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COTSWOLD
DISTRICT COUNCIL

Monday 4 October 2021

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CABINET MEMBER FOR DEVELOPMENT MANAGEMENT AND LICENSING - DECISION MAKING MEETINGS

A meeting of the Cabinet Member for Development Management and Licensing - Decision Making meetings will be held virtually on **Tuesday, 12 October 2021 at 2.00 pm.**

Rob Weaver
Chief Executive

To: Members of the Cabinet Member for Development Management and Licensing -
Decision Making meetings
(Councillor Juliet Layton)

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know prior to the date of the meeting.

AGENDA

1. **Neighbourhood Planning: Regulation 18 Decision on the Examiners Report on the South Cerney Neighbourhood Development Plan**

This report recommends that the Cabinet Member for Development Management and Licensing considers the recommendations of the examiner, and the proposed modifications, and agrees that the Plan meets the Basic Conditions.

Reporting Officer: Joseph Walker (01285 623146)

DATE OF DECISION: NO EARLIER THAN TUESDAY 12 OCTOBER 2021

DEADLINE FOR COMMENTS: NOON ON MONDAY 11 OCTOBER 2021

Note: Any Member who wishes to comment on an item is requested to send those comments (preferably by e-mail) to the Reporting Officer, copied to Democratic Services, by the deadline identified.

Any comments received will be reported to the Decision-Maker prior to the decision(s) being taken.

(END)



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET MEMBER FOR DEVELOPMENT MANAGEMENT AND LICENSING – 12 October 2021
Report Number	AGENDA ITEM 01
Subject	NEIGHBOURHOOD PLANNING: REGULATION 18 DECISION ON THE EXAMINER'S REPORT ON THE SOUTH CERNEY NEIGHBOURHOOD DEVELOPMENT PLAN
Wards affected	South Cerney Village and Siddington and Cerney Rural directly
Accountable member	Cllr Juliet Layton - Cabinet Member for Development Management and Licensing Email: juliet.layton@cotswold.gov.uk
Accountable officer	Joseph Walker, Community Partnerships Officer Email: joseph.walker@cotswold.gov.uk
Summary/Purpose	To consider whether the South Cerney Neighbourhood Plan, as modified, meets the Basic Conditions required by the Localism Act 2011, and therefore proceeds to Referendum.
Annexes	Annex A: Examiner's Report on South Cerney Neighbourhood Plan Annex B: South Cerney Neighbourhood Plan Referendum version Annex C: Table of Modifications
Recommendation(s)	<i>That the Cabinet Member for Development Management and Licensing considers the recommendations of the examiner, and the proposed modifications, and agrees that the Plan meets the Basic Conditions.</i>
Corporate priorities	<ul style="list-style-type: none"> • The Council has a duty to support neighbourhood planning. • 'Ensure that all services delivered by the Council are delivered to the highest standard.' • 'Present a Local Plan which is green to the core'
Key Decision	NO
Exempt	NO
Consultees/ Consultation	The draft Plan was consulted upon by the Parish Council, and subsequently by the District Council, in line with the statutory requirements of the Neighbourhood Planning process.



1. BACKGROUND

- 1.1** South Cerney Parish Council (SCPC) applied to Cotswold District Council ("the Council") in early 2016 to designate a Neighbourhood Area. The Area applied for, and subsequently approved, was the entirety of South Cerney Parish. Since that point, a Steering Group consisting of local residents and consultancy support has consulted locally, reviewed and developed a local evidence base, and drafted a Plan, the South Cerney Neighbourhood Development Plan (SCNDP). This Plan was duly consulted upon in late 2020 (Regulation 14 pre-submission consultation) – a consultation to which the Council responded – and representations were considered in preparing a submission draft. Following the submission of this draft to the Council, consultation was launched in May 2021, closing on 2 July 2021. Thereafter independent examination commenced, and took place over the Summer.

2. MAIN POINTS

- 2.1** Following the prescribed process for Neighbourhood Plans, the Council procured an independent examination of the South Cerney Neighbourhood Development Plan (SCNDP) from an experienced Examiner, Andrew Mead ('the Examiner'). This examination process is typically carried out using written representations, so is effectively a desk-based exercise, usually supplemented with a visit to the neighbourhood area. The Examiner issued his final report on 29 September 2021.
- 2.2** The Examiner concluded that the NDP, as amended following his recommendations, meets the Basic Conditions laid out in law for neighbourhood plans, and should proceed to Referendum, and that the Referendum should cover the area of the Plan, that is, South Cerney Parish.
- 2.3** It should be noted that the Examiner's recommendations are exactly that, and are not binding. However, the Council would need robust planning grounds not to accept these recommendations, a decision which would also prompt a further round of consultation on the SCNDP. These recommendations (contained in the Examiner's report at Annex A) and subsequent modifications are highlighted in table form at Appendix C, and have been made to the submission draft plan at Appendix 'B'. It is the role of the Council to make the changes recommended by the Examiner, in consultation with the qualifying body.
- 2.4** Subject to the decision on this report, the SCNDP will proceed to Referendum in November 2021. This timeframe is within the usual window for a Neighbourhood Plan to proceed to Referendum.



3. FINANCIAL IMPLICATIONS

- 3.1** This decision will enable the Council to draw down a grant from the Department of Levelling Up, Housing and Communities (previously, Ministry of Housing Communities and Local Government). While this is set at a standard rate of £20,000, in this instance it will cover the costs of the Examination and the Referendum, as well as other cash costs incurred on this plan.

4. LEGAL IMPLICATIONS

- 4.1** Making a decision on this report is a statutory duty. While the Council is expected to take on board the Examiner's findings, these are non-binding, and the decision is the Council's. This decision will give the plan significant weight in planning decisions, as noted above, but will still need to be subject to a Referendum and, subject to the outcome of that ballot a formal decision to make the Plan.

5. RISK ASSESSMENT

- 5.1** This is part of a statutory process and a decision that must be made. To mitigate the risk that there is challenge to the Council's decision, the Council has participated fully in this process to ensure that the presented Plan and the preparatory process is technically and legally robust.

6. EQUALITIES IMPACT

- 6.1** Not required for this decision.

7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 7.1** None for this decision.

8. ALTERNATIVE OPTIONS

- 8.1** None for this decision.



9. BACKGROUND PAPERS

9.1 None

(END)

Report on the South Cerney Neighbourhood Plan 2021 to 2031

An Examination undertaken for Cotswold District Council with the support of the South Cerney Parish Council on the April 2021 submission version of the Plan.

Independent Examiner: Andrew Mead BSc (Hons) MRTPI MIQ

Date of Report: 29 September 2021

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Main Findings - Executive Summary

From my examination of the South Cerney Neighbourhood Plan (SCNP/the Plan) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the South Cerney Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of South Cerney as shown on Appendix B of the submitted Plan;
- The Plan specifies the period during which it is to take effect: 2021 to 2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

South Cerney Neighbourhood Plan 2021 to 2031

- 1.1 South Cerney Parish, which has a population of over 4,000,¹ is located about 6km to the south east of Cirencester. The Parish includes two villages, South Cerney and, about 3km further to the south east, the smaller settlement of Cerney Wick. The generally rural area is part of the upper Thames Valley and is characterised by fairly level countryside together with a large number of lakes formed by the natural infilling of former gravel pits and which is named the Cotswold Water Park (CWP).
- 1.2 The possibility of producing a neighbourhood plan for the Parish was first discussed by the South Cerney Parish Council (SCPC) in 2015 and a Steering Committee was formed which first met in January 2016. Various consultation meetings were held and evidence gathered. The SCNP was submitted to Cotswold District Council (CDC) in April 2021, representing over five years' work for those involved.

¹ The 2011 Census records 3,465. In 2016, the population was estimated to be 4,100 according to CDC Council tax records. See paragraph 2.3.1 of the Plan.

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The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the SCNP by CDC, with the agreement of SCPC.
- 1.4 I am a chartered town planner and former government Planning Inspector and have experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the Plan.

The Scope of the Examination

- 1.5 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development'; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.

- Whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum.
 - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').
- 1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

- 1.8 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies of the development plan for the area;
 - Be compatible with and not breach European Union (EU) obligations (under retained EU law);² and
 - Meet prescribed conditions and comply with prescribed matters.
- 1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Plan does not breach the requirement of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations').³

2. Approach to the Examination

Planning Policy Context

- 2.1 The current Development Plan for South Cerney Parish, excluding policies relating to minerals and waste development, is the Cotswold District Local Plan 2011–2031 (CDLP) which was adopted in August 2018.
- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF

² The existing body of environmental regulation is retained in UK law.

³ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

was published in July 2021 and all references in this report are to the July 2021 NPPF and its accompanying PPG.

Submitted Documents

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, as well as those submitted which include:
- the draft South Cerney Neighbourhood Plan 2021–2031, April 2021;
 - the map at Appendix B of the Plan, which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, March 2021;
 - the Basic Conditions Statement, April 2021;
 - all the representations that have been made in accordance with the Regulation 16 consultation;
 - the Strategic Environmental Assessment Screening Report, November 2018; and
 - the request for additional clarification sought in my letters of 12 July and 22 July 2021 and the responses of 26 July from CDC and 31 August 2021 from SCPC.⁴

Site Visit

- 2.4 I made an unaccompanied site visit to the SCNP Area on 13 July 2021 to familiarise myself with it and visit relevant locations referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. No requests for a hearing session were received.

Modifications

- 2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in Appendix 1 to this report.

⁴ View at: <https://www.cotswold.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/south-cerney-neighbourhood-plan/>

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The South Cerney Neighbourhood Plan has been prepared and submitted for examination by SCPC, which is a qualifying body. The SCNP extends over all the South Cerney Parish. This constitutes the area of the Plan designated by CDC on 10 March 2016.

Plan Period

- 3.2 The Plan specifies the Plan period as 2021 to 2031.

Neighbourhood Development Plan Preparation and Consultation

- 3.3 The concise Consultation Statement (CS), including comprehensive Appendices, indicates the stages in the process of the preparation of the Plan. A household survey, hand delivered, covering all homes within the Parish was carried out, together with a business survey, also hand delivered, for all employers in the Parish. In addition, a survey was undertaken specifically for the owners of second homes situated around the lakes in the Parish. This survey was distributed by email through the lakeside management companies. The lakeside property owners are visitors to the Parish for holiday purposes and their views were considered to be important in respect of tourism and local facilities.
- 3.4 Drop in presentations were arranged to enable the sharing of the results of the surveys and to share and confirm the draft and final vision and objectives. The Parish Magazine, South Cerney News, provided the ideal vehicle for the distribution of the household survey. A comprehensive neighbourhood character assessment report was produced.
- 3.5 The Pre-Submission Plan was published for consultation under Regulation 14 of the 2012 Regulations on 14 September 2020 for a period of seven weeks until 6 November 2020. Guidance had been sought from CDC in respect of Statutory Bodies to be consulted at the Regulation 14 stage and to this list was added the names of local landowners and of those whose property was specifically mentioned in the draft Plan. Over 20 representations were received. The comments made and the responses to them are summarised in Appendix 6 of the CS.
- 3.6 The Plan was finally submitted to CDC on 27 April 2021. Consultation in accordance with Regulation 16 was carried out from 21 May 2021 until 2 July 2021.⁵ 7 responses were received. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the SCNP,

⁵ View at: <https://news.cotswold.gov.uk/news/have-your-say-on-south-cerneys-future#:~:text=The%20South%20Cerney%20Neighbourhood%20Plan%20proposes%2017%20policies,asked%20to%20submit%20their%20views%20into%20our%20consultation.>

that has had regard to advice in the PPG on plan preparation and is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

- 3.7 Subject to the modifications I recommend in **PM7** and **PM12** (paragraphs 4.19 and 4.25 below respectively), the Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.8 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.9 The main issues for planning in the context of human rights are: protection of property, right to respect for private and family life and prohibition of discrimination. The Basic Conditions Statement advises that the Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. Local landowners and businesses were specifically consulted in the preparation of the SCNP and its policies. I have considered this matter independently and I have found no reason to disagree with that position, especially as considerable emphasis has been placed throughout the consultation process to ensure that no sections of the community have been isolated or excluded and that the policies and proposals will not have a discriminatory impact on any particular group of individuals.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The SCNP was screened for Strategic Environmental Assessment (SEA) by CDC. The details were submitted with the Plan in accordance with the legal requirement under Regulation 15(e)(i) of the 2012 Regulations.⁶ As a result of the assessment, it was considered unlikely that there would be any significant environmental effects arising from the draft South Cerney Neighbourhood Plan (as at the time of this assessment in 2018), that were not covered in the Sustainability Appraisal or Appropriate Assessment of the Local Plan. Significant environmental effects have already been considered and dealt with through sustainability appraisal of the Local Plan for the District, to which the SCNP must be in general conformity to meet its Basic Conditions.

⁶ Strategic Environmental Assessment Screening Report, November 2018.
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- 4.2 Accordingly, a screening decision was issued by CDC in November 2018, following consultation with the relevant national bodies. This advised that it was considered the SCNP did not require a full SEA or HRA to be undertaken. The Plan has not significantly altered since this determination was made and so it is still current and an accurate statement of environmental impact. In addition, there are no allocations proposed in the SCNP, and the impact of any potential development (in general conformity with the Local Plan) is expected to be localised and minimal and therefore not significant. Overall, it is not considered necessary to require either a standalone Strategic Environmental Assessment or Appropriate Assessment for the SCNP.
- 4.3 Therefore, it was considered the SCNP did not require a full SEA or HRA to be undertaken. Historic England⁷ and Natural England⁸, when consulted, agreed with those conclusions. The Environment Agency⁹ was unable to make a detailed response due to resourcing issues.
- 4.4 Having read the SEA Screening Assessment Report and the other information provided, and considered the matter independently, I also agree with those conclusions. Therefore, I am satisfied that the SCNP is compatible with EU obligations.

Main Issues

- 4.5 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic development plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.
- 4.6 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.¹⁰
- 4.7 Accordingly, having regard to the South Cerney Neighbourhood Plan, the consultation responses, other evidence¹¹ and the site visit, I consider that the main issues in this examination are whether the SCNP policies (i) have regard to national policy and guidance, (ii) are in general conformity with

⁷ Response from Historic England, dated 7 November 2018.

⁸ Response from Natural England, dated 2 November 2018.

⁹ Response from the Environment Agency, dated 8 October 2018.

¹⁰ PPG Reference ID: 41-041-20140306.

¹¹ The other evidence includes the responses to my letters of 12 July and 22 July 2021 from CDC (26 July 2021) and SCPC (31 August 2021).

the adopted strategic planning policies and (iii) would contribute to the achievement of sustainable development? I shall assess these issues by considering the policies within the themes in the sequence in which they appear in the Plan.

Vision and Objectives

- 4.8 The process of preparing the Plan included having a village open day to discuss a draft vision and objectives and which resulted in the establishment of the vision for South Cerney, which is stated on page 10 of the Plan: *"South Cerney will, in the period to 2031, retain a balance of historical buildings and features alongside sympathetic newer developments. The vibrancy, individuality and community spirit of the parish will remain an important attribute. Sustainability will be enhanced, by developing a stronger network of facilities and services, whilst ensuring that the character and landscape is conserved and enhanced"*. The vision is then used to develop nine objectives, with seventeen policies to implement them.

Design Guidelines for South Cerney (Policy SC1)

- 4.9 Policy SC1 lists several considerations to take account of when evaluating proposals for new development, which include the Cotswold Design Code in the CDLP, the South Cerney Neighbourhood Character Assessment and the Conservation Area appraisal. The policy has regard to national guidance¹², generally conforms with Policy EN2 of the CDLP and meets the Basic Conditions subject to two modifications in order to assist effective development management.
- 4.10 The Cotswold Design Code may well eventually be reviewed along with the remainder of the CDLP and, therefore, this should be recognised in the policy, alongside making reference to the newly published National Design Guide and the National Model Design Code. In addition, the final two sentences of the policy dealing with built environment around the lakes are lengthy and too prescriptive. I shall recommend appropriate rephrasing. **(PM1)**

Area of Separation (AoS) (Policy SC2)

- 4.11 Policy SC2 is aimed at preventing South Cerney coalescing with the adjoining settlements of Cirencester, Siddington and Preston by defining an AoS shown on Figure 4 of the Plan. I have three observations on the policy. Firstly, there is no recognition of the acceptance of development in the countryside provided by CDLP Policies DS4 and EC3. These policies are explained more fully in paragraphs 6.4.3 and 6.4.4 and 9.3.4 to 9.3.7 of the Local Plan. The second observation is the emphasis on the visual appearance of the open countryside. Thirdly, the use of "perception" as a term within the policy is too subjective. I shall recommend rephrasing the

¹² NPPF: paragraphs 126 & 127.

final sentence of the policy so that it would generally conform with the strategic policies of the CDLP, have regard to national guidance and meet the Basic Conditions. **(PM2)**

Encouraging Home Working and Micro Businesses (Policy SC3)

- 4.12 Policy EC1 of the CDLP supports more sustainable working practices, including home working and, therefore, Policy SC3 of the Plan merely repeats what is already adopted planning policy. Moreover, as stated by CDC in their Regulation 16 representation, there is no such term as a micro business in planning policy or practice. Nevertheless, I acknowledge the wish of SCPC to limit any adverse impacts of working from home and small home-based businesses. Accordingly, I recommend that Policy SC3 should be retitled "Home Working and Small Home-Based Businesses" with a similar rephrasing in the text of the policy. **(PM3)**

Local Employment Opportunities (Policy SC4)

- 4.13 Policy SC4 seeks to encourage development which would create employment opportunities to employ local residents. I endorse the aims of the policy, which is to reduce commuting into and out of the village by car. However, this is also covered by the support for sustainable working practices expressed in CDLP Policy EC1 and I recommend that Policy SC4 should be deleted.¹³ **(PM4)**

Employment Development Outside the Development Boundaries (Policy SC5)

- 4.14 Policy SC5 supports employment development outside the development boundary only if it is compatible with CDLP Policy RC3 and does not have adverse effects on the existing holiday settlements. The policy would have regard to national guidance¹⁴, generally conform with Policy EC3 of the CDLP and meet the Basic Conditions. CDC suggested that reference should be made to Local Plan policies rather than specifically Policy EC3 in order to future proof the Plan against a subsequent CDLP review. However, I consider this is unnecessary because both the made Plan and any adopted CDLP Review would be part of the development plan with the more recent document taking precedence in the event of an inconsistency between them.

Holiday Accommodation and Access to Lakes (Policy SC6)

- 4.15 The reference in the second paragraph of Policy SC6 to not normally permit new holiday development outside the Development Boundary is dealt with in Policy EC11 of the CDLP, is unnecessary to repeat in this Plan and I shall recommend deleting it. The other element of Policy SC6 considers access to the lakes around which most of the holiday accommodation is located. Considering the representations from CDC and

¹³ NPPF: paragraph 16 f).

¹⁴ NPPF: paragraph 84 c).

the responses to my question about Policy SC6, I shall recommend that the policy be retitled "Public Access to Lakes" and shall recommend rephrasing the policy as suggested by CDC. **(PM5)** I consider the first paragraph of the policy, as recommended to be modified, would have regard to national guidance,¹⁵ generally conform with Policy SP5 of the CDLP and meet the Basic Conditions.

Non-Residential Visitor Facilities (Policy SC7)

4.16 Policy SC7 aims to support proposals for facilities which would enhance the leisure and recreational attraction of the CWP and, at the same time, safeguard the tranquillity of the lakes which are mostly used for quiet recreational pursuits. Although the policy refers to respecting the residential, rural and landscape location, it fails to mention nature conservation which, considering the extent of the Site of Special Scientific Interest in the CWP, is a significant omission. Therefore, whilst noting the reservations of SCPC, I shall recommend the inclusion of nature conservation in the first sentence of the policy which would not dilute the desire for retaining tranquillity. In addition, I shall recommend the substitution of the phrase "not normally be supported" in place of "not normally be permitted" which would offer greater accuracy for effective development management. **(PM6)**

4.17 With the recommended modifications, Policy SC7 would have regard to national guidance,¹⁶ generally conform with Policy SP5 of the CDLP and meet the Basic Conditions.

Existing Recreational Open Spaces and Allotments (Policy SC8)

4.18 Policy SC8 considers recreational open spaces and allotments and has regard to national guidance¹⁷, generally conforms with Policy INF2 of the CDLP and meets the Basic Conditions.

Protection of Community and Cultural Facilities (SC9)

4.19 Policy SC9 aims to protect community and cultural facilities and includes a list which appears definitive rather than indicative. If the latter, the policy would lack the precision necessary for effective development management. In order to become a land use based policy, I shall recommend the rephrasing suggested by CDC in their Regulation 16 representation. Furthermore, in order to generally conform with Policy INF2 of the CDLP, the final sentence of the policy should be moved to the reasoned justification.¹⁸ **(PM7)** The policy would then have regard to national guidance¹⁹ and meet the Basic Conditions.

¹⁵ NPPF: paragraph 100.

¹⁶ NPPF: paragraph 84.

¹⁷ NPPF: paragraphs 92, 98 & 99.

¹⁸ See CDLP: paragraph 11.2.10.

¹⁹ NPPF: paragraph 93.

Local Ecology Sites (Policy SC10)

- 4.20 Policy SC10 aims to conserve wildlife and the ecological value in Local Ecology Sites listed in the policy and shown on maps at Figure 5 and Appendix F of the Plan. The maps identify two separate sites as 1 River Churn Local Wildlife Sites (LWS) which, for effective development management reasons, should be defined separately as 1a, and 1b. The sites should also be delineated on a larger scale plan, together with the Cerney Wick Meadow Local Wildlife Site and, if possible, the area of the Railway Cutting which is described as a Regionally Important Geological/Geomorphological Site (RIGS). Following my request, SCPC has submitted plans, agreed with CDC, which I shall recommend should be included in the Plan to replace Figure 5 and be added to Appendix F. The alteration of the heading of the policy to Local Sites of Biodiversity and Geological Value would also reflect its content.
- 4.21 The substance of the policy begins in the paragraph following the list which does not have sufficient regard to national guidance²⁰ and would be rectified by the modification which I shall recommend. **(PM8)** The policy would then also generally conform with Policy EN8 of the CDLP and meet the Basic Conditions.

Local Green Spaces (Policy SC11)

- 4.22 Two Local Green Spaces (LGS) are defined in Policy SC11 at Boxbush Farm Fields and at Chapter Manor – Edwards' College Parkland. As explained in the NPPF, LGS designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.²¹ Appendix H in the Plan explains how those criteria are met and, subject to one criticism, I consider that the policy has regard to national guidance, generally conforms with Policy EN3 of the CDLP and meets the Basic Conditions. My particular concern is the inclusion in the policy of the phrase "... including the development that preserves and enhances the attributes for which it (the LGS) was designated" which does not have regard to national guidance.²² Therefore, I shall recommend the deletion of the final phrase of the policy. **(PM9)**

Local Heritage Assets (Policy SC12)

- 4.23 Policy SC12 considers local heritage assets and states that the historic characteristics of non-designated heritage assets (NDHAs) are to be conserved and, where possible, enhanced in any proposed development.

²⁰ NPPF: paragraph 180.

²¹ NPPF: paragraph 102.

²² NPPF: paragraphs 103 & 147.

National guidance is that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.²³ Therefore, I shall recommend the inclusion of the need for the balancing exercise so that Policy SC12 has regard to national guidance. The policy will then generally conform with Policy EN12 of the CDLP and meet the Basic Conditions. In addition, I shall recommend that the policy title is altered to non-designated heritage assets which reflects its content, rather than local heritage assets which would include the Conservation Area and designated assets such as Listed Buildings. **(PM10)**

- 4.24 CDC has suggested that within the list of NDHA in the policy, ISIS Lakes Holiday Homes should be deleted because of their relatively recent age and lack of high architectural quality. I have no convincing reason to disagree and to assist effective development management I shall recommend the deletion. **(PM11)** I have noted the helpful clarification by SCPC of the reasoning behind the inclusion of "Lock Keepers Cottage" within the list of NDHA in Policy EN12 and have no reason to delete it because the CDLP criteria for definition of a NDHA appear to have been met.²⁴

Redevelopment of Clark's Hay Garage (Policy SC13)

- 4.25 Policy SC13 encourages the redevelopment of Clark's Hay Garage which is more action than policy. Therefore, I shall recommend an appropriate rephrasing of the policy so that it is more suitable for development management. **(PM12)** Otherwise, the policy has regard to national guidance,²⁵ generally conforms with Policy EN11 of the CDLP and meets the Basic Conditions.

Alleviation of Flooding (Policy SC14)

- 4.26 Policy SC14 seeks to alleviate flooding at South Cerney. The policy has regard to national guidance,²⁶ generally conforms with Policy EN14 of the CDLP and meets the Basic Conditions.

Energy Use and Renewable Energy (Policy SC15)

- 4.27 I consider the policy has regard to national guidance, generally conforms with Policy EN14 of the CDLP and meets the Basic Conditions. As CDC comment in the Regulation 16 representations, Policy SC15 focusses on buildings, rather than other renewable energy installations. However, the policy is based on the reasoned justification which refers to buildings or properties rather than more general issues. My task is to consider what is included in the Plan and not what it omits, subject to the Plan or policy

²³ NPPF: paragraph 203.

²⁴ CDLP: Table 6.

²⁵ NPPF: paragraph 123.

²⁶ NPPF: paragraphs 153 & 154.

meeting the Basic Conditions, which this policy does. I also believe that normal development management procedures will assess whether any visual or amenity impact would be unacceptable without further elaboration in the policy.

Sustainable Travel and Rights of Way Network (Policy SC16)

- 4.28 Policy SC16 aims to retain the rights of way network and, where appropriate, seek improvements or extensions. However, because the policy applies to all development proposals, the added reference to tourism and leisure is superfluous and may result in confusion in development management. Therefore, I shall recommend deleting it. The policy would then have regard to national guidance,²⁷ generally conform with Policy INF3 of the CDLP and then meet the Basic Conditions. **(PM13)**

Light Pollution (Policy SC17)

- 4.29 Policy SC17 seeks the reduction of light pollution. CDC has commented that the impact of lighting on landscape character and appearance is omitted from the policy and refers to the quotation in the Plan from the NPPF which aims to limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation.²⁸ I shall recommend that the policy is modified by the addition of the phrase from the NPPF in which case it will have regard to national guidance, generally conform with Policies EN2 and EN4 of the CDLP and meet the Basic Conditions. **(PM14)**

Overview

- 4.30 Accordingly, on the evidence before me, with the recommended modifications, I consider that the policies within the SCNP are in general conformity with the strategic policies of the CDLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.
- 4.31 A consequence of the acceptance of the recommended modifications would be that amendments would have to be made to the explanation within the Plan in order to make it logical and suitable for the referendum. These might also include incorporating factual updates, correcting minor inaccuracies or improvements suggested helpfully by CDC. For example, a number of factual updates may be made in relation to direct references to the NPPF in the Plan, including paragraphs 1.1 (general), 5.7.2 (180 b) now 185 b)), and 5.17.2 (180 c) now 185 c)). None of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes.²⁹

²⁷ NPPF: paragraphs 100 & 104.

²⁸ NPPF: paragraph 185 c).

²⁹ PPG Reference ID: 41-106-20190509.

5. Conclusions

Summary

- 5.1 The South Cerney Neighbourhood Development Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the SCNP, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The SCNP as modified has no policy or proposal which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Concluding Comments

- 5.4 The Parish Council and voluntary contributors are to be commended for their efforts in producing a concise Plan which was professionally presented with comprehensive accompanying documentation. I enjoyed reading the Plan and the associated papers and visiting the area. With the recommended modifications, the SCNP will make a positive contribution to the Development Plan for the area and should enable the rural character and appearance of South Cerney and its surroundings to be maintained.

Andrew Mead

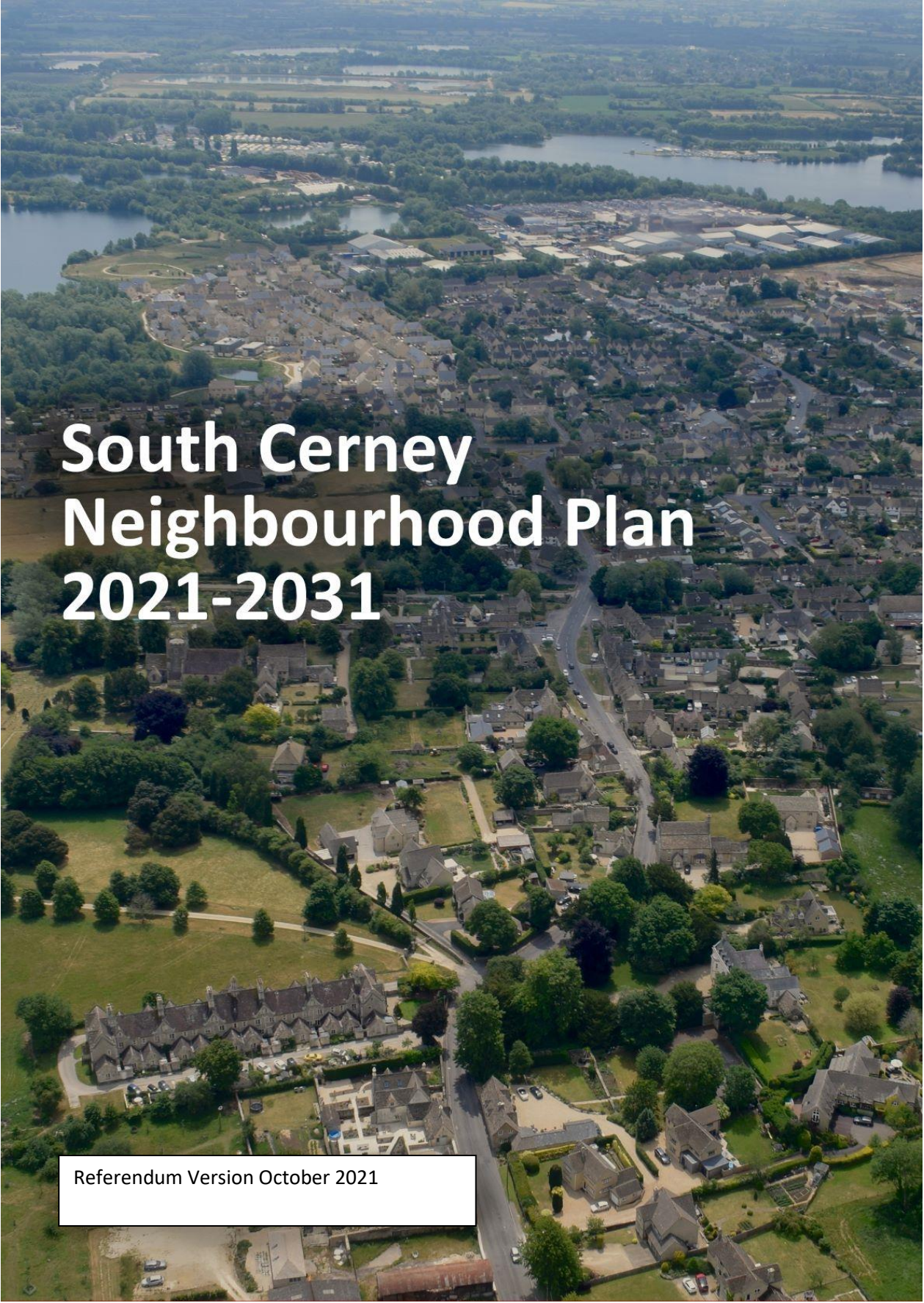
Examiner

Appendix 1: Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification
PM1	Policy SC1	<p>Delete the second sentence and insert: “New developments should take account of the Cotswold Design Guide (which is Appendix D to the 2011 – 2031 CDLP) or any relevant successor design guide or code and the South Cerney Neighbourhood Character Assessment (NCA) Appendix N, alongside the National Design Guide and National Model Design Code.”</p> <p>Delete the final two paragraphs and insert: “Within lakeside holiday developments, proposals for more contemporary designs will be supported that are in character with other buildings in the vicinity.”</p> <p>Explain the reasons for the new final sentence of the policy in the justification based on the deleted final two paragraphs.</p>
PM2	Policy SC2	<p>Delete the final sentence and insert: “Subject to the exceptions provided for in CDLP Policies DS4 and EC3, development proposed in the Area of Separation which would result in a significant erosion of the separation between settlements will not be supported.”</p>
PM3	Policy SC3	<p>Retitle the policy: “Home Working and Small Home-Based Business”.</p> <p>Amend the first phrase within the policy to: “Where planning permission is required, proposals for home working and small home-based businesses will be supported subject to complying with, etc...”.</p>
PM4	Policy SC4	Delete the policy.
PM5	Policy SC6	<p>Retitle the policy: “Public Access to the Lakes”.</p> <p>Amend the first paragraph within the policy to: “Public access to the lakes should be maintained and improved wherever possible. Proposals for existing and new</p>

		<p>holiday accommodation which include improved public access to lakes and South Cerney village will be supported."</p> <p>Delete the second paragraph.</p>
PM6	Policy SC7	<p>Rephrase the first sentence to: "Visitor facilities which enhance the leisure and recreational offer of the Cotswold Water Park while respecting nature conservation interests and the residential, rural and sensitive landscape location will be supported."</p> <p>Delete from the second sentence "... will not normally be permitted". Insert ".... will not normally be supported."</p>
PM7	Policy SC9	<p>Rephrase the second sentence to:</p> <p>"Development proposals that will result in the change of use, or redevelopment including a significant reduction in the scale and value of a community and cultural facility, will only be supported where they comply with other policies of the development plan."</p> <p>Move the final sentence to the reasoned justification.</p>
PM8	<p>Policy SC10</p> <p>Figure 5</p>	<p>Change policy heading to:</p> <p>"Local Sites of Ecological and Geological Value".</p> <p>Amend the second and third sentences to:</p> <p>"Where development would cause significant harm to biodiversity which cannot be avoided by either locating it on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Any mitigation measures and, where appropriate, the maintenance of them should be integrated into the design of the proposals and, if necessary, secured by planning condition."</p> <p>Replace Figure 5 with the updated location map and add the detailed maps to Appendix F, all of which were submitted by SCPC on 31 August</p>

		2021 delineating the specific Sites of Ecological and Geological Interest.
PM9	Policy SC11	Delete: "... including development that preserves and enhances the attributes for which it was designated."
PM10	Policy SC12	Alter policy title to "Non-Designated Heritage Assets" Delete first sentence and insert: "When proposed development might directly or indirectly affect a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm and the significance of the asset."
PM11	Policy SC12	Delete ISIS Lakes Holiday Homes from the list.
PM12	Policy SC13	Amend first phrase to: "Proposals for the redevelopment of this site for residential use and/or commercial use will be supported, ..." .
PM13	Policy SC16	Amend first phrase to: "Development proposals will be expected to ..." .
PM14	Policy SC17	Amend the first paragraph of the policy to: "Developments should be designed to reduce the occurrence of light pollution and, where appropriate, are required to demonstrate how they will contribute towards minimising light pollution. Information on these measures must be submitted with applications."

An aerial photograph of South Cerney, showing a mix of residential housing, green spaces, and a large lake in the background. The text 'South Cerney Neighbourhood Plan 2021-2031' is overlaid in large white letters.

South Cerney Neighbourhood Plan 2021-2031

Referendum Version October 2021

South Cerney Neighbourhood Plan

Referendum Version October 2021

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1 INTRODUCTION

NEIGHBOURHOOD PLANNING

- 1.1. Neighbourhood Planning is a central government initiative introduced by the Localism Act 2011 and recognised in the National Planning Policy Framework (NPPF) in 2012 (as revised in February 2021). The aim of the legislation is to empower local communities to use the planning system to promote appropriate and sustainable development in their area. It thereby gives the community an opportunity to have a real say over local decision making, to achieve its long-standing goals through the planning system and address the challenges and opportunities facing the future vitality of the parish.
- 1.2. Once it has obtained the consent of local people via a referendum, a Neighbourhood Plan forms part of the statutory development plan and sits alongside the Local Plan prepared by the local planning authority. Decisions on planning applications will be made using both the Local Plan and the Neighbourhood Plan, and any other material considerations.

THE SOUTH CERNEY NEIGHBOURHOOD PLAN 2021 – 2031

- 1.3. This South Cerney Neighbourhood Plan 2021-2031 (NP) has been produced by a Neighbourhood Planning Steering Group, under Terms of Reference delegated by the Parish Council. The Group members are Parish Council members and volunteers resident within the Parish. It will be used alongside the Local Plan produced by the Cotswold District Council. This development plan will be used to determine planning applications, alongside whatever other material considerations are deemed relevant in each individual case by the decision maker.
- 1.4. The NP has been prepared, under the over-arching planning policy set out in the National Planning Policy Framework (NPPF), during the finalisation of the CDC 2011-2031 Local Plan (CDC LP) and relies upon the policies in the CDC LP, which was adopted in August 2018. The policies in this NP add local detail to the CDC LP. The two plans should be regarded as complementary, with the NP plan setting out, in more detail and with more local flavour, how

some of the CDC LP policies should be interpreted and applied in the context of the South Cerney Parish. The CDC LP sets out the development boundary for South Cerney and this NP continues to use this. The CDC LP has no allocated development sites for South Cerney.

- 1.5. The aims and objectives are developed from local consultation (cf Consultation Table in Appendix A) and analysis of other publicly available evidence, leading to a set of Policies - some of which are not in the CDC LP, but are in response to local issues.
- 1.6. A Planning Consultant, Liz Beth, assisted to ensure compliance with the NPPF, the CDC LP and appropriate translation of local findings and aims into a formal Planning document.
- 1.7. Some of the important issues identified during consultation, fall outside the scope of the planning system to deliver, which, by law, must have a focus on responding to proposals for development and the appropriate use of land. This means that there are a number of objectives that cannot be delivered through planning policies alone and for which a Community Action has been developed that the Parish Council will work to deliver with the community and other partners. See Section 6 for the Community Action.
- 1.8. Note that references to South Cerney refer to the Parish of South Cerney, comprising the village of South Cerney, the settlement of Cerney Wick and countryside areas outside the two settlements which lie within the Parish. See Appendix B for a map of the area. Also refer to the Neighbourhood Character Assessment (NCA Appendix N), which has been prepared by members of the NP Steering Committee and volunteers from the South Cerney Trust. The NCA records the style and features of existing buildings, those buildings that are important to the character of the parish and key views within both the built areas and countryside. To achieve this, the Parish was split into seven sub-areas that have distinctive and separate characters. The NCA not only records the existing character of each sub-area it also goes on to incorporate design guidance for the sub-areas to ensure that new developments should be of a form and scale that are consistent with the existing local character. The NCA forms part of this NP and is included in the Evidence Base.

2 BACKGROUND TO THE PARISH

2.1 HISTORY AND CONSERVATION

- 2.1.1 Aerial photographs of field marks and the discovery of artefacts such as stone axes, metal tools and jewelry, suggest that this fertile area has been occupied since before the Saxon founding of the village, and potentially since pre-historic times: for example, rare palaeological activity was identified at a gravel extraction site and Bronze Age settlement features have been excavated in Cerney Wick. The name, South Cerney, is thought to pre-date the Roman period and is derived from 'settlement on the Churn'.
- 2.1.2 The Saxon founders of South Cerney sited the village some way from the Roman road (the modern Cirencester to Swindon road) down which other armed invaders were likely to pass,

laying the foundations of a distinct, separate settlement, which has been maintained over subsequent centuries. There is archeological evidence to confirm this.

- 2.1.3 The Royal Charter of AD999 refers to the “fertile lands of Cerney”, and, remarkably, the modern Parish reflects these boundaries unchanged. The Domesday survey shows that the land was already organized under a manorial system and was the Archbishop of Canterbury’s most valuable Gloucestershire possession, with farming as the principal activity. At the site of South Cerney Castle, a Scheduled Monument, there is evidence of a high status building dating from the later medieval or early post-medieval period.
- 2.1.4 By the beginning of the 13th century, the Parish was divided into three estates, resulting in the establishment of three Manors (Chapter Manor, Atkyns Manor and The Manor), and, as each estate required its own army of workers, this has a profound effect on the growth of South Cerney’s population. Tax returns show that the parish flourished in the 13th and 14th centuries with a growing rural industrial economy alongside agriculture. Archeological evidence implies that, by the 15th and 16th centuries, the centre of the village was roughly where it is today.
- 2.1.5 The oldest surviving recognisable structure is the Cross, a Scheduled Monument dating from the 14th century. Along the river Churn are the remains of post medieval water meadows, i.e., areas of grassland irrigated to produce plentiful crops and rich pasture via precisely engineered channels. The oldest houses in the village date from the late 16th and early 17th centuries, following the dissolution of monasteries and the break up of their estates, leading to the establishment of farms and small holdings, and setting the pattern of the village until the 20th century. By the end of the 17th century, the village was large and thriving, with a mixture of grand houses and artisan’s cottages. The village would have been reasonably self-sufficient, with many other activities supporting agricultural needs.
- 2.1.6 By the beginning of the 20th century, the arrival of the Thames Severn Canal, and, later, the Midland and South Western Junction Railway, brought change to the architectural character of the village and enabled the population to seek better wages in nearby towns, thereby reducing the farming related population to around 10%. The canal struggled for commercial success, owing to technical challenges from water supply and leakage. The poor state of navigation further along the river Thames was a significant constraint, which was solved only after the arrival of the railway. The canal transported the raw materials for the railway which superseded it and, in its turn, the railway carried the locally extracted gravels for the new motorways and dual carriageway. The railway closed in the 1960s.
- 2.1.7 In 1936, an RAF camp opened one mile to the north and the flying school was one of the first to be bombed by the Luftwaffe. In 1967 it was taken over by the Army, and currently houses the 29th Regiment Royal Logistics Corps, which is an integral part of the parish.
- 2.1.8 In the years after 1960, new estates doubled and trebled the population to nearly 4000 by 1999. The ‘Village’ is larger than most market towns in Gloucestershire and is home to a range of small industries on purpose-built estates.

- 2.1.9 Gravel extraction on a significant scale started in the middle of the 20th century, and the worked out gravel pits fill naturally with fresh water. The lakes which are thereby created are used for recreational activities and have become the major part of an area comprising over 150 lakes over 40 square miles known as 'The Cotswold Water Park'. South Cerney lies at the heart of this area.
- 2.1.10 Commercial developers have converted some areas into private holiday estates, with restricted use holiday homes built in a lodge style, and these now constitute around 40% of South Cerney's housing. Many of the Lakes are designated as Sites of Special Scientific Interest (SSSIs).

- 2.1.11 The settlement of Cerney Wick comprises former farm houses, farm workers' cottages and some infill, bordered by the remains of the Railway line and Canal. Along the Canal is one of the 5 remaining round houses (known as watch houses or lengthman's houses) on the Thames Severn Canal.
- 2.1.12 The South Cerney Trust was founded in 1963 to encourage interest in the history, character and environment of South Cerney. In 1999 the South Cerney Millenium Pageant reflected some of the striking moments of the past millennium and many villagers participated. 1500 people came to see the two open-air performances held in Chapter Manor parkland.
- 2.1.13 The Conservation Area, set out in the Conservation Area Statement of December 2002, was first designated in November 1970, with boundary revisions in 1990, 1993 and 1999 (see Appendix C). A characteristic feature of this area is the use of light grey Cotswold natural limestone, for building and for roofing slates, which was quarried locally along with big flat stones for field boundaries. The impact of the railway is visible in the use of Welsh slate roofing tiles and very occasional bricks, notably in the fine supporting piers of the railway arches.

2.2 LANDSCAPE

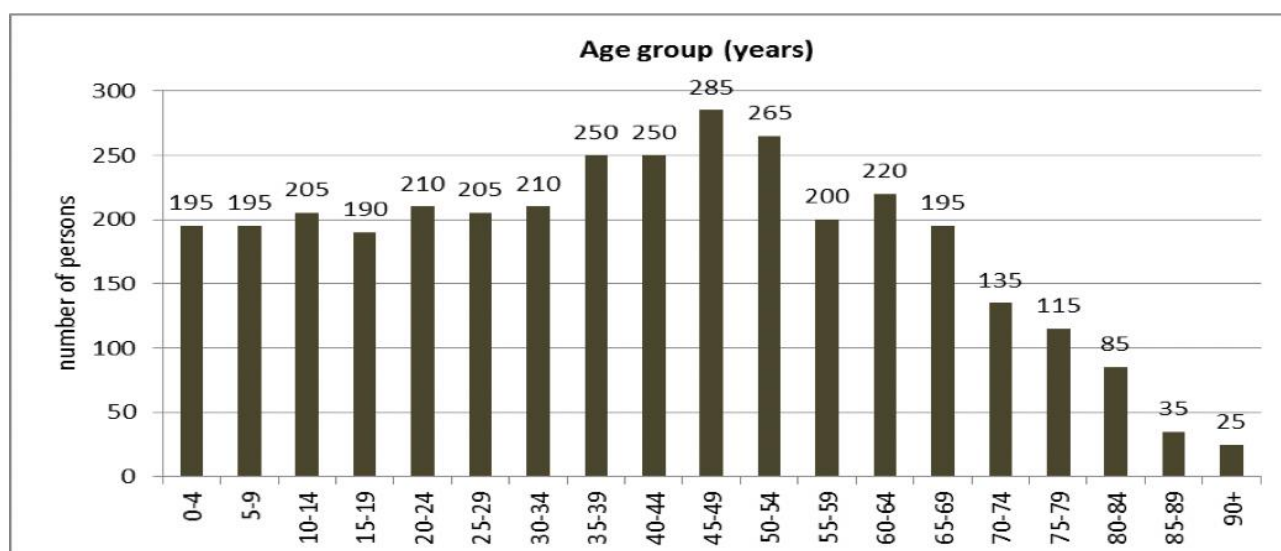
- 2.2.1 South Cerney lies around four miles to the south east of Cirencester, on the river Churn, set within the flood plain of the upper Thames Valley, an area dominated by watercourses and lakes. The village is bisected by a bend in the River Churn, which drains to the Thames from the Cotswold Hills to the north. The channelled course of the river forms an integral part of the settlement and a distinctive feature. The small linear settlement of Cerney Wick lies around two miles to the south-east on the river Churn, although rather isolated by intervening lakes and fields, after which the Churn joins the river Thames outside Cricklade. There is distinct separation from Cirencester (4 miles away), Siddington and Preston, and the Wiltshire border 1 mile away.
- 2.2.2 The Parish lies at the heart of the Cotswold Water Park, which was created by the extraction of minerals, resulting in the most extensive marl lake system in Britain. The high water table in this area facilitates the natural infilling of the gravel pits with fresh water following the completion of mineral extraction. Marl lakes are nationally scarce and support a distinctive range of aquatic and marginal plant communities along with a rich habitat for breeding and overwintering birds.
- 2.2.3 The landscape is a mosaic of open fresh water, wetland and farmland habitats, affording long views across flooded gravel pits. However, the visual influence of these water bodies within the wider landscape context is sometimes limited by scrub vegetation adjacent to lakes restricting views from neighbouring settlements and local roads. Many watercourses are fringed with willow or native black poplar, which, according to the Forestry Commission, is the most endangered native timber tree in Britain. Ancient field systems are evident as crop marks on gravel areas and remnants of medieval field systems survive with visible ridge and furrow.

- 2.2.4 Tranquil meadows surround and penetrate the heart of the village of South Cerney; the field pattern is strongly defined by mature hedgerows. Tree belts occur along the disused railway line and canal, otherwise there are few trees in the heart of the village. Wide green verges are a characteristic feature of the older part of the Parish.
- 2.2.5 At around 350 feet above sea level, historically, the landscape was irrigated and enriched by the regular flooding of the river Churn, via a system of ditches and culverts, little weirs and hatches, whose broken remains are visible when walking in the countryside. In the 19th century, a leading agriculturalist, Mr Arthur Young, held up the South Cerney meads as “equal, if not superior to any thing of the kind in the kingdom”. These ceased to be used regularly from around 1935. The flooding of the Churn is now an unwelcome event; since the year 2000, parts of the village (including the sewage system) have flooded from the River Churn, the Shire Ditch, or from high groundwater. Areas of South Cerney are now classified by the Thames Water Drainage Strategy as being at High Risk of groundwater flooding.

2.3 SOCIO ECONOMIC PROFILE

- 2.3.1 According to the 2011 Census, the population of South Cerney was 3,465 comprising 1,390 households. This equates to an average of 2.49 persons per household. According to the Census methodology, some Armed Forces will be included in these figures, but not all. Since the Census, the population has risen, such that in 2016 it reached 4,100 with 1,743 households (CDC Council Tax Records 2016).
- 2.3.2 The age profile of the population is demonstrated by the graph below:

Figure 1 **Age distribution in South Cerney according to Census 2011**



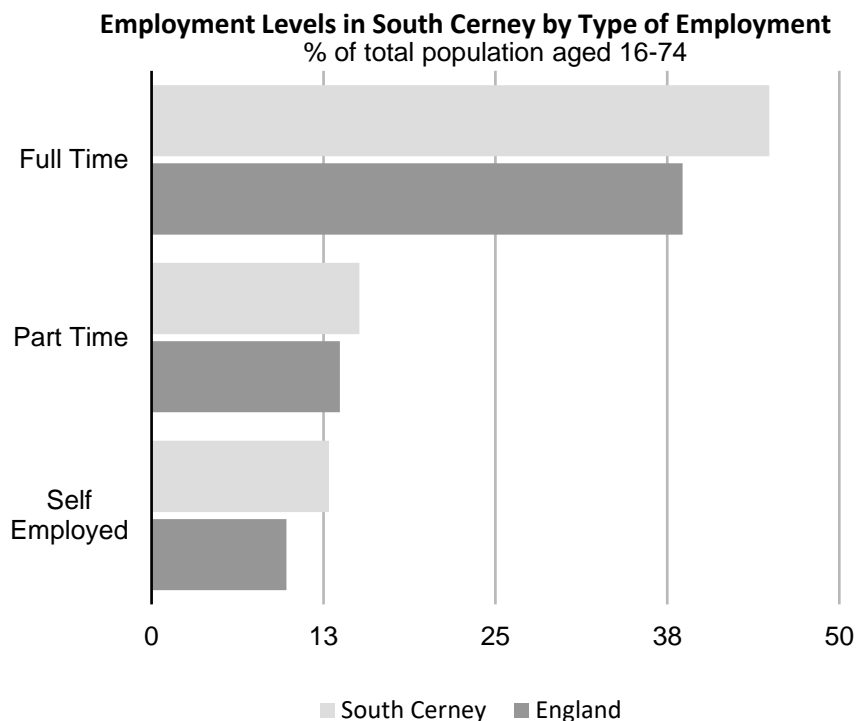
- 2.3.3 It is important to note that the percentage of the population aged under 15 years in South Cerney is 18.3% compared to 17.9% in Gloucestershire as a whole and 18.9% in England.

- 2.3.4 The population of South Cerney has grown by 12% over the period from 2001 to 2011 compared with 7% in Gloucestershire and 5% in England.
- 2.3.5 An important trend is the number of young people moving away from South Cerney compared with those moving in. The Population Turnover rates (ONS 2009/2010) reveal that, in the age group 1 to 24 years, 212 people moved out against 159 moving in. Whereas for those aged 25 to 65, 180 people moved out and 168 moved in.
- 2.3.6 Levels of deprivation in South Cerney are low according to any measure used. The Economic Deprivation Index for 2009 showed 134 people, 5.4% of the population, living in “income deprivation” compared with 13.5% in England.

Employment

- 2.3.7 Employment levels for the population of South Cerney by type of employment are shown by the following graph. Included in the figures are 140 people working from home. 574 were recorded as “economically inactive”, i.e., retired, students or home makers. (Source 2011 census). The number working from home is likely to have risen since 2011, in line with general trends, and will have spiked during the Covid-19 pandemic, which is likely to lead to a significantly higher rate in future.
- 2.3.8 An analysis of the types of employment show that the largest employer is the public sector/defence followed by retail and then education. 49.6% of those in employment are managerial or professional positions.

Figure 2 **Employment Levels in South Cerney**



Housing

2.3.9 Housing provision in the Parish according to the 2011 census was as follows:

- 543 Detached houses 34.1% (22.3%)
 - 575 Semi detached houses 36.1% (30.7%)
 - 405 Terraced houses 25.4% (24.5%)
 - 65 Flats 4.1% (22.1%)
 - 5 Temporary accommodation 0.3% (0.4%)
- (Brackets England)

2.3.10 Household owner occupation levels in the Parish were 69.2%, in line with the County at 70.3%, and higher than the national figure of 64.1%. Social and private rented levels were in line with both the County and England.

2.3.11 The affordability of housing in the Parish, again according to the 2011 census, was illustrated by an affordability ratio of 18.5 (England average 15.4); house prices are generally above the national average. The distribution by Council Tax Bands reveals that the Parish has fewer lower band properties (A to C) at 51.8% of households than the County at 64.4%, and more at the higher bands (D to H) at 48.1% of households, County 35.4%.

2.3.12 In October 2016, of 1,627 applications on the Council's Housing Register, 35 indicated a preference for South Cerney.

2.3.13 A November 2016 report on South Cerney housing stock identified 250 affordable dwellings (14.3% of the total housing stock – an increase from around 11% in March 2011) and commented:

‘Affordability is an issue for people on median or lower incomes looking to buy or rent privately in South Cerney, where house purchase prices and rents are higher than average in England and incomes are lower.’

2.4 EMPLOYMENT AND SERVICES

2.4.1 Over 75% of the Parish's permanent population (i.e., excluding Holiday Home residents), are economically active, i.e., either working or unemployed; the Public Sector/Defence is the largest employer, followed by Retail and Education. The Business Park is the second largest light industrial area in the Cotswolds, although the results of the NP Business Survey suggest that few of those employed there live within the Parish. In summary, excluding the service personnel on the military base, and, therefore, of the 'regular workforce', those that live within the Parish do not work within it, and those that work within the Parish do not live within it.

- 2.4.2 Commuting further afield is enabled by the A419/A417 Dual Carriageway; around 20 miles away are links to the M4 Motorway West and East, and the M5 North and South. Less than 5 miles away, at Kemble, is a railway station with a through service to London Paddington. South Cerney village is on the bus route connecting Swindon and Cheltenham, although the service is hourly at best. There is an occasional bus service to a nearby superstore. School buses transport children to secondary schools. Whilst National cycle route 45 runs along the disused railway line through Cerney Wick and South Cerney, there is no 'off-road' cycling route to Cirencester, or to Kemble Railway Station. The most direct route is a busy, largely unlit, minor road, which many residents regard as unsafe, leaving them with no option other than travelling by car.
- 2.4.3 Within the village of South Cerney are services such as a primary school, a Doctor's Surgery, a pharmacy, a Vet's practice, a Post Office, general stores, pubs and churches. Community facilities are good and well used, for example, playing fields, allotments, the village hall, Fenton's Community Centre; Bowling, Angling and Sailing Clubs. Cerney Wick has a church and pub. Many residents, including those in the Holiday Lodges, enjoy walking and cycling in the surrounding countryside using the Rights of Way network of paths.

3 VISION

- 3.1 South Cerney will, in the period to 2031, retain a balance of historical buildings and features alongside sympathetic newer developments. The vibrancy, individuality and community spirit of the parish will remain an important attribute. Sustainability will be enhanced, by developing a stronger network of facilities and services, whilst ensuring that the character and landscape is conserved and enhanced.

4 OBJECTIVES

- 4.1 Supporting sustainable developments which contribute to the vision for the parish.
- 4.2 Maintaining the physical separation of the village of South Cerney from Cirencester, Siddington and Preston.
- 4.3 Sustaining and improving local facilities and services.
- 4.4 Strengthening and supporting economic development, particularly for local people and Businesses.
- 4.5 Improving the Parish's resilience to flooding, including groundwater flooding.
- 4.6 Ensuring that significant employment development is located within the Lakeside Business Park area designated in the CDC Local Plan where appropriate.
- 4.7 Improving the traffic environment, including parking, whilst being respectful of the village environment.

- 4.8 Seeking on-going improvements to the network of public transport, footpaths and cycle ways.
- 4.9 Enhancing greenspaces, the landscape and supporting nature conservation and improving access to lakeside areas.

5 POLICIES TO IMPLEMENT THESE OBJECTIVES

- 1 Design guidelines for South Cerney
- 2 Area of separation
- 3 Encouraging Home Working and Micro Businesses
- 4 Employment development outside the Development Boundary
- 5 Holiday accommodation and access to Lakes
- 6 Non-residential visitor facilities
- 7 Existing Recreational Open Spaces and Allotments
- 8 Protection of Community and Cultural facilities
- 9 Local ecology sites
- 10 Designation of Local Green Spaces
- 11 Local Heritage Assets
- 12 Redevelopment of Clarks' Hay Garage
- 13 Alleviation of Flooding
- 14 Development to reduce greenhouse gas emissions
- 15 Sustainable travel and Rights of Way Network
- 16 Reduction of Light Pollution

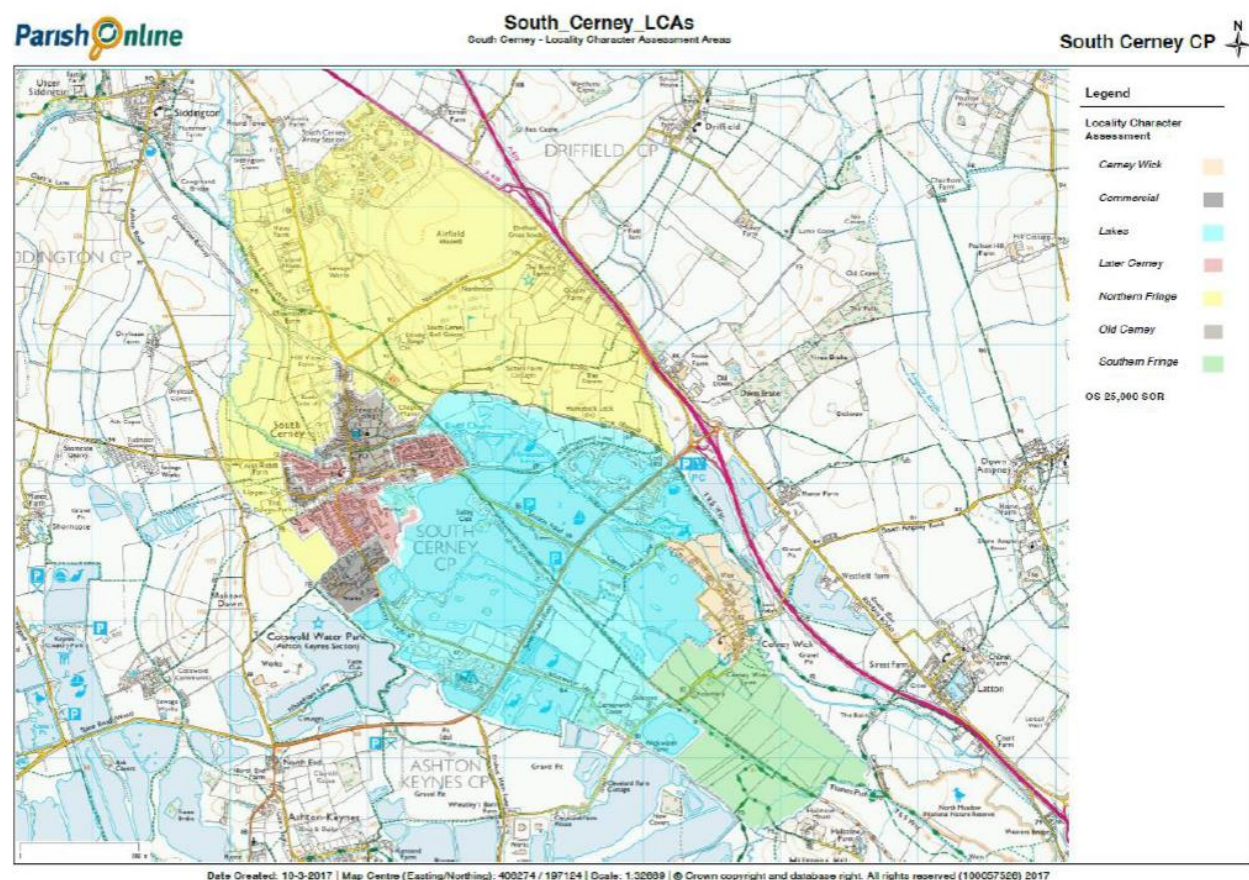
Appendix D shows how these Policies meet the Objectives set out in Section 4.

5.1 DESIGN GUIDELINES FOR SOUTH CERNEY

Rationale for Design Guidelines for South Cerney

- 5.1.1 Encouraged by the NPPF to respect local distinctiveness, the South Cerney Neighbourhood Character Assessment (NCA Appendix N) established that the parish contains areas of differing architecture, landscape and land use. To best reflect these differing characteristics, **seven sub-areas** were identified with boundaries between the areas refined on walk-about.

Figure 3 *Sub Areas in Neighbourhood Character Assessment*



- 5.1.2 The Conservation Area Statement, drawn up by Cotswold District Council (CDC) in 2002, was used as an important reference document in constructing the NCA and continues to be an important consideration for future development proposals. Important Views, Important Approaches, and/or Focal Features are set out in the Conservation Area Character Map (Appendix C). Additional Views and Vistas from the NCA are detailed in Appendix E.
- 5.1.3 The village of South Cerney was split into two sub areas, **Old Cerney** and **Later Cerney**, representing the older and historic part of the village, and the different architecture and layout of 20th century and 21st century developments.

- 5.1.4 A separate sub-area, the **Commercial Area**, represents the Lakeside Business Area.
- 5.1.5 A separate sub-area represents the settlement of **Cerney Wick**.
- 5.1.6 The areas outside of the settlements divide into three distinct landscapes, the rolling landscape of the **Northern Fringe**, the flat aggregate worked/working areas of the Cotswold Water Park (**The Lakes**) and the **Southern Fringe** reflecting the un-spoilt countryside to the south of Cerney Wick. More detail of the methodology followed is contained in the NCA (Appendix N) report.
- 5.1.7 The Lakes, The Northern Fringe, Southern Fringe and Cerney Wick, are outside the Development Boundary (set out in the CDC Local Plan) and are covered by Local Plan Policy DS3 – small-scale residential development in non-principal settlements.
- 5.1.8 The character of the built environment in large parts of the Lakes area is fundamentally different to the typical Cotswolds’ vernacular with many lake side holiday home complexes and club house scale buildings following a New England style of contemporary timber clad lodge design. Here, additions to these complexes should follow the New England style and be designed to harmonise with the existing buildings.
- 5.1.9 Along the Spine Road, in the Lakes NCA area, are some commercial buildings (Cotswold Outdoor Shop and the Visitor Centre) and a hotel that are of a more traditional Cotswold stone design. Further buildings of this scale along the Spine Road should follow this style rather than the New England style which should be reserved for holiday lodge scale developments.

POLICY SC1

Design Guidelines for South Cerney

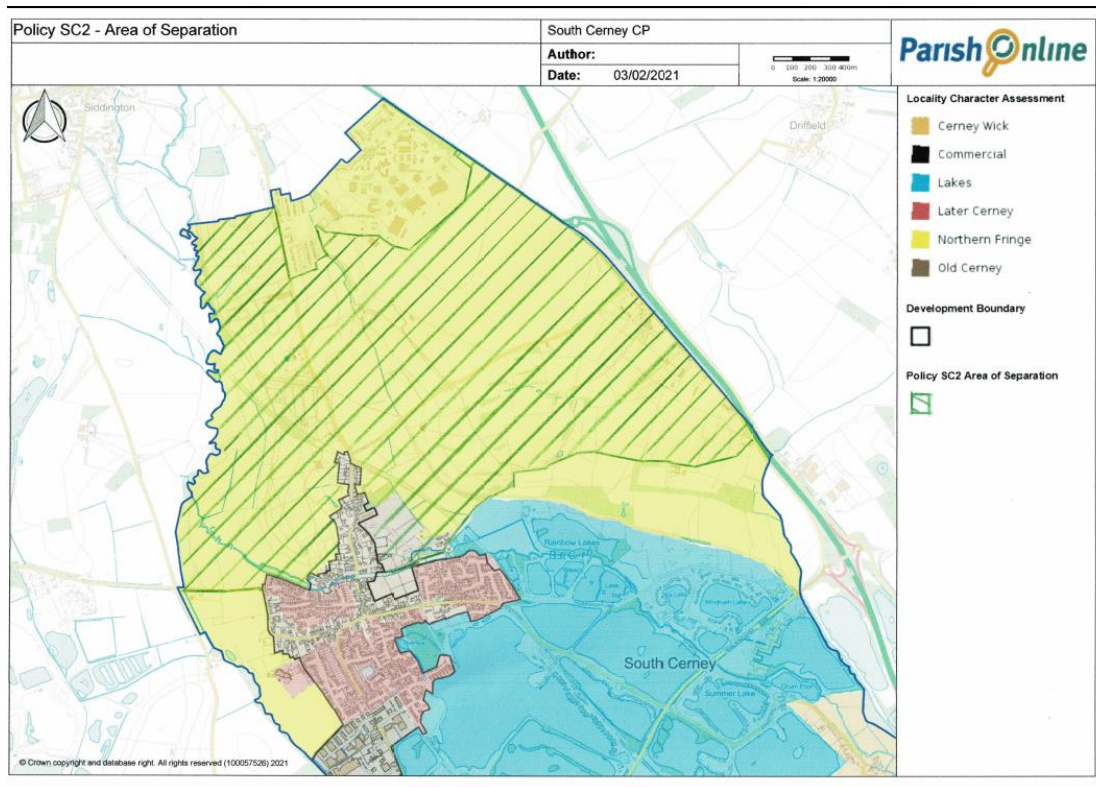
1. Proposals for new developments, including extensions to existing buildings, should harmonise with their surroundings and follow the lead from the local vernacular in their immediate locality and South Cerney Neighbourhood Character Assessment (NCA Appendix N) area.
2. New developments should take account of the Cotswold Design Guide (which is Appendix D to the 2011 – 2031 CDLP) or any relevant successor design guide or code and the South Cerney Neighbourhood Character Assessment (NCA) Appendix N, alongside the National Design Guide and National Model Design Code. The proposals should have specific regard to:
 - a) Retaining and, where appropriate, enhancing, key views, vistas and the open green character of many of the streets within the village (cf Appendix E and the Conservation Area Map in Appendix C)
 - b) Reflecting and respecting local character and features assessed within the NCA (Appendix N) and the Conservation Area appraisal (Conservation Area Map in Appendix C)
 - c) Addressing the areas for improvement identified in the NCA (Appendix N).
3. Within lakeside holiday developments, proposals for more contemporary designs will be supported that are in character with other buildings in the vicinity.

5.2 AREA OF SEPARATION

Rationale for Area of Separation

- 5.2.1 This policy is to preserve the sense of community in South Cerney and to retain the historic setting of the village. Protecting the attractive and historic setting of the village, on the edge of a desirable tourist and leisure destination, promotes the village's individual identity and the developing tourist and leisure industry. It reinforces the situation of South Cerney within the network of Saxon town and medieval villages which characterise this area of the Upper Thames Vales.
- 5.2.2 Natural England (cf National Character Area Profile: 108) notes a typical landscape attribute in the Upper Thames Clay Vales – the area in which South Cerney is situated - is “long and wide views across open fields”.
- 5.2.3 Through the Household Survey, Residents made it clear that green space and open countryside is their top ‘like’ about living in South Cerney. The second most common response indicates that they value the community spirit. A sense of identity as a separate community with its own self-sufficient facilities and community groups is also highly valued. Therefore this policy reflects the wish that settlements do not coalesce and are visibly separated.
- 5.2.4 The sub area described in the Neighbourhood Character Assessment (NCA Appendix N) as the ‘Northern Fringe’ includes the Duke of Gloucester Barracks, which is part of the Ministry of Defence (MOD) estate. The Barracks consists of the army camp and the airfield. Whilst much of the ‘Northern Fringe’ is essential to the Area of Separation, the developed part of the Barracks, the army camp and airfield buildings (hangers and control tower), are excluded from it. The Neighbourhood Plan does not seek to restrict the operation of the developed facilities for defence and security purposes.

Figure 4 **Map showing Area of Separation**



POLICY SC2

Area of Separation

The area shown on figure 4 above is designated as an Area of Separation between South Cerney, Cirencester, Siddington and Preston. The Area of Separation covers the area to the north of the village of South Cerney down to the road to the west by Cross Roads Farm and, to the east, the track (public footpath) that runs by The Sisters Farm. All areas outside of the South Cerney Development Boundary are included, with the exception of the army camp and airfield buildings at the Duke of Gloucester Barracks and housing outside the barracks on the Cirencester Road. Subject to the exceptions provided for in CDLP Policies DS4 and EC3, development proposed in the Area of Separation which would result in a significant erosion of the separation between settlements will not be supported.

5.3 ENCOURAGING HOME WORKING AND MICRO BUSINESSES

Rationale for Encouraging Home Working and Micro Businesses

- 5.3.1 The Cotswold District Council Local Plan Policy EC1 supports “Employment Development which enables opportunities for more sustainable working practices, including homeworking”, acknowledging that, within the Cotswold District the level of homeworking is twice the National Average. It attributes this, partly to the rural nature of the District and a skilled and entrepreneurial workforce. Tourism is cited as a major, growing part of the local economy, with the accompanying “Issue” that it needs to be properly managed to provide sustainable and sustained benefits to the local economy. Hence this Policy aims to encourage suitable alternative sources of employment.

POLICY SC3

Home Working and Small Home-Based Business

Where planning permission is required, proposals for home working and small home-based businesses will be supported subject to complying with the South Cerney Neighbourhood Character Assessment (NCA Appendix N), policies EC1 and EC3 in the Cotswold District Council Local Plan 2011-31, and, not having:

- a) significant traffic impact
- b) adverse effect on surrounding residential amenity
- c) adverse impact on the Conservation Area
and
- d) in rural areas outside the development boundary, being small scale and protecting the environmental asset essential for a vibrant tourist industry.

5.4 EMPLOYMENT DEVELOPMENT OUTSIDE THE DEVELOPMENT BOUNDARY

Rationale for Employment Development outside the Development Boundary

- 5.5.1 The Lakeside Business Park is the second largest employment area within the Cotswold District. As discussed in the South Cerney Neighbourhood Character Assessment (NCA Appendix N), many of the industrial units have been well designed. Space exists within the Business Park, and this is the location suited and available for further B Class employment development. The tourist and leisure industry in the parish are vulnerable should there be inappropriate employment and other development in the area.

POLICY SC4

Employment Development Outside the Development Boundary

1. Class B2/B8 Employment development should be located within the Lakeside Business Park.
2. Employment development outside the Development Boundary will be acceptable only if compatible with the Cotswold District Council Local Plan 2011-2031 Policy EC3, the rural area, and does not adversely impact on the residential amenity of existing holiday settlements outside of the development boundary with regard to noise, visual intrusion and other potential adverse amenity impacts. Any proposal should also be consistent with guidance in the South Cerney Neighbourhood Character Assessment (NCA Appendix N).

5.5 HOLIDAY ACCOMMODATION AND ACCESS TO LAKES

Rationale for Holiday Accommodation and Access to Lakes

- 5.5.1 Commercial developers of the areas around the lakes have converted some areas into private holiday estates, with restricted use holiday homes built in a lodge style. Where public rights of way run alongside these estates, wire fences often enclose paths with notices forbidding access to areas beyond the paths. Some local residents feel that, having endured the disruption and unattractive environment during the gravel extraction process, they are denied the benefit of the improved landscape (and 'restricted access to lakes/rights of way' is an issue raised in the Household Survey as something respondents disliked about living in South Cerney). Car park charges at some of the few accessible sites have increased the resentment.
- 5.5.2 The parish now has nearly 1,000 holiday homes and static caravans. These are specifically for use as holiday homes outside of the Development Boundary, and use of them is monitored to check they are not being used for primary residence. CDC has produced guidance on how this will be decided. With the number of households in the Parish at 1,750, further expansion in the number of holiday homes and caravans will begin to approach a disproportionate,

uncomfortable level. Residents of the Parish feel excluded from access to these developments, and some of the owners (whose properties are subject to Business Rates rather than Council Tax) make no contribution to the Parish Council via the precept.

- 5.5.3 Feedback to the Lakeside holiday home questionnaire, included comment that the area has developed enough and more hotels are undesirable.

POLICY SC5

Public Access to the Lakes Public access to the lakes should be maintained and improved wherever possible. Proposals for existing and new holiday accommodation which include improved public access to lakes and South Cerney village will be supported.

5.6 NON-RESIDENTIAL VISITOR FACILITIES

Rationale for Non-residential Visitor Facilities

- 5.7.1 Tourism is an important part of the local economy, and development that enhances leisure and opportunities for visitors will support the local economy. However, any such development will need to be in keeping with the local character and of a scale suited to the village and rural location. Note that the part of the Cotswold Water Park which lies within South Cerney, is all within The Lakes area of the South Cerney Neighbourhood Character Assessment (see Figure 3 above and NCA Appendix N).
- 5.7.2 The NPPF 2021 (Paragraph 185b) states that planning policies and decisions should ‘identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason’.
- 5.7.3 The CPRE Map of tranquility (2006) shows the greatest areas of tranquility within the Upper Thames Clay Vales (Natural England Character Area 108), lie around the Cotswold Water Park.
- 5.7.4 Quiet lakes provide a wildlife haven and offer a different recreational experience for visitors and local people. In order that some lakes continue to provide the peace and tranquillity that wildlife and people need, they are not considered suitable for development that introduces recreational and other uses with significant noise and disturbance impact. The aim is to encourage non-residential visitors to enjoy the peace and tranquillity of the Cotswold Water Park.
- 5.7.5 The CDC Local Plan Policy SP5 permits proposals for “sports, leisure, and/or recreational development on former mineral extraction sites” within the area known as the Cotswold Water Park provided “they satisfactorily mitigate potential adverse impacts on residential amenity and maintain the character of settlements and their settings”. CDC LP Policy EC10 ensures that new tourism development protects the “high quality” natural environment and considers that any “large scale visitor development will be unacceptable if it would harm

the landscape.” This Policy, SC7, supports the Local Plan Policy SP5 in strengthening the “landscape character” and reinforcing “the Cotswold Water Park’s sense of place.”

- 5.7.6 It also supports Natural England’s objective (cf National Character Area Profile: 108 Upper Thames Clay Vales Statement of Environmental Opportunity SEO1) to promote rivers and lakes as places to experience tranquillity. Natural England note that recreation activities should be “appropriately managed in order to avoid disturbance of breeding birds, poor experiences of tranquillity and potential conflict between user groups. Securing sustainable recreation is particularly important on ecologically fragile sites or where the negative impact would be significant.”

POLICY SC6

Non-residential Visitor Facilities

Visitor facilities which enhance the leisure and recreational offer of the Cotswold Water Park while respecting nature conservation interests and the residential, rural and sensitive landscape location will be supported. Development that significantly harms the tranquility of lakes predominantly used for quiet recreational pursuits (for example, fishing, naturally powered sailing, walking) will not normally be supported.

5.7 EXISTING RECREATIONAL OPEN SPACES AND ALLOTMENTS

Rationale for Existing Recreational Open Spaces and Allotments

- 5.8.1 The parish enjoys some good facilities and open spaces which are strongly valued by residents who wish to see these provisions protected, and where possible and practical, improved. Recreational and community facilities on open land and water include; allotments, play areas, Upper Up playing fields, the bowls green, fishing lakes, sailing clubs and water sport areas.

POLICY SC7

Existing Recreational Open Spaces and Allotments

1. Any development on the areas of Open Space and allotments listed below, and shown in Appendix G, will be acceptable only if it enhances and protects that use, or offers, as a replacement, a similar facility of equal or better value in terms of recreational value and accessibility and, in the case of allotments, horticultural quality.

2. Developments on open spaces should enhance the use of that open space and not introduce noisy or other activities not suited to a residential area. Open spaces and allotments will be expected to be maintained as such, unless equivalent provision is provided that is at least equally acceptable. Any development on these should not significantly adversely impact on residential amenity or the character of the locality.

- Cerney Wick Playground
- Cerney on the Water: Play Area
- Cerney on the Water: Woodland
- Cerney on the Water: Lakeside
- Cerney on the Water: Fenton's Play Area
- Open area by Scout Hut
- Village Hall Green
- The Piece, Station Road (Common Land)
- Bowling Green
- Berkeley Close open space
- School Lane Allotments
- Playground at Robert Franklin Way
- Ann Edwards' School Playground and Sports Field
- South Cerney Golf Course

5.8 PROTECTION OF COMMUNITY AND CULTURAL FACILITIES

Rationale for Protection of Community and Cultural Facilities

- 5.9.1 The retention and enhancement of facilities and services that meet the needs of the people of the parish will reduce the need for residents to travel further afield. It will also enable South Cerney to maintain and enhance its independence and healthy community.
- 5.9.2 These are potential Assets of Community Value (ACVs) as envisaged by the Localism Act 2011.
- 5.9.3 An asset will no longer be economically viable typically because the site has been marketed at a reasonable price for at least a year (for that and any other suitable employment or service trade use) and no interest in acquisition has been expressed.

POLICY SC8

Protection of Community and Cultural Facilities

1. In order to promote a thriving village for all ages, the community and cultural facilities listed below and their existing use will be protected:

- Village Hall, South Cerney
- Fenton's Community Centre
- Scout Hut
- Site of Cerney Wick Village Hall (the current dilapidated building is not fit for purpose, although the site could be used to develop a replacement Village Hall)
- Church of Holy Trinity, Cerney Wick, with adjoining graveyard
- All Hallows Church with adjoining graveyard
- Post Office
- Pharmacy
- Doctors' Surgery
- South Cerney United Church
- Ann Edwards' Church of England Primary School
- Public house: The Royal Oak, High Street, South Cerney
- Public house: The Old George, Clarks Hay, South Cerney
- Public house: Eliot Arms, Clarks Hay, South Cerney
- Public house: The Crown, Cerney Wick

2. Development proposals that will result in the change of use, or redevelopment including a significant reduction in the scale and value of a community and cultural facility, will only be supported where they comply with other policies of the development plan. Development proposals that will result in the loss, or significant reduction in the scale and value of any community and cultural facility, will be resisted unless:

a) alternative facilities of equal or better accessibility, size and suitability are provided;

or

b) it can be clearly demonstrated that the operation of the asset, or the ongoing delivery of the community and cultural value of the asset, is no longer economically viable.

5.9 LOCAL ECOLOGY SITES

Rationale for Local Ecology Sites

5.10.1 Ecology within the Cotswold Water Park

- 5.10.1.1 South Cerney is at the heart of the Cotswold Water Park which supports a rich biodiversity, partly as a result of the intrinsic physical attributes of the area, plus land management activities over many centuries. The area supports a wide variety of notable species, some of which are targets of the Cotswold Water Park Biodiversity Action Plan, including wintering and breeding birds such as pochard and gadwell, as well as water vole, otter, bittern, freshwater white clawed crayfish and the lesser bearded stonewort. However, this is under pressure from the 500,000 annual visitors to the Cotswold Water Park, and, therefore, is a resource which requires protection.
- 5.10.1.2 In January 2021, Natural England gave notice that “it has reviewed the notification Cotswold Water Park SSSI and has enlarged the SSSI boundary to include more land of special interest. The boundary of Cotswold Water Park SSSI has been enlarged under section 28C of the Wildlife and Countryside Act 1981, to include more land that is considered to be of special interest..... The enlarged notification under section 28C takes effect immediately.” This Neighbourhood Plan welcomes and supports this enhanced protection for the substantial areas of the Parish within the Cotswold Water Park. Some of the justification gathered during the preparation of the Neighbourhood Plan (before the Natural England notification) is documented below. Note that the Pre Submission Consultation phase (Regulation 14) for this draft Plan was completed in November 2020 before Natural England’s notification.
- 5.10.1.3 As part of the consultation process, a Cotswold Water Park Ranger observed that, the lakes surrounded by holiday homes have become of little ecological value due to human intervention, and the same can be said of those stocked by fishing clubs. The Cotswold Water Park Integrated Landscape Character Assessment notes that some “lakes appear to have been constructed specifically for recreational purposes and although some attempts have been made to naturalise these lakes through lakeside planting, many of the water bodies tend to be poorly integrated into the wider landscape.”
- 5.10.1.4 Natural England (cf National Character Area Profile: 108 Upper Thames Clay Vales) note that poor water quality and non-native species are negatively impacting the Cotswold Water Park SSSI. They classify the condition of this SSSI as ‘Unfavourable – Declining’.
- 5.10.1.5 Within the Cotswold Water Park, the clonal genetic diversity of black poplars is studied along with an active propagation and conservation programme, and Natural England recommend it as a site from which to draw ‘best practice’ around black poplar. However, they note that native black poplars are ageing and there are few successors. According to the Forestry Commission, black poplar is the most endangered native timber tree in Britain.
- 5.10.1.6 The Cotswold Water Park Bio-Diversity Action Plan (BAP) 2007-2016, emphasises that “an increase in the bio-diversity of an area is a crucial measure of sustainable development and a lasting legacy for future generations.”

5.10.2 Important Ecology Sites outside the Cotswold Water Park

- 5.10.2.1 The areas of the Parish which lie outside the Cotswold Water Park include sites identified by other recognised authorities as of ecological importance and which do not have the protection of the SSSI status. These are appreciated and enjoyed by residents and visitors alike, including those with specialist interests. In order to conserve, and, where possible, increase biodiversity, protection from development and remedial actions during development are required.
- 5.10.2.2 The remains of the Thames Severn Canal, those of the Midland and South Western Junction Railway and the meandering River Churn, bordered by ditches, woodland, former water meadows and open fields, all provide habitats and corridors for a variety of flora and fauna.
- 5.10.2.3 Gloucestershire Wildlife Trust have identified two 'Local Wildlife Sites' meeting their criteria as "areas with a rich diversity of habitats that provide refuges and corridors for wildlife across Gloucestershire. They are found on both public and private land and include a great variety of valuable semi-natural habitats such as ancient woodland, species-rich grasslands, river valleys, heathland and hedgerows. These sites have no legal protection, yet they still deserve recognition as the most important places for wildlife outside of legally protected land such as Sites of Special Scientific Interest (SSSI)." The Local Wildlife sites are shown on Figure 5 below:
- 5.10.2.3.1 LWS 1 – River Churn. This is the area of historic former water meadow (see Policy SC12) which continues to flood periodically, thereby providing varied habitats along the River Churn.
- 5.10.2.3.2 LWS 3 – Cerney Wick Meadow. The area around the Weir between the River Churn and the Thames and Severn Canal, also subject to seasonal flooding.
- 5.10.2.4 Gloucestershire Geological Trust have identified a 'Regionally Important Geological / Geomorphological Site (RIGS)' shown on Figure 5 as number 2 'Railway Cutting RIGS' at GPS location SU045 980. The Railway cutting near Hill View Farm has rich ammonite fauna and is one of the few permanently exposed examples within Gloucestershire of a Jurassic period rock known as the "Kellaways Formation" (both clay and sand members). The cutting exposes the thickest development of "Kellaways Rock" (sand member) in the south west of England. Also exposed above the Kellaways beds is the contact with the lower part of the Oxford Clay Formation (a Jurassic marine sedimentary rock). This contact is not known to be exposed anywhere else in the county.
- 5.10.2.5 This Policy supports the Cotswold District Council Local Plan Policies EN7, EN8 and EN9 for sites located within South Cerney. These policies aim to ensure the long term resilience of biodiversity, such that any development results in no net loss whilst seeking net gains via habitat creation and land management.

- 5.10.2.6 This Policy adheres to Natural England’s objective (cf National Character Area Profile: 108 Upper Thames Clay Vales Statement of Environmental Opportunity SE01) to “Ensure that the long-term, sustainable management of habitats is secured along with recreational benefits engaging the public in learning about local geodiversity and biodiversity.” SE01 further aspires to “conserve and restore historic flood meadows, locks and ditches so that water levels can be managed for the benefit of water flow, sense of history and biodiversity”.
- 5.10.2.7 Note that Figure 5 below is reproduced on a larger scale in Appendix F. It also displays areas within the Parish included on the National Forest Inventory (NFI). These are not specified within this Neighbourhood Plan Policy as they correspond to areas under the protection of Natural England as Priority Habitats and/or Sites of Special Scientific Interest (SSSIs).

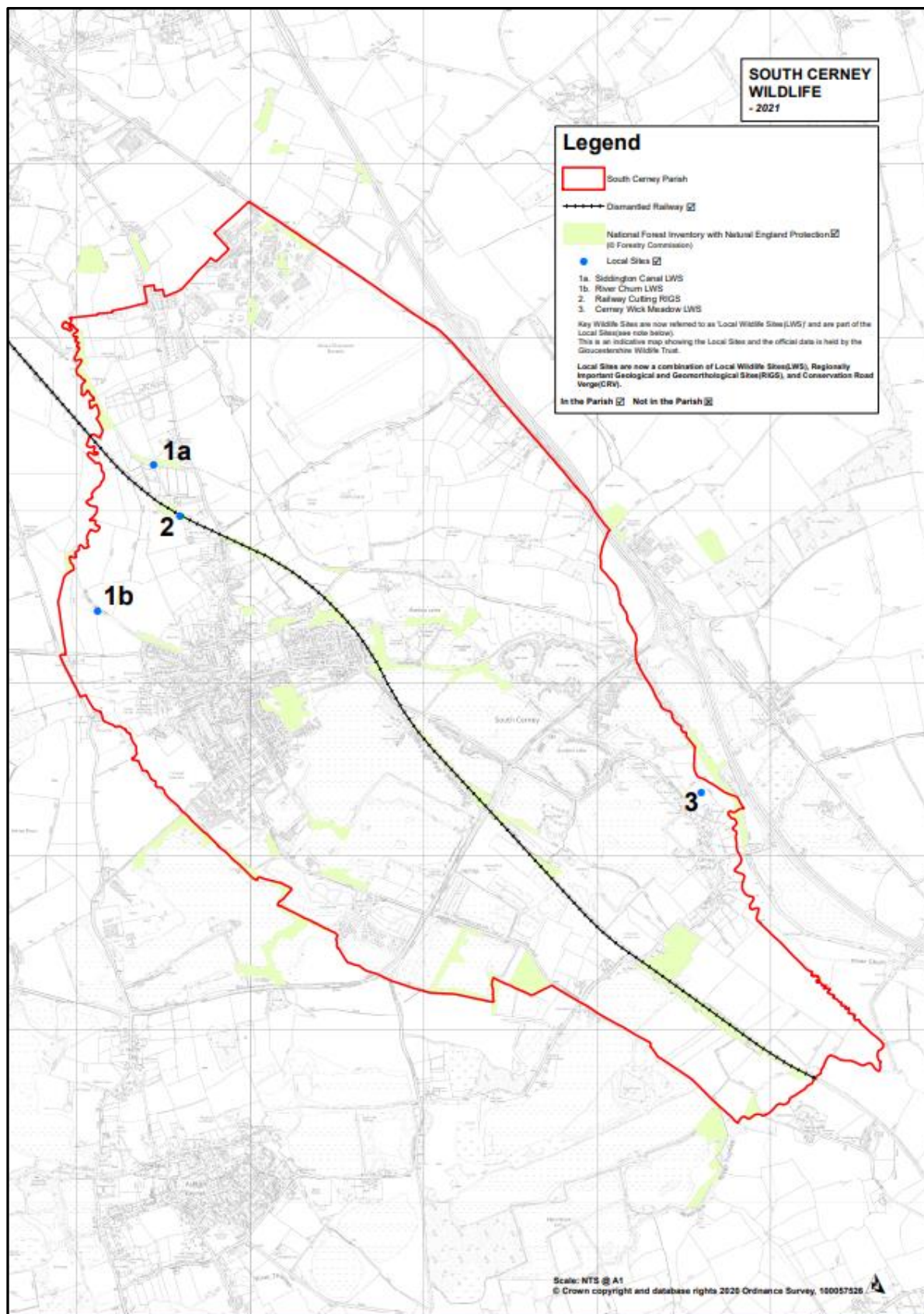


Figure 5 Local Sites of Ecological and Geological Value
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POLICY SC9

Local Sites of Ecological and Geological Value

1. The following Local Ecology Sites, listed below and shown on Figure 5 (and in Appendix F), are to be conserved so that the wildlife and ecological value of the sites is protected and, where possible, enhanced.

1 – River Churn Local Wildlife Site (LWS)

2 – Railway Cutting Regionally Important Geological/Geomorphological Site (RIGS)

3 – Cerney Wick Meadow Local Wildlife Site (LWS)

2. Where development would cause significant harm to biodiversity which cannot be avoided by either locating it on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Any mitigation measures and, where appropriate, the maintenance of them should be integrated into the design of the proposals and, if necessary, secured by planning condition. All developments are normally expected to achieve an overall biodiversity net gain which at least matches that required by legislation and national or other local plan policy.

3. Proposals will be supported that comply with other policies in the Development Plan and:

- a) Conserve and enhance the biodiversity of the area, particularly any designated Local Wildlife Sites and Regionally Important Geological/Geomorphological Sites, any protected species, any priority species and habitats.
- b) Enhance the connectivity between existing biodiversity sites and habitats.
- c) Increase the potential for the public to enjoy and better understand ecology and biodiversity.

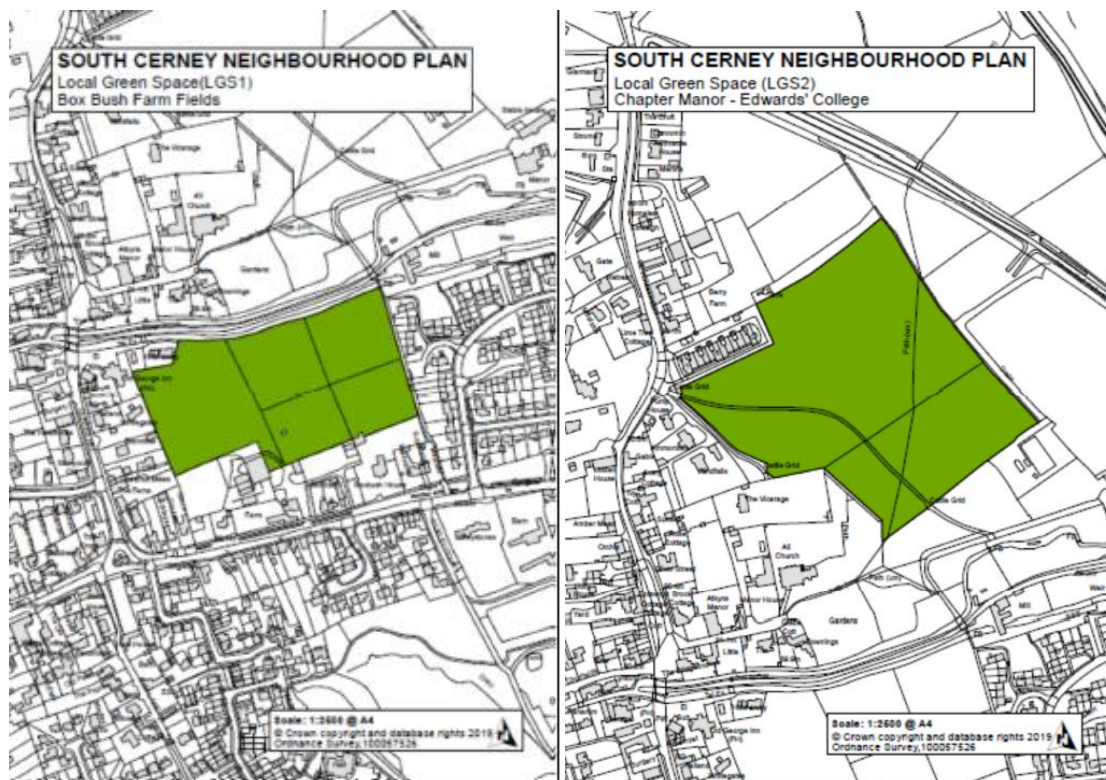
5.10 DESIGNATION OF LOCAL GREEN SPACES

Rationale for Designation of Local Green Spaces

5.11.1 The NPPF makes provision for 'Local Green Spaces', which are of particular importance to communities and where development will not be permitted except in very special circumstances, to be designated through the Local Plan and through Neighbourhood Plans. In South Cerney, the Cotswold District Council Local Plan Policy EN3 designates LGS 11 Church Lane Allotments and LGS 12 Upper Up Playing Fields as such.

5.11.2 This NP adds two further areas, within the Conservation Area, which reflect the historic heart of South Cerney village and were identified by many respondents of the Household Survey as being of the highest value: LGS1 Boxbush Farm Fields and LGS2 Chapter Manor – Edwards' College Parkland. The Conservation Area Statement describes LGS1 Boxbush Farm Fields as "the most important" open space in the village of South Cerney and LGS2 Chapter Manor – Edwards' College Parkland as "a very important open space within the Conservation Area." See Appendix H for further information.

Figure 6 *Local Green Spaces*



POLICY SC10

Designation of Local Green Spaces

1. LGS1 Boxbush Farm Fields (part of Land Registry Title GR303035) and LGS2 Chapter Manor – Edwards' College Parkland (Land Registry Title GR269360) are designated as Local Green Space, as shown in the maps in 5.11.3.
2. Development on Local Green Space will be supported only in very special circumstances.

5.11 LOCALLY LISTED NON-DESIGNATED HERITAGE ASSETS

Rationale for Locally Listed Non-Designated Heritage Assets

- 5.12.1 Designated heritage assets are protected through policy EN10 of the Cotswold District Council Local Plan, and designated heritage assets/conservation areas are protected through policy EN11. The Conservation Area statement, community consultation, members of the South Cerney Trust, and the NCA (Appendix N) have identified a number of non-designated heritage 'locally listed' assets (NDHAs) that comply with Table 6 of Local Plan policy EN12 and these are detailed in Appendix Ib.
- 5.12.2 Natural England's objective (cf National Character Area Profile: 108 Upper Thames Clay Vales Statement of Environmental Opportunity SEO3) includes "managing canals to conserve important heritage features.....providing corridors and habitat for wildlife." They also cite an opportunity to "Conserve and restore historic flood meadows, locks and ditches so that water levels can be managed for the benefit of water flow, sense of history and biodiversity." Ridge and furrow dating from medieval times survives within the Parish and, Natural England note that this requires protection from potential destruction and damage resulting from farming activities.
- 5.12.3 Historical accounts, for example Samuel Rudder's 1779 "A New History of Gloucestershire" and the leading 18th – 19th century agriculturalist Arthur Young, record the success with which the farmers of South Cerney managed water meadows along the River Churn. Arthur Young considered the South Cerney "meads" as "equal, if not superior to any thing of the kind in the kingdom." The practice, sometimes known as "drowning the meadows", involved digging ditches across fields bordering the river, allowing water to flood across the fields in winter controlled by hatches. The resultant deposit of silt fertilized the soil and raised its temperature, increasing grazing and hay harvests. By the middle of the 20th century, this method had fallen out of use, and the practitioners are no longer alive to share their knowledge and expertise. Many remains are lost either through development of the land or by dilapidation. Given the skill and fame of past farmers, the best preserved surviving remains deserve protection.

POLICY SC11

Non-Designated Heritage Assets

1. When proposed development might directly or indirectly affect a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm and the significance of the asset. Appendix I(a) lists structures and buildings already recognised as Non Designated Heritage Assets including those identified as ‘Buildings of Special Character’ in the South Cerney Conservation Area Statement of 2002.

2. Appendix I(b) lists Locally Listed Heritage Assets meeting the criteria in Table 6 of the Cotswold District Council Local Plan 2011-2031 as follows:

- Airfield White Control Tower
- Talland House
- Bus Shelter, High Street
- Pennant kerbstones along Silver Street
- Three Stone slab stiles
- Three Railway Bridges from the former Midland and South Western Junction Railway
- Lock Keeper’s Cottage at South Cerney Upper Lock
- Seven locks on Thames Severn Canal
- Round house at Cerney Wick
- Milepost on Thames Severn Canal
- Evidence of Ridge and Furrow
- Two sites with characteristic remains of post-medieval water meadows

3. This is not an exhaustive list and further NDHAs may be identified in the future that meet the criteria provided in the Cotswold District Council Local Plan 2011-2031.

5.12 REDEVELOPMENT OF CLARK’S HAY GARAGE

Rationale for Redevelopment of Clark’s Hay Garage

5.13.1 The garage on Clark’s Hay is located within the Conservation Area. Originally this garage was the village petrol service station. Over time, the petrol pumps have been removed and the use has changed to become a vehicle recovery and repair operation, which does not serve the village. This operation is now incongruous and unattractive, situated in the centre of the village. The barrage of comments from the Household Survey and public consultation meetings indicate the strong feelings of the residents. South Cerney has an area within the Lakeside Business Park that would be suitable for this operation if relocated.

POLICY SC12

Redevelopment of Clark's Hay Garage

Proposals for the redevelopment of this site for residential use and/or commercial use will be supported, in order that the visual appearance and use of the site becomes better suited to the Conservation Area location. New development will be required to conserve and enhance the setting of adjacent heritage assets and the Conservation Area, and comply with guidance in the South Cerney Neighbourhood Character Assessment and the Cotswold Design Code 2018.

5.13 ALLEVIATION OF FLOODING

Rationale for Alleviation of Flooding

- 5.14.1 South Cerney has a history of flooding from multiple sources and, in the opinion of specialist consultants 'JBA Consulting', is probably the most complex settlement, from a flood risk point of view, within Cotswold District.
- 5.14.2 Since the year 2000, parts of the village (including the sewage system) have flooded from the River Churn, the Shire Ditch (the sole outflow for the Thames Water Sewage works at Shorncote, which takes all the sewage from Cirencester, Siddington, Preston and South Cerney, plus storm-water and groundwater surcharge in times of high rainfall), or from high groundwater. Areas of South Cerney are now classified by the Thames Water Drainage Strategy as being at High Risk of groundwater flooding. Since all the outflow from the sewage works at Shorncote discharges into the Shire Ditch, it is believed that this risk will increase with any additional developments in Cirencester, for example the Chesterton development of more than 2300 residential dwellings.
- 5.14.3 As a result of increasing levels of rainfall, evidenced in the winter of 2019-2020, the storm water entering the sewage works at Shorncote has caused the discharge of untreated sewage. This has led to a pervasive, unpleasant smell in the village.
- 5.14.4 The winter of 2019-2020 saw flooding in Cerney Wick, the causes of which are under investigation. On 27 December 2020, stretches of School Lane, Clark's Hay, Station Road and the High Street were flooded, overwhelming the storm water drains and sewers leaving roads closed, houses flooded and raw sewage in the streets. The River Churn broke its banks and large tracts of water meadows were deep under water. The Evidence Base includes photographs of this event.
- 5.14.5 The second most mentioned issue in the Household Questionnaire and most vociferously raised at the public consultation meeting was inadequate drainage and flooding in the village. Over two-thirds of responses to the Household Survey were either very or moderately concerned about flood-risk. 38% of respondents have been personally affected by flooding in their property. Comments asserted that we should be using water/flood meadows, managing silt levels and clearing drain ditches.

POLICY SC13**Alleviation of Flooding**

A Flood Risk Assessment will be required for any development within areas identified as at high risk of groundwater flooding in the JBA Consultancy 'Groundwater Risk Flood Map' in Appendix K. Monitoring of groundwater levels will be required for at least one year on all such sites. The Flood Risk Assessment is based on an accurate assessment of fluvial, surface water and groundwater flooding potential and cumulative impact from other development and from Climate Change. Developers will need to demonstrate that flooding will not be exacerbated by the development, including any adverse impact on groundwater, either within the development or the surrounding area. Developers will also need to ensure the incorporation of sustainable drainage techniques where possible.

5.14 ENERGY USE AND RENEWABLE ENERGY**Rationale for Energy Use and Renewable Energy**

- 5.15.1 The cost and use of energy, and the impact of energy use on climate change, were issues raised during the Household Survey. This is partly attributable to raised awareness of energy issues and costs, and partly a reflection that there are many older properties in South Cerney, where energy performance falls well below current building standards. Cold damp buildings and fuel poverty are issues that need to be addressed. South Cerney is not unique in facing these problems (cf 'Warmer Bath' by The Bath Preservation Trust and the Centre for Sustainable Energy June 2011).
- 5.15.2 There has been some retrofitting of photo-voltaic and thermal solar panels on roofs in South Cerney, and a few properties have deployed renewable technologies such as heat pumps. There are no larger scale renewable energy facilities in the parish.
- 5.15.3 There are conflicts between energy policy issues, and the conservation and enhancement of designated and non-designated historical buildings and their settings. In striking the planning balance between benefits and impacts, full weight should be given to the benefits.

POLICY SC14**Energy Use and Renewable Energy**

Energy Efficiency measures and the deployment of renewable energy technologies in new and existing buildings will be supported, as long as there is no unacceptable visual or amenity impact, when the energy and environmental benefits of the scheme outweigh any visual or other impacts.

5.15 SUSTAINABLE TRAVEL AND RIGHTS OF WAY NETWORK

Rationale for Sustainable Travel and Rights of Way Network

- 5.15.1 This policy provides local detail for the implementation of the Cotswold District Council Local Plan 2011-2031 Policy INF3 and Policy S8 for South Cerney.
- 5.15.2 The level nature of the parish makes it particularly suited to cycling as well as walking. Promotion of sustainable travel within the village will reduce car use for short local journeys. This will require facilities to be safe and continuous. At present there are missing links and severance issues, as shown on the footpaths plan in Appendix J.
- 5.15.3 The improvement of safe walking and cycling facilities within South Cerney village and parish are important for both local residents and visitors, and could be a tourism asset. Respondents to the Household Survey support these proposed improvements.
- 5.15.4 Although South Cerney is quite well served with footpaths, this amenity can be made better and safer through a small number of enhancements. The Parish Council has new footpaths pending planning approval with GCC Commons and Rights of Way Committee. Not least to meet the identified tourist need, new ones are identified and two sections of new footpaths needed to improve pedestrian safety. (See Appendix J).
- 5.15.5 CDC LP Policy S8 for South Cerney recognises that, within the wider parish, links between recreational facilities and other locations need providing or in some cases improving. In particular, an off-road link to Cirencester is needed to promote sustainable journeys between home and work, tourism and trips by local visitors. The disused railway line to Siddington provides an obvious opportunity.

POLICY SC15

Sustainable Travel and Rights of Way Network

1. Development proposals will be expected to retain the rights of way network, and where appropriate, contribute to improve and extend it.
2. The following infrastructure projects are priorities for improvements:
 - Repair of Sustrans Route 45 through the parish
 - Redevelopment of a new off-road cycle link towards Cirencester and a cycle path to the Duke of Gloucester Barracks and the Cotswold Water Park
 - Conservation and maintenance of the public footpath along the Thames and Severn Canal towpath
 - Better provision of recreational routes for wheelchair users
 - Completion of the Footpath network detailed in Appendix J.

5.16 REDUCTION OF LIGHT POLLUTION

Rationale for Reduction of Light Pollution

- 5.17.1 An asset is that the majority of the Parish area is not lit at night, which reduces overall light pollution and contributes to the visibility of the night skies.
- 5.17.2 The NPPF 2021 (Paragraph 185c) states that planning policies and decisions should 'limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'
- 5.17.3 The International Dark Sky Association (Lighting Public Policy) states that 'the preponderance of available scientific data suggests that exposure to artificial light at night presents significant risks to human health.' Also, that 'Poorly designed and/or installed outdoor lighting is a known hazard to motorists, bicyclists and pedestrians in transit at night'.
- 5.17.4 Skies which are not polluted by light are important for nocturnal wildlife such as bats and owls.
- 5.17.5 Skies which are clear of light pollution enable local residents to enjoy clear views of stars, constellations and other features of night skies.

POLICY SC16

Reduction of Light Pollution

1. Developments should be designed to reduce the occurrence of light pollution and, where appropriate, are required to demonstrate how they will contribute towards minimising light pollution. Information on these measures must be submitted with applications. Any lighting scheme that would normally require planning permission (eg floodlighting, lighting on poles etc) or development that includes such a scheme will not be supported unless accompanied by a Lighting Assessment.
2. The Lighting Assessment should:
 - a) Demonstrate that all available and feasible mitigation solutions would be implemented to reduce light pollution to a minimum so as to avoid loss of visual amenity to those residing within or visiting the Parish and to reduce impact on nocturnal wildlife.
 - b) Demonstrate that the proposed lighting scheme is unavoidable to ensure road and personal safety of the development and that the benefits significantly outweigh the negative impact including any impact on nocturnal wildlife
And
 - c) Set out the operating hours of the light impact and demonstrate that these have been reduced to a minimum.

6 COMMUNITY ACTION

- 6.1 We cannot ignore the feedback from our household questionnaire in which over 80% of respondents were concerned about parking issues and over 81% concerned about traffic. Parking, congestion and speeding featured highly in the things respondents disliked about living in South Cerney. It is intended therefore that, along with community groups, the Parish Council will pursue the delivery of a transport management plan with the County and District Council, with the intention of producing a coordinated and comprehensive document to include such solutions as: better parking and parking restrictions, speed limits and non-invasive traffic calming measures. Innovative funding arrangements will be investigated alongside expecting contributions from development activity in the village.

7 APPENDICES

APPENDIX A: LOCAL CONSULTATION EVENTS

Table of Local Consultation Events

APPENDIX B: MAP OF THE PARISH

Map of the Parish

APPENDIX C: MAP OF THE CONSERVATION AREA

Map of the Conservation Area

APPENDIX D: HOW POLICIES MEET OBJECTIVES

Matrix of how Policies meet Objectives

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Description and Map of Views

APPENDIX F: LOCAL SITES OF ECOLOGICAL AND GEOLOGICAL VALUE

Local Sites of Ecological and Geological Value

APPENDIX G: OPEN SPACES

Existing Recreational Open Spaces and Allotments

APPENDIX H: LOCAL GREEN SPACES

Local Green Spaces

APPENDIX I: LOCALLY LISTED HERITAGE ASSETS

Local Heritage Assets

APPENDIX J: RIGHTS OF WAY IMPROVEMENTS

Rights of Way Network: Missing Links and Improvements

APPENDIX K: GROUNDWATER RISK FLOOD MAP

Groundwater Risk Flood Map provided by JBA Consultancy

APPENDIX L: EVIDENCE BASE REFERENCES

Documents referred to above which are in the Evidence Base

APPENDIX M: REFERENCE LIST

Documents referred to above which are publicly available and not in the Evidence Base

APPENDIX N: NCA (NEIGHBOURHOOD CHARACTER ASSESSMENT)

Neighbourhood Character Assessment

Annex C: Table of Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification	Officer recommendation
PM1	Policy SC1	<p>Delete the second sentence and insert: "New developments should take account of the Cotswold Design Guide (which is Appendix D to the 2011 – 2031 CDLP) or any relevant successor design guide or code and the South Cerney Neighbourhood Character Assessment (NCA) Appendix N, alongside the National Design Guide and National Model Design Code."</p> <p>Delete the final two paragraphs and insert: "Within lakeside holiday developments, proposals for more contemporary designs will be supported that are in character with other buildings in the vicinity."</p> <p>Explain the reasons for the new final sentence of the policy in the justification based on the deleted final two paragraphs.</p>	<p>Agree – Ensures that the policy fits well with the Local Plan, and importantly in the context of CDC's update, any successor document.</p> <p>Agree - simplifies the policy wording, reducing the risk of confusion/ alternative interpretation, but continues to recognise the very different character of the Lakes area of the parish</p>
PM2	Policy SC2	<p>Delete the final sentence and insert: "Subject to the exceptions provided for in CDLP Policies DS4 and EC3,</p>	<p>Agree - improves read across to the Local Plan, and simplifies the policy, reducing risk of confusion/alternative interpretation.</p>

		development proposed in the Area of Separation which would result in a significant erosion of the separation between settlements will not be supported."	
PM3	Policy SC3	<p>Retitle the policy: "Home Working and Small Home-Based Business".</p> <p>Amend the first phrase within the policy to: "Where planning permission is required, proposals for home working and small home-based businesses will be supported subject to complying with, etc...".</p>	<p>Agree – enhances clarity for the reader.</p> <p>Agree – better reflects the fact many proposals may be undertaken under permitted development rights, and thus out of scope.</p>
PM4	Policy SC4	Delete the policy.	Agree – consistent with our representations.
PM5	Policy SC6	<p>Retitle the policy: "Public Access to the Lakes".</p> <p>Amend the first paragraph within the policy to: "Public access to the lakes should be maintained and improved wherever possible. Proposals for existing and new holiday accommodation which include improved public access to lakes and South Cerney village will be supported."</p> <p>Delete the second paragraph.</p>	<p>Agree – enhances clarity for the reader.</p> <p>Agree – retains the intent of the original policy, and has regard to the NPPF.</p>
PM6	Policy SC7	Rephrase the first sentence to: "Visitor facilities which enhance the leisure and recreational offer of the Cotswold Water	Agree - retains the intent of the original policy, and has regard to the NPPF.

		<p>Park while respecting nature conservation interests and the residential, rural and sensitive landscape location will be supported."</p> <p>Delete from the second sentence "... will not normally be permitted". Insert ".... will not normally be supported."</p>	
PM7	Policy SC9	<p>Rephrase the second sentence to:</p> <p>"Development proposals that will result in the change of use, or redevelopment including a significant reduction in the scale and value of a community and cultural facility, will only be supported where they comply with other policies of the development plan."</p> <p>Move the final sentence to the reasoned justification.</p>	Agree – enhances clarity for the reader
PM8	Policy SC10	<p>Change policy heading to:</p> <p>"Local Sites of Ecological and Geological Value".</p> <p>Amend the second and third sentences to:</p> <p>"Where development would cause significant harm to biodiversity which cannot be avoided by either locating it on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Any mitigation measures and, where</p>	<p>Agree – enhances clarity for the reader</p> <p>Agree - retains the intent of the original policy, and has regard to the NPPF.</p>

	Figure 5	<p>appropriate, the maintenance of them should be integrated into the design of the proposals and, if necessary, secured by planning condition.”</p> <p>Replace Figure 5 with the updated location map and add the detailed maps to Appendix F, all of which were submitted by SCPC on 31 August 2021 delineating the specific Sites of Ecological and Geological Interest.</p>	
PM9	Policy SC11	Delete: “... including development that preserves and enhances the attributes for which it was designated.”	Agree - retains the intent of the original policy, and has regard to the NPPF, and recent legal opinion.
PM10	Policy SC12	<p>Alter policy title to “Non-Designated Heritage Assets”</p> <p>Delete first sentence and insert: “When proposed development might directly or indirectly affect a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm and the significance of the asset.”</p>	Agree - retains the intent of the original policy, and has regard to the NPPF.
PM11	Policy SC12	Delete ISIS Lakes Holiday Homes from the list.	Agree - reflects a representation from CDC and national practice in this area.
PM12	Policy SC13	Amend first phrase to: “Proposals for the redevelopment of this site for residential use and/or commercial use will be supported, ...” .	Agree – enhances clarity for the reader

PM13	Policy SC16	Amend first phrase to: "Development proposals will be expected to ..." .	Agree – simplifies the wording and enhances clarity for the reader.
PM14	Policy SC17	Amend the first paragraph of the policy to: "Developments should be designed to reduce the occurrence of light pollution and, where appropriate, are required to demonstrate how they will contribute towards minimising light pollution. Information on these measures must be submitted with applications."	Agree - retains the intent of the original policy, and has regard to the NPPF.

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