement* paragraph 4.18 and Appendix 5 [ED014c].

⁷³ *Start to Finish: How Quickly do Large Scale Housing Sites Deliver?* (NLP, November 2016).

⁷⁴ Savills letter dated 25 August 2015 [ED014c Appendix 3].

⁷⁵ ED005 Q16.

177. There is a high probability that the strategic site will be developed, and it is likely that a total of around 2,350 dwellings will be built by the time that it is completed. However, on balance, I do not consider there to be a reasonable prospect that all of those dwellings will be completed on the site by 2031. In summary, the main reasons for this are that it is unlikely that development on the main part of the site will start as early as hoped, or that four housebuilders would operate at all times over a 9 year period and each deliver an average of 40 market and 17 affordable homes every year during that period. There are also at present some uncertainties about the amount of specialist residential accommodation, such as for students or the elderly, that will be built on the site.
178. I consider that it is reasonable to assume that 78 dwellings would be built on phase 1a by April 2021, and that development on the main part of the site would start around that date with approximately 1,700 further dwellings being completed by 2031 giving an overall total of around 1,800. This would represent an average delivery rate slightly above that achieved on strategic sites elsewhere in the country. This is justified by the strength of the local housing market and the fact that a high quality scheme that includes infrastructure provision and 30% affordable housing has been assessed as viable. It allows for periods when there may be four housebuilders each delivering a total of 50-60 market and affordable homes per year, other times when there would be fewer operators and/or lower outputs, and the possibility of specialist accommodation being provided on parts of the site.
179. In total, therefore, it is reasonable to assume that around 1,800 dwellings would be built on the strategic site in the plan period, and that 120 of those would be completed by 1 April 2022. This latter figure is based on 78 dwellings be completed on phase 1a, and 42 on the main part of the site in 2021/2022. The Plan should be modified accordingly [**MM04** and **MM13**].
180. Sites in Cirencester with planning permission as at 1 April 2017 are likely to have been largely completed by 2022, and there are only a limited number of other small sites allocated in the town. This means that for most of the rest of the plan period the rate of housing growth in the town would be only slightly greater than that experienced in recent years. This reinforces my view that the delivery assumptions that I have set out are justified.

Conclusion on Housing Supply for the Plan Period

181. Based on the above, the housing land supply for the plan period 2011 to 2031 can be summarised as follows:

• Completions 1 April 2011 to 31 March 2017:	3,176 dwellings
• Sites with planning permission 1 April 2017:	2,870 dwellings
• Strategic site south of Chesterton:	1,800 dwellings
• Housing allocations:	577 dwellings
• Windfalls 2017 to 2031:	1,191 dwellings
• Total supply 2011 to 2031:	9,614 dwellings

182. This would represent a supply of housing land that should ensure that the identified requirement for 8,400 dwellings over the plan period could be met. Table 1 in the Plan, and reasoned justification for policy DS1, needs to be modified accordingly so that the Plan is justified and effective [MM04].

Housing Trajectory and Five Year Requirement and Supply

183. In addition to identifying sufficient developable housing land to meet identified needs until 2031, the Plan should ensure that sufficient deliverable sites are available to meet the current five year requirement and also be likely to be available until the Plan has been reviewed.

184. Table 2 of the Plan states that the five year requirement on 1 April 2016 was 2,205 dwellings. This is based on an annual requirement of 420 dwellings, plus a 5% buffer. As housing completions have exceeded identified requirements since 2011, such a buffer is in line with national policy⁷⁶.

185. However, the way in which the five year requirement has been calculated in the Plan takes no account of the level of completions since 2011. The updated housing trajectory that takes account of evidence submitted during the examination shows that in the first six years of the plan period to 2017, a total of 3,176 dwellings were completed; this is significantly above 2,520 which would be the level required if needs were to be met evenly over the plan period. Due to the high number of dwellings that benefit from planning permission in the district, the latest trajectory shows that this pattern of completions significantly exceeding the annual average requirement of 420 dwellings is likely to continue for the next few years.

186. Boosting significantly the supply of housing is entirely consistent with national policy, and it indicates that good progress is being made towards meeting the identified requirements for the plan period. It also means that the residual requirement for the remainder of the plan period is lower than would be the case if completions had so far only averaged 420 dwellings per year or fewer. Whilst it is possible that high levels of completions early in the plan period may have led to more in-migration than assumed in the Plan, and it will be necessary to meet the needs of households that form or move into the district in years to come, these are matters that can be addressed when housing requirements are reassessed in a future review of the Plan.

187. Until the Plan is reviewed, therefore, the annual five year requirement should be calculated on the basis of the residual requirement for the plan period, rather than against a constant annual average of 420. Such an approach is consistent with national policy which seeks to ensure that the identified need for housing is met in full. In contrast, an approach that fails to take account of completions during the plan period would result in additional land being made available for development that is not required to meet identified needs. In a high demand area such as Cotswold district such land would no doubt be developed. This would lead to the unnecessary loss of greenfield sites, and be likely to lead to increased commuting out of the district.

⁷⁶ NPPF paragraph 47.

188. On this basis, the five year requirement on 1 April 2017 was for 1,866 dwellings or 1,959 dwellings with a 5% buffer (392 dwellings per year).

189. Based on my conclusions above about extant planning permissions, windfalls, and the strategic site at Chesterton, the five year supply on 1 April 2017 was as follows:

Sites with planning permission 1 April 2017:	2,503 dwellings
Strategic site south of Chesterton:	120 dwellings
Non-strategic site allocations:	0 dwellings
Windfalls:	336 dwellings ⁷⁷
Total supply 2017 to 2022:	2,959 dwellings

190. This represents around 7.6 years supply against the residual five year requirement from 2017 of 1,959 dwellings.

191. Tables 2 and 3 of the Plan need to be modified to reflect the above, and the reasoned justification should clearly set out how the five year requirement will be calculated each year during the plan period [**MM04**].

192. Furthermore, Figure 1 should be modified to set out a housing trajectory that indicates accurately how needs are expected to be met over the plan period as well as reflecting completions and commitments data to 2017 [**MM04**]. This will ensure that the Plan can be effectively monitored and implemented.

Overall Conclusion on Housing Supply

193. For a number of reasons that I have described above, the submitted Plan is not sound in terms of its identification of housing land supply. However, the main modifications that I have recommended will ensure that the Plan identifies an adequate supply of housing land and contains sound policies so that it will be effective in meeting housing requirements in a timely manner over the plan period.

Are the policies relating to the design, mix, size, type and tenure of housing provision justified and consistent with national policy, and will they be effective?

Meeting Particular Needs

194. Section 8 of the Plan is intended to ensure that housing development provides an appropriate mix of dwellings to meet identified needs and the requirements of the locality at the time of the development. The latest SHMA provides proportionate and relevant evidence about the needs of different groups in the community⁷⁸, although this will be updated periodically during the plan period. The likely cumulative cost of all of the requirements of this section of the Plan

⁷⁷ 21 + 52 + 73 + (2 x 95) = 336.

⁷⁸ Strategic Housing Market Assessment Further Update, April 2016 [EB016].

have been taken into account in the viability assessment which demonstrates that they can be achieved whilst maintaining the economic viability of housing development on the vast majority of the types of site likely to be developed⁷⁹.

Housing Mix

195. Policy H1(1) expects all housing developments to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable housing sectors, subject to viability. This provides a clear but flexible framework for preparing and assessing proposals over the plan period, but the reasoned justification in paragraph 8.1.5 needs to be modified to refer to developers having regard to relevant evidence, such as the latest SHMA and parish needs survey, to ensure that this policy is effective whilst not imposing an unreasonable burden on developers [**MM25**].

Space Standards

196. Policy H1(1) also requires all housing developments to comply with the *Nationally Described Space Standards* which relate to the size of new dwellings. Whilst the available evidence does not demonstrate that the existing housing stock in the district is made up of particularly small dwellings, over half of dwellings with 3 or fewer bedrooms granted planning permission between 2011 and 2016 fell below the national standards⁸⁰. If this trend were to continue over the plan period it would result in a significant number of unduly small homes which would be likely to adversely affect the quality of life of future occupants particularly those of relatively less expensive properties.

197. Achieving the standards would not be likely to materially affect viability, and any effect on the affordability of housing in the district would not be significant given the limited number of dwellings that would be affected compared to the size of the overall housing stock. In order to provide an appropriate transition period to allow the implications of the requirement to be taken into account in investment and development decisions, the policy should come into effect 12 months after adoption of the Plan. This needs to be stated in the reasoned justification which also needs to summarise the supporting evidence for the policy [**MM24**].

Affordable Homes with Two or More Bedrooms

198. Policy H1(2) seeks to ensure that all new affordable homes, other than those with one bedroom, should be houses or bungalows unless a particular need for flats or specialist accommodation is demonstrated. This approach has been adopted in the district for a number of years, and is based on evidence from registered social landlords of a clear preference for houses and flats amongst families with children and adults with medical needs who are the types of household that will live in affordable homes with two or more bedrooms.

Self and Custom Build Housing

199. Policy H1(3) is intended to ensure that at least 5% of plots on sites of more than 20 dwellings are provided for self or custom build provided that there is

⁷⁹ *Whole Plan and Community Infrastructure Levy Viability Assessment*, April 2016 [EB055].

⁸⁰ EB018.

an identified demand. Such a form of development is the subject of legislation and encouraged by national policy and guidance⁸¹, and the reasoned justification should make it clear that it will also be encouraged on smaller allocated sites and windfalls [**MM26**]. Whilst including such plots as part of larger developments may present some practical difficulties in terms of achieving complementary designs and meeting health and safety requirements, there is no reason why these could not be overcome. However, in order to ensure that the policy does not lead to plots being left vacant when the remainder of the site has been completed, a number of modifications are needed to the policy and reasoned justification. These would make it clear that the proportion of plots could be higher or lower than 5% depending on evidence of demand at the time, and ensure that an efficient cascade mechanism will operate if any identified demand does not in practice materialise in a timely manner [**MM23** and **MM27**].

Housing for Older People

200. The number of older people in the district is expected to increase substantially over the plan period. Given the higher levels of disability and health problems amongst the elderly, there is likely to be a need for a significant increase in the amount of specialist housing. The latest estimate is that an additional 665 sheltered and extracare dwellings will be needed between 2017 and 2031, and an additional 580 nursing and residential care bedspaces may be required over the same period⁸². The former are part of the overall housing requirement referred to in policy DS1, whereas the latter are additional to it. In order to ensure that policy H4, which deals with specialist accommodation for older people, is justified the reasoned justification should be modified to reflect the latest quantitative evidence about needs but also to make it clear that this may be updated during the plan period and that development proposals should have regard to the latest evidence [**MM31**].
201. Given that extracare housing is expected to be one of the main forms of specialist accommodation to be provided, this should be referred to in the introductory sentence to policy H4 to ensure that it is effective [**MM32**].
202. Whilst the evidence indicates that there will be a significant increase in the number of elderly people requiring nursing and residential care accommodation, Gloucestershire County Council advises that at present there is a surplus of bedspaces. In order to ensure that policy H4 can be implemented effectively, the reasoned justification should refer to any planning applications for that form of development to have regard to advice from the County Council and NHS Gloucestershire although this should not stipulate that the written support of those bodies must be provided in every case as such a requirement would be unduly onerous and is not justified. Modifications are required to paragraph 8.4.3 accordingly [**MM33**].
203. Policy H4(d) is intended to ensure that an appropriate proportion of specialist accommodation for older people is provided as affordable housing. The viability assessment shows that the percentages set out in policy H2(3) are achievable for sheltered and extracare housing schemes⁸³, and there is no

⁸¹ *Self-build and Custom Housebuilding Act 2015* (as amended), NPPF paragraph 50, and PPG ID-57.

⁸² EB016 and CDC evidence provided for matter 9 Q145.

⁸³ EB055 paragraphs 10.60 to 10.62 and Table 10.15.

substantive evidence available to indicate otherwise. However, the policy and reasoned justification need to be modified to clarify that all developments of specialist accommodation for the elderly that fall within use class C3 will be expected to include affordable housing in accordance with policy H2, and that developments that include self contained units as part of a larger residential care home scheme will also be required to provide a proportion of those self contained units as affordable homes in accordance with policy H2 [MM32].

204. In order to ensure that policy H4 can be effectively monitored, appendix J to the Plan needs to be modified to include relevant indicators [MM31].

Conclusion on the Design, Mix, Size, Type and Tenure of Housing

205. Subject to the modifications described above, I am satisfied that the policies relating to the design, mix, size, type and tenure of housing provision are justified and consistent with national policy, and will be effective.

Are policies H2, H3 and H4 likely to be effective in ensuring that identified needs for affordable housing are met to an extent that is justified and consistent with national policy?

Affordable Housing Needs

206. A breakdown of the residual OAN of 6,185 households at October 2015 based on expected tenure requirements⁸⁴ indicates a need for a total of 1,423 additional affordable homes, or an average of around 90 per year, in the remainder of the plan period to 2031⁸⁵. However, a calculation based on adding together current unmet and projected needs and subtracting from this the current supply of affordable housing stock indicates that 157 additional affordable homes per year may be needed between October 2015 and April 2031⁸⁶.

207. As the objective should be to meet the need for affordable housing in full in so far as this is possible, it is important not to underestimate that need. For that reason, and because it has been calculated in line with national guidance⁸⁷, I consider that the figure of 157 additional affordable homes is the best current estimate based on the available evidence. In order for the Plan to be justified and effective, this figure should be referred to in the reasoned justification for policy H2. However, it should also be explained that, due to the differences in the ways in which they have been calculated, it is not possible to directly compare that figure with the annual average of 420 dwellings per year over the plan period or the residual annual requirement of 373 between 2017 and 2031 [MM28].

Affordable Housing Supply

208. The estimate of 157 affordable homes being needed between 2015 and 2031 takes account of the affordable homes built between 2011 and 2015 and also those under construction. A further 710 affordable homes are expected to be

⁸⁴ PPG ID-2a-021.

⁸⁵ EB016 paragraph 2.16.

⁸⁶ EB016 Table 3.9. This includes a figure of 144 dwellings per year which the Council confirmed during the examination was an error and should read 157 - CDC response to Supplementary Questions for Matters 9 and 10 [ED040].

⁸⁷ PPG ID-2a-022 to 029.

built on sites with planning permission where development had not started in 2015. The application of policy H2 could lead to the provision of nearly 800 affordable dwellings on allocated sites (subject to viability), and policy H3(1) could result in some further provision on rural exception sites adjoining or closely related to the built up areas of villages, although to be effective this should also refer to "towns" [MM30]. Only a limited number of affordable homes are expected to be provided in the district through other initiatives.

209. In total, therefore, the Plan could lead to nearly 1,600 additional affordable homes between 2015 and 2031. This would represent on average around 100 per year. Whilst this would make a significant contribution, it would not be sufficient to meet identified needs. The requirements for 40% of homes on greenfield sites of 11 or more dwellings and 30% on brownfield sites over that threshold are therefore certainly not excessive relative to need.

210. The requirements of policy H2, in combination with the likely costs of other policies in the Plan, have been shown to be achievable whilst maintaining the economic viability of housing development on the vast majority of the types of site likely to be developed⁸⁸.

211. I am, therefore, satisfied that the requirements for 40% affordable housing provision on greenfield sites and 30% on brownfield sites are justified in terms of seeking to meet the need for affordable housing through open market housing developments whilst ensuring that viability is not compromised. In order to be effective and justified, policy H2(2) needs to be modified to make it clear that in rural areas financial contributions will be required for developments of 6 to 10 dwellings (whereas development over that threshold will be expected to make on-site provision), and also that commuted sums would be made on completion of development [MM28].

Affordable Housing in Different Parts of the District

212. The above analysis relates to affordable housing need and supply in the district as a whole. There is more localised evidence of need for affordable housing, including preferences stated on the housing register. If this is compared to where affordable homes are likely to be provided for the remainder of the plan period based on commitments and allocations, it would appear that such local needs and preferences are unlikely to be met in some towns and villages⁸⁹. This is particularly the case given the reliance on the strategic site south of Cirencester to meet housing needs for the last ten years or so of the plan period. Clearly, allocating additional sites for more than 10 dwellings adjoining other settlements would be likely to deliver some more affordable homes in those locations, and there is little doubt that this would have local social benefits.

213. However, there is no national policy requirement to meet the need for affordable housing in individual settlements or groups of settlements in different parts of the district. I have considered whether the development strategy, broad distribution of new housing across the district, and individual allocations are justified elsewhere in this report, and my findings on those issues are also generally relevant to the provision of affordable housing.

⁸⁸ EB055.

⁸⁹ For example, evidence from Fairford Town Council, Hallam Land Management, John Nicholas and Stow-on-the-Wold Town Council.

There is certainly no need to identify further land to meet overall housing requirements, and to do so would be likely to have adverse environmental impacts. The Plan's approach to encouraging windfall development within Principal Settlements may allow for some additional affordable housing to be provided, policy H3 allows for rural exception sites to be released, and policy H4 requires affordable housing to be provided as part of specialist accommodation for the elderly. Furthermore, neighbourhood plans could be used to bring forward additional sites for development, including to meet locally identified affordable housing needs.

214. Therefore, whilst the Plan is unlikely to ensure that all local housing needs will be met locally, I am satisfied that its overall approach to affordable housing provision is justified and consistent with national policy. That said, to be justified and effective, the Plan should contain a succinct explanation of how and where affordable housing is expected to be provided in the district over the plan period and the extent to which this is likely to meet needs overall and in particular locations [MM29].

Conclusion on Affordable Housing

215. Subject to the main modifications described above, policies H2, H3 and H4 are likely to be effective in ensuring that identified needs for affordable housing are met in the district to an extent that is justified and consistent with national policy.

Is policy H7 regarding Gypsy, Traveller and Travelling Showpeople sites positively prepared, justified and consistent with national policy, and will it be effective in ensuring that identified needs are met at all times during the plan period?

216. Policy H7(2) identifies 4 preferred sites to meet the future accommodation needs of gypsies and travellers and states that in total these would provide 9 additional pitches. Policy H7(3) identifies a reserve site where 2 further pitches could be provided if any shortfall in supply is identified. Policy H7(4) sets out criteria for considering planning applications for additional pitches to those specifically proposed in the Plan.

217. Paragraph 8.7.3 of the Plan refers to a need for an additional 26 pitches for the travelling community over the period 2013-2031, this being based on an assessment carried out in 2013. However, since the Plan was prepared an updated assessment of the need for gypsy and traveller accommodation in Gloucestershire has been completed⁹⁰, and a further assessment of site availability carried out⁹¹. These documents represent the most up to date and relevant evidence for considering the need for additional pitches and where they should be accommodated in Cotswold District.

218. The 2017 needs assessment involved identifying all of the occupied pitches in the district, and interviewing as many of the occupant households as possible to establish their demographic make up, future intentions, and whether they meet the current national definition of gypsies and travellers⁹². Attempts were also made to interview gypsy and traveller families living in "bricks and

⁹⁰ Gloucestershire Gypsy and Traveller Accommodation Assessment (ORS, March 2017) [EB027].

⁹¹ Identification of Potential Gypsy and Traveller Sites Update December 2017 [ED077].

⁹² Planning Policy for Traveller Sites (DCLG, August 2015).

mortar" accommodation, of which the 2011 census indicates there were 26 in the district. The assessment was carried out by an experienced consultancy, and whilst there is always scope for improving the methodology used in such studies I am satisfied that it provides proportionate, up to date, relevant evidence⁹³. That said, there are inevitable difficulties associated with establishing the long-term accommodation needs of the travelling community for a variety of reasons. Thus, whilst such a study is able to quantify currently known needs, there are likely to be additional needs that have not been identified that it may be necessary to accommodate during the plan period.

219. Representatives from 18 of the 39 households currently occupying pitches in the district were interviewed, the others being absent or unwilling to engage at the times that the visits were attempted. Based on the information provided by the respondents and having regard to the demographic make up of the existing families, a total of 3 additional pitches are expected to be needed during the plan period for households that would meet the national definition, and a further 13 households are expected to form that do not meet that definition.
220. Applying a household formation rate of 1.5%, which is based on data from across the country, would mean that an additional 11 households would form during the Plan period from the 21 households that were not interviewed. How many of these additional households would meet the national definition is unknown, but if the proportion was in line with that found to meet the definition elsewhere in the country (10%)⁹⁴ it would only be one of those additional households.
221. The 2017 assessment therefore indicates that 4 additional pitches are required to accommodate households that are expected to meet the national definition, and there is the possibility that up to 10 more could be required. The remaining identified need (between 13 and 23) would be for households that do not meet the definition. However, there is some evidence to indicate that information provided by representatives of existing gypsy and traveller families may lead to an underestimate of the number that meet the national definition. Examples that I were given include respondents over simplifying sometimes complex reasons for travelling; and females (who made up a significant proportion of respondents) not knowing or wishing to divulge the true working and travelling patterns of male household members.
222. The assessment has not identified any need for additional pitches in the district arising from households intending to move from other parts of Gloucestershire or rest of the country. Whilst there may be a tendency for gypsies and travellers to move away from urban areas due to development pressures and land values, there is no specific evidence that I have been provided with that indicates that significant numbers of additional families are likely to move into the district in the foreseeable future.
223. Interviews with a variety of people who work or engage with the existing gypsy and traveller families that currently live in bricks and mortar housing in the district did not reveal any specific intentions to move to accommodation requiring pitches. There is, however, some evidence from elsewhere that a

⁹³ NPPF paragraph 158.

⁹⁴ EB027 paragraph 6.44.

proportion of such households would wish to revert to a nomadic lifestyle if suitable sites were available to them.

224. There may be some gypsies and travellers who do not currently occupy a pitch in the district, but who would move in to share pitches at certain times when they are not travelling. However, no specific instances of this have been identified and there is no substantive evidence to indicate that any such additional need is likely to be anything other than low.

225. Overall, therefore, the evidence before me indicates that there is an identified need for 4 additional pitches in the period to 2031 for households that meet the national definition of gypsies and travellers. Whilst there could be some additional need, this is likely to be limited.

226. Current national policy on traveller sites is clear that there is only a requirement to identify specific sites to accommodate the needs of households that meet the definition. However, national policy also makes it clear that the objectively assessed need for housing should be met in full, and that local plans should be based on the housing needs of different groups in the community⁹⁵. Whilst some families that do not meet the definition could reasonably be expected to find accommodation of one form or another elsewhere in the district, it is likely that there will be some households whose needs would most appropriately be met on sites occupied by gypsies and travellers that do meet the definition. This may be because they are members of an extended family some of which meet the definition, or because whilst they do not currently meet the definition they may do so later in the plan period.

227. Therefore, I consider that the Plan should make appropriate provision to ensure that the needs of 4 households identified as meeting the definition can be met, but also to meet some additional need. This would provide flexibility to accommodate some households that have not at present been identified as meeting the definition, but also potentially some that do not whose particular circumstances mean that their housing needs are most appropriately met on such sites.

228. The latest evidence about the availability and suitability of sites⁹⁶ confirms that 4 pitches are likely to be available on a permanent basis at an existing temporary site at Meadowview (GT9), and identifies 5 vacant plots and 2 pitches that could be sub-divided at Shorcote (GT3) indicating a capacity for 7 pitches rather than 2 as stated in the Plan. Whilst there is no certainty that all of this capacity will be made available, I am satisfied on the basis of the evidence before me that there is a realistic prospect.

229. The proposed site at Green's Close (CDC6) is unlikely to be developable due to access constraints. The preferred site at Seven Springs (GT5) now has planning permission for one pitch on a permanent basis, and this has been taken into account in the latest assessment of needs. To reflect that, and to be consistent with the approach taken to all other committed sites in the Plan, this should not be shown as an allocation. Whilst the Council's 2017 evidence⁹⁷ identified one vacant plot at an authorised site at Oaksey Road

⁹⁵ NPPF paragraph 50.

⁹⁶ *Identification of Potential Gypsy and Traveller Sites Update December 2017* [ED077].

⁹⁷ ED077 paragraph 6.6

near Culkerton (GT1) more recent information indicates that there is no capacity.

230. Policy H7(2) should be modified to reflect the above which collectively mean that there would be capacity for 11 pitches on two allocated sites at Shorncote (GT3) and Meadowview (GT9) [MM34]. Furthermore, policy H7(3) should be modified to set out a more positive approach to the consideration of proposals for traveller accommodation on sites not allocated in the Plan [MM34]. Collectively, these changes would ensure that identified needs can be met and provide an appropriate degree of flexibility to meet additional needs that are likely to materialise over the next few years. On that basis, policy H7 would be positively prepared, justified, effective and consistent with national policy.

231. The inclusion of a reserve site at Seven Springs (GT8) is not justified, as it is unlikely to be required to meet identified needs. Furthermore, the use of this land on a permanent basis to provide traveller accommodation would cause significant harm to the landscape and scenic beauty of the AONB. Part 3 of policy H7 should therefore be deleted [MM34].

232. Paragraphs 8.7.1 to 8.7.8 of the Plan need to be modified to refer to the 2017 evidence and to justify revised Policy H7. Furthermore, given the uncertainties that there are around both the extent of need and the capacity of the allocated sites the reasoned justification should make it clear that needs and site availability will be monitored regularly and an early review of the Plan undertaken if necessary [MM34].

Conclusion on Gypsy, Traveller and Travelling Showpeople sites

233. Provided that the main modifications described above are made, policy H7 regarding gypsy and traveller accommodation will be positively prepared, justified and consistent with national policy, and effective in ensuring that needs are met at all times during the plan period.

Does the Plan contain effective and justified policies to ensure that development needs arising from aspirational but realistic economic growth assumptions can be met in suitable locations and promote a strong rural economy?

Economic Growth and Employment Land Requirements

234. The economy of the district has performed well over the last 25 years or so. Between 1991 and 2011 an average of 790 additional jobs were created each year⁹⁸. The Plan assumes that the local economy will continue to grow, albeit with lower job growth than previously: between 10,500 and 11,900 additional jobs are expected between 2011 and 2031 (525 to 595 per year)⁹⁹. This is based on an average from two recent economic forecasts¹⁰⁰ and analysis of other relevant economic information relating to past trends and expected future performance of specific sectors both in the district and in Gloucestershire as a whole¹⁰¹. Given the volatility of all economic forecasts,

⁹⁸ EB009 paragraph 8.5.

⁹⁹ Paragraph 6.1.2 of the Plan.

¹⁰⁰ Cambridge Econometrics and Oxford Economics, November 2015.

¹⁰¹ *Review of Economic Forecasts for Cotswold District Council* (Nupremis February 2016) [EB037] and section 8 of the OAN report 2016 [EB009].

particularly over the medium to longer term, such an approach is appropriate. The Plan's assumptions about future job growth broadly align with those of the LEP and surrounding districts, and are based on robust and proportionate evidence. Whilst more recent evidence may suggest that they are optimistic, on balance I consider that they can reasonably be described as aspirational but realistic¹⁰².

235. Based on this level of job growth, and an analysis of how different economic sectors are expected to perform, it is likely that at least 24 hectares of net additional land will be required for B class employment uses over the Plan period. Based on sectoral analysis, around 60% of that land is likely to be needed for B1 uses and 40% for B8 uses, with a small net reduction expected in the quantity of land in B2 uses. In order to provide relevant justification for the uses that are proposed on employment sites (including B1 offices which are main town centre uses), and to ensure that relevant policies in the Plan can be effectively implemented, this broad breakdown of the expected B class uses ought to be referred to in the reasoned justification [**MM03**].

Employment Land Supply

236. Policy DS1 states that 27 hectares of B class employment land will be allocated. The allocated sites are all in Principal Settlements, and are listed in policies S1 to S19 and shown on the policies map.

237. Many of the Principal Settlements have existing small or medium sized industrial estates or business parks and I am advised that there has been a good take up of land and premises on these sites over recent decades. Many of the occupants are micro or small companies, formed by residents of the district or by firms who wish to relocate to take advantage of the "Cotswolds" brand. The allocations in the Plan seek to continue this form of economic development, by either providing the opportunity to extend existing sites or create new ones on the edge of settlements. The Council advises that it will work proactively with other public and private sector bodies, including site owners, to encourage the development of all allocated employment sites and, if necessary, tackle obstacles or constraints.

238. I have already concluded that the proposed strategic site at Chesterton, Cirencester, which includes 9.1 hectares of employment development, is justified. The site is suitably located for employment uses, there is evidence of market demand, and viability has been taken into account as part of the overall scheme.

239. Planning permissions were granted some years ago for employment uses on a 1.25 hectare site north of Butler's Court, Lechlade-on-Thames (LEC-E1) and a 7 hectare site to the west of the Fire Services College, Moreton-in-Marsh (MOR_E6). There has been little interest in either site despite marketing, and both remain undeveloped. However, this does not mean that there would not be market demand to develop or occupy units during the remainder of the plan period particularly if positive steps are taken, including by the public sector, to bring forward development. Both sites are suitably located for B1 uses and there is a reasonable prospect that they will be developed meaning that the allocations are justified.

¹⁰² NPPF paragraph 154.

240. A 2.03 hectare site to the south of Cotswold Business Park and east of Evenlode Road on the edge of Moreton-on-Marsh is allocated specifically for B8 uses (MOR_E11). However, access is no longer available from the existing business park, and the Council does not consider that safe and suitable access for B class uses could be provided along Evenlode Road and then through the proposed housing site MOR_12A. I agree with that assessment, and policy S18 should therefore be modified to delete the employment allocation [**MM11**]. As there is no need to identify further land for housing development, there is no justification for re-allocating the site for that purpose. Whether the site is shown within or outside the development boundary on the policies map is a matter for the Council to determine.
241. The proposed extension to Tetbury Industrial Estate (TET_E2A) is no longer expected to take place as planning permission has recently been granted for housing development on a substantial part of the 2.08 hectare site. Policy S9 should therefore be modified to delete the allocation [**MM11**].
242. I have already concluded that the site north of the B4632 and east of Willersey Industrial Estate (W_7A) is suitable for mixed use development including 1.97 hectares of B class uses.
243. Each of the other employment land allocations are well located in relation to Principal Settlements and suitable for the type of B class development proposed meaning that those proposals are all justified.
244. Subject to the main modifications described above, the Plan allocates a total of around 24 hectares of employment land; this is in addition to 14 hectares on sites with planning permission for B class uses and also opportunities that are likely to arise to intensify the use of existing employment sites. To be effective, policy DS1 needs to be modified to reflect these up to date figures and the reasoned justification amended accordingly [**MM03**]. Policy EC3 allows employment uses on non allocated sites within Principal Settlements, and small scale employment development elsewhere subject to a number of criteria being met. Overall, therefore, the Plan identifies sufficient and appropriate opportunities for B class employment development to meet the identified demand that is expected over the plan period whilst also providing an appropriate degree of flexibility to allow for sites potentially not being available or suitable to meet the requirements of particular investors at any particular time.
245. In order to ensure that relevant policies are clear and therefore effective, the Plan needs to use consistent terminology when referring to "established employment sites", and the phrases "employment land" and "employment use" need to be more precisely defined in the glossary (appendix K) [**MM12**, **MM59** and **MM60**]. Furthermore, to ensure that the Plan is effective, the monitoring indicators for policy DS1 need to be modified to refer to net additional land and floorspace in B1, B2 and B8 uses including through intensified use of established sites [**MM03**].

Special Policy Areas: Royal Agricultural University, Campden Building Research Institute, and Fire Service College

246. The Royal Agricultural University ("RAU") at Cirencester, the Campden Building Research Institute ("BRI") at Chipping Campden, and the Fire Services College

("FSC") at Moreton-in-Marsh are three of the largest institutions and employers in the district and they play important roles in the local economy. Each institute has a well established site where its operations are based, and each intends to carry out development within that area during the plan period in order to consolidate and grow the business.

247. Policy EC4 states that development directly associated with the business operations of the existing users will be master-planned and implemented on a comprehensive basis. Parts 3, 4 and 5 sets out site specific guidance for the RAU, BRI and FSC respectively. However, to be effective policy EC4 needs to set out explicitly the types of uses that are proposed on each site so that the meaning of "development directly associated with" is clear [MM35].
248. All of the sites are located outside the Principal Settlements, and additional land is not required to that which is identified in the Plan for housing or other forms of development to meet general market demands. There is, therefore, no need to modify the Plan so that it allows a wider range of uses in order to meet identified needs. Whilst allowing housing or certain commercial developments would have the potential for generating income to the businesses, there is no substantive evidence to demonstrate that is essential to safeguard their future viability. If the master-planning exercises for the sites demonstrate that there is likely to be surplus land within any of the existing sites, this could be taken into account in a future review of the Plan along with all other potential locations to meet longer term development needs. In the shorter term, if any of the businesses were to require some form of enabling development to ensure their survival this could potentially be pursued through a planning application as an exception to policies in the Plan.
249. The fact that the Plan does not identify the wider land holdings of the RAU throughout the district does not mean that it is unsound, and there are various policies that would be relevant to guide development in those locations if that were to be proposed.
250. Subject to the modification to policy EC4 that I have recommended, I am satisfied that the Plan sets out a positive and justified policy framework to support the continued operation and growth of the three institutions in a manner that is consistent with national planning policy.

Cotswold Airport

251. Cotswold airport straddles the district boundary with Wiltshire. Parts of the runways, and various buildings on the northern part of the airport site, are within the district, whereas other parts of the runways and buildings to the south are in Wiltshire. The hangars and some of the other buildings within the district are used by aviation-related businesses including flying schools and aircraft salvage, whereas there are a number of buildings on the northern edge of the site that are occupied by various B class uses that are essentially unrelated to aviation.
252. The site owners advise that the future viability of the airport is uncertain, and have aspirations that the land, including the parts in Wiltshire as well as the district, could be comprehensively redeveloped for housing and other uses. However, there are thriving businesses using the site at present, and the existing runways, buildings and associated infrastructure represent a

considerable asset to the local economy. There is no requirement for additional land to meet identified development needs during the Plan period. If the existing uses on the land were to cease in the future, no doubt the Council would work closely with the adjoining local planning authority and other relevant bodies to consider an alternative future for the site.

253. Policy SP2 is intended to provide a specific framework to ensure that appropriate employment development can take place on the site in a manner that is supportive of and compatible with its continued use as an airport. However, to be effective the policy needs to be modified to make it clear that all development within the airport site within the district needs to be compatible with the aviation use, other than the parts of it that include existing buildings that are currently occupied by unrelated uses. Development within the latter areas would be subject to other relevant policies in the Plan (including EC2 and EC3) and does not therefore need to be referred to in policy SP2. The area to which modified policy SP2 relates should be shown on the policies map, and paragraphs 12.2.5 and 12.2.8 need to be modified to ensure that the policy is justified [**MM58**].

Rural Economy and Tourism

254. Due to the nature of the district, economic activity in rural areas is of considerable importance to social and economic wellbeing. This is recognised in the Plan, including through policy EC3(2) which allows small-scale employment development appropriate to the rural area outside Principal Settlements provided that the proposed business is shown to be viable and will provide local employment, and that any residential use is ancillary. This allows for appropriate rural economic development, whilst seeking to avoid unnecessary new buildings in the countryside.

255. Policy EC5 is supportive of the diversification of "existing farms, agricultural estates and other land-based rural businesses" provided that a number of criteria are met. The reasoned justification refers to "land based sectors" including energy, tourism and recreation, but it is by no means clear how the policy is intended to be applied to such existing uses. Moreover, agriculture is by far the dominant land-based business in the district, and the Council has clarified that the policy is intended to support that particular sector by allowing farms to introduce other appropriate economic activities provided that they are complementary to the overall agricultural business and that their scale and design is appropriate. In order to ensure that the Plan is effective in this regard, a number of changes are required to the policy and reasoned justification [**MM36** and **MM37**].

256. Policy EC6 allows the conversion of all types of rural buildings to alternative uses provided that a number of relevant criteria are met. However, to be effective the reference to policy EN9 (which should read EN13) relating to the conversion of historic buildings should be deleted as it implies that is the only other policy in the Plan that may be relevant which may not be the case [**MM38**]. The reasoned justification should, however, mention that there are also other policies in the Plan that specifically deal with the conversion of certain buildings including H6, EC11 and EN13 [**MM39**].

257. In order to ensure that new hotels, other serviced holiday accommodation, and self-catering holiday accommodation are not built throughout the

countryside, policies EC11(1) and EC11(3) need to be modified to make it clear that such development will only be permitted in the circumstances referred to [MM43]. To be effective in preventing self-catering holiday accommodation being used as permanent residential dwellings in rural locations where such development would be contrary to other policies in the Plan, policy EC11 needs to refer to the use of occupancy conditions and make it clear that applications for their removal will not be permitted unless the building is in a settlement [MM44].

Conclusion on Economic Growth, Employment Land and Rural Economy

258. Provided that the main modifications that I have described above are made, the Plan would contain effective and justified policies to ensure that development needs arising from aspirational but realistic economic growth assumptions can be met in suitable locations and promote a strong rural economy.

Is the Plan's approach to town centres and the development of main town centre uses justified and consistent with national policy, and are the relevant policies likely to be effective?

Main Town Centre Use Development and Hierarchy of Town Centres

259. The Plan is supported by relevant and proportionate evidence about the quantitative and qualitative need for development of main town centre uses over the plan period and the role, function and capacity of town centres in Cirencester and other settlements¹⁰³. There is an identified need for around 2,100 square metres ("sqm") of additional comparison goods floorspace and around 400 sqm of additional convenience goods floorspace in Cirencester, and a need for around 51,000 sqm or 17 hectares of land for B1 offices in the district as a whole¹⁰⁴. The evidence indicates that there is unlikely to be a need for any significant increase in floorspace in other town centres or for other main town centre uses.

Cirencester Town Centre

260. Policy S1 allocates four sites in Cirencester town centre for mixed use development, two of which adjoin the primary shopping area and are expected to be "retail-led". The policy also proposes that a decked car park be built on the existing Waterloo surface car park just outside the centre (site CIR_E14).

261. Section 7.1.1.3 of the Plan and policies S3 and S3A to S3F are intended to set out a comprehensive strategy for development within the town centre over the plan period, including on the sites identified in policy S1. There are a number of key issues that need to be addressed including preserving and enhancing the character and appearance of the historic townscape; accommodating additional and different types of main town centre uses; and increasing car parking provision by at least 350 spaces in order to address significant capacity and congestion problems.

262. The two allocated sites proposed for retail-led mixed use development amount to a total of around 1.5 hectares which is clearly more than sufficient land to

¹⁰³ Retail Study Update 2016 [EB041].

¹⁰⁴ CDC matter 13 statement Q185A.

accommodate the additional retail floorspace needed. However, both of these sites are currently used as existing surface car parks, and therefore their development potential is dependent on the rationalisation and intensification of off-street parking, including the proposed decked car park on the Waterloo site. This is expected to be delivered within the next five years. The identified need for additional retail floorspace is not expected to materialise until after 2021 and then build up gradually over the last ten years of the plan period. There should, therefore, be sufficient time for the car parking strategy to be implemented to allow the sites allocated for retail development to be made available when needed.

263. The Plan does, therefore, identify sufficient opportunities to accommodate additional retail uses in Cirencester town centre, and the proposed sites are in accessible locations well connected to the primary shopping area. However, in order to ensure that the Plan is justified and effective in delivering these sites in an appropriate manner whilst addressing the key issues that face the town centre, section 7.1.1.3 of the Plan and policies S3 and S3A to S3F need to be comprehensively redrafted, and some consequential modifications are required to EC7 and EC8 along with the associated reasoned justification. This will ensure that the Plan sets out a clear and succinct policy relating to main town centre use development and car parking provision set within a clearly defined strategy relating to the historic environment; transport, parking and access; redevelopment opportunities; and enhancing environmental quality [**MM10**, **MM15** and **MM40**].

Chesterton Strategic Site: Proposed Neighbourhood Centre

264. Policy S2 states that the strategic site south of Chesterton, Cirencester will include a neighbourhood centre. Given the amount of new homes that will be provided on the site this would make a positive contribution towards achieving a sustainable mixed use development whilst helping to meet the identified quantitative need for additional retail floorspace in the town. However, the reasoned justification needs to be modified to explain that the scale and format of retail uses will be limited to ensure that they will primarily serve the day to day needs of local residents. This will safeguard the vitality and viability of Cirencester town centre in line with national policy and other policies in the Plan [**MM14**].

Other Town Centres in the District

265. I have already concluded that the Countrywide Stores site in Bourton-on-the-Water (B_32) is not available for residential development and therefore that policy S11 be modified to delete the housing allocation. Whilst outside the defined key centre of Bourton (where many businesses aim to meet the demands of tourists) the site is well located in relation to a recently constructed convenience store and community facilities used by local residents. Redevelopment and/or re-use of the site would offer the opportunity to provide new main town centre uses in an accessible location that are of a type that enhance the key centre role and reduce the need for local residents to travel to other towns to do their shopping. In order to ensure that policies EC7 and EC8 are effective in this regard, a modification is required to the reasoned justification for policy S11 relating to Bourton-on-the-Water [**MM21**].

266. The Moreton-in-Marsh key centre as defined on the policies map is based on recent land use surveys¹⁰⁵ in a manner consistent with the approach taken across the district which seeks to include areas predominantly occupied by main town centre uses¹⁰⁶. However, the defined centre excludes a medium-sized supermarket that is located a short distance beyond the northern boundary shown on the policies map and only around 300 metres from the core of the centre. The supermarket is the largest shop in the town, provides Post Office services, and has a car park that is available for stays of up to two hours. Over 50% of trips to the store are combined with visits to shops and services in the town centre.
267. Thus whilst there are a limited number of residential and other non-retail uses between the supermarket and the core of the centre, it is clear that it is physically and functionally well connected. Furthermore, to the north, east and west the supermarket site is contained by clear physical features including the main road and railway line. For these reasons, I consider that the supermarket does logically form part of the key centre and therefore, to ensure that policies EC7, EC8 and EC9 can be effectively applied, the policies map ought to be amended accordingly. However, for the reasons set out earlier in this report I am not legally empowered to formally recommend a main modification to the policies map.

Impact Assessments

268. Policy EC9 requires a retail impact assessment to be provided with all planning applications that propose 100 sqm or more of additional retail floorspace. Whilst Cirencester town centre currently accommodates a total of around 43,500 sqm of retail floorspace, all of the other town centres in the district are considerably smaller with some accommodating less than 1,000 sqm. Furthermore, the average shop size in the district's town centres is around 100 sqm, and the majority of proposals for retail development are of a similar scale. Thus whilst the health of town centres in the district is generally good, this could be undermined by out of centre developments of 100 sqm as these would be significant in scale compared to existing centres and shops within them. Applying a higher threshold would materially reduce the effectiveness of policy EC8 which sets out an appropriate sequential approach to accommodating main town centre uses including retail.
269. The floorspace threshold of 100 sqm for retail impact assessments is, therefore, proportionate and justified in the context of national policy and guidance¹⁰⁷. In order to ensure that policies EC8 and EC9 are effective, the reasoned justification should make it clear that the default national threshold of 2,500 sqm will apply to impact assessments for offices on unallocated sites and leisure uses [**MM42**].

B1 Offices

270. Due to the historic nature and limited size of the town centres in the district, there is clearly insufficient capacity to accommodate the identified need for an additional 51,000 sqm of B1 office floorspace in or on the edge of them. Therefore, whilst some B1 development could take place on the mixed use

¹⁰⁵ EB041 Appendix C.

¹⁰⁶ NPPF Annex 2 Glossary.

¹⁰⁷ NPPF paragraph 26 and PPG ID-2b-016.

development sites in Cirencester town centre and through the reuse of existing buildings and on windfall sites in settlements, there is a need for such development elsewhere in the district. The sites proposed for employment development in policies S1 to S19 are within or on the edge of Principal Settlements meaning that most are relatively accessible by public transport, walking and cycling. I am, therefore, satisfied that a proportionate and appropriate sequential approach has been taken to identifying land for B1 office developments on employment allocations. However, additional text needs to be added to the Plan to ensure that it is justified in this regard [MM03].

271. Policy EC8 sets out a sequential approach for considering proposals for main town centres uses in the district based on the hierarchy of centres. In order to be effective and consistent with the approach towards B1 offices on allocated employment sites, parts 7(d) and 8, and the associated reasoned justification (9.3.2.1, 9.3.2.3 and 9.3.3.2), need to be modified to make it clear that a sequential test and impact assessment are not required for proposals that are in accordance with site specific policies in the Plan [MM40 and MM41].

Conclusion on town centres and development of main town centre uses

272. Provided that the main modifications that I have described above are made, the Plan's approach to town centres and the development of main town centre uses is justified and consistent with national policy, and the relevant policies are likely to be effective.

Are the policies relating to the Built, Natural and Historic Environment and Local Greenspace justified, consistent with national policy and likely to be effective?

Landscape

273. Cotswold district is a rural area that is internationally renowned for its natural beauty and the high quality of the stone-built historic settlements. The inter-relationship between the built environment and the surrounding landscape is a defining characteristic of the area, particularly in the AONB which makes up 80% of the district.

274. The Plan contains three policies directly concerned with landscape. Policy EN4 is intended to provide an overarching framework that relates to all parts of the district, whereas policy EN5 is specifically about the AONB and EN6 about Special Landscape Areas. To be effective, the reasoned justification (10.3.1.1 and 10.3.2.1) needs to explain the relationship between these three policies [MM47 and MM48].

275. Policy EN4 seeks to ensure that development does not have a significant detrimental impact on the natural and historic landscape and requires proposals to take account of character, visual quality and local distinctiveness and enhance, restore and better manage any significant landscape features and elements including key views, settlement patterns and heritage assets. To be effective in protecting the relationship between landscape and settlements, the policy needs to also refer to the setting of settlements [MM46]. Furthermore, for the avoidance of doubt and to ensure the policy is effective, the reasoned justification (10.3.1.2) should explain that assessing

“significant detrimental impact” requires making a judgement about the extent of any harm to the landscape and weighing this against the benefits of development [**MM47**].

276. Policy EN5 reflects relevant legislation and national policy by giving great weight to the conservation and enhancement of the natural beauty of the AONB landscape and only permitting major development in exceptional circumstances¹⁰⁸. Whilst there is evidence that a significant amount of housing development has taken place in AONBs throughout the country, particularly in the south of England including in the Cotswolds¹⁰⁹, there is no particular justification for adopting a more restrictive policy in the Plan. Furthermore, I am not persuaded that including a quantitative definition of “major development” is required to make policy EN5 effective. This is because what is “major” will depend very much on factors such as the size and nature of the settlement to which the development relates, and the particular character of the surrounding landscape. This is adequately explained in paragraph 10.3.2.3 of the Plan. However, to ensure that the Plan is internally consistent and therefore effective, the definition of “major development” in the Glossary needs to be modified to refer to the national definition and clarify how this relates to paragraph 10.3.2.3 and policy EN5 [**MM62**].
277. In order to ensure that policy EN5 is effective, the reasoned justification needs to explain that part 1 applies to all developments in the AONB, whereas part 2 (about major development) does not apply to sites specifically allocated in the Plan [**MM49**]. This is because the need for the allocations and scope for accommodating development outside the AONB was considered during the preparation of the Plan, and the environmental effects of development on allocated sites is adequately dealt with by part 1 and other policies in the Plan.
278. Based on reviews of the Gloucestershire landscape designations (first adopted in 1982) undertaken in 2001 and 2017¹¹⁰, six Special Landscape Areas are identified on the policies map. All of these are outside the AONB, each has its own particular intrinsic character, and in total they cover around 6% of the district. Whilst the identification of these areas is justified, policy EN6 does not set out a sound framework for considering relevant development proposals. The requirement for development to “meet the economic and social needs of communities” is not justified or consistent with other policies in the Plan, and parts (a) and (b) simply repeat policy EN4. To be complementary to EN4 and effective, policy EN6 needs to be modified to refer to development not having a significant detrimental impact on the special character and key landscape qualities of the area; the reasoned justification needs to list the six areas and set out the background to their designation; and the key diagram needs to indicate their broad location [**MM01, MM50 and MM51**].

Built Environment and the Cotswold Design Code

279. Due to the high quality of the built and natural environment in the district, the requirement for development to be of a design quality that respects the character and distinctive appearance of the locality is justified. Furthermore,

¹⁰⁸ NPPF paragraphs 115 and 116 and section 85 of the *Countryside and Rights of Way Act 2000*.

¹⁰⁹ *Beauty betrayed: how reckless housing development threatens England's AONBs* (CPRE November 2017).

¹¹⁰ NS028 and EB049.

the design code included as appendix D to the Plan provides relevant and practical guidance for all forms of development that avoids unnecessary prescription and detail but rather sets out locally relevant guidance on matters such as overall scale, density, massing, height, landscape, layout, materials and access¹¹¹.

280. The Plan does not include specific guidance on how each allocated site should be developed in terms of layout, design, landscaping and access. However, policies S1 to S19 do specify an indicative number of dwellings for each of the housing allocations, and this takes account of the nature of the site and its surroundings and any significant constraints. Policy EN2, the design code, and other development management policies where relevant, are sufficiently comprehensive such that the Plan provides an effective framework to ensure that development of allocated sites is carried out in a satisfactory manner. However, in order to ensure that the Plan is justified and effective, paragraph 7.0.1 should be modified to refer to the site allocation process, where further information is available about site specific issues and constraints, and that the number of dwellings specified for each site is for indicative purposes only rather than a limit or target [**MM07**].

Historic Environment

281. Policy EN10 applies to all designated heritage assets of which there are a very high number in the district including 144 conservation areas; 4,991 listed buildings; 239 scheduled monuments; and 32 registered parks and gardens¹¹². Part 1 reflects relevant legislation and national policy by giving great weight to their conservation, but needs to be modified to refer to greater weight being given depending on the importance of the asset¹¹³ [**MM52**].

282. Part 2 of policy EN10 is generally permissive of development that sustains and enhances the character, appearance and significance of designated heritage assets (and their settings), and part 3 seeks to prevent development that would harm their significance unless that harm is outweighed by public benefits. Whilst the wording of parts 2 and 3 is different to that used in paragraphs 128 to 134 of the NPPF, policy EN10 as a whole sets out a clear and succinct approach that requires an assessment that takes account of the importance of the asset, the scale of any harm, and the nature and level of public benefits.

283. Policy EN11 allows development that affects conservation areas or their settings provided that a number of criteria are met. As drafted, part (c) implies that all open land within a conservation area makes a valuable contribution to its character and/or appearance which is not justified. Subject to that part of the policy being modified [**MM53**], overall it will provide a clear and effective framework for considering development that affects conservation areas that is consistent with national policy.

Open Space

284. Policy INF2 seeks to protect existing "local community facilities and services", and policy INF7 deals with the provision of Green Infrastructure. To be

¹¹¹ NPPF paragraph 59.

¹¹² Paragraph 2.0.4 of the Plan.

¹¹³ NPPF paragraphs 132 and the *Planning (Listed Buildings and Conservation Areas) Act 1990*.

effective and consistent with national policy¹¹⁴, policy INF2, the reasoned justification to both policies, and the Glossary need to be modified to make it clear that they apply to all open spaces of public value, including playing fields, parks, gardens, allotments, amenity areas, and nature conservation sites. Furthermore, to ensure those policies can be effectively implemented, the reasoned justification needs to refer to relevant strategies and action plans [**MM55**].

Local Green Space

285. Policy EN3 designates 13 sites in various settlements as Local Green Space and states that development will only be permitted where there are very special circumstances which outweigh the harm. All of the sites are shown on the policies map, and each was chosen following extensive work with the local community and a systematic appraisal¹¹⁵ against the relevant national policy criteria¹¹⁶. All are local in character, and none is an extensive tract of land.

LGS1 Blockley Allotments

286. This site is on the northern edge of Blockley and is clearly highly valued by the wider community due to its openness and the contribution it makes to the setting of the village, as well as those who use it as allotments. However, it is owned by a charitable trust that wishes to relocate the allotments to adjoining land which would then be gifted to the Parish Council or Blockley Allotment Association. Discussions are on-going with the current occupants in an attempt to reach agreement, and notices to quit were served as a fallback position in March 2018¹¹⁷. There is, therefore, considerable uncertainty about whether the Local Green Space designation is capable of enduring beyond the short term, meaning that it fails one of the national policy tests. Furthermore, the site is located outside the development boundary of the village and is an area of existing open space meaning that it is subject to various policies including INF2 which seeks to ensure that existing local community facilities, including allotments, are retained unless there is no local demand for the facility or a replacement is provided in an appropriate location. Very little, if any, additional benefit would therefore be gained by the Local Green Space designation¹¹⁸. I do not, therefore, consider that it is justified and recommend that it be deleted from policy EN3 [**MM45**].

LGS2 Blockley Mill / Water Board Site

287. This gently sloping site is close to the centre of the village within the conservation area, and the tall mature trees and other vegetation mean that it makes a positive contribution to the character, appearance, and ecology of the area and is, therefore, of particular local significance. Its designation is supported by the Parish Council and a number of other organisations and local residents which suggests that it is special to the local community. Thus whilst it is privately owned and there is no public access, I am satisfied that its designation as Local Green Space is justified.

¹¹⁴ NPPF paragraphs 73 and 74 and annex 2 Glossary.

¹¹⁵ Evidence Paper Local Green Space [EB051a-d].

¹¹⁶ NPPF paragraphs 76 and 77 and PPG ID-37-005 to 022.

¹¹⁷ Parham Park Trust representation about the proposed main modifications dated 29 March 2018.

¹¹⁸ PPF ID-37-011.

LGS3 Manor Fields, Bourton-on-the-Water

288. This area of open land is close to the centre of Bourton-on-the-Water, within the conservation area and AONB, and part of it is a scheduled monument. It is bordered by a number of public footpaths that are well used by residents and numerous tourists, and views across the fields provide important visual links between the historic village and the surrounding countryside meaning that it has a particular local significance. Part of the site is used, with the benefit of planning permission, as a car park for 42 days each year. However, this temporary use is compatible with the Local Green Space designation as it allows for the site to remain essentially open for over 300 days of the year. The other policy designations would not offer the same protection in terms of keeping the site permanently open which is its key positive characteristic. I am, therefore, satisfied that its designation as Local Green Space is justified.

LGS4 Land adjacent Close Cottage, Church Westcote

289. This former small orchard is within the village of Church Westcote but adjoins the open countryside. It is occupied by mature vegetation meaning that it is used as a wildlife corridor by a variety of species of birds and animals and makes a positive contribution to the character, appearance and tranquillity of the rural lane. The designation is supported by the Parish Council and the local community. I am, therefore, satisfied that its inclusion as Local Green Space is justified.

LGS5 Humpty Dumps, Cirencester

290. This site is an area of grazing land on the northern edge of Cirencester. It is crossed by a public footpath and a number of other informal paths meaning that it provides both a physical and visual link between the town and the open countryside. I am advised that the land has been used for informal sports and recreation throughout the year for many decades. The designation is supported by the Town Council, Friends of Humpty Dumps, and district councillors on the grounds that the land is special to the local community and I agree that its value for informal recreation and as a link between town and country means that it is of particular local significance. I am, therefore, satisfied that its designation as Local Green Space is justified.

LGS6 The Green at West Lane, Kemble

291. This is the traditional village green in the centre of Kemble that has been a focal point in the village for around 250 years. Whilst it is within the conservation area and occupied by some historic features and mature trees meaning that it is subject to various protective policies in the Plan, it clearly is of particular local significance. I am, therefore, satisfied that its designation as Local Green Space is justified.

LGS7 Kemble Community Garden

292. Policy EN3 states that the community gardens at Station Road are designated as Local Green Space in conjunction with proposed housing allocation site K_2 under policy S6. The Local Green Space is clearly well used and highly valued by the local community as it provides small scale allotments, space for social activities and informal recreation, tranquillity and areas for wildlife. I have

already concluded under my consideration of the housing allocation that modifications are required to ensure that policies S6 and EN3 are effective with regard to this site and it is not necessary for me to repeat my reasoning here [**MM18**].

LGS8 Playing Field at Clayfurlong, Kemble

293. This site, which includes a children's play and meeting area, is on the northern edge of the village but close to family housing and has been well used for sports and informal recreation for many decades. The designation is supported by the Parish Council, and local surveys show that it is clearly valued as open space and of particular local significance. I am, therefore, satisfied that its designation as Local Green Space is justified.

Conclusion on the Built, Natural and Historic Environment and Local Greenspace

294. Subject to the modifications that I have described above, the Plan's policies relating to the built, natural and historic environment and local green space are justified, consistent with national policy and likely to be effective.

Other Matters

295. A small part of the Cheltenham and Gloucester Green Belt is located in the district. Policy SP1 needs to be modified to ensure that it is consistent with national policy [**MM57**].

296. Policy INF10 states that proposals for the generation of energy from renewable or low carbon sources will be permitted provided that a number of criteria are met. The Council gave consideration to whether areas suitable for wind energy development should be identified in the Plan¹¹⁹ but concluded that this would not be appropriate due to the extent of the AONB and high number of heritage assets. I am satisfied that the Plan sets out an effective framework for the consideration of all forms of development for energy generation that is consistent with national policy. However, paragraph 11.7.17 attempts to summarise current national guidance relating to wind energy which is unnecessary and also in some respects inaccurate. The reasoned justification should, therefore, be modified to ensure that policy INF10 is justified and refers to appropriate account being taken of national policy and guidance including that relating to wind energy [**MM56**].

297. The definition of "enabling development" in the Glossary needs to be modified to ensure consistency with national policy¹²⁰ [**MM61**].

298. A number of additional concerns to those that I have considered throughout this report have been raised by representors. However, none of these affect my findings on the main issues, or lead me to conclude that the Plan is unsound as defined in the NPPF. It is not my role to respond to every point made by interested parties, or to recommend changes to the plan on the grounds that it may improve it or ensure that it addresses something in a particular way that suits the preferences of an interested party.

299. There are, therefore, no other matters that lead me to conclude that any main

¹¹⁹ NPPF paragraph 97.

¹²⁰ NPPF paragraph 140.

modifications are needed in addition to those described throughout this report and listed in the Appendix.

Overall Conclusion and Recommendation

300. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
301. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Cotswold District Local Plan 2011-2031 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

William Fieldhouse

Inspector

This report is accompanied by an Appendix containing the Main Modifications
